

**KNYSNA LOCAL MUNICIPALITY**

**MINUTES**

of the

**MAYORAL COMMITTEE**

meeting which took place in the Council Chamber  
on

**Thursday, 19 June 2014**

at

**08:00**

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## 1. Opening and Welcoming

The Executive Mayor welcomed Councillors, officials and members of the public to the meeting.

The Executive Mayor congratulated the Municipal Manager and her team and referred to the President's State of the Nation Address of 17 June 2014 in which the President mentioned Knysna as one of eleven municipalities who stands out for consistent good performance in audits, expenditure on municipal infrastructure grants and service delivery.

The Executive Mayor wished a happy birthday to the Director Corporate Services, Mr. B. Ellman.

**Deleted:** because the Knysna Municipality has been nominated the 11 Municipality .....and it was mentioned by the President on the 18 June 2014

## 2. In Attendance:

### 2.1 Councillors Present

#### Members:

Clr G Wolmarans  
Clr E Edge  
Clr R Dawson  
Clr L Hart

#### Non-members:

Clr R Barrell  
Clr T Gombo  
Clr I Grootboom  
Clr M Lizwani  
Clr E Van Aswegen  
Clr C Witbooi  
Clr T Nayler

### 2.2 Officials:

Ms Waring, L	Municipal Manager
Mr Ellman, B	Director: Corporate Services
Mr Maughan-Brown, M	Director: Planning and Development
Mr Adonis, D	Director: Community Services
Mr Easton, G	Director: Financial Services
Mr Rhode, M	Director : Technical Services
Mr Richardson, L	Town Electro-technical Engineer
Mr Kalani, J	Manager: Public Participation
Ms Paulsen, M	Manager: Legal Services
Mr Ngalo, M	Legal Adviser

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Ms Nell, M	Human Resource Officer
Mr Vumazonke, S	Coordinator Manager Public Participation
Ms Lakay, J	Manager: Council Committees and Councillor Support
Ms Fandese, N	Committee Officer

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3. Councillors: Absent with leave

None

4. Councillors: Absent without leave

None

5. Noting of the Provisions of the Code of Conduct for Councillors.

RESOLVED

That the Provisions of the Code of Conduct for Councillors

6. Declaration of Interest

RESOLVED

That it be noted that no member or other Councillors declared any interest in items on the Agenda.

7.1 **ITEMS CONSIDERED BY THE SECTION 80 COMMITTEES**

7.1.2 **ITEMS SUBMITTED TO THE GOVERNANCE AND ECONOMIC DEVELOPMENT COMMITTEE MEETING 3 JUNE 2014**

G01/06/14 **MONTHLY REPORT: CORPORATE SERVICES [HUMAN RESOURCES]**

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the monthly report for May 2014 received from the Director: Corporate Services [Human Resources] be noted.

File Number: 9/1/2/9

Execution: Director Corporate Services  
Manager: Human Resource

G02/06/14 **PUBLIC PARTICIPATION MONTHLY REPORT**

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the monthly report for Public Participation and the Community Development Workers for April 2014 received from the Director Corporate Services [Public Participation] be noted.

File Number: 9/1/2/9

Execution: Director: Corporate Services  
Manager: Public Participation

G03/06/14 **INTEGRATED DEVELOPMENT PLANNING MONTHLY REPORTS**

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the monthly report for April 2014 received from the Director: Planning & Development [Integrated Development Planning], be noted.

File Number: 9/1/2/13  
Execution: Director: Planning & Development  
Manager: Integrated Development Plan

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G04/06/14 **MONTHLY REPORT: PLANNING AND DEVELOPMENT [LOCAL ECONOMIC DEVELOPMENT]**

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the monthly report for April 2014 received from the Director: Planning and Development [Local Economic Development], be noted.

File Number: 9/1/2/13

Execution: Director: Planning and Development

G05/06/14 **MONTHLY REPORT: CORPORATE SERVICES [LEGAL SERVICES]**

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the monthly report for 17 March – 22 April 2014 received from the Director: Corporate Services [Legal Services], be noted.

File Number: 9/1/2/9

Execution: Director: Corporate Services  
Manager: Legal Services

G06/06/14 **DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 23 MAY 2014**

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report: 2013/2014 as at 23 May 2014, be noted.

File Number: 9/1/2/10

Execution: Director: Financial Services  
Manager: Budget Office

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G07/06/14 **BROADBAND STRATEGY FOR THE GREATER KNYSNA**

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the contents of the report on the Broadband Strategy for the Greater Knysna, be noted and supported;
- [b] That a report be tabled to Council on the exploration of all business models.

