

KNYSNA LOCAL MUNICIPALITY

MINUTES

of the

MAYORAL COMMITTEE

meeting which took place in the Council Chamber
on

Thursday, 22 May 2014

at

08:00

MAYORAL COMMITTEE MEETING
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1. Opening and Welcoming

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

One minute of silence was observed in memory of the departed, Councillor Magdalena Williams.

2. In Attendance:

2.1 Councillors Present

Members:

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

Non-members:

Cllr R Barrell
Cllr S De Vries
Cllr M Dyantyi
Cllr T Gombo
Cllr I Grootboom
Cllr M Lizwani
Cllr P Nkam
Cllr N Sopeki
Cllr B Tyokolo
Cllr E Van Aswegen
Cllr M Wasserman
Cllr C Witbooi

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 Richardson, L	Town Electro-technical Engineer
Mr Phillips, E	Manager: Integrated Development Plan
Ms Paulsen, M	Manager: Legal Services
Mr Ngalo, M	Legal Adviser
Ms Lakay, J	Manager: Council Committees and Councillor Support

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Ms Fandese, N
Ms Swart, L

Committee Officer
Personal Assistant to the full time Councillors

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**

7.1.1 **ITEMS SUBMITTED TO THE COMMUNITY SERVICES COMMITTEE MEETING 13 MAY 2014**

C01/05/14 **LIBRARY SERVICES CUSTOMER RELATION POLICY**

Director: Community Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Library Services Customer Relations Policy be approved as the policy benchmark for the functioning of the library service.

File Number: 17/17/R

Execution: Director Community Services
Managers: Libraries and Heritage

C02/05/14 **DEVELOPMENT OF NEW PROPOSED REGIONAL WASTE FACILITY FOR THE EDEN DISTRICT**

Director: Community Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the waste management licence issued to Eden District Municipality for the construction and operation of the new regional waste disposal facility in Mossel Bay; be noted.

File Number: 16/5/R

Execution: Director Community Services
Managers: Waste Management

C03/05/14 **INTEGRATED WASTE MANAGEMENT PLAN (2ND GENERATION) FINAL DRAFT REPORT**

Director: Community Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the contents of the final draft report of the Integrated Waste Management Plan (2nd Generation) ;be noted;

[b] That Council approves the Final Draft Report of the Integrated Waste Management Plan (2nd Generation).

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File Number: 16/5/R

Execution: Director Community Services
Managers: Waste Management

C04/05/14 **WASTE MANAGEMENT LICENCE – RECYCLING CENTRE SEDGEFIELD**
Director: Community Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Waste Management Licence issued to operate the recycling centre situated on Erf 1666 in Sedgefield, be noted.

File Number: 16/5/R

Execution: Director Community Services
Managers: Waste Management

C05/05/14 **DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 28 FEBRUARY 2014**
Director: Community Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report: 2013/2014 as at 28 February 2014, be noted.

File Number: 9/1/2/10

Execution: Director Financial Services
Managers: Budget Office

C06/05/14 **DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 30 APRIL 2014**
Director: Community Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report: 2013/2014 as at 30 April 2014, be noted.

File Number: 9/1/2/10

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Execution: Director Financial Services
Managers: Budget Office

C07/05/14 **HEALTH PROMOTION SOUTH AFRICA TRUST: ESTABLISHMENT OF HEALTH CENTRES IN KNYSNA: IMPLEMENTATION OF THE HEALTH PROMOTER AT SCHOOL PROGRAMME**

Director: Community Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the contents of the report with regard to the Health Promotion South Africa Trust : Establishment of Health Centres in Knysna : Implementation of the Health Promoter at School Programme, be noted;
- [b] That the Council accepts that this programme can be rolled out in Knysna;
- [c] That Council enters into a Memorandum of Understanding between Health Promoter South Africa, and the respective school governing bodies.

