

**AGENDA of the
Portfolio Committee: Infrastructure and Planning
22 March 2016
(Also the agenda for the Mayoral Committee Meeting: 30 March 2016)**

24.

UNREGISTERED ERF 1938, ZWELIHLE, HERMANUS (PREVIOUSLY ERF 315, ZWELIHLE AND REMAINDER ERF 243, HERMANUS) AND UNREGISTERED ERF 2018, C/O STILL- AND CHURCH STREETS, ZWELIHLE, HERMANUS, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURES FOR A TEMPORARY RELOCATION AREA (TRA) AND RELAX A STREET BUILDING LINE : MOTLEKAR OVERSTRAND ON BEHALF OF OVERSTRAND MUNICIPALITY

1938 & 2018 HZW (3169)

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Hermanus Administration

22 February 2016

1. Executive Summary

An application for development of a housing development for 164 Residential erven, 1 Open Space Zone II erf, 1 Local Business erf, 1 Authority Zone erf and 1 Community Zone I erf and roads were approved on the subject site on 26 February 2015.

The abovementioned forms part of the various housing developments that have recently been approved in and around the Zwelihle and Mount Pleasant areas. As part of the broader housing project it is necessary to temporary relocate some residents in Zwelihle to other areas, to enable the servicing of the areas they reside in at this stage.

Application is therefore made to use the mentioned site (Unregistered Erf 1938) as a Temporary Relocation Area for a period of five (5) years, and to house two families per temporary residential unit (divided in two) on the site in phases.

An application has also been received for a departure from the relevant Scheme Regulations to relax the street building line on Unregistered Erf 2018 (new erf in the housing development), Zwelihle, Hermanus from 2m to 1,276m, to accommodate a portion of one unit that will traverse the said building line.

The Locality Plan of the properties concerned is attached as Annexure A. The proposed Site Development Plan is attached as Annexure B, while the Motivation Report in support of the proposal is attached as Annexure C.

2. Service Delivery and Budget Implementation - IGNITE

Infrastructure and Planning
Town- and Spatial Planning

3. Compliance with Strategic Priorities

Provision of democratic, accountable and ethical governance
Provision and maintenance of municipal services

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Creation and maintenance of a safe and healthy environment
The encouragement of structured community participation in the matters of the municipality
Promotion of tourism, economic and social development

4. Delegated Authority

Executive Mayor

5. Legal Requirements

- Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985)

6. Background/Introduction/Discussion/Motivation/Proposal/ Evaluation

Background

A housing development was approved on the relevant site, now Unregistered Erf 1938, Zwelihle, Hermanus on 26 February 2015.

To accommodate the servicing of various areas in Zwelihle, which forms part of the broader housing project, the temporary re-location of occupiers of such areas is necessary due to the high density of occupation in the areas to now be upgraded with services.

The Housing Section indicates that Unregistered Erf 1938 is the only suitable area on which the TRA can be constructed to ensure that the TRA have a minimal impact on the surrounding areas. Funding was obtained for a 1,8m high wall to be constructed next to Still and Church Streets. Application was also made for funding to construct formal structures (units) on the site, which units will be divided into 2 temporary residential units, and each 4 temporary residential units will share an outside toilet and wash basin. The temporary residential units will be partially completed, with the outsides being fully completed, but the inside finishes only be finalised after the TRA phase.

It is to be noted that the reason for the departure application is due to the fact that the temporary accommodation will not comply with the definition of dwelling house/unit, in that the temporary accommodation will not have formal kitchens or bathrooms, and 2 families will be accommodated per site. Units will however have electricity, and then share the one toilet/wash basin which will be close to the units.

The application was advertised in the local newspaper and Government Gazette, and registered letters were sent to surrounding property owners. Letters were also sent to representatives and Home Owners Associations of

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surrounding complexes, who consulted with the Municipality regarding the proposed housing development.

The application was circulated to all relevant municipal departments, and no objections were received.

The Housing Department did provide comments on some of the objections, whilst the objections relating more to planning issues were addressed by the Town Planning Department.

A total of 72 objection letters were received, of which 10 are considered as late objections.