File Number: 9/1/2/13

Execution: Director: Planning and Development  
Manager: Local Economic Development

G08/06/14 **DRAFT RECRUITMENT AND SELECTION POLICY**

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the contents of the report with regard to the Draft Recruitment and Selection Policy, be noted;
- [b] That the amended Recruitment and Selection Policy attached to the agenda of the Governance and Economic Development Committee Meeting of 3 June 2014; be approved.
- [c] That the Municipal Manager be mandated to compile and conclude a Standard Operating Procedure (SOP) for the database of temporary workers and non-office staff.

File Number: 9/1/2/8

Execution: Director: Corporate Services  
Manager: Human Resources

G09/06/14 **MINUTES OF THE MOST RECENT EMPLOYMENT EQUITY MONITORING COMMITTEE MEETINGS**

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That Council takes note of the report as well as the attached minutes of the Employment Equity Monitoring Committee;

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- [b] That Council takes note that the advert has been changed to be more specific in mentioning to which groups preference shall be given;
  - [c] That Council confirms that a head hunting process can be initiated after two unsuccessful advertising processes;
  - [d] That Council notes that at a meeting of the female constituency held on the 9th of October 2013, 3 female staff members were also elected onto this committee;
  - [e] That Council notes the satisfaction of the Department of Labour regarding our Employment Equity progress;
  - [f] That Council supports the recommendation by the Department of Labour that internal capacity building and training is used to develop potential for more senior appointments;
  - [g] That Council supports the request of the unions that all staff related policies are brought to a Local Labour Forum for their comments and input.

File Number: 9/1/2/8

Execution: Director: Corporate Services  
Manager: Human Resources

G10/06/14

**WESTERN CAPE MONITORING AND SUPPORT OF MUNICIPALITIES  
ACT, 2014 (ACT 4 OF 2014)**

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

- [a] That the contents of the Western Cape Monitoring and Support of Municipalities Act, 2014 (Act 4 of 2014), be noted;
- [b] That the Act as mentioned in [a] above be referred to the Audit Committee for their perusal.

File Number: 9/1/2/9

Execution: Director: Corporate Services  
Manager: Administration



G11/06/14 **ERF 2731, KNYSNA: PROPOSED SKATE PARK DEVELOPMENT**

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That the matter with regard to the proposed skate park development on Erf 2731, Knysna, be referred to a Special Governance and Economic Development Committee Meeting in July 2014 at a date and time to be determined by the Chairperson.

File Number: 9/1/2/9

Execution: Director: Corporate Services  
Manager: Administration

G12/06/14 **DISPOSAL OF ERF 65, BUFFALO BAY**

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

- [a] That in terms of Section 14(2)(a) of the Local Government: Municipal Finance Management Act, 2000 and on reasonable grounds, it is hereby determined that Erf 65, Buffalo Bay, will not in future be needed to provide the minimum level of basic municipal services to residents of Buffalo Bay;
- [b] That the fair market value of Erf 65, Buffalo Bay, in terms of Section 14(2)(b) of the Local Government: Municipal Finance Management Act, 2000, be determined by a valuer;
- [c] That a further report be submitted to a Special Governance and Economic Development Committee meeting in July 2014 regarding the legalities and procedures to be followed and the options available to sell Erf 65, Buffalo Bay.

File Number: 9/1/2/9

Execution: Director: Corporate Services  
Manager: Administration

G13/06/14 **KNYSNA TIMBER INITIATIVE**

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That Council notes the contents of the report with regard to the Knysna Timber Initiative.

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File Number : 9/1/2/13

Execution: Director: Planning and Development  
Manager: Local Economic Development

G14/06/14 **EMPLOYMENT EQUITY POLICY**

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Employment Equity Policy attached as annexure to the agenda of the Governance and Economic Development Committee held on 3 June 2014, be noted.

File Number: 4/2/7

Execution: Director : Corporate Services  
Manager : Human Resources

G15/06/14 **DRAFT RECRUITMENT AND SELECTION POLICY**

*Also refer item G08/06/14.*

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Draft Recruitment and Selection Policy attached as Annexure to the agenda of the Governance and Economic Development Committee meeting held on 3 June 2014, be noted.

### 7.1.2 ITEMS SUBMITTED TO THE FINANCE COMMITTEE MEETING 4 JUNE 2014

F01/06/14 **DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 23 MAY 2014**

The Director: Financial Services handed out the up to date and more detailed report to all at the meeting for consideration.

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That the Detailed Capital Budget Report: 2013/2014 as at 23 May 2014 as well as the tabled report for the Detailed Capital Budget Report 2013/2014 as at 2 June 2014, be noted.

File Number: 9/1/2/10  
Execution: Director: Financial Services  
Manager: Budget Office

The Municipal Manager took the opportunity to introduce the Manager: Development Planning, Mr Joseph Hames who was appointed during May and started on 2 June 2014, to the Finance Committee.

F02/06/14 **FINAL AWARDS: MAY 2014**

The Chairperson of the Finance Committee, seconded by Cllr Barrell, commended the Financial Services Department on the more detailed and better presented reports.