File Number: 17/2/R

Execution: Director Community Services
Managers: Protection Services

C08/05/14 **MONTHLY REPORTS: COMMUNITY SERVICES**

Director: Community Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the following monthly reports for February 2014 received from the Director Community Services be noted:

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

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

C09/05/14

MONTHLY REPORTS: COMMUNITY SERVICES

Director: Community Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the following monthly reports for March 2014 received from the Director Community Services and Eden District Municipality be noted:
- [i] Safety and Security, Traffic and Licensing, Fire, Sport and Rescue and Social Services;
 - [ii] Libraries and Heritage;
 - [iii] Parks and Recreation;
 - [iv] Waste Management;
 - [v] Eden District Municipality [Environmental Health];
- [b] That the Director Community Services to advise Ward Councillors of all activities taking place in their wards.

File Number: 9/1/2/5

Execution: Director Community Services
Managers: Waste Management
Parks and Recreation
Libraries and Heritage
Safety and Security
Traffic and Licensing
Fire and Rescue

**7.1.2 ITEMS SUBMITTED TO THE GOVERNANCE AND ECONOMIC DEVELOPMENT
COMMITTEE MEETING 13 MAY 2014**

G01/05/14 **PRESENTATION BY OYSTER FESTIVAL COMMITTEE**
Director: Corporate Services [Administration]

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the presentation by Ms Nicci Rousseau Schmidt of the Oyster Festival Committee be noted.

File number: 11/2/1

Execution: Director: Corporate Services
Manager: Administration

G02/05/14 **MONTHLY REPORT: CORPORATE SERVICES [HUMAN RESOURCES]**
Director: Corporate Services [Human Resources]

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the monthly reports for March and April 2014 received from the Director: Corporate Services [Human Resources] be noted;
- [b] That in future the Employment Equity Plan Targets be included in the monthly reports;
- [c] That the Employment Equity Plan be submitted to the next Governance and Economic Development Committee in June 2014 for noting;
- [d] That the draft recruitment and selection policy, as well as the employment equity item be submitted to the next Governance and Economic Development Committee in June 2014;
- [e] That the Human Resources section ensure that the figures of the job descriptions accurately match the figures of the organogram.

File Number: 9/1/2/9

Execution: Director Corporate Services
Manager: Human Resource

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G03/05/14 **MONTHLY REPORT: CORPORATE SERVICES [LEGAL SERVICES]**
Director: Corporate Services [Legal Services]

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the monthly report for 19 February -17 March 2014 and 17 March – 22 April 2014 received from the Director: Corporate Services [Legal Services], be noted.

- [b] That the Legal services section ensure that the status of current litigation matters is kept correctly updated and current at all times.

File Number: 9/1/2/9

Execution: Director: Corporate Services
 Manager: Legal Services

G04/05/14 **PUBLIC PARTICIPATION MONTHLY REPORTS**
Director: Corporate Services [Public Participation]

RECOMMENDATION OF THE EXECUTIVE MAYOR

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

File Number: 9/1/2/9

Execution: Director: Corporate Services
 Manager: Public Participation

G05/05/14 **MONTHLY REPORT: PLANNING AND DEVELOPMENT [LOCAL ECONOMIC DEVELOPMENT]**
Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

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

File Number: 9/1/2/13

Execution: Director: Planning and Development

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G06/05/14 **INTEGRATED DEVELOPMENT PLANNING MONTHLY REPORTS**
Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the monthly reports for January, February and March 2014 received from the Director: Planning & Development [Integrated Development Planning], be noted.

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

G07/05/14 **DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 28 FEBRUARY 2014**
Director: Financial Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report: 2013/2014 as at 28 February 2014, be noted.

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

G08/05/14 **DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 30 APRIL 2014**
Director: Financial Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the Detailed Capital Budget Report: 2013/2014 as at 30 April 2014, be noted.
- [b] That the Director: Financial Services amends the method of the reporting to reflect the Actual Spend YTD as a percentage of the Adjustment Budget.

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

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G09/05/14 **REPORT ON THE LOCAL LABOUR FORUM**
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the minutes of the Local Labour Forum meeting held on 20 February 2014 at 14:30 in the Council Chamber, be noted.

File Number: 9/1/2/8
Execution: Director: Corporate Services
Manager: Human Resource

G10/05/14 **REPORT ON THE REVIEW OF THE SUPPLY OF ELECTRICITY BY-LAW**
Director: Corporate Services [Legal Services]

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the contents of the report with regard to the review of the Supply of Electricity By-Law be noted;
- [b] That the attached draft by-law be referred to a workshop for discussion.

File Number: 1/1/2/9
Execution: Director: Corporate Services
Manager: Legal Services

G11/05/14 **WARD DELIMITATION 2013/2015 PLAN AND AWARENESS CAMPAIGN**
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the contents of Circular 16/2014 from SALGA dated 31 March 2014, be noted;
- [b] That the contents of the document of the Municipal Demarcation Board entitled "Ward Delimitation 2013-2015 Plan and Awareness Campaign", be noted.

File Number: 9/1/2/9
Execution: Director Corporate Services
Manager: Administration

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G12/05/14 **REPRESENTATION: SALGA WESTERN CAPE WORKING GROUPS**
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That Circular WC 1 of 2014/15 dated 8 April 2014 from SALGA be noted;
- [b] That the following Councillors be appointed as the official representatives of the Knysna Municipality on the relevant Working Groups:
1. Community Development Working Group – to be appointed MMC
 2. Municipal Finance Working Group - Cllr Esme Edge
 3. Human Resource and Development Working Group - Cllr R Dawson;
 4. Municipal Infrastructure and Services Working Group - Cllr. Louisa Hart
 5. Economic Development and Planning Working Group – Cllr. Louisa Hart
 6. Governance and Intergovernmental Relations Working Group – Cllr Georlene Wolmarans, Cllr Richard Dawson (Secundi);
- [c] That it be noted that SALGA will only pay the sitting allowance and Subsistence and Travel Allowance, in terms of the determination of Government Notice R 64 dated 29 January 2014, to the representatives mentioned in [b] above from 1 April 2013;
- [d] That is be noted that as from 1 April 2014, the representatives mentioned in [b] above will not receive any Subsistence and Travel Allowances from Knysna Municipality for attending the Working Groups and Provincial and National Executive Committee's meetings of SALGA;
- [e] That the following councilors be appointed as alternate representatives (Secundi) :
1. Community Development Working Group – Cllr Irene Grootboom
 2. Municipal Finance Working Group – Cllr R Barrell;
 3. Human Resource and Development Working Group – Cllr R Barrell;
 4. Municipal Infrastructure and Services Working Group - Cllr. E Edge;
 5. Economic Development and Planning Working Group – Cllr. Beauty Tyokolo

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6. Governance and Intergovernmental Relations Working Group –
Cllr Richard Dawson (Secundi).

File Number: 9/1/2/9

Execution: Director: Corporate Services
Manager: Administration

G13/05/14

**REPORT ON THE LEASE BETWEEN KNYSNA MUNICIPALITY AND
MASAKHANE BUSINESS CORPORATION (SANLAM MALL)**

Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the contents of the report on the lease between Knysna Municipality and Masakhane Business Corporation (Sanlam Mall), be noted;
- [b] That the amount owed to the Knysna Municipality by the Masakhane Business Corporation be reduced to R 27 255.17 on the arrear account;
- [c] That the amount stated in [b] above be paid off at R 2000.00 per month;
- [d] That Council will accept responsibility for 50% of the account because of the unforeseen financial implication of the increased demand placed on the infrastructure because of the taxi rank;
- [e] That the interest in the amount of R 36 861.40 on the arrears account be written off;
- [f] That the lease agreement be reviewed and amended to provide for the lessee to improve the current status of the property within 6 months from the date of signature of the amended lease agreement;
- [g] That the cost of upgrading the bulk infrastructure as part of the NDPG and ISDF processes be investigated;
- [h] That upgrading of the area be considered as part of the 2014-2017 MTREF process.

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- [i] That the lease agreement between Knysna Municipality and Masakhane Business Corporation (Sanlam Mall) be submitted to the Mayoral Committee meeting on 22 May 2014.

File Number: 1/1/2/9

Execution: Director: Corporate Services
Manager: Legal Services

G14/05/14

KNYSNA TOURISM SERVICE LEVEL AGREEMENT EXTENSION

Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That council approves the amendment to the current Service Level Agreement with Knysna Tourism;
- [b] That the amended Service Level Agreement be submitted to the Mayoral Committee Meeting on 22 May 2014.

File Number: L151

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

G15/05/14

SPORTING FACILITIES IN KNYSNA

Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the Committee notes the attached detailed report with regard to the Expired Sporting Leases;
- [b] That the Committee refers the Discussion Document "Expired Sporting Leases" attached as annexure to the agenda of the Governance and Economic Development Committee meeting of 13 May 2014, to a workshop of which the date is determined in conjunction with the office of the Speaker.

File Number: 9/1/2/9

Execution: Director: Corporate Services
Manager: Administration

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7.1.3 ITEMS SUBMITTED TO THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE COMMITTEE MEETING 14 MAY 2014

The Planning Development and Infrastructure Committee meeting scheduled for 14 May 2014 did not take place as no quorum was present. The items submitted to the Committee were referred to the Mayoral Committee meeting held on 22 May 2014.

7.1.3 ITEMS SUBMITTED TO THE PLANNING DEVELOPMENT AND INFRASTRUCTURE COMMITTEE MEETING 14 MAY 2014

F01/05/14 **INSURANCE REPORT - OCTOBER 2013 TO FEBRUARY 2014**

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the report on all insurance claims for the period October 2013 to February 2014, be noted.

File Number: 9/1/2/10
Execution: Director: Financial Services
Resource Management Officer

F02/05/14 **DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 28 FEBRUARY 2014**

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report: 2013/2014 as at 28 February 2014, be noted.

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

F03/03/14 **DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 30 APRIL 2014**

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the Detailed Capital Budget Report: 2013/2014 as at 30 April 2014, be noted;

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- [b] That the Director: Financial Services amends the method of the reporting to reflect the Actual Spend YTD against Budget YTD as a percentage of the Adjustment Budget YTD.

File Number: 5/10/1
Execution: Acting Municipal Manager
Manager: Performance and Internal Audit

F04/03/14 **REPORT TO THE MUNICIPAL MANAGER REGARDING TENDERS AWARDED DURING MARCH 2014**

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the minutes from the Bid Adjudication Committee meeting held on 3 March 2014, be noted.
- [b] That more complete minutes from the Bid Adjudication Committee be submitted to the Finance Committee, going forward.

File Number: 9/1/2/10
Execution: Director: Financial Services
Manager: Expenditure (SCM)

F05/05/14 **STATUTORY SPEND REPORT: 2ND & 3RD QUARTER 2013/2014 FINANCIAL YEAR**

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the statutory spend report for amounts higher than R30 000 for the second and third quarters of the 2013/2014 financial year, be noted;
- [b] That in future, the Director: Financial Services also include the HDI component in the report.

File Number: 9/1/2/10
Execution: Director: Financial Services
Manager: Expenditure (SCM)

F06/05/14 **PREFERENTIAL PROCUREMENT POLICY**

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Preferential Procurement Policy together with the Supply Chain Management Policy be sent to the Council Workshop to be held on 22 May 2014.

File Number: 5/11/P

Execution: Director: Financial Services

 Manager: Expenditure (SCM)

F07/05/14 **REPORT ON SUPPLY CHAIN MANAGEMENT ACTIVITIES FOR MARCH AND APRIL 2014**

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the report on the Supply Chain Management Activities for March and April 2014, be noted.

[b] That a more detailed report regarding Supply Chain Management Activities be submitted to the next Finance Committee meeting in June 2014.

File Number: 9/1/2/10

Execution: Director: Financial Services

 Manager: Expenditure (SCM)

7.2 REPORTS SUBMITTED TO THE EXECUTIVE MAYOR

M01/05/14 DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 28 FEBRUARY 2014 AND 30 APRIL 2014

Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report: 2013/2014 as at 28 February 2014 and 30 April 2014, be noted.

File Number: 5/12/1

Execution: Director: Financial Services
 Manager: Budget Office

M02/05/14 ERF 2897, KNYSNA (22 WATERFRONT DRIVE): PROPOSED REZONING

Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the following correspondence be noted:
- [i] Application from Marike Vreken Town Planners, dated 29 January 2014;
 - [ii] Comments from the Aesthetic Committee meeting held on 11 April 2014;
 - [iii] Comments from the internal department undated; and
 - [iv] The applicant's response to comments, dated 07 April 2014;
- [b] That, the application for the rezoning of Erf 2897 (No. 22 Waterfront Drive), Knysna from "Single Residential" to "Business Zone" and to allow for the development of medical consulting rooms (dentistry practice and a residential unit), **be approved**, in terms of Section 16 of the Land Use Planning Ordinance, 1985 (Ord. 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 Business Zone in terms of the Knysna Zoning Scheme (1992);
 - [iii] Comply with the Knysna Urban Conservation Guidelines;
 - [iv] Augmentation fees will be due on 1.9 units for water and sewer;
 - [v] Stormwater run-off, post development and pre-development to remain the same;
 - [vi] Any electrical services encountered will be relocated at the cost of the applicant;

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- [vii] The applicant is to ensure that there is access to property for meter reading purposes;
 - [viii] 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 (no shared supply);
 - [ix] The electricity meter will be of the split prepayment meter type. The erf is also limited to 60Amps Single Phase;
 - [x] Capital Contribution fees as well as costs to upgrade the MV and LV electrical network will be payable by the applicant, should an increase in electrical capacity be required for the erf;
 - [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;
 - [xiv] The development shall, upon completion, have a waste management facility and an Integrated Waste Management Plan/System, to Council's approval;
 - [xv] Any green waste as a result of the development must be chipped on-site and/or disposed of at an approved site;
 - [xvi] Normal building plan approval in terms of the National Building Control and Building Regulations Act shall be applicable, and
 - [xvii] 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
Manager: Town Planning and Building Control

M03/05/14

QUARTERLY BUDGET STATEMENT FOR MARCH 2014

Director: Financial Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That Council notes the quarterly budget statement and supporting documentation for March 2014.

File Number: 9/1/2/10

Execution: Director: Financial Services
Manager: Performance and Internal Audit

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M04/05/14 **2014 – 2015 FINAL IDP REVIEW**
Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That Council note the contents of the report with regard to the 2014-2015 Final IDP Review;
- [b] That Council adopt the final Integrated Development Plan (IDP) review for 2014/15 as tabled.

File Number: 15/2/6/1/3

Execution: Director: Planning and Development
Manager: Integrated Development Plan

M05/05/14 **WAIVER FOR ERF 124 DAM SE BOS KNYSNA**
Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Building Plan fees amounting to R 15120.77 for Erf 124 Dam se Bos, be waived.

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

M06/05/14 **WAIVER FOR FEES ERF 3536 KNYSNA**
Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Building Plan fees amounting to R11202.10 for Erf 3536, Knysna, be waived.

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

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M07/05/14 **BUILDINGS MASTER PLAN**

Director: Technical Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the contents of the report on the Building Master Plan, be noted;
- [b] That a presentation regarding the Buildings Master Plan be made at the Section 80 committee meeting in June 2014.

File number: 9/1/2/13

Execution: Director: Technical Services
Deputy Town Engineer : Public Works

M08/05/14 **ERF 600, SEDGEFIELD (2 EGRET ROAD): PROPOSED REZONING, CONSENT USE AND DEPARTURE**

Director:

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the following correspondence be noted:
 - [i] Application from Marike Vreken Town Planners, dated 12 December 2013;
 - [ii] Letter from SANParks dated 31 January 2014;
 - [iii] Letter from Bokamoso Environmental on behalf of Aviemore Developments (Pty) Ltd & Aviemore HOA, dated 03 March 2014;
 - [iv] Letter from DJ Du Preez, dated 25 February 2014
 - [v] Comments from the internal department undated; and
 - [vi] The applicant's response to comments and objections, dated 21 March 2014;
- [b] That the application for the rezoning of Erf 600 (No. 2 Egret Road, Sedgefield), Knysna from "Single Residential" to "Business Zone" and to allow the use of an emergency medical service centre, **be approved**, in terms of Section 16 of the Land Use Planning Ordinance, 1985 (Ord. 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 Business Zone in terms of the Knysna Zoning Scheme (1992) except where departure is approved;

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- [iii] The land use on Erf 600 shall be limited to an ambulance depot and associated administrative and accommodation uses as applied for and no health clinic and or hospital will be allowed.
 - [iv] Water usage shall be limited to the equivalent of one dwelling unit;
 - [v] Only one entrance to be allowed to the satisfaction of the Director Technical Service;
 - [vi] Any electrical services encountered will be relocated at the cost of the applicant;
 - [vii] The applicant is to ensure that there is access to property for meter reading purposes;
 - [viii] The erf is limited to its current electrical supply which is 100Amps 3 Phase;
 - [ix] The erf will be limited to one electrical service connection which may not be split into two or three supplies (no shared supply);
 - [x] Should there be a need for an increase in electrical capacity; the applicant will have to install a miniature substation at his cost;
 - [xi] Capital Contribution Fees as well as the upgrading of the MV and LV infrastructure will also be payable by the applicant;
 - [xii] Solar assisted or gas assisted water heating devices or heat pumps shall be installed by the applicant;
 - [xiii] Energy saving lamps are to be used in all fittings if advantageous;
 - [xiv] The development shall, upon completion, have a waste management facility and an Integrated Waste Management Plan/System, to Council's approval;
 - [xv] Any green waste as a result of the development must be chipped on-site and/or disposed of at an approved site;
 - [xvi] Normal building plan approval in terms of the National Building Control and Building Regulations Act shall be applicable, and
 - [xvii] This approval does not absolve the developer from compliance with any other approvals or statutory requirements;
- [c] That the departure from the Sedgfield Zoning Scheme (1980) for the relaxation of the western street building line to allow the existing structures within the proposed business zone, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), be approved, subject to the following conditions, imposed in terms of Section 42 of the Ordinance:
- [i] The building line relaxation is only applicable to the existing structure applied for and no other structures;
- [d] That the consent use to allow an "Institutional facility" on "Business" zoned property; in accordance with the Sedgfield Zoning Scheme Regulations (1980); subject to the following conditions, imposed in terms of Section 42 of the Ordinance:

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- (i) No advertising signs are to be put on the property unless approval is obtained from the Council.

File number: 9/1/2/13
Execution: Director: Planning and Development
Manager: Town Planning & Building Control

M09/05/14

IMPLICATIONS OF THE SPATIAL PLANNING LAND USE MANAGEMENT ACT (ACT NO. 16 OF 2013) FOR KNYSNA MUNICIPALITY

Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the financial implications of the implementation of the Spatial Planning and Land Use Management Act (SPLUMA), be noted;
- [b] That a detailed costing be provided for budget purposes once information is provided by National and Provincial Government;
- [c] That the Municipal Manager be authorised to engage with other Local Municipalