



KOUGA
local municipality

Good Governance through Service Excellence

SPECIAL COUNCIL MEETING

AGENDA

Date : 18 February 2019
Time: 14:00
Venue : Kouga Council Chamber
(Jeffreys Bay Unit)

KOUGA MUNICIPALITY (EC108) <u>NOTICE CONVENING A MEETING</u> NOTICE IS HEREBY GIVEN that an Special Council Meeting will be held in the in the <u>Kouga Council Chambers, (Jeffreys Bay Unit</u> on <u>DATE:</u> 18 February 2019 <u>TIME:</u> 14:00  <u>H. BORNMAN</u> SPEAKER	UMASIPALA I-KOUGA (EC108) <u>ISAZISO NGENTLANGANISO</u> OKU KUKWAZISA OKOKUBA intlanganiso yesiquphe ye-khansile iyakube ibanjelwe <u>e-Kouga Council Chambers, (Jeffreys Bay Unit)</u> <u>UMHLA:</u> 18 EyoMdumba 2019 <u>IXESHA:</u> 14:00  <u>H. BORNMAN</u> USOMLOMO	MUNISIPALITEIT KOUGA (OK108) <u>KENNISGEWING VAN VERGADERING</u> KENNIS GESKIED HIERMEE dat 'n Spesiale Raadsvergadering in die <u>Kouga Raadsaal, (Jeffreys-baai Eenheid)</u> gehou sal word op <u>DATUM:</u> 18 Februarie 2019 <u>TYD:</u> 14:00  <u>H. BORNMAN</u> WOORDVOERDER
--	---	---

A G E N D A

1. **NOTICE OF MEETING**
2. **OPENING AND WELCOME**
3. **LEAVE OF ABSENCE**
4. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**
5. **STATEMENTS OR COMMUNICATIONS BY THE SPEAKER**
6. **STATEMENTS OR COMMUNICATIONS BY THE EXECUTIVE MAYOR**
7. **MATTERS DEALT WITH IN TERMS OF DELEGATED AUTHORITY BY THE EXECUTIVE MAYOR**

(The reports by the Executive Mayor, in terms of the provisions of Section 63 of the Local Government Municipal Systems Act, 32 of 2000, on matters dealt with by the Executive Mayor in terms of delegated authority as detailed in the Minutes to be noted).

8. **REPORTS BY THE EXECUTIVE MAYOR**

8.1 **REPORTS BY THE PORTFOLIO CHAIRPERSON: PLANNING, DEVELOPMENT & TOURISM**

19/02/PDT1 Low-Cost Housing Project: Layout Plan – Erf 17, 249, 250 And 2326: Hankey

Pages 7-34

19/02/PDT2 Call For Development Proposals Flisp & Rental Housing: Ocean View: Portion Of Portion 125 Of The Farm Estate Klein Zeekoei River No 335

Pages 35-37

19/02/PDT3 Call For Proposals For The Development Of Erf 353, Humansdorp

Pages 38-40

19/02/PDT4 Erf 275 – Old Market Building, Humansdorp

Pages 41-42

10. **CLOSURE**

Distribution list:

Executive Mayor

Speaker

All Councillors

Municipal Manager

All Directors

Relevant Managers

MATTERS DEALT WITH
IN TERMS OF
DELEGATED
AUTHORITY BY THE
EXECUTIVE MAYOR

REPORTS BY
THE
EXECUTIVE
MAYOR

REPORTS BY
THE
PORTFOLIO
CHAIRPERSON:
PLANNING,
DEVELOPMENT AND
TOURISM

KOUGA MUNICIPALITY (EC 108)

SPECIAL COUNCIL MEETING

PLANNING, DEVELOPMENT & TOURISM

DATE: 18 FEBRUARY 2019

ITEM NO.: 19/02/PDT1

LOW-COST HOUSING PROJECT: LAYOUT PLAN – ERF 17, 249, 250 AND 2326: HANKEY

1. Introduction

The purpose of this item is to present to the Committee the proposed layout for erf 17, 249, 250 and 2326, Hankey for approval.

2. Background

The low-cost housing project was approved by the Provincial Department of Human Settlement during 2009. The objective of this development was to accommodate the existing housing demand within the Hankey area. However, the project could not be implemented due to insufficient bulk services.

The upgrading of bulk services has been completed and ROD has been obtained for this project.

The Initial layout plan for this project made provision for 990 residential erven, but had to be amended by the consultant, Metroplan after negotiations between Council and PPC to transfer erf 245 did not succeed. With the exclusion of erf 245 from the project, the consultant prepared a layout to get the maximum number of residential erven. Several options were presented to Council which made provision for low, medium and higher density layouts, where the medium density made provision for 530 and high density for 738 erven.

Copy of proposed layout plan is attached (see Annexure "A")

An item was subsequently tabled at a Portfolio Committee on 17 August 2017 to approve the high-density layout but was not approved due to the size of the erven that was smaller than the national norm. Low cost erven are normally approximately 200-250 square meters, but these particular erven ranged between 118 – 125 square meters and semi-detached houses.

However, after having consulted with Metroplan on the possibility to increase the sizes of erven we were advised that should we increase the sizes of these erven and changed to freehold than this will significantly reduce the number of erven.

Furthermore, the environmental approval is in line with the proposed layout. Copy of EIA report is attached (see Annexure "B")

It is also important to note that the waiting list of prospective beneficiaries for the Hankey is very demanding and currently stands at 1875.

Another factor to take into consideration is that fact the area has limited land for future housing developments, hence the available land must be utilised optimally to cater for those in need of housing.

Copy of Town Planning report is attached (see Annexure "C")

3. Recommendation

- 3.1 That the proposed layout plan be adopted by Council as prepared by Metroplan.
- 3.2 That Council authorize the Municipal Manager to enter into new negotiations with the PPC board for donation of Erf 245, Hankey.
- 3.3 That subsequent to this approval, that the appointed service provider for land surveying, Maarschalk and Partners continue with the subdivision and pegging.

Item prepared by: GIS Administrator & Human Settlements

Item approved by F. Mabusela: Director: PDT

Endorsed by C. du Plessis: Municipal Manager

Item noted by the Portfolio Chairperson







"B"



Province of the
EASTERN CAPE
ECONOMIC DEVELOPMENT,
ENVIRONMENTAL AFFAIRS & TOURISM



Corner Belmont Terrace and Castle Hill, Central, Port Elizabeth 6001
Private Bag X5001, Greenacres, Port Elizabeth 6057 | Republic of South Africa

Tel: 041 508 5800 | Fax: 041 508 5865 | E-mail: Ndileka.Mlaku@dedea.gov.za | www.dedea.gov.za

Environmental Authorisation

AUTHORISATION NOTICE REGISTER NUMBER	Provincial: EC08/C/LN1&3/M/30-2015 NEAS: ECP/EIA/0000082/2015
LAST AMENDED	Not applicable
HOLDER OF AUTHORISATION	Kouga Municipality
LOCATION OF ACTIVITY	Erven Re/17, Re/250 and 2326 Hankey within Kouga Municipality.

DEFINITIONS:

The following definitions are applicable to this Environmental Authorisation:

"EIA regulations" – These are the Environmental Impact Assessment Regulations in terms of Chapter 5 of the National Environmental Management Act, Act 107 of 1998 published in Government Notice R982 of December, 2014.

"The Department" – The Department of Economic Development, Environmental Affairs and Tourism, Eastern Cape Province.

"IDP" - Integrated Development Plan.

"NEMBA" - The National Environmental Management: Biodiversity Act, Act No. 10 of 2004.

"DAFF" – Department of Agriculture, Forest and Fisheries

"EAP" – refers to the appointed Environmental Assessment Practitioner represented by Re-Solve Engineering Advice & Services JV.

"ECO" – Environmental Control Officer.

"FBAR" - refers to the Final Basic Assessment Report titled "Proposal to Construct Housing and Associated Facilities, as well as Infrastructure on portion of erven Re/17, Re/250 and 2326 Hankey" as prepared by Re-Solve- Engineering Advice & Services JV dated 15 March 2016.

"EMPr" – refers to the Draft Construction and Operation Environmental Management Programme titled "Proposal to Construct Housing and Associated Facilities, as well as Infrastructure on

ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM
CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

portion of erven Re/17, 245, Re/250 and 2326 Hankey" as prepared by Re-Solve-Engineering Advice & Services JV dated 15 March 2016, attached to the FBAR as Appendix F.