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That the report with regard to the Final Awards received from the Director: Financial Services [Supply Chain Management], be noted.

File Number: 9/1/2/10  
Execution: Director: Financial Services  
Manager: Budget Office

**7.1.3 ITEMS SUBMITTED TO THE COMMUNITY SERVICES COMMITTEE MEETING 10 JUNE 2014**

C01/06/14 **PARKS AND RECREATION OPERATIONAL PROGRAMME 2014/2015**

Director: Community Services

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

- [a] That the report with regard to the Parks and Recreation Operational Programme for 2014/2015; be noted;
- [b] That the fact that tree felling is not a job creation exercise but a skilled operation that is governed by OHS Act (85 of 1993), be recognized;
- [c] That the fact that the Parks Department does the majority of its work on a complaint-based system; be recognized;
- [d] That going forward more detailed ward activity monthly reports be submitted to the Community Services Committee.

File Number: 9/1/2/5

Execution: Director Community Services  
Managers: Parks and Recreation

C02/06/14 **GRANTING OF ENVIRONMENTAL AUTHORISATION - GARDEN FACILITY SEDGEFIELD**

Director: Community Services

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That the contents of the Environmental Authorisation for the Garden refuse facility in Sedgefield from the Department of Environmental Affairs and Development Planning, be noted.

File Number: 9/1/2/5

Execution: Director: Community Services  
Managers: Solid Waste

C03/06/14 **GREATER KNYSNA MUNICIPAL SPORT COUNCIL**

Director: Community Services

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That the report with regard to the establishment of the Greater Knysna Municipal Sport Council; be noted.

Execution: Director: Community Services  
Managers: Protection Services

C04/06/14 **DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 26 MAY 2014**

Director: Community Services

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That the Detailed Capital Budget Report: 2013/2014 as at 26 May 2014, be noted.

File Number: 5/3/ R

Execution: Director: Financial Services  
Manager : Budget Office

C05/06/14 **MONTHLY REPORTS: COMMUNITY SERVICES**

Director: Community Services

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That the following monthly reports for April and May 2014 received from the Director Community Services be noted:

- [a] Parks and Recreation;
- [b] Waste Management;
- [c] Libraries and Heritage;
- [d] Safety and Security, Traffic and Licensing, Fire, Sport and Rescue and Social Services;
- [e] Eden District Municipality [Environmental Health]

File Number: 9/1/2/5

Execution: Director Community Services  
Managers: Waste Management  
Parks and Recreation

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Libraries and Heritage  
Safety and Security  
Traffic and Licensing  
Fire and Rescue

C06/06/14 **HANDOVER OF SAFETY CARAVANS**

Director: Community Services

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

- [a] That Council notes the report on the utilization of Community Safety Kiosks and the cost implications;
- [b] That Council accepts the handover of the community safety kiosks by the Western Cape Government and Department of Community Safety in terms of a memorandum of understanding;
- [c] That Council mandates the Municipal Manager to conclude the memorandum of understanding between the Western Cape Government via its Department of Community Safety and the Knysna Municipality.

File Number: 9/1/2/5

Execution: Director: Community Services  
Manager: Protection Services

C07/06/14 **BABOON MANAGEMENT PLAN**

Director: Community Services

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That Council notes the report from the Director Community Services with regard to the Baboon Management Plan.

File Number: 9/1/2/5

Execution: Director: Community Services  
Manager: Protection Services

### 7.1.3 ITEMS SUBMITTED TO THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE COMMITTEE MEETING 11 JUNE 2014

P01/06/14 **ERF 2897, KNYSNA (22 WATERFRONT DRIVE): PROPOSED REZONING**

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That the application for proposed rezoning of Erf 2897, Knysna , be withdrawn as the matter was resolved on 29 May 2014.

P02/06/14 **ERF 3536, (NO. 4 FAURE STREET, WESTHILL) KNYSNA: PROPOSED TEMPORARY LAND USE DEPARTURE (4-UNIT SELF-CATERING GUEST HOUSE) (APPLICATION NO. 589)**

**PURPOSE OF THE REPORT**

To consider an application from Mark de Bruyn Professional Land Surveyor on behalf of Ian John Murray, the property owner, for the following:

- a) Application in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for a temporary land use departure on Erf 3536, Knysna, in order to utilize the existing dwelling unit as a 4-bedroom guest house. The application is **recommended for approval**.