The objections and response thereto can be summarized as follows:

- 1. The values of surrounding properties will be negatively impacted by high density residential development due to social and safety concerns, also due to management concerns of the TRA. A wall around the development will not secure property values. How will all this impact rates?***

Response

Each family relocating to the TRA will have contractual agreements stipulating not to construct additional structures, dealing with control over refuse, toilets, spilling of waste water, etc.

The boundary wall is built to control traffic and to separate vehicles and pedestrians. It will ensure that only the access points into the proposed development be used, and also create a neighbourhood feeling in the area, and provide some form of visual barrier between the lower income residential area and higher income residential area.

The relevant site is also situated in an area between industrial sites to its south and west, and the existing low income erven to its west. The concerns regarding the impact of a low-cost housing development on the site is noted, but it is the opinion that the standard of the houses, the placement of a business site on the corner of Still Street and Church Street, the placement of the access roads into the site fair distances from the corner of Still and Church Street, and also to create a visual barrier between the development and the higher density residential areas with the wall, would ensure that property values not be affected.

As indicated the area has a mixed use including low income residential areas and industrial areas, and this would already have affected property values to a certain extent. If the new low cost housing development, and even the TRA area are managed sufficiently, it should not impact on property values. The

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concern with regard to impact on values cannot be addressed at this stage, because it will be speculative.

2. *Not all residents were informed of the original planning application, or informed of the TRA.*

Response

The original planning application was sent to directly adjacent property owners, Mariners Village Home Owners' Association and notices were also placed in the Government Gazette and Hermanus Times.

Due to the potentially greater impact of the TRA on the surrounding area, notices were sent to residents in a wider area, it was sent to Home Owners' Associations and groups showing interest and who consulted with the Municipality, and lastly also advertised in the Government Gazette and the Hermanus Times.

3. *Concerns with regard to the future use of the business site (Unregistered Erf 1980), will it provide for spaza shops, illegal shacks, a taxi rank, and how will it be kept clean and controlled.*

Response

The site (Unregistered Erf 1980) is zoned Business Zone III: Local Business, and can accommodate shops, offices and flats above ground floor as a primary right. The site was planned to cater as a convenience business site catering for the surrounding area of Westcliff, Mariners Village, Zwelihle, Industrial Area and other complexes, and not as a business site purely for the low-cost housing development. This site will in future be placed out on tender and the Municipality can then specify the type of business it wants to see developed on the site in line with its zoning. The vacant property will in the near future be managed by the Operational Department, who will see to the site being kept clean and also ensuring that no illegal structures are placed on the site. The Municipality also now has a Municipal Court, to enforce control over illegal uses to enforce land use control.

4. *How will maintenance in the TRA be ensured to stop shacks, informal trading, ensure safety and control noise in the TRA phase, how will occupancy be controlled and administered, control ensured over toilets/washing facilities, how will the area be kept clean to stop the area from deteriorating. Will the Municipality provide written assurance that they will maintain the area, will they pay any claims to damages and also allocate a dedicated municipal official to deal with all TRA matters?*

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Response

The premises will be serviced by the Operational Department of the Municipality, therefore normal refuse removal will apply. Normal regulations in terms of the Overstrand Zoning Scheme will apply, therefore no illegal structures (shacks) or informal trading will be allowed in the TRA. Noise will be controlled in terms of the Municipal By-Laws and Zoning Scheme. The ablution facilities will be serviced and maintained by the Operational Department as per normal municipal function.

Contractual agreements will also be put in place with each family before they are relocated to the TRA, stipulating rules.

Measures like the boundary wall around the development and the fact that a security camera has been placed on the corner of Church and Still Streets, would also ensure safety and acceptable social well-being in the area.

Any concerns during the TRA phase can directly be referred to the Manager : Housing Administration Department. The requirement that the Municipality will pay all claims for damages due to the project and provide written commitment ensuring safety will not proof the application to be more desirable or not, and these proposed conditions cannot be dealt with as part of this application.

- 5. Only single storey units should be allowed, and this must be committed to formally by inserting such condition in the Title Deeds of the properties. A condition that only one family may occupy a dwelling must also be inserted.**

Response

The existing submission for the construction of the housing units only makes provision for single storey units. By inserting a condition that only single storey units may be allowed will take away extension possibilities. It is also very unlikely that many units will be extended to a double storey unit in future, considering the small number of double storey units in Zwelihle.