"Commencement" – Any physical activity on site that can be viewed as associated with the construction of the Housing and Associated Facilities, as well as Infrastructure on portion of erven Re/17, 245, Re/250 and 2326 in Hankey and therefore would in terms of this environmental authorisation include site preparation for this construction, as described under Section 2 of this Environmental Authorisation.

1. Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this Environmental Authorisation that the applicant, Kouga Municipality, should be allowed to undertake the activity specified below. Details regarding the basis on which the Department reached this decision are set out in Sections 4 and 5 of this Environmental Authorisation.

2. Activities and regulations for which authorisation has been granted

By virtue of the powers conferred on it by the National Environmental Management Act, Act 107 of 1998 and the NEMA Environmental Impact Assessment Regulations, 2014, the Department hereby authorises **Kouga Municipality** being the legal or natural person who has applied for this authorisation, with the following contact details:

Name	Kouga Municipality		
Address	P.O. Box 21, Jeffreys Bay, 6330		
Applicant as Represented By	Mr. E. Charles Oosthuizen	E-mail	Eddie0@kouga.gov.za
Telephone	042 200 2200	Fax	042 200 8606
Cell	082 979 4081		

To undertake the following activities (hereafter referred to as "the activity"), in terms of the scheduled activities listed in the table below:

Detailed description of activity	
The Kouga Local Municipality proposes to construct a low cost housing development together with associated facilities and infrastructure on erven Re/17, 245, Re/250 and 2326 Hankey. Please note that Erf 245 is excluded from this Environmental Authorisation. The project will entail the following:	
LAND-USE	NO. OF ERVEN
Residential	738
Business	1
Industrial	1

ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM

CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

Authority	3
Open Space	21

Bulk Services**Potable Water**

The main water source for Hankey is from the DWA irrigation channel via a pump station located adjacent to the channel. The internal water reticulation will be connected to an existing bulk water main. Water to the proposed development will be supplied by means of a 250 mmØ uPVC class 9 pipe from the 2MI reservoir in Centerton.

Sanitation

The sewage will all gravitate to an existing sewer pump station which will be upgraded and a new sewer pump station will be constructed to be used as a backup.

The existing rising main are to be upgraded to a 200 mmØ uPVC class 9 rising main that can deliver a flow of 30l/s.

Stormwater Management

It is anticipated that stormwater will be managed within the road reserves of the proposed development. Run-off will be channelled along open side drains towards the existing bulk stormwater management system serving the surrounding roads. Stormwater is expected to drain via this network to discharge at existing outfall points. The catchment area is relatively small and is not expected to add significantly to the current stormwater run-off from the area.

Electricity

The site is within the supply area of the Kouga Municipality. Electricity will be sourced from nearby existing infrastructure.

Domestic Waste

Domestic waste will be collected and managed by the Kouga Municipality (Humansdorp domestic waste collection and disposal service). It is anticipated that such waste will be disposed of at the nearest appropriately registered and licensed Municipal General Waste Disposal Facility.

Listed Activities in terms of the NEMA EIA Regulations 2014 (GN R. 983 of 04 December 2014) as contained in the amended application form:

R. 983 - 24	The development of— (i) a road for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010; or (ii) a road with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres; but excluding— (a) roads which are identified and included in activity 27 in Listing Notice 2 of 2014; or (b) roads where the entire road falls within an urban area."
-------------	--

ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM
CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

R. 983 - 27	The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for— (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan."
R. 985 - 4	The development of a road wider than 4 metres with a reserve less than 13,5 metres. (b) In Eastern Cape: iii. In urban areas: (aa) Areas zoned for use as public open space;
R. 985 - 12	The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan (a) In Eastern Cape ii. Within critical biodiversity areas identified in bioregional plans;

At the locality defined in the Table below, and hereafter referred to as "the property":

District	CACADU
Municipal Area	Kouga Municipality
Farm Name	N/A
Farm Number and Portion	N/A
Erf Number and Township Extension or Suburb	Erven Re/17, Re/250 and 2326
Co-ordinates	34° 49.421'S, 24° 51.928' E
Physical address	Immediately west of Hankey and abutting the existing township of Rosedale.

This Environmental Authorisation is granted subject to the conditions set out below.

3. Conditions

The Department of Economic Development, Environmental Affairs and Tourism may from time to time review this Environmental Authorisation and on good grounds and after written notice to the holder thereof, suspend or amend such Environmental Authorisation.

3.1. Duration of authorisation

- 3.1.1. Construction of the Residential Development and associated infrastructure as described in Section 2 of this Environmental Authorisation, must commence within a period of 24 (twenty four) months from the date of issue of this Authorisation; and must be completed within thirty six (36) months from the date of commencement.

ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM
CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

- 3.1.2. If commencement and completion of the activity does not occur within the above mentioned periods, this Environmental Authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.
- 3.1.3. Extension of the Environmental Authorisation may be applied for in writing at least 3 (three) months prior to the expiry thereof as required in Regulation 28(1) of the 2014 EIA Regulations. If no request for extension is received at least three months prior to the expiry of this Environmental Authorisation, it may result in the lapsing of the Environmental Authorisation.
- 3.1.4. On receipt of any such application for extension, the Department reserves the right to request such information as it may deem necessary to consider the application for extension which may include but not limited to:
 - 3.1.4.1. An updated CEMP; and
 - 3.1.4.2. Such public participation process as may be deemed necessary at the time of the application for extension.
- 3.1.5. Conditions relating to the operation of the project are valid in perpetuity.
- 3.2. Standard conditions and Declarations**
 - 3.2.1. Authorisation is subject to the conditions contained in this Environmental Authorisation which conditions form part of the Environmental Authorisation and are binding on the holder thereof.
 - 3.2.2. This Environmental Authorisation applies only to the activities and property described therein.
 - 3.2.3. This Environmental Authorisation does not negate the holder thereof of his/her responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity. In this regard specific mention must be made of:
 - 3.2.3.1. The National Environmental Management: Biodiversity Act, Act No. 10 of 2004;
 - 3.2.3.2. National Forest Act 84 of 1998 and
 - 3.2.3.3. The National Heritage Resources Act, Act No 25 of 1999.
 - 3.2.4. The holder of this Environmental Authorisation shall be responsible for ensuring compliance with the conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of this Environmental Authorisation.
 - 3.2.5. Should any environmental damage be detected, that in the opinion of this Department, is the result of the development, then the applicant shall be required to make good that damage to the satisfaction of the said authority at his/her own expense.
 - 3.2.6. In the event of any dispute as to what constitutes environmental damage, this Department's opinion will prevail.
 - 3.2.7. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the

ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM
CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

significance and impacts of such changes or deviations and it may be necessary for the holder of this Environmental Authorisation to apply for further authorisation in terms of the regulations.

- 3.2.8. This Environmental Authorisation is issued to the applicant described above. Should the applicant wish to transfer this Environmental Authorisation to another person (whether legal or natural), then written notification of such proposed transfer must be sent to this Department a reasonable time before such transfer is proposed to take place. The Department will then consider the request and inform the applicant in writing as to whether the transfer is approved or not. Transfer may only take place if the Department has approved the transfer and issued such written approval. Conditions established in this Environmental Authorisation must be made known to and are binding on the new owner/developer.
- 3.2.9. This Environmental Authorisation must be made available to any interested and affected party who has registered their interest in the proposed development. The applicant is responsible for ensuring that a copy of this Environmental Authorisation is given to any such interested and affected party including the neighbouring landowners within 12 (twelve) days of receiving this Environmental Authorisation.
- 3.2.10. This Environmental Authorisation or a certified copy thereof must be kept on site at all times during construction and produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the site.
- 3.2.11. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
- 3.2.12. In all cases, the holder of the Environmental Authorisation must notify the Department, in writing, within 30 days if a condition of this Authorisation is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
- 3.2.13. Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act 107 of 1998 and the regulations.
- 3.2.14. Kouga Municipality the Applicant is the management authority of the development on the site as described under Section 2 of this Environmental Authorisation, will be held liable in the event of non-compliance with any condition of this Environmental Authorisation and includes the Environmental Management Plan/s and Final Design Plan to be approved in accordance with the conditions of this environmental authorisation.