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

- [a] That the following correspondence be noted:
- (i) Copy of the application from Mark de Bruyn Professional Land Surveyor submitted on 28 October 2013;
  - (ii) Copy of an objection from Hugo van Schalkwyk dated 23 December 2013;
  - (iii) E-mail from Serett Maree dated 25 November 2013;
  - (iv) Applicant's response to comments and objections dated 13 May 2014;
  - (v) Applicant's letter dated 13 May 2013; and
  - (vi) Comments from internal departments printed on 26 May 2014;
- [b] That **approval be granted** in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for a temporary land use departure on Erf 3536, Knysna, in order to utilize the existing dwelling unit as a 4-bedroom guest house;
- [c] That the following conditions be imposed in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985):

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- (i) That this approval refers to the application for temporary departure as outlined above and may not be construed as granting authority to deviate from any other legal prescriptions or requirements;
- (ii) Only four (4) rooms can be let for guest accommodation purposes;
- (iii) No on-street parking for the benefit of the accommodation establishment shall be allowed and on-site parking shall be provided on a ratio of 1 parking bay per bedroom and a further two additional bays for every two bedrooms for visitors and two for staff/management;
- (iv) Notwithstanding the alterations indicated on the attached proposed building plan, no permanent alterations associated with this approval are permitted on the existing dwelling;
- (v) The existing dwelling house shall at all times comply with the definition of a "dwelling unit" as set out in the Knysna Zoning Scheme Regulations;
- (vi) At the building plan submission stage, the application shall submit a dimensioned and a to-scale parking layout for the consideration and approval of the Director: Technical Services in conjunction with Town Planning;
- (vii) The rooms cannot be alienated separately by means of a sectional title;
- (viii) Any electrical services encountered will be relocated at the cost of the applicant. The applicant is to ensure that there is access to property for meter reading purposes;
- (ix) The erf will be limited to one electrical service connection which may not be split into two 30 amp electrical supplies and will be metered by only one meter (shared supply);
- (x) The erf is also limited to 60Amps Single Phase;
- (xi) Solar assisted or gas assisted water heating devices or heat pumps shall be installed by the applicant;
- (xii) Load Switch Accommodation is required and it will be wired in accordance to the Electrical Department' specification and the switch will be purchased by the applicant;
- (xiii) Low Energy lamps are to be used in all fittings.

File number: 9/1/2/13

Execution: Director: Planning and Development  
Manager: Town Planning & Building Control



P03/06/14

**ESTABLISHMENT OF THE KNYSNA MUNICIPALITY OUTDOOR  
ADVERTISING, HERITAGE AND AESTHETICS COMMITTEE**

**PURPOSE OF THE REPORT**

To consider applications from various sectors of the community to serve on the Knysna Outdoor Advertising, Heritage and Aesthetics Committee as required by Chapter 2 of the newly promulgated By-law on the regulation of Outdoor Advertising, Heritage and Building Aesthetics within the Municipal Area.

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

[a] That in the terms of section 8 and 9 of the By-Law on the Regulation of Outdoor Advertising, Heritage and Building Aesthetics the following people are appointed to serve for one year on the Knysna Municipality Advertising, Heritage and Aesthetics Committee:

1. Mr Jan van Straten
2. Ms Anouk Edwards;
3. Mr Philip Caveney;
4. Ms Clementine Boniswa Mbatani;
5. Ms Magdalene R Moos;
6. Mr Gary Atkinson;
7. Ms Lorraine Miles;
8. The Chairperson of Knysna Tourism or a delegated Board member; and
9. Four representatives of the Knysna Plett Architects Forum from the list of candidates supplied to be rotated in consultation between the Forum and the Chairperson.

[b] That all applicants be informed of [a] above.

File number: 3/3/3/2

Execution: Director: Planning and Development  
Manager: Town Planning & Building Control

P04/06/14

**ERF 6731, 6732 & 6733, KNYSNA (CHUNGWA STREET): PROPOSED REZONING AND DEPARTURES****PURPOSE OF THE REPORT**

The purpose of this report is to consider an application from VPM Planning CC on behalf of Dorothy Broster Child and Youth Care Centre and the Knysna Municipality for:

- Application in terms of Section 16 of the Land Use Planning Ordinance 1985 (Ordinance 15 of 1985) for the rezoning of Erf 6733, Knysna, from “Educational Zone” to “Institutional Zone”.
- Application in terms of Section 16 of the Land Use Planning Ordinance 1985 (Ordinance 15 of 1985) for the rezoning of Erf 6732 & 6731, Knysna, from “Informal Residential” to “Institutional Zone”.
- Consolidation of Erf 6731, 6732 & 6733, Knysna.
- Application in terms of Section 15 of the Land Use Planning Ordinance 1985 (Ordinance 15 of 1985) for the relaxation of the following building lines applicable to the Institutional Zone:
  - Street Building Line from 6m to 0m
  - Rear & Lateral Building Line from 6m to 1m
- Application in terms of Less Formal Township Establishment Act No. 113 of 1991 for the consolidation of the said properties

It is recommended that the application for rezoning and departures **be approved**.

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

- [a] That the following correspondence be noted:
- [i] Application from VPM Planning CC, dated 13 February 2014;
  - [ii] Comments from the internal department undated; and
  - [iii] The applicant’s response to comments, dated 07 April 2014.
- [b] That the application for the rezoning of 6733 (Chungwa Street, Khayeletu), from “Educational Zone” to “Institutional Zone” and for the rezoning of Erf 6732 & 6731, Knysna, from “Informal Residential” to “Institutional Zone”, **be approved**, in terms of Section 16 of the Land Use Planning Ordinance, 1985 (No. 15 of 1985), subject to the following conditions, imposed in terms of Section 42 of the Ordinance:
- [i] The applicant is responsible for ensuring compliance with all the conditions imposed hereunder;
  - [ii] Comply with the developmental parameters of a “Institutional Zone” in terms of the Knysna Zoning Scheme (1992);
  - [iii] Any electrical services encountered will be relocated at the cost of the applicant;

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- [iv] The applicant is to ensure that there is access to property for meter reading purposes;
  - [v] The erven will be limited to one 30Amp single phase electrical service connection and will not be permitted to split the supply into two;
  - [vi] The erf will be metered by only one meter;
  - [vii] Solar assisted or gas assisted water heating devices or heat pumps shall be installed by the applicant;
  - [viii] Load Switch Accommodation is required and it will be wired in accordance to the Electrical Department' specification and the switch will be purchased by the applicant;
  - [ix] Low energy lamps are to be used in all fittings;
  - [x] The development shall, upon completion, have a waste management facility and an Integrated Waste Management Plan/System, to Council's approval;
  - [xi] Any green waste as a result of the development must be chipped on-site and/or disposed of at an approved site;
  - [xii] Normal building plan approval in terms of the National Building Control and Building Regulations (Act No. 103 of 1977) shall be applicable, and
  - [xiii] This approval does not absolve the developer from compliance with any other approvals or statutory requirements.
- [c] That the provincial authority be advised that Knysna Municipality has no objection to the application made in terms of the Less Formal Township Establishment (Act No. 113 of 1991) to consolidate Erf 6731, 6732 & 6733, Knysna;
- [d] That the departure application be approved in terms of Section 15 of the Land Use Planning Ordinance (Ordinance 15 of 1985) to relax the Street building line from 6m to 0m; rear & lateral building line from 6m to 1m on Erf 6731-6733, Knysna, as depicted on site development plan submitted with the application dated February 2014, subject to the following conditions:
- [i] The applicant is responsible for ensuring compliance with all the conditions imposed hereunder;
  - [ii] Comply with the developmental parameters of a Institutional Zone in terms of the Knysna Zoning Scheme (1992);
  - [iii] The building line relaxations only apply to the structures as shown on the above plan as applied for and no other structure;
  - [iv] Normal building plan approval in terms of the National Building Control and Building Regulations (Act No. 103 of 1977) shall be applicable, and
  - [v] This approval does not absolve the developer from compliance with any other approvals or statutory requirements.

File number: 15/2/5/2

Execution: Director: Planning and Development

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Manager: Town Planning & Building Control

P05/06/14 **ERF 7476, NO. 22 KENSINGTON GARDENS, LEISURE ISLE, KNYSNA:  
APPLICATION FOR SUBDIVISION AND DEPARTURE (APPLICATION NO.  
482)**

**PURPOSE OF THE REPORT**

To consider an application from Mark de Bruyn Professional Land Surveyor, on behalf of the property owner, T H M Gool, for the following:

- a) Application in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) for the subdivision of Erf 7476, Knysna into two portions namely Portion A (476m<sup>2</sup>) and Remainder Erf 7476, Knysna (726m<sup>2</sup>) as indicated on the Plan of Subdivision No. KE7476j drawn by Mark de Bruyn, dated May 2014;
- b) Application in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) for a departure to allow a building line of 1,57m in lieu of 2m between a portion of the existing dwelling house and the proposed new subdivision boundary on the proposed Remainder Erf 7476, Knysna as indicated on Plan of Subdivision No. KE7476j drawn by Mark de Bruyn dated May 2014.

The application is **recommended for approval**.

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

- [a] That the following correspondence be noted:
- (i) Copy of the application from Mark de Bruyn Professional Land Surveyor dated 29 June 2013;
  - (ii) Letter of comment from Graham Browne dated 18 November 2013;
  - (iii) Letter of objection from Wright Rose Innes Inc. on behalf of Mr Ryan D Lotter of Erf 1852 Knysna dated 20 November 2013;
  - (iv) Letter of objection from S M and G M Cooke of Erf 1898 Knysna dated 20 November 2013;
  - (v) Letter of objection from A R Clarke of No. 10 Kensington Gardens dated 11 November 2013;
  - (vi) Letter of objection from Grant Lemke of Erf 1853 Knysna dated 28 November 2013;
  - (vii) Consent letter from Graham Browne of Erf 1856 Knysna, the immediate neighbouring property owner to the east of the subject Erf, dated 20 October 2013;
  - (viii) Consent letter from Mayaden Ramjas of Erf 1900 Knysna, located across the road to the west of the subject Erf, 19 November 2013;