In terms of the Zoning Scheme it is defined that a dwelling house is for the accommodation of a single family. It is therefore not necessary to stipulate any conditions to such effect for future control.

- 6. There is concern that the access from Church Street is on a blind bend, and that the housing development will have a negative impact on traffic flow. It is also recommended that the Church Road entrance be closed off and a second entrance be created in Still Street. Request to obtain a copy of the TIA.**

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Response

The Engineering Department indicated that access to and from Church Street adheres to the standards in terms of spacing and distances in both directions. The additional access from Church Street will assist in accessibility and travel time of emergency vehicles and it serves as a Class 4 Road. According to the UTG 7 (Standard) a Class 4 road function is to provide access to lower class roads and properties.

A copy of the TIA was also requested for the development. The TIA did not form part of the TRA application, but interested parties should consult with the Municipal Engineering Services Department to discuss the TIA.

The access off Church Street was duly considered in the Planning application of the low-cost housing application, and the closure thereof was considered in talks with some parties, but it was communicated to them that it could not be considered.

- 7. A boundary wall higher than 1,8m, up to 3m or the same as Abagold's wall must be erected around the development prior to construction, it must be plastered and painted, lighting must be placed in the wall, a tree lane and landscaping must be created next to the wall. The wall must be built high enough to ensure that washing is not hung over it. The wall must be aesthetically pleasing. The Municipality must provide written commitment to maintain the wall.**

Response

It was communicated that some funding for the wall was approved by the Department of Human Settlements. A 1,8m wall is sufficient for the purpose of separating vehicles and pedestrians, which is what it is intended for. Height of the wall should also comply with the Zoning Scheme and building regulations. Comments regarding enhancements and landscaping will be considered and accepted in line with financial constraints and taking into account financial contributions promised by concerned organizations and members of the public.

- 8. Each unit should be provided with a toilet and washing facility, and sufficient water/unit must be provided.**

Response

Due to financial constraints one toilet/washing facility per unit cannot be provided. Four families will share a toilet/washing facility, for which they will receive a key to ensure control, and will be stipulated in their contracts.

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- 9. *The houses in the development should be fully constructed and occupied by beneficiaries immediately. Informal areas can then be upgraded later.***

Response

Due to the high densities in the informal settlements, it is not possible to upgrade whilst families are living there. Therefore the TRA is required to temporarily house these families whilst upgrading is taking place, and once completed, move them back onto their serviced site or the qualifiers in their houses.

There is no other site available in practical proximity to Zwelihle which will not disrupt the lives of the people too much, and which fits into the development strategy of the Zwelihle upgrading project.

- 10. *The area is not meant for high density residential development and investments were made in terms of this.***

Response:

Although the low-cost housing development was already considered and approved, the matter will be addressed. The area is earmarked Residential Development in terms of the Overstrand Municipal Wide SDF, 2006 and for industrial/commercial in terms of the Growth Management Strategy, 2010.

The low-cost housing development was considered in terms of both these documents, in that a large portion of the site would provide for a residential component, and a commercial site is also provided for on the corner of Still and Church Streets.

It must also be taken into account that both these uses are compatible with the surrounding area.

The opinion that this area has not been earmarked for high residential development is duly noted. It must however be considered that the area to the west has a density of approximately 140 units/ha. The recently approved housing development on this site and housing development to the north will have a density of 48 units/ha and 53 units/ha respectively.

The portion of Mariner's Village next to Church Street has a density of 15 units/ha, and those bordering Westcliff approximately 12 units/ha. This clearly shows that the development for the area that was approved for 48 units/ha is considered a good gradual transition between the surrounding developments, and it must also be taken into account that the site also borders industrial areas. This makes it less attractive to be developed for lower density residential developments.

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11. The densities in the TRA phase will be much higher than for the approved Housing Development.

Response

The densities in terms of the amount of structures will remain the same. In total 164 dwelling houses will be built, but each one will be subdivided to accommodate 2 families instead of 1. Dwelling density will therefore not change, population density will, but that is temporary for so long as the TRA is operational.