3.3. Project-specific Conditions

- 3.3.1. Fourteen days written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence.
- 3.3.2. A final layout plan of the development to be submitted to DEDEAT for approval prior to construction commencing on site. The layout plan must include amongst the others:
 - 3.3.2.1. Show the actual footprint;
 - 3.3.2.2. The location and alignment of all internal roads;

ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM
CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

- 3.3.2.3. The exact location of all other components inclusive of service infrastructure;
- 3.3.2.4. **Exclude Erf 245 from the layout and**
- 3.3.2.5. **Exclude from the development the steep portions of the site as per slope analysis**
- 3.3.3. A plant "search and rescue", to be conducted by a suitably qualified botanical specialist prior to commencement of any vegetation clearing for all protected species and species of special concern that may be affected by the development, as well as other indigenous plant specimens which can be relocated. Such specimens are to be relocated and appropriately transplanted, including in rehabilitation initiatives, where applicable and practical on site.
- 3.3.4. Further to Condition 3.3.3 any protected species which need to be removed or relocated require the necessary permits to be obtained from DEDEAT for those species protected under the Cape Nature and Environmental Ordinance (Ordinance 19 of 1974), as well as those species listed under NEMBA, i.e. ToPS species.
- 3.3.5. A suitably qualified individual is to carry out a faunal "search and rescue", which fauna are to be relocated to a suitably protected natural area prior to the commencement of vegetation clearing. Should any injured fauna be found, they are to be taken to be examined by a veterinarian and if deemed suitable for rehabilitation, these fauna are to be taken to a suitable faunal rehabilitation centre, in consultation with the Department's Biodiversity Unit. Any plant and tree species protected in terms of the Cape Nature and Environmental Ordinance (Ordinance 19 of 1974) or NEMBA, Act 10 of 2004 which need to be removed or relocated require the necessary permits to be obtained from DEDEAT & DAFF.
- 3.3.6. Any recommendations / mitigatory measures contained in the FBAR and its appendices and not explicitly covered under the conditions contained in this Environmental Authorisation, are regarded as conditions in terms of this Environmental Authorisation. In the event that any such recommendation / mitigatory measure is contradictory to a condition contained in this Environmental Authorisation, such condition will be deemed to take precedence.
- 3.3.7. Further to Condition 3.3.6, Kouga Municipality to compile a detailed record of all Conditions, inclusive of recommendations / mitigatory measures contained in the FBAR, in tabular format for inclusion in the Construction EMPr and Operational Phase EMPr as applicable.
- 3.3.8. The relevant conditions of this Environmental Authorisation shall form part of any contracts entered into between the applicant and any contractor(s) and or any sub-contractor(s).
- 3.3.9. Further to Condition 3.3.8, a performance based requirement with regard to environmental impact management must be included in all contracts related to any activity relating to this Environmental Authorisation inclusive of incentives and penalties.
- 3.3.10. The EMPr, as contained in Appendix F of the FBAR is to be regarded as a living document and as such must be revised and updated when necessary and relevant. The CEMPr to be submitted to the Department for approval, prior to the construction phase commencing. The CEMPr to include, amongst others, the following if not included:
 - 3.3.10.1. Applicable conditions of this Environmental Authorisation;
 - 3.3.10.2. All recommendations, mitigation measures, responsibilities, key actions and other provisions contained in the FBAR;

ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM
CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

- 3.3.10.3. General principles of environmental management as applicable to construction activities including environmental best practice, erosion prevention and control, and rehabilitation measures of the development footprint area etc.;
- 3.3.10.4. Copies of all permits / licences issued to Kouga Municipality in relation to this project that have relevance to the environment;
- 3.3.10.5. A general code of conduct for any contractor that may be carrying out any work on the relevant development site;
- 3.3.10.6. A clear description of the construction activities to be carried out on the site;
- 3.3.10.7. Details regarding storage of construction material on site; and
- 3.3.10.8. A framework for all contracts associated with the construction phase of the development and the Environmental Method Statements that will be associated with such contracts.
- 3.3.11. General principles of environmental management as contemplated in Condition 3.3.10.3 to include amongst others the following if not already contained in the EMPr:
 - 3.3.11.1. No cement/concrete mixing to take place on the soil surface. Cement mixers to be placed on large trays to prevent accidental spills from coming into contact with the soil surface;
 - 3.3.11.2. Generators and fuel supply needed during construction must be placed on trays, which rest on clean sand. Once construction has been completed, this sand must be removed from site and disposed of at a registered waste disposal site;
 - 3.3.11.3. Any substrate contaminated by the spillage of hydrocarbons or other pollutants to be removed from the site and disposed of at a registered waste disposal site;
 - 3.3.11.4. No servicing of vehicles and other machinery to take place on site and no fuel or other hazardous material to be stored on site;
 - 3.3.11.5. All excess construction material and any waste generated during construction must be removed from site on an ongoing basis;
 - 3.3.11.6. Adequate waste disposal and sanitation facilities to be provided and the applicant must ensure that these facilities are properly used and maintained; and
 - 3.3.11.7. Clear stipulations as to who is responsible and accountable for what actions.
- 3.3.12. All construction activities to be restricted to normal working hours being 08:00 to 17:00 on weekdays. No construction to take place on weekends and public holidays.
- 3.3.13. An Environmental Control Officer (ECO) to be appointed for the duration of the construction activities to oversee implementation of the CEMPr as well as adherence to the conditions contained within this Authorisation.
- 3.3.14. The ECO to be appointed prior to the commencement of construction and the name and contact details of the ECO to be submitted to the Department once appointed.
- 3.3.15. The ECO is amongst others responsible for the following;
 - 3.3.15.1. To keep record of all activities on site, problems identified, transgressions noted as well as a schedule of tasks undertaken by the ECO;

ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM
CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

- 3.3.15.2. To keep and maintain a detailed incident and complaints register (inclusive of any spillages of hazardous substances and other materials) indicating how these issues were addressed (including any rehabilitation measures implemented) and preventative measures implemented to avoid re-occurrence of such incidents;
 - 3.3.15.3. To keep copies of all reports submitted to the Department on site;
 - 3.3.15.4. To obtain and keep record of all documentation, permits, licences and authorisations relevant to the project on site; and
 - 3.3.15.5. The construction phase is to be audited on an ongoing basis by the ECO. The findings of such audits are to be consolidated and submitted to this Department on a quarterly basis. A final post construction and rehabilitation audit is to be conducted and submitted to this Department within three months of the completion of construction (including rehabilitation) within the drainage line.
- 3.3.16. All open spaces of the development designated as Public Open Space as indicated in the layout plan are to be demarcated as "No-Go" areas for the duration of construction activities and must be fenced off prior to the commencement of any activity on site. The fencing must however allow for the free movement of small mammals.
- 3.3.17. An Open Space Management Plan (OSMP) is to be compiled by a suitably qualified specialist and submitted to DEDEAT prior to the commencement of any activity on site and is to be implemented by the developer.
- 3.3.18. The Open Space Management Plan (OSMP) is to govern the management of all the Open Space areas and is to be implemented within three (3) months of the date of signature of this Environmental Authorisation. An appropriately qualified individual is to be appointed by the Kouga Municipality to oversee the implementation of the OSMP which will continue to be enforced during construction and in perpetuity. The OSMP is to include, amongst others, the following:
- 3.3.18.1. An alien vegetation management program and is to include provision for monitoring to take place quarterly from the date of implementation of the OSMP until construction is completed. Thereafter, monitoring to take place annually for the lifetime of the development;
 - 3.3.18.2. A comprehensive vegetation management programme, inclusive of a relocation and rehabilitation plan as well as a fire management plan for all open space areas;
 - 3.3.18.3. A comprehensive fauna monitoring and management programme; and
 - 3.3.18.4. A comprehensive storm water management programme including special measures that may be necessary to ensure that stormwater from the development is managed at source to reduce the risk of erosion.
- 3.3.19. A comprehensive stormwater management plan is to be submitted to DEDEAT prior to the commencement of construction. This is to address, amongst others, erosion and siltation prevention. This plan is to include the management of stormwater during construction, as well as the installation of stormwater infrastructure, placement and construction of attenuation ponds, and management thereof after completion of construction.
- 3.3.20. The disposal of any waste as provided for in Conditions 3.3.11.5 to take place at a registered waste disposal site.

ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM
CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

- 3.3.21. The construction site and any lay down areas must be clearly demarcated and all construction activities to be confined to the area so demarcated inclusive of the storage of any construction material.
- 3.3.22. All sand, gravel, stone or other building material to be used are to be obtained from a bona fide source and the building contractor is not allowed to source any such material from the surrounding environment.
- 3.3.23. Any areas disturbed as a result of construction activities to be rehabilitated immediately using vegetation indigenous to the area.
- 3.3.24. Low-flow technology such as dual flush toilets to form part of the water and sanitation system for the project to reduce potential water consumption and waste-water loading on the sanitation system.
- 3.3.25. Kouga Municipality will be held liable in the event of non-compliance by any contractor associated with this activity.
- 3.3.26. Compliance/non-compliance records must be kept and shall be made available on request from the authorities.
- 3.3.27. The South African Heritage Resources Agency (SAHRA) and the Eastern Cape Province Heritage Resources Agency (ECPHRA) must be contacted immediately should any archaeological findings be discovered during the course of the development.
- 3.3.28. Non-compliance with any stipulation in the CEMPr will be regarded as non-compliance in terms of this Environmental Authorisation.
- 3.3.29. Notwithstanding the provisions of any of these conditions, all recommendations, guidelines and standard conditions contained in the FBAR must be adhered to.
- 3.3.30. Prior to decommission of all or part of the operations the applicant must submit a decommissioning plan to DEDEAT.

4. Reasons for Decision

4.1 Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration:

- 4.1.1. The information contained in the completed application form dated 20 November 2015 and received on 07 December 2015.
- 4.1.2. The Final Basic Assessment Report titled "Proposal to Construct Housing and Associated Facilities, as well as Infrastructure on portions of erven Re/17, 245, Re/250 and 2326 Hankey dated 15 March 2016, and received by the Department on the same date.
- 4.1.3. Observations made during a site visit conducted on 17 May 2016 by Ms. Ndileka Nazo, Ms. Nicole Gerber and Mr. Andries Struwig of the Department together with Mr. Jamie Pote and Mr. Dan Schroeder of Engineering Advise and Services (Pty) Ltd.
- 4.1.4. Subsequent information received on 27 June 2016 and 04 July 2016
- 4.1.5. The EIA Regulations of 2014 and the objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act,

ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM
CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

Act 107 of 1998 accommodated in terms of the Transitional Arrangements provided for in terms of Chapter 8 of GN R. 982 (Section 53) of the EIA Regulations of 2014.

4.2 Key factors considered in making the decision

4.2.1. The proposed development is in line with the projects and programs identified as priorities within the IDP and are consistent with the SDF of the Kouga Municipality. The proposed development will help to address the backlog in the provision of housing opportunities, in the Kouga Municipality. Municipal bulk services are available as was confirmed by the Kouga Municipality.

4.2.2. Condition 3.3.2 requires that the layout plan to be revised to the fact that :

- Erf 245 to be excluded as there is no agreement with the landowner, PPC.
- The steep portions of the site to be excluded from the development as per slope analysis.

4.2.3. It is stated in the Ecological report that transformed areas provide development opportunity based on their current condition (including invasion status, level of transformation and presence/absence of species of special concern) AND the extent to which prescribed conservation targets can be met. The proposed development is situated in degraded and transformed Gamtoos Thicket which has a Least Threatened conservation status. The site falls under an elevated conservation category it is suited to high density activities due to its degraded and ecologically isolated nature. Although Albany Alluvial vegetation may have been present it has been severely degraded and transformed.

The proposed development is located within the peri-urban area and is adjacent to urban development including residential erven and roads with future degradation likely to persist.

4.2.4. Impacts during construction will be managed through implementation of a Construction Management Environmental Management Programme (CEMP) as required in terms of Condition 3.3.10. Implementation of and adherence to this Authorisation are to be overseen by the Environmental Control Officer as provided for in Condition 3.3.13.

4.2.5. The development will create a large number of employment opportunities during the construction phase and will assist in skills development of the surrounding local communities.

4.2.6. The project has been advertised and has been subjected to Public Participation as per the EIA Regulations and no objections were lodged against the proposed activity. The Department received no comments from I & AP's during the comment period for Public Participation in the FBAR stage. The Final Basic Assessment Report indicated that all relevant organs of state had been informed of the Final Basic Assessment Report and a letter had been sent indicating that the FBAR was available for comment.

4.2.7. No fatal flaws were discovered during the Basic Assessment Process other than the steep slope in one area and the fact that Erf 245 does not belong to the Municipality and from an environmental perspective there is nothing that would preclude an authorisation being issued. In addition, a number of other measures are stipulated in the conditions contained in

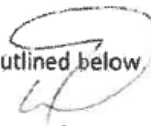
ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM
CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

Section 3 of this Environmental Authorisation that are intended to ensure that potential impacts associated with the development are kept within limits that are compatible with the environmental character of the site. It is further believed that this development does not present any impact that could not be successfully mitigated.

- 4.2.8. In general the environmental process followed is deemed to be satisfactory. It is the opinion of the Department that the information at hand is sufficient and adequate to make an informed decision. In this regard the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation and authorisations required in terms of any other statutory legislation (including the National Water Act), the proposed activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, Act 107 of 1998, and that any potentially detrimental environmental impacts resulting from the proposed activities can be mitigated to acceptable levels.

5. Appeal of authorisation

- 5.1. In terms of Regulation 4 (2) of the Environmental Impact Assessment Regulations, 2014, you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) calendar days of the date of this letter, of the Department's decision in respect of your application.
- 5.2. The notification referred to in 5.1 above must -
- 5.2.1. Specify the date on which the Authorisation was issued;
 - 5.2.2. Inform interested and affected parties of the appeal procedure provided for in the Appeal Regulations published in GN 993 of 8 December 2014 in terms of Section 44 read together with Section 43 of the National Environmental Management Act, Act 107 of 1998 as amended; and
 - 5.2.3. Advise interested and affected parties that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.
- 5.3. Any appeal against the decision contained in this Authorisation must be addressed in writing, to the MEC for Economic Development, Environmental Affairs & Tourism (hereinafter referred to as "the MEC") in terms of Regulation 4(1) of the NEMA Appeal Regulations 2014 and within 20 (twenty) days after the appellant has been notified in terms of paragraphs 5.1 and 5.2, of the decision.
- 5.4. In the event that an appeal is lodged, copies of such appeal must be served on the applicant (if not the appellant), all registered interested and affected parties as well as juristic state departments (organ of state with interest in the matter) within 20 days of having been notified in accordance with the requirements stipulated in paragraphs 5.1 and 5.2 of the decision.
- 5.5. The address to which the **original** of any appeal must be mailed is outlined below. Please note that originals may also be delivered per hand or courier.



ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM
CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

Department	Economic Development, Environmental Affairs & Tourism
Attention	General Manager: Environmental Affairs
Postal Address	Private Bag X0054, BHISHO, 5605
Hand Delivery	Beacon Hill, Hockey Close, King Williamstown
In order to facilitate efficient administration of appeals <u>copies</u> of application form to appeal and any subsequent appeal documentation must also be submitted as follows:	
Manager: Mr S. Gqalangile - Environmental Affairs per fax:	[043] 605 7300
It is strongly recommended that electronic copies of all appeal documentation also be e-mailed	E-mail addresses will be supplied on request

- 5.6. In the event that an appeal is lodged with regard to this Authorisation, the listed activities described in this Authorisation may not commence prior to the resolution of the appeal and prior to the Department's written confirmation of compliance with all conditions that must be met before construction can commence, whichever event is the latter.


NDILEKA NAZO
ENVIRONMENTAL OFFICER: EIM
CACADU REGION
DATE: 7/7/2016

Department of Economic Development and Environmental Affairs Private Bag X5001 2016 -07- 07 Greenacres, Port Elizabeth 6057
--


DAYALAN GOVENDER
DEPUTY DIRECTOR: ENVIRONMENTAL AFFAIRS
CACADU REGION
DATE: 07/07/2016



METROPLAN

METPLAN INCORPORATED Reg. No. 1992/007157/21

TOWN AND REGIONAL PLANNERS

P.O. Box 12313 CENTRAHIL 6006
7 Upper Dickens Street Central 6001
PORT ELIZABETH Tel: 373-1843 Fax: 373-1836
Internet: www.metroplan.co.za E-mail: plan@mpln.co.za

Our Ref.: **HAN/6005/06**

24 April 2018

ATTENTION: MR K. MARAIS

KOUGA MUNICIPALITY
PO BOX 21
JEFFREYS BAY
6330

Dear Sir

TOWN PLANNING SERVICES: HANKEY 990 HOUSING PROJECTS

Reference is made to the meeting held on Monday 23rd April 2018 at your offices regarding the abovementioned project.