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- (ix) Comments from internal departments: Technical Services and Electrotechnical Services printed on 10 January 2014;
  - (x) Applicant's response to comments dated 12 March 2014;
- [b] That **approval be granted** in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) for the subdivision of Erf 7476, Knysna into two portions namely Portion A (476m<sup>2</sup>) and Remainder Erf 7476, Knysna (726m<sup>2</sup>) as indicated on the Plan of Subdivision No. KE7476H drawn by Mark de Bruyn dated June 2013;
- [c] That **approval be granted** in terms of Section 15(1)(a)(ii) of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) for the a departure to allow a building line of 1,57m in lieu of 2m between a portion of the existing dwelling house and the proposed new subdivision boundary on the proposed Remainder Erf 7476, Knysna as indicated on Plan of Subdivision No. KE7476j drawn by Mark de Bruyn dated May 2014;
- [d] That the following conditions are imposed in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985):
- i) That the property owner shall take responsibility for ensuring compliance with these conditions;
  - ii) That this approval shall not be construed as authority to deviate from any other legal prescriptions or requirements;
  - iii) No on-street parking shall be allowed;
  - iv) Sewer must be approved for second Erf;
  - v) Augmentation for water shall be applicable on (1) unit;
  - vi) Capital Contribution fees shall be paid on one (1) unit;
  - vii) Access to the property must be provided for meter reading purposes;
  - viii) Application for an electrical service connection must be made for the subdivided portion;
  - ix) Upgrading of the LV & MV network will be at the cost of the applicant;
  - x) The subdivided property will be metered by means of a split prepaid meter;
  - xi) Each erf will be limited to a 60 Amp single phase electrical connection;
  - xii) Solar assisted or gas assisted water heating devices or heat pumps shall be installed by the applicant;
  - xiii) Load Switch Accommodation is required and it will be wired in accordance to the Electrical Department' specification and the switch will be purchased by the applicant;
  - xiv) The second dwelling must also have a Council Load Relay fitted irrespective of the water heating device;
  - xv) This relay is to be purchased from Council by the applicant. Low energy lamps are to be used in all fittings;

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- xvi) The following conditions of title must be registered against each of the subdivided portions and the remainder, except where similar conditions have, in the opinion of the Conveyancer, already been registered against the original property or properties:
- i. The owner of this erf shall without compensation, be obliged to allow gas mains, telephone and television cables and/or wires and main and/or other water pipes and the sewage and drainage including stormwater or any other erf or erven to be conveyed across this erf, and surface installations such as mini-substations, meter kiosks and service pillars to be installed thereon if considered necessary by the local authority in such a manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above;
  - ii. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavations on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.
- xvii) Satisfactory arrangements for the essential removal of telephone and telegraph routes which cross the land being subdivided must be made with the Post Office in terms of Section 83(1) of the Post Office Act.

File number: 15/2/5/3  
Execution: Director: Planning and Development  
Manager: Town Planning & Building Control

P06/06/14

**ERF 11288, CNR HUNTERS ESTATE AND SUNNINGHILL DRIVE, HUNTERS ESTATE, KNYSNA: APPLICATION FOR REZONING AND DEPARTURE FOR THE ESTABLISHMENT OF A RENAL UNIT (TREATMENT OF KIDNEY FAILURE AND RENAL INSUFFICIENCY) (APPLICATION NO. 645)**

**PURPOSE OF THE REPORT**

To consider an application from VPM Planning, on behalf of the Life Healthcare Group (Pty) Ltd, for the following:

- a) Application in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) for the rezoning of Erf 11288, Knysna, from “Single Residential Zone” to “Institutional Zone” in order to establish a renal unit for the treatment of people with kidney failure and renal insufficiency;
- b) Application in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) for a departure from the building line parameters under “Institutional Zone” in order to allow a 4,5m street building line in lieu of 6m and 2m lateral and rear building lines in lieu of 6m in order to accommodate the existing residential building footprint as indicated on Drawing No. 100-012/ARC-001 drawn by B4 Architects dated 27 January 2014.