12. What will the maximum resident/household be?

Response

There are no regulations that stipulate the amount of people per household, the families will be relocated as they are currently living in their structure, i.e. one family will be moved into one subdivided unit.

13. There are concerns if the storm water and sewerage system can handle the additional load. How will additional waste be handled. Will any storm water piping be required via Beach Club. Abagold is concerned about waste water in storm water channels and is not supportive of separate toilets. The rejection of Abagold products due to e-coli will result in claims against the Municipality.

Response

The services have been installed in accordance with the Overstrand Minimum Standards for Civil Engineering Services and Red book standards. It can be confirmed that an analysis has been done to determine the existing capacities of the WWTW works and the bulk sewer pipelines and that the existing infrastructure does have sufficient capacity to accommodate the proposed development. The detail sewer reticulation design is further available at the Engineering Services Department for viewing.

Contractual agreements will be put in place with each family before they are relocated, stipulating all rules in the TRA.

The ablution facilities will be serviced and maintained by the Operational Department as per normal municipal function.

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14. How will it be insured that temporary dwellings will not be placed on the open spaces?

Response

Normal regulations in terms of the Overstrand Zoning Scheme will apply, therefore no illegal structures (shacks) will be allowed.

15. What if the applicants do not want to leave the TRA?

Response

The relocation of families back onto their serviced sites will be managed by the Housing Administration Department through contracts.

16. The creation of a TRA is unsatisfactory to human dignity, and due to the fact that toilets/washing facilities will be shared and people will live in makeshift structures, will impact on residents in the TRA's privacy, physical safety and health.

Response

The families which will be relocated temporarily to the TRA will be housed in a permanent structure. Four families will share one toilet and tap in the TRA, whereas the current standard in the informal settlements are one tap for every 25 families and one toilet for every 5 families. The TRA will therefore provide higher standards.

This is definitely better than their current circumstances in the informal settlements, and can be seen as an improvement of their current situation.

17. Pressure will be placed on open spaces in Westcliff in future for informal housing if the TRA cannot cater for all.

Response

This concern is not supported as no family will be removed from their position in Zwelihle onto any open spaces into Westcliff. The additional development of infill planning of this site, the area next to Swartdam Road and also sites in Mount Pleasant is then precisely to ensure that informal developments are not established on these sites or any open spaces in Westcliff.

18. The Residential Zone I : Single Residential Zone does not provide for a TRA. Previously it was indicated that the TRA will be for 3 years, now it is indicated for 5 years. When will the departure expire?

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Response

This planning application is for a departure from the Zoning Scheme parameters to allow for a TRA in an area approved for Residential Zone I purposes.

The upgrading of the Zwelihle Informal Settlement area (UISP Project) is foreseen to be completed by mid - 2021, given that sufficient funding is allocated to the Municipality in terms of DORA for the next 5 financial years as the project is funded by Province.

It is to be noted that a departure approval for a temporary land use in terms of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) is only valid for a period of 5 years, and automatically lapse 5 years after the approval date. At that stage it is foreseen that the area will not be used as TRA anymore.

19. It is requested that there be consultation with the objectors to discuss their concerns.

Response

A consultation meeting is to be held on 7 March 2016, and all persons who objected/commented on the application was invited to the meeting.

20. The situation in Zwelihle will now extend into the TRA, impacting especially on safety.

Response

The standard of services and housing being provided in the TRA is of a much better quality than that currently being experienced in Zwelihle informal settlements.

21. GAP scheme houses should be built whereby applicants can take ownership and improve their living conditions in the process.

Response

LUPO approval for the construction of low-income housing has already been provided and the TRA will become permanent housing for qualifying beneficiaries after the upgrading of the informal areas has been completed. Ownership will therefore be given as a final phase of the UISP project.

A GAP housing scheme is also included in the larger Zwelihle Housing Programme.

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22. Provincial approval state that the commencement of top structures may only be allowed after the transfer of property, the TRA is a breach of this directive.

Response

No approval for the construction of top structures on the site has been issued yet, only approval for the TRA units. No such condition can be imposed as these are “temporary” and will be used to accommodate numerous different families whilst upgrading of the different informal settlements are taking place. There is therefore no breach of any directive.

23. What will the future use of Unregistered Erf 2059 be.

Response

Unregistered Erf 2059 currently houses the administrative offices of the Municipality’s Housing Department and will remain as such until the offices are relocated. It has been approved as a community facility during the LUPO application and the intention is to convert the buildings into a crèche once the offices are relocated.

24. What will future occupancy density be, is there a limit to occupants?

Response

Ultimately one family will be placed in each temporary unit in the TRA area that will lead to a maximum total of 328 families. The future density will be the original 164 units/families.

There are no regulations that stipulate the amount of people per household, the families will be relocated as they are currently living in their structures, i.e. one family will be moved into one unit.

Evaluation

The application will be considered in terms of the criteria to determine desirability in terms of Section 36 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).

Physical Characteristics of the Property

The total size of the site, including the business site, future crèche site, open space, roads and area identified to place the TRA units is approximately 3,44 ha.

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At this stage services have been installed in the area for the future low-cost housing project and the roads are being finalized.

Location and Accessibility

The TRA site is situated on the corner of Still and Church Street, Westcliff.

Two access roads to the housing development, one from Church Street and one from Still Street, were approved in terms of the housing development LUPO approval.

The concerns regarding the impact on traffic safety, increase in traffic and sight distance have been addressed by the Engineering Department in response to the objections.

The proposal that the entrance from Church Street be closed is duly noted, and it is clear that such access is required to help with accessibility and travel time of emergency vehicles serving the area.

It must also be noted that both entrances into the development are set back more than 100m from the Still/Church Street crossing, thereby limiting impact on the crossing.

A limited number of people that will occupy the TRA have vehicles, and considering the above it is not foreseen that the TRA phase will have a major impact on the accessibility of the area or lead to a drastic increase in traffic.

Existing Planning and Character of the Area

Many concerns were raised about the TRA which directly or indirectly could relate to concerns about the impact on the character of the area. It is to be noted that the planning of the housing development was done in such a manner to provide new residents in the development social services (crèche on Unregistered Erf 2059) and also a public open space.

The business site on the corner of Still and Church Street would provide a smoother transition between the housing development and Westcliff, and is earmarked for possible shops, offices and flats above ground floor in future, not for taxi ranks or informal trading, etc.

The concerns relating to the management and maintenance of the TRA area for a 5 year period is understandable. The Housing Administration Department provided their full commitment to ensure that the impact on surrounding properties will be limited, as the TRA is such an important part to make the whole housing project succeed in Zwelihle.

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There are also general concerns about the character of the area being affected by an increase in residents in the TRA phase, additional pressure on other open spaces in Westcliff. These factors can all be mediated by good control/management during the TRA phase.

Some objectors requested that the height of the boundary wall around the development be increased to 3m or in line with Abagold's wall, to limit units to single storey, and to rather develop GAP Housing on the site instead of a TRA development. These proposals are recommended especially due to concerns regarding impact on property value and safety and welfare of surrounding property owners.

A recommendation to increase the wall height is not unreasonable, but a wall of 3m in height will not be visually or aesthetically pleasing. A minor increase up to 2.1m in height could be considered, and should address some of surrounding property owners' fears, without creating a visual eyesore. The Housing Planning Department is in consultation with some surrounding property owners who would provide additional funding to raise and finish the wall.

The houses that will be built will be single storey. It would however not be reasonable to insert a limitation that it must remain single storey. Considering the small number of double storey dwellings in Zwelihle, it is foreseen that only a small number of houses in this area will ever be increased to a double storey. Although the development is not a GAP Housing development, units that is aesthetically pleasing will be constructed in the development, and the outer shell will already be constructed to such standard in the TRA phase. Ultimately after 5 years the houses will be transferred to beneficiaries.

A large number of objectors indicated that they recommend that the houses in the development be fully built and beneficiaries be placed in them. The concerns regarding safety issues and impact on property values, especially in the TRA phase, are duly noted. To control the impact as best as possible special permission was obtained from the Provincial Department of Human Settlements to already build the outer shell of the units, instead of dealing with informal structures such as shacks. A wall will be built around the development to buffer the impact of the TRA on surrounding properties. The norm of TRA's to provide 1 or 2 communal areas in a TRA for toilets and washing-up facilities were not followed, but a toilet with washing basin will be placed close to units and 1 shared between 4 units, to ensure more control over the impact of the TRA.