As requested at the meeting please find attached the outstanding invoice dating back to 27 August 2015 for 40% of payment due at the time. The invoice has not been paid to date.

Metroplan Town Planners only received 20% of the fee (R63,726.62) claimed under Invoice 1564 dated 27 November 2009 and paid on 28 June 2010.

The balance owing based on the negotiated fee at the time is R255,007.38. You will be aware that the negotiated fee was based on the applicable quantum at the time and is now out of date. Notwithstanding the fact that we have been called upon to make numerous changes to the layouts over the years, some as recently as last year, Metroplan Town Planners is willing to make the requisite changes to the layout if we are paid the outstanding amount in full as the final settlement. Given the long-time delays and the inability of the Municipality to make good on previous commitments to settle the amount we will not be able to commence any re-design work until we are paid in full.

Our willingness to amend the plan must not be seen as an acknowledgement that we agree with the reasons given for the amendments. In our view it is not necessary to redesign the layouts for the reasons given at the meeting because:

- We were commissioned by the Kouga Municipality to provide some 990 housing opportunities. When it became apparent the land for housing development was in short supply in Hankey we prepared three options namely **low density**, **medium density** and **higher density** layouts to illustrate how design efficiency would assist in addressing the land shortage.

/2...

Metroplan has since being appointed requested to undertake a number of amendments to the plans in response to comments from Engineers and the EIA Specialists. It is our understanding that in addition to the Town Planning layouts submitted via Metroplan to Council, the Municipality also had sight of the EIA and Engineering Services Reports. At no point was Metroplan notified that the erf sizes are not large enough during the numerous iterations between the Consultants and Council.

The layouts were initially prepared over land owned by the PPC but due to the bottlenecks relating to the release of the land some 125 erven has been lost in the process.

The proposed erven are large enough not only to accommodate the initial starter home but also future extensions as is illustrated in images below:



/4...

ERF 249 HANKEY: GREENFIELDS LAYOUT – NORTH OF CEMETERY

DESIGN CRITERIA	CURRENT LAYOUT	PROPOSED LAYOUT	IMPACT AND REMARKS
Erf Size	171m ²	200m ²	Increase Site Size by 29m ² (±16.95%)
No. of Erven	286 erven	246 erven	Loss of 40 erven (±16% reduction)
Housing Typology	Detached Single Storey and RDP	Detached Single Storey	Possible to develop a detached single storey unit on 171m ² site
Coverage	40m ² RDP Unit	40m ² RDP Unit	Coverage for 171m ² = 23.40% Coverage for 200m ² = 20.00%

ERF 249 HANKEY: GREENFIELDS LAYOUT – SOUTH OF MILTON ROAD

DESIGN CRITERIA	CURRENT LAYOUT	PROPOSED LAYOUT	IMPACT AND REMARKS
Erf Size	166m ²	200m ²	Increase Site Size by 34m ² (±21.25%)
No. of Erven	84 erven	70 erven	Loss of 14 erven (±17% reduction)
Housing Typology	Detached Single Storey RDP Unit	Detached	Possible to develop on detached single storey unit on 171m ² site
Coverage	40m ² RDP Unit	40m ² RDP Unit	Coverage on 166m ² erven = 24% Coverage on 200m ² erven = 20%

The gross area of the sites would increase by between 29m² - 40m² only. The loss of 85 housing opportunities will be even more significant given the shortage of land in Hankey and the potential delays likely to be experienced due to the need to amend preliminary services design drawings and approved Environmental Authorisations, not to mention lack of agreement on the availability of PPC owned which was originally assumed to have been concluded. It has already taken **nine** (9) years to get to where we are now, and any changes may push the project out even more.

01-DEC-2006 12:02 FROM KOUGA MUNICIPALITY

TO 0413731838

P.02/03

Kouga Municipality

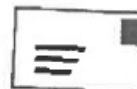
(Jeffreys Bay, Humansdorp, St Francis Bay, Patensie, Hankey)

The jewel of the Eastern Cape, strives to ensure equity, harmony and prosperity for all its people, through people centered service delivery and sustainable development.



Tel: (042) 293 1111
Fax: (042) 293 1114

P O Box 21
JEFFREYS BAY
6330



Ref. No: ADG/mh/524 & 15/6/4

Date: 1 December 2006

METRO PLAN
PORT ELIZABETH
6000

ATT: MR NDABA

RE. REZONING OF ERF 1480 – HANKEY FOR LOW COST HOUSING IN WESTON

Mr Ndaba will you please find the correct Erf 1480 that must be rezoned for R.D.P. Housing In Weston Location.

Remember we provide you with false information we apologise for that.

Yours Faithfully

M.T. WALI
HOUSING OFFICER

Rig asb. alle korrespondensie
Aan: Die Munisipale Bestuurder

Please address all correspondence
to: The Municipal Manager

Nceda uthumele yonke imibalelwano
Kumihathi KaMasiipale


METROPLAN

METPLAN INCORPORATED Reg. No. 1992/007157/21

TOWN AND REGIONAL PLANNERS

 P.O. Box 12313 CENTRAHL 6006
 7 Upper Dickens Street Central 6001
 PORT ELIZABETH Tel: 373-1843 Fax: 373-1838
 Internet: www.metroplan.co.za E-mail: plan@metroplan.co.za

 Our Ref: **HAN/6005/07**

16 May 2018

ATTENTION: MR K. MARAIS

 KOUGA MUNICIPALITY
 PO BOX 21
 JEFFREYS BAY
 6330

Dear Sir

TOWN PLANNING SERVICES: HANKEY 990 HOUSING AND WESTON 196 HOUSING PROJECTS

Further to our letter dated 24 April 2018 regarding the outstanding payments for the work undertaken by Metroplan Town Planners over the last twelve (12) years in Hankey, please find final invoices for payment.

The Town Planning fees allocated for the project were set at R321.99 per erf as per communiqué dated 17 November 2009 reference CC/SG/17/4/1 from then Municipal Manager Dr. E. M. Rankwana. The fees for the 990 and 196 projects (1186 erven) was set at R381,880.14 exclusive of VAT.

Due to inputs from Engineers and Environmental Specialists, the decision to opt for the medium density layout options, the need to accommodate possible encroachments along the graveyard on the portion of Erf 249 Hankey and the provision of a buffer along the northern edge of the Cemetery site as well as the inability for the PPC land to be secured, the number of erven has reduced.

The Weston 196 layout currently has **176 erven** and the Hankey 990 layout has **530 erven**. Even though Metroplan Town Planners believes that they should be remunerated in accordance with the original agreement, in the interest of bringing this long drawn out process to an end so we can recoup some of the resources spent on these projects over the years; we would like to be paid in full based on the remaining erven.

Below is a reconciliation of payment received to date against the final number of 706 erven.

HANKEY 990 HOUSING PROJECT: RECONCILIATION OF PAYMENTS RECEIVED AND OUTSTANDING; METROPLAN TOWN PLANNERS								
CADASTRAL DETAILS	No. OF ERVEN	RATE/ERF	TOTAL FEES Exc. VAT	VAT @15%	TOTAL FEES Inc. VAT	PAID TO DATE(Exc. VAT)	BALANCE DUE Exc. VAT	BALANCE DUE Inc. VAT
ERF 250 HANKEY- STOFFOLK INFORMAL SETTLEMENT	160							
ERF 249 HANKEY- PORTION A LAYOUT	286							
ERF 249 HANKEY- PORTION BAYOUT	84							
SUB-TOTAL ERVEN	530	R321.99	R170,654.70	R25,598.21	R196,252.91	R55,932.12	R114,722.58	R131,990.97

WESTON 196 HOUSING PROJECT: RECONCILIATION OF PAYMENTS RECEIVED AND OUTSTANDING; METROPLAN TOWN PLANNERS								
CADASTRAL DETAILS	No. OF ERVEN	RATE/ERF	TOTAL FEES Exc. VAT	VAT @15%	TOTAL FEES Inc. VAT	PAID TO DATE(Exc. VAT)	BALANCE DUE Exc. VAT	BALANCE DUE Inc. VAT
ERF 17 & 1480 HANKEY	176	R321.99	R56,670.24	R8,500.54	R65,170.78	R12,622.00	R44,048.24	R50,655.48

The total fees due is therefore R182,586.45

I understand that some of the delays with finalization of payment may be due to uncertainty over the status of our appointment.

In this regard I wish to state the following in relation to the appointment:

- In terms of the letter dated 9 December 2003 (Council Resolution 03/12/WTP/20 on 4 December 2003), Metroplan was **"appointed to attend to Town Planning Matters in Patensie, Hankey and Thornhill"**. Metroplan ended up being allocated to do the Weston 196 and Hankey 990 Projects because other service providers were already working on the Thornhill and Patensie projects
- Correction Fax Letter dated 1 December 2006 and original fax dated 14 November 2006) regarding further instructions for Weston refers

The delay between the appointment and submission of draft layout plans was due mainly to delays with the appointment of specialists (e.g. EIA, Tachy Surveys, GeoTechnical and Civil Engineers) whose input was critical before any meaningful layouts could be submitted let alone prepared.

We wish to state that Metroplan Town Planners attended Professional Team meetings called by the Project Managers appointed by Kouga Municipality at the time (see attached copy of minutes for some of the meetings).

We also believe that the decision by the Kouga Municipality to pay the 20% initial fees indicates that the Council was convinced of the validity of our appointment.

Furthermore, the Kouga Municipality has paid for the EIA Specialists for both projects using the layouts and inputs submitted by Metroplan to the Specialists.

The Municipality has engaged Engineers and will soon appoint Land Surveyors on the same basis.

Town Planners are to be paid at the conclusion of the Town Planning Process. It is our plea that the matter be resolved urgently as it continues to have negative implications for us in terms of cash flow.

Please find attached herewith the final invoices for payment.

We trust that this is in order.

Yours Faithfully
METROPLAN



N. NDZOMBANE

Encls.

NN/ml

CC Ms M. Ndoni (Regional Office)
Victor Felton
Elsa Gomez

Email: MphoN@ecdhs.gov.za
Email: vfelton@kouga.gov.za
Email: egomez@kouga.gov.za

14-NOV-2006 09:39 FROM KOUGA MUNICIPALITY

TO 0413731838

P.01/02

KOUGA	MUNICIPALITY
	MUNISIPALITEIT
	MASIPALA

PO BOX 21
JEFFREYSBAAI
6330

Fax numbers: 042-2932238 (Jeffreysbaai)
042-2940312 (St. Francis)
042-2840259 (Hankey)
042-2830563 (Patensie)
042-2910567 (Humansdorp)

FACSIMILE COVER SHEET / FAKS DEKBLAD

FROM/VAN:

TO/AAN:

NAME: <i>M.T. WALI</i>	NAME: <i>Mr. NDBER</i>
FAX: <i>042-2932258</i>	COMPANY: <i>MEYCO PLAN</i>
DATE:	FAX: <i>041-3731838</i>
NUMBER OF PAGES: <i>1</i>	CONTACT PERSON:
SUBJECT: <i>Layout plan for E1607 Weston</i>	
PLANNING & DEVELOPMENT	
MESSAGE/BOODSKAP:	

*LAYOUT PLAN FOR E1607**WESTON HANKEY**As Recommended by Council**Any Information Required**Contact me at 0845124028**T. WALI*

☒ Jeffreysbay	☐ St Francis	☐ Humansdorp	☐ Patensie	☐ Hankey
☐ Thornhill	☐ Gamtoos	☐ Other - Specify _____		

SENT BY:
GESTUUR DEUR:

[Signature]

DATE: *14/11/2006*
DATUM:

135

Page 65 of 65

- f) That the developer provides proper storm water drainage to comply with the requirements of the Council;
- g) That the developer be responsible for all cost (that may escalate) in respect of services, services connections and augmentation / services contribution fees as determined by the Council;
- h) That the various rates and levies to be paid by the developer in future, be determined by the Council in terms of relevant legislation and policies as determined by the Council;
- i) That all engineering services comply with the requirements of the Council;

06/10/WTP55 UTILIZATION OF ERF 1607, WESTON, HANKEY FOR A NEW HOUSING DEVELOPMENT

Resolved to Recommend: (18 October 2006)

- i) That permission be granted to formalize Erf 1607, Weston, Hankey for a Housing development.
- ii) That all land related changes be expedited with regard to Erf 1607, Weston Hankey.
- iii) That the proposed layout on receipt be tabled at a next meeting.

The meeting terminated at 12:45.

**CHAIRPERSON
COUNCILLOR K. FELIX**

DATE

KOUGA MUNICIPALITY

(JEFFREYS BAY, HUMANSDORP, ST FRANCIS BAY, PATENSIE, HANKEY)

The jewel of the Eastern Cape, strives to ensure equity, harmony and prosperity for all its people, through people centered service delivery and sustainable development.



33 Da Gama Road
21, Jeffreys Bay, 6330



(042) 2931111



(042) 2931114

planning@ec108.org.za

Verw.nr.:

Ref. No.: (DR/ck)

Enxebelelwano:

9 December 2003

Date:

METROPLAN
TOWN PLANNING CONSULTANTS
P.O. BOX 12313
PORT ELIZABETH
6000

Sir / Madam,

APPOINTMENT OF SERVICE PROVIDERS: KOUGA HOUSING PROJECTS

During a Council meeting held on Thursday, 4 December 2003 it was resolved:

03/12/WTP20: That Metroplan be appointed to attend to Town Planning matters in the Patensie, Hankey and Thornhill areas."

Yours faithfully,

D. RAUTENBACH
DIRECTOR : PLANNING & DEVELOPMENT

HAN/4013

Rig asb. alle korrespondensie aan die Munisipale Bestuurder	Please address all correspondence to the Municipal Manager	Nceda uthumele yonke imbalelwano Kumphathi KaMasipale
--	---	--

KOUGA MUNICIPALITY (EC 108)

SPECIAL COUNCIL MEETING

PLANNING, DEVELOPMENT & TOURISM

DATE: 18 FEBRUARY 2019

ITEM NO. 19/02/PDT2

CALL FOR DEVELOPMENT PROPOSALS FLISP & RENTAL HOUSING: OCEAN VIEW: PORTION OF PORTION 125 OF THE FARM ESTATE KLEIN ZEEKOEI RIVER NO 335

1. Introduction

At the recently held Land Workshop some erven were identified to be alienated by means of open tenders requesting Expressions of Interest from the public.

Erf 335 portion 125 in Oceanview was one of the erven identified:

The purpose of the item is to request the Council to grant approval to call for specific development proposals (FLISP housing) on this portion 125 of the Farm Estate Klein Zeekoei River No. 335.

2. Background

A provisional layout, No. 1056E/I1/5 was prepared by Urban Dynamics in May 2011 which illustrated the existing housing development as well as proposed future housing development with different housing typologies. **Annexure A**

The proposed future housing typologies made provision for Middle Income (FLISP), Densification and Community Residential Units (Rental).

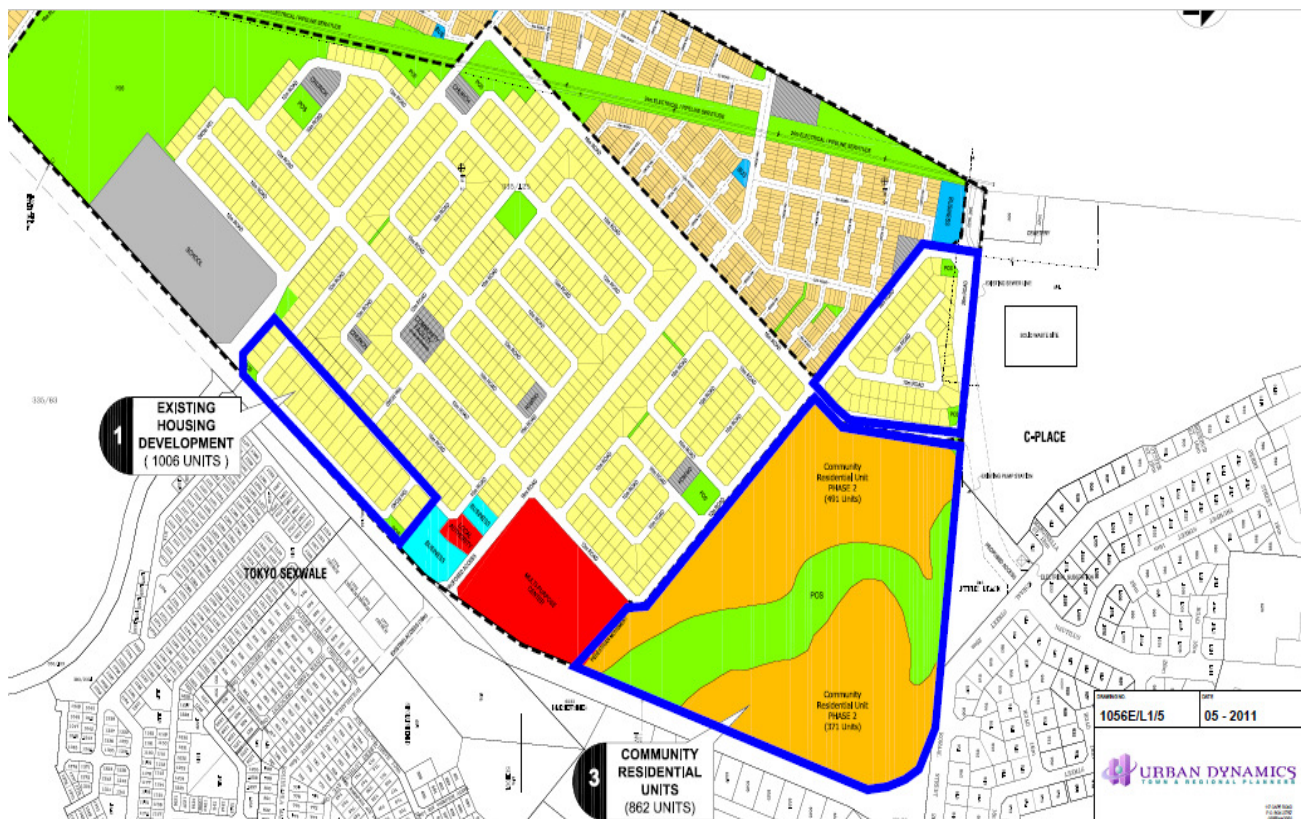
The densification project which made provision for 1500 units has started in 2018 and the civil contractor is on-site and making good progress.

The proposed middle-income erven to the north, adjacent to the cemetery as well as those to east of the existing housing has yet to be developed.

A Council resolution was taken by the previous administration to apply to the National Department of Human Settlement to declare the area earmarked for future Community Residential Units (Rental) as a Restructuring Zone. **(Refer to Council Resolution 13/07/IPD)**

The application for declaring this particular area as a Restructuring Zone was approved by the Department of Human Settlement.

A Land Availability Agreement to be entered into between the Kouga Local Municipality and Eastern Cape Human Settlements department and Memorandum of Understanding for the proposed project was signed and forwarded to the Provincial Department.



4. Recommendations

- i) That Council notes the previous resolution that was taken on portion 125 of the Farm Estate Klein Zeekoei River No. 335:
- li) That Council grants approval to the PD&T and Finance (Asset Management) to call for FLISP / Rental Housing development proposals on the three sections that was earmarked for Middle Income and Community Residential units.
- ii) That the same notice calling for proposals also call for any objections from the public.
- iii) The tender proposals as well as the possible objections will be tabled before Council for consideration.

Drafted by S. Grootboom: GIS Administrator

Approved by F. Mabusela: Director: PDT

Endorsed by C. du Plessis: Municipal Manager.....



**Jeffreys Bay
Lange
Thornhill**
PO Box 21
Jeffreys Bay
6240
Tel: 042 200 2200
Fax: 042 200 8888

Humansdorp
PO Box 25
Humansdorp
6200
Tel: 042 200 6300
Fax: 042 200 6626

**St Francis Bay
Cape St Francis
Oyster Bay**
PO Box 137
St Francis Bay
6212
Tel: 042 200 2756
Fax: 042 200 8045

Hamsey
PO Box 3
Hamsey
6260
Tel: 042 200 6400
Fax: 042 200 6630

Paternite
PO Box 126
Paternite
6235
Tel: 042 200 6440
Fax: 042 200 6640

GO/np/17/4/1

26 May 2014

The Director
The Department of Human Settlements
31-33 Phillip Frame Road
Waverly Park
Chislehurst
EAST LONDON
5605

Att. Ms. M. Konyana

Madam

**APPLICATION TO DECLARE CERTAIN AREAS WITHIN THE MUNICIPALITY AS A
RESTRUCTURING ZONE FOR THE IMPLEMENTATION OF A COMMUNITY
RESIDENTIAL UNIT, SOCIAL HOUSING AND FINANCE LINKED INDIVIDUAL
HOUSING PROGRAMMES IN THE KOUGA MUNICIPALITY.**

During a Council meeting of the Kouga Municipality on Friday, 12 July 2013 it was resolved:

13/07/IPD 02: (12 July 2013)

- i) That the report which reflects on the progress to date for the Environmental Authorization and Bulk Infrastructure Challenges as well as the financial support of the Provincial Department of Human Settlements be noted.
- ii) That the implementation of the Social Housing, Community Residential Units and Finance Linked Individual Subsidy Programme be promoted as a first phase in Jeffreys Bay and Humansdorp be approved.
- iii) That the Restructuring Zones as reflected in the attached documentation with the recommendations for Jeffreys Bay and Humansdorp be approved.

Attached hereto please find the following attachments:

- Restructuring Zone Report
- Restructuring Zone Annexure A1- Humansdorp
- Restructuring Zone Annexure A 2- Humansdorp
- Restructuring Zone Annexure B1- Jeffreys Bay
- Restructuring Zone Annexure B2- Jeffreys Bay

Yours in support and the promotion of Sustainable and Integrated Human Settlements

MS. M. DLOMO
SPEAKER

MR. B. KOERAT
EXECUTIVE MAYOR

KOUGA MUNICIPALITY (EC 108)

SPECIAL COUNCIL MEETING

PLANNING, DEVELOPMENT & TOURISM

DATE: 18 FEBRUARY 2019

ITEM NO: 19/02/PDT3

CALL FOR PROPOSALS FOR THE DEVELOPMENT OF ERF 353, HUMANSDORP

1. Introduction

That Council approve the report for "Call for Development Proposals" on municipal land, Erf 353, Humansdorp, be accepted.

2. Background

2.1 Property description

Erf 353, Humansdorp and is 350540m² (3,5 ha) in extent.

2.2 Ownership

The property is registered in the name of Kouga Local Municipality.

2.3 Current Zoning

Erf 353, Humansdorp, is zoned "Resort Zone 1". The property is developed for a "caravan park" and holiday accommodation (chalets).

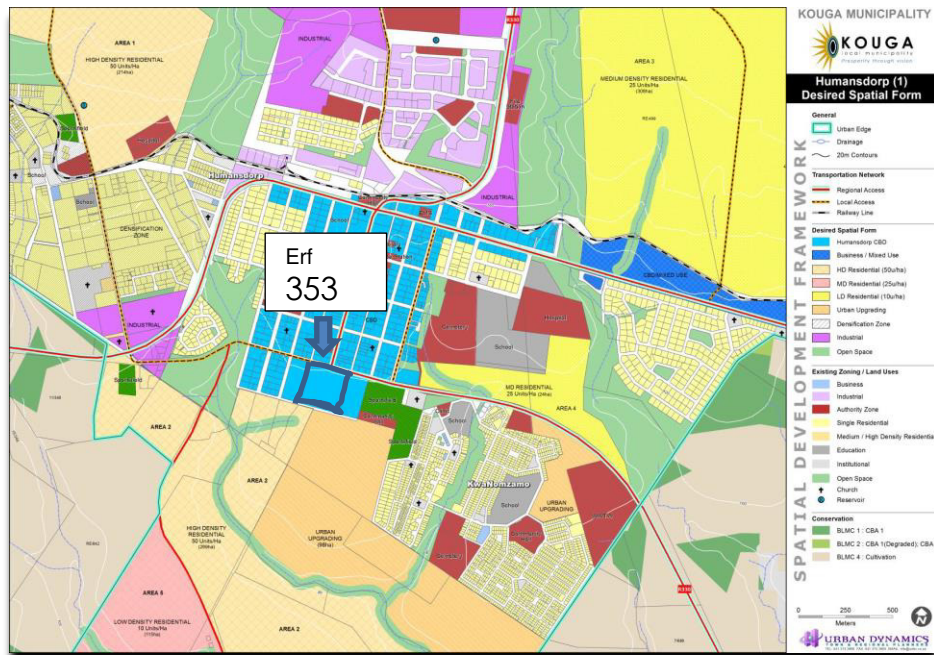
2.4 Accessibility

The property has access from Park Street, a main collector road running parallel with the northern front of the property which links Humansdorp with St Francis Bay and surrounding agricultural areas. Main Street runs directly into the subject property from the CBD area and links the property to Jeffreys Bay and Hankey.

2.5 Proposed development

In terms of the Kouga Spatial Development Plan, Humansdorp together with Jeffreys Bay, has been identified as Primary Nodes. Spatial Strategies for Humansdorp includes the expansion of the CBD area to support future commercial investment and strengthening of the administrative and service nodes. Erf 353, Humansdorp is earmark for "mixed use zone" which include retail, service industries, high density residential development and district support services.

The attached plan indicates the proposed extension of the CBD area of Humansdorp.



2.6 Engineering Services

Erf 353, Humansdorp is currently serviced for "Resort" purposes.

The "Developer" shall determine all engineering services needed for their proposed development in collaboration with the Department Infrastructure of the Kouga Local Municipality.

3. Legal Implications

Section 5.18 of the Policy and Procedure for the disposal of Immovable Assets, as approved by Council, makes provision for the alienation of immovable property by means of a competitive process. The said section provides that a competitive process may include proposal call.

"5.18 Alienation of immovable property by means of a competitive process"

5.18.1 The transfer of immovable property must, except in the case of non-viable immovable property, be affected by means of competitive process, which may include a public or closed tender, auction or proposal call.

5.18.2 The upset price for immovable property to be alienated by means of a competitive process will be determined in such a way that it corresponds with a fair market value and must include the recoverable development costs such as municipal services, advertising and survey costs.

5.18.3 In assessing tenders, the Municipality will take cognisance of the total cash value of the packages offered by the bidders, where such packages are permissible in terms of the conditions of tender. In other words, where the actual amounts tendered are roughly similar, but a particular bidder, for example, also offers to make improvements to the immovable property, the cash value of such improvements, which proposed improvements may not be deviated from, may also be taken into consideration to determine the highest tender.

5.18.4 Should the Municipality consider it desirable not to accept the highest tender or offer or decide to accept a particular development proposal in which the amount tendered is not the highest offer, the reasons for this decision must be fully set out and recorded in the minutes of the bid adjudication committee meeting in question and if applicable the minutes of the appeal tribunal.

5.18.5 In cases where tenders are according to the findings of the bid adjudication committee identical and the provisions of paragraph 5.18.4 are not applicable, the successful bidder may be determined by the drawing of lots in the presence of the involved parties.

Clauses 15.19 and 20 provides as follows:

5.19 The Municipality shall at all times when considering the alienation of its immovable property, take into consideration the Municipality's obligation to, as part of its process of integrated development planning, take all reasonable and necessary steps within the framework of national and provincial housing legislation and policy to identify and designate land for housing development in terms of the Housing Act, 1997 (Act 107 of 1997).

5.20 Where immovable property is alienated for development, a condition, taking into consideration the nature of the development, might be included in the Deed of Sale stipulating that such development must be completed within two years from date of registration.

Likewise a condition may be included in the agreement to provide for forfeiture in the event that the development has not been completed within the required time period, unless a written extension has been granted by the Municipality.

5. Recommendation

- 5.1 That, Council approve the Proposal Call for Development of ERF 353, Humansdorp and that the relevant department proceed with the process as stipulated in the Policy and Procedure for the disposal of Immoveable Assets, as approved by Council for the Proposal Call for Development in respect of the said Erf 353, Humansdorp.
- 5.2 That, the process complies with the MFA to ensure compliance with the Act.
- 5.3 That SCM proses to be followed to ensure legislative compliance.
- 5.4 That the Department Planning, Development & Tourism prepare the necessary tender documentation and advertisement in accordance to MFMA and MATR processes.
- 5.5 That, the Department Planning, Development & Tourism commence with the "rezoning" of Erf 353, Humansdorp.

Item prepared by: The Manager: Planning, Development & Tourism

Item approved by: The Director: Planning, Development & Tourism

Item noted by the Portfolio Chairperson

KOUGA MUNICIPALITY (EC108)

SPECIAL COUNCIL MEETING

PLANNING, DEVELOPMENT & TOURISM

DATE: 18 FEBRUARY 2019

ITEM: 19/02/PDT4

ERF 275 – OLD MARKET BUILDING, HUMANSDORP

1. Background

At the recently held Land Workshop some erven were identified to be alienated by means of open tenders requesting Expressions of Interest from the public.

Erf 275 in Humansdorp was one of the erven identified.

This property is currently used as a workshop but without a legal lease contract in place.

This erf is a valuable asset of the municipality that can be well utilized for the betterment of the economy of Kouga and the live of the communities.

The building on the property is deemed "historical" and permission for changes to the building and/or demolition will have to be obtained from SARAH.

Erf 275:

Humansdorp

Owners: Kouga Municipality (Humansdorp)

Extent: 8463m²

Zoning: Business 1

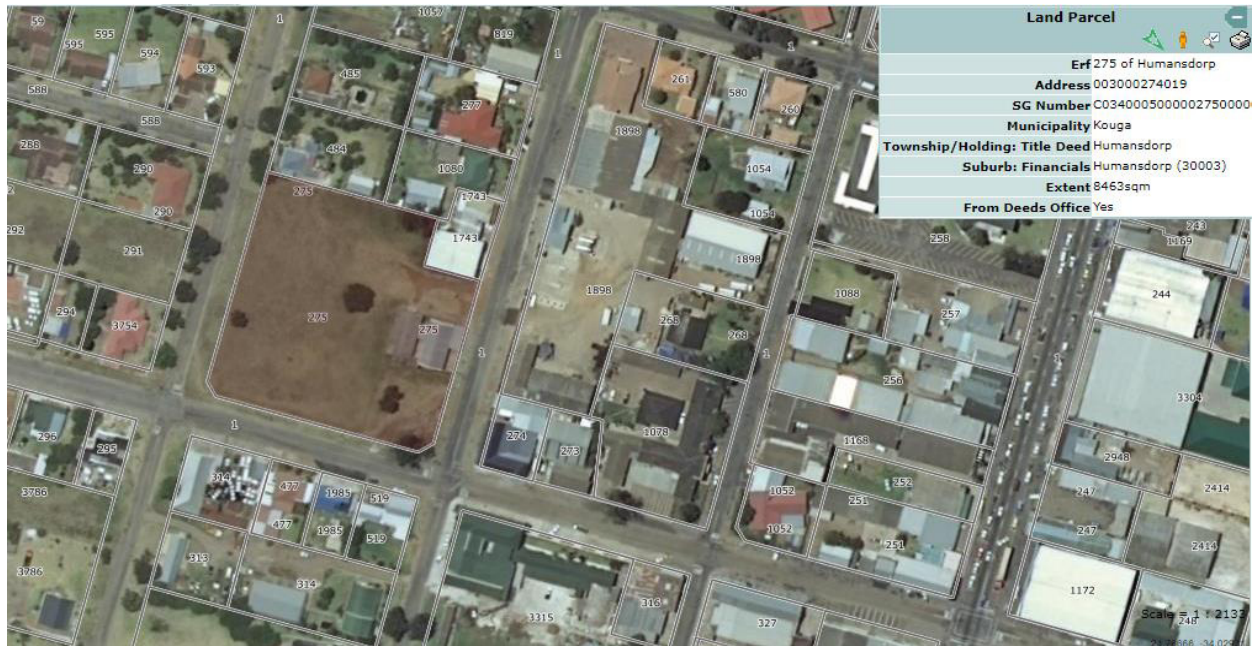
Council resolution:

SPECIAL COUNCIL MEETING HELD ON TUESDAY, 19 DECEMBER 2017 AT 10:00

Erf 275 Humansdorp – Old Market Building

Resolved (19 December 2017)

1. *That erf 275 – Market Building – be advertised for alienation with full compliance for a competitive bidding process.*



2. Recommendation

- 2.1 That Council approves the sale of erf 275, Humansdorp by means of an open tender process requesting for "Expression of Interest".
- 2.2 That a tender notice be published in the newspaper requesting Expression of Interest as well as possible objections to the sale/development of the property as the public participation process required by the MFMA.
- 2.3 That the tenders as well as any objection received be tabled before Council for consideration.
- 2.4 That approval for the possible demolition or alteration of the building currently on the property be obtained from SARAH.

Item prepared by: The Director: Planning, Development & Tourism

Item noted by the Portfolio Chairperson