The application is **recommended for partial approval and request for additional information.**

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

- [a] That the following correspondence be noted:
  - (i) Copy of the application from VPM Planning dated 12 February 2014;
  - (ii) Letter of comment from R J and S A McBurney dated 13 March 2014;
  - (iii) Letter of comment from Francine Dubreuil dated 17 March 2014;
  - (iv) Letter of comment from A J Walker dated 20 November 2014;
  - (v) Applicant’s response to comments dated 8 April 2014; and
  - (vi) Internal departments’ comments printed out on 27 May 2014.
- [b] That **approval be granted** in terms of Section 16 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) for the rezoning of Erf 11288, Knysna from “Single Residential Zone” to “Institutional Zone” in order to establish a renal unit for the treatment of people with kidney failure and renal insufficiency; and
- [c] That **approval be granted** in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) for a departure

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from the building line parameters under "Institutional Zone" in order to allow a 4,5m street building line in lieu of 6m and 2m lateral and rear building lines in lieu of 6m in order to accommodate the existing residential building foot print as indicated on Drawing No. 100-012/ARC-001 drawn by B4 Architects dated 27 January 2014;

- [d] That the following conditions are imposed in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985):
- i) That the property owner shall take responsibility for ensuring compliance with all conditions listed hereunder;
  - ii) That this approval refers to the applications as outlined above and shall not be construed as authority to deviate from any other legal prescriptions or requirements;
  - iii) That building plans for the proposed alterations/additions shall be submitted to the municipality for scrutiny and approval prior to any building work taking place;
  - iv) That the applicant be advised to submit additional information regarding the residential component of the proposed institution;
  - v) That a decision regarding the accommodation of the residential and emergency medical vehicles base station components within the subject Erf be held in abeyance pending the submission of a comprehensive site development together with an explanatory motivation;
  - vi) That the Director: Planning and Development, within the limits of the current municipal delegations register, be given discretion to decide on the desirability of the proposed residential and residential and emergency medical vehicles proposal on receipt of further information from the applicant;
  - vii) No on-street parking shall be allowed. "No parking" signs shall be displayed on the outside walls of the property and proper adherence to the sign shall be monitored jointly by the municipality and the applicant;
  - viii) The applicant shall appoint an engineer to confirm that stormwater management pre and post development run-off shall be the same;
  - ix) The development parameters applicable under "Single Residential" Zone shall apply on this erf as though the zoning of the property was still "Single Residential";
  - x) Any electrical services encountered will be relocated at the cost of the applicant;
  - xi) The applicant is to ensure that there is access to property for meter reading purposes;
  - xii) The erf will be limited to one electrical service connection which may not be split into two 30 amp electrical supplies and will be metered by only one meter (shared supply);
  - xiii) The erf is also limited to 60Amps Single Phase. Solar assisted or gas assisted water heating devices or heat pumps shall be installed by the applicant;



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- xiv) Load Switch Accommodation is required and it will be wired in accordance to the Electrical Department' specification and the switch will be purchased by the applicant;
  - xv) The second dwelling must also have a Council Load Relay fitted irrespective of the water heating device. This relay is to be purchased from Council by the applicant; and
  - xvi) Low Energy lamps are to be used in all fittings.

File number: 15/2/5/2  
Execution: Director: Planning and Development  
Manager: Town Planning & Building Control

P07/06/14 **ERF 301, (301 STEENBRAS AVE) BRENTON: PROPOSED DEPARTURE FOR THE RELAXATION OF THE LATERAL BUILDING LINE**

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That the departure application for the relaxation of the lateral building line from 2m to 0m on Erf 301, Brenton in terms of Section 15 of the Land Use Planning Ordinance, 1985 (No.15 of 1985) in order to legalise an existing carport, be withdrawn until sufficient information on this matter has been obtained.

P08/06/14 **IMPLEMENTATION OF THE PLANNING LAW REFORM PROCESS WITH THE INTRODUCTION OF RELATED PLANNING BY-LAWS**

**PURPOSE OF THE REPORT**

The purpose of this report is to:

- (a) To notify Council of the approval of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) on 25 March 2014;
- (b) For the Portfolio Councillor of Planning Developmnt & Infrastructure, Councillor L. Hart, to introduce to Council and obtain the subsequent support for the in principle adoption of the Western Cape Proposed Standard Draft Municipal Bylaw on Land Use Planning in terms of Section 12(1) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), hereafter referred to as "the MSA", and the subsequent advertisement thereof for public comment in terms of Section 12(3) of said MSA;
- (c) For the Portfolio Councillor of Planning, Developmnt & Infrastructure, Councillor L. Hart, to introduce to Council and obtain the subsequent support for the in principle adoption of the Western Cape Proposed Draft Bylaw on the Model Zoning Scheme in terms of Section 12(1) of

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the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), hereafter referred to as "the MSA", and the subsequent advertisement thereof for public comment in terms of Section 12(3) of said MSA;

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the approval of the Western Cape Land Use Planning Law, 2014 (Act 3 of 2014), on 25 March 2014, and as attached as **ANNEXURE "A"** to the agenda of the Planning Development and Infrastructure Committee held on 11 June 2014, **be noted**;
- [b] That the proposed standard draft land use planning by-law (to be circulated under separate cover), and as introduced to Council by the Portfolio Councillor of Planning Development and Infrastructure, Councillor L. Hart, in terms of section 12(1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), **be adopted**, for the purpose of advertisement for public comment in terms of Section 12(3) of said Act;
- [c] That the proposed zoning scheme by-law for the Knysna Municipal Area, circulated to all Councillors prior to the Mayoral Committee Meeting held on 19 June 2014 (and also circulated under separate cover) and as introduced to Council by the Portfolio Councillor of Planning Development and Infrastructure, Councillor L Hart, in terms of Section 12(1) of the Local Government : Municipal Systems Act, 2000 (Act 32 of 2000), **be adopted**, for the purpose of advertisement for public comment in terms of Section 12(3) of said Act;
- [d] That it be noted that a workshop with Council on the proposed standard draft Land Use Planning By-law and the proposed standard draft Zoning Scheme By-law for Knysna, **was conducted** on 19 June 2014 directly after the Mayoral Committee meeting;
- [e] That the matter with regard to the Implementation of the Planning Law Reform Process with the Introduction of Related Planning By-Laws be referred to a Special Council meeting to held on 26 June 2014, after it has served at the Mayoral Committee Meeting on 19 June 2014.

File number: 1/2/1/5  
Execution: Director: Planning and Development  
Manager: Town Planning & Building Control

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P09/06/14 **WAIVER OF AS BUILT FEES ERF 124 DAM SE BOS**

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That the application for a waiver of fees for the as-built building plan on Erf 124, Dam se Bos, be withdrawn as it has been resolved at the Council meeting held on 29 May 2014.

P10/06/14 **WAIVER OF AS-BUILT FEES ERF 3536 (KNYSNA NO. 4 FAURE STREET, WESTHILL)**

**PURPOSE OF THE REPORT**

To consider an application for as built fees to Manager Town Planning and Building Control. It is recommended that this application for the waiver of building plan fees be approved for it falls within the scope of the Approved bylaws on as –built building fees.

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That the fees amounting to R11202.10 for as-built fees for Erf 3536, Knysna, be waived based on the following:

- \* The application falls within the terms of the Bylaws relating to as-built fees.
- \* The illegal structures were built prior to 2008. Transfer of the property took place before 2011.
- \* The owner has submitted affidavits to prove the existence of illegal structures before the as set dates.

File number: 9/1/2/13  
Execution: Director: Planning and Development  
Manager: LED

P11/06/14 **MONTHLY REPORT: TOWN ELECTRO-TECHNICAL ENGINEER**

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

- [a] That the monthly reports for April 2014 received from the Town Electro-technical Engineer, be noted;
- [b] That an article on the completion of the new Municipal kVA line, be advertised by the Manager: Communications and Customer Relations.

File Number: 9/1/2/13

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Execution: Town Electro-technical Engineering

*At 10:30 the chairperson granted a 15 minute body break.*

P12/06/14 **PLANNING AND DEVELOPMENT: MONTHLY REPORTS**

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

- [a] That the monthly report for April 2014 received from the Director: Planning and Development Services [Town Planning, Building Control], be noted;
  - (i) That the Manager: Integrated Human Settlements submit a report with the Human Settlement pipe line and Aerial photos to the Planning, Development and Infrastructure Committee meeting to be held in August 2014;
- [b] That the monthly report for April 2014 received from the Director: Planning and Development Services [Integrated Human Settlements], be noted;
  - (i) That the Manager: Integrated Human Settlements submit a report with a list of all the PHP houses in all wards, to the Planning, Development and Infrastructure Committee meeting to be held in August 2014;
- [c] That the monthly report for April 2014 received from the Director: Planning and Development Services [Environmental Management], be noted.

File number: 9/1/2/13

Execution: Director: Planning and Development  
Manager: Town Planning and Building Control  
Manager: Integrated Human Settlements  
Manager: Environmental Management

P13/06/14 **MONTHLY REPORT DIRECTOR: TECHNICAL SERVICES**

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

- [a] That the monthly reports for April 2014 received from the Director: Technical Services, be noted;
- [b] That the Project Management Unit reports for April 2014 received from the Director: Technical Services, be noted;
- [c] That the water and sewer results reports for April 2014 received from the Director: Technical Services, be noted.

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File number: 9/1/2/1  
Execution: Director: Technical Services  
Engineers: Public Works, Sewer and Water Works

P14/06/14 **DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 26 MAY 2014**

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That the Detailed Capital Budget Report: 2013/2014 as at 26 May 2014, be noted.

File Number: 5/12/1  
Execution: Director: Financial Services  
Manager: Budget Office

7.2 **REPORTS SUBMITTED TO THE EXECUTIVE MAYOR**

M01/06/14 **DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 23 MAY 2014**

Director: Finance Services

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That the Detailed Capital Budget Report: 2013/2014 as at 23 May 2014, be noted.

File Number: 5/12/1  
Execution: Director: Financial Services  
Manager: Budget Office

8. Closure

The Chairperson thanked everybody present and the meeting concluded at 08h25.

Approved

Cllr. G Wolmarans

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Chairperson

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Date

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