The concerns regarding property values and safety especially in the TRA's phase are valid concerns, but within the proposed mitigation measures and good control by the Housing Administration Department such impact would be limited and prevented.

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Provision of Services

The services for the site have been upgraded to provide for sewer, storm water and water services to cater for the housing development that was approved on the site.

There are concerns from surrounding residents and especially the abalone farms in the vicinity that the increase in people into the area would place too much pressure on the existing services. There are especially concerns with regard to the sharing of outside toilets and washing basins by 4 families, thereby creating a situation where people will flush waste water into the storm water system. The people to be relocated to the TRA are serviced by 1 toilet to 5 families and 1 water tap to 25 families. In the TRA, 1 toilet will serve 4 families and 1 water tap will serve 4 families. Therefore the level of services in the TRA will be an improvement on the current situation.

The Engineering Services Department indicated that the existing infrastructure can cater for the additional demand without problems. At this stage the only way to try to control behaviour of people not to pollute the storm water services, is by binding them contractually. This is a matter of serious implications if not enforced correctly, as the pollution of the surrounding area could create major claims against the Municipality for possible loss in income by the abalone farms.

Planning Policies

One of the objectors indicated that the area was not identified for high density residential area.

This matter was dealt with in the housing development application.

In terms of the Overstrand Municipal Wide Spatial Development Framework, 2006 (SDF) the area was earmarked for "Residential" purposes.

With the approval of the Overstrand Growth Management Strategy, 2010 the area was earmarked for industrial/economic opportunity.

The above mentioned policy documents must be read together, and it is the opinion that should the area then not be required for industrial/economic development, the broader aims of the SDF to develop it for residential purposes is still applicable.

Concerns were also directed at the density of the approved housing development in relation to surrounding residential properties. The density of the approved housing development is approximately 48 units/ha.

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In terms of the latest information on densities of the surrounding areas Zwelihle's density on the ground west of Swartdam Road is approximately 140 units/ha.

The recently approved development west of Mariners Village provide for 53 units/ha, whilst Mariners Village is approximately 15 units/ha.

The Westcliff neighbourhood to the north east is approximately 12 units/ha.

This housing development therefore provides a transition between the higher residential density development to the west to the lower density residential developments to the north and north east.

The TRA will provide for approximately 96 temporary units/ha for a 5 year period, where-after density will revert back to 48 units/ha.

It is not debated that higher density developments could have some impact on the surrounding lower density residential area, but the placement of the business site on the north eastern corner of the site and the construction of a boundary wall around the development will create a smoother transition, and was purposely planned as such.

Living standard for residents of TRA

There are concerns with regard to the sharing of toilets/washing facilities during the TRA phase and also the quality of the unit impacting on residents' privacy, safety and dignity.

The issue was addressed under response to objections. The residents in the TRA come from informal dwellings (shacks) and they will now stay in a formal built structure and also share toilet/washing facilities with less people than in their existing situation. The TRA environment will be an improvement to the quality of these peoples' lives.

Management of TRA concerns and how will it be insured that occupants of the TRA will leave the TRA

The Housing Administration Department indicated that contractual agreements will be drawn up with all occupants with all rules which must be abide with in the TRA. It is also indicated that the Operational Department will be responsible to maintain the services and also remove all waste from the site.

Redevelopment of Qhayiya Secondary School

Another important factor to be considered is the proposed redevelopment of Qhayiya Secondary School in Zwelihle by the Provincial Department of Public Works. Funding for this project has already been approved and the project is

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ready to start. At present there are 46 informal dwellings located on the school property. These dwellings must be removed to allow the redevelopment of the school to commence. It is proposed that these families be moved to the TRA as soon as possible.

It is therefore important for the redevelopment of Qhayiya Secondary School that the TRA be developed as soon as possible.

Departure to relax a street building line on Unregistered Erf 2018

This relates to the placement of the units on the future erven within the housing development. Due to erf form and size the applicable 2m street building line will have to be relaxed to 1,276m to accommodate a unit on Unregistered Erf 2018. This erf is situated more to the centre of the development and will have no impact on the surrounding area.

Conclusion

The application was advertised and 72 objections were received, of which 10 objections were received late.

To address the concerns an additional consultation meeting was held with objectors.

Some of the concerns are considered valid concerns and it is imperative that there be very good control/management of the TRA, to ensure good health and safety levels.

The TRA phase is however a very important part of the housing delivery process in Zwelihle, and without the TRA it would be very difficult to make the project work.

Should very strict control/management be applied to the TRA, the impact on the surrounding areas can be limited, and could be considered as desirable.

The departure to relax the street building line on Unregistered Erf 2018 is desirable and supported.

7. Financial Implications

None

8. Staff Implications

None

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9. Comments from other Departments, Divisions and Administrations

District Health

Approval recommended.

Waste Management

No objection

Fire Department

All temporary structures not in full compliance with National Fire Regulations must be erected as safe as possible with minimum safety distances of 2 metres between each structures as determined by Table 19 of SANS 10400 T : 2011.

- During consultation with Mr Joe Schoeman of Fire Department, he confirmed that due to the fact that the units are attached, the 2m fire distance is not applicable, but must comply with Fire Wall Regulations.

Building Department

Supported. Barn shape houses mandatory.

Operational Services

No objection

Area Manager

No objection, but that the area be temporary fenced off for the duration of the TRA as the area is situated along a very busy road – the area will be walled, issue addressed.

Electrical Department

No Comment

10. Annexures

- Annexure A: Locality Plan
- Annexure B: Site Development Plan
- Annexure C: Motivation Report
- Annexure D: Letters of objection received
- Annexure E: Response to letters of objection and additional information

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RECOMMENDATION:

1. that the application in terms of Section 15 of the Land Use Planning Ordinance (LUPO) for a departure to utilize an existing housing project area as a Temporary Relocation Area (TRA) on Unregistered Erf 1938, Zwelihle, Hermanus to provide temporary accommodation to beneficiaries for the various housing projects, **be approved**, subject to the following conditions:
 - (a) that the boundary wall earmarked to be built around the housing development area on the Still and Church Streets sides be constructed prior to any temporary unit being occupied in the TRA phases;
 - (b) that all temporary accommodation structures be finished on the outside to comply with the finishes of BNG-unit, in line with any applicable Health and Building Regulations, prior to the TRA phases;
 - (c) that only one family be accommodated per temporary unit;
 - (d) that all temporary toilets/washing basins be completed prior to the TRA being occupied; and
 - (e) that a dedicated official from the Housing Administration Department be allocated to deal with all possible complaints during the TRA phase.

2. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for departure to relax the street building line on Unregistered Erf 2018 (new erf in the housing development), Zwelihle, Hermanus from 2m to 1,276m to accommodate a portion of a new dwelling, **be approved**.

RESPONSIBLE OFFICIAL :	H OLIVIER
TARGET DATE FOR IMPLEMENTATION :	13 APRIL 2016
TARGET DATE TO INFORM APPLICANT :	13 APRIL 2016
TARGET DATE TO INFORM OBJECTORS :	13 APRIL 2016

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
22 March 2016
(Also the agenda for the Mayoral Committee Meeting : 30 March 2016)**

24.

UNREGISTERED ERF 1938, ZWELIHLE, HERMANUS (PREVIOUSLY ERF 315, ZWELIHLE AND REMAINDER ERF 243, HERMANUS) AND UNREGISTERED ERF 2018, C/O STILL- AND CHURCH STREETS, ZWELIHLE, HERMANUS, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURES FOR A TEMPORARY RELOCATION AREA (TRA) AND RELAX A STREET BUILDING LINE : MOTLEKAR OVERSTRAND ON BEHALF OF OVERSTRAND MUNICIPALITY

1938 & 2018 HZW (3169)

H Olivier

(028) 313 8900

Hermanus Administration

22 February 2016

THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON 22 MARCH 2016, WHICH COMMITTEE SUPPORTED THE RECOMMENDATION

RESPONSIBLE OFFICIAL :

H OLIVIER

TARGET DATE FOR IMPLEMENTATION :

13 APRIL 2016

TARGET DATE TO INFORM APPLICANT :

13 APRIL 2016

TARGET DATE TO INFORM OBJECTORS :

13 APRIL 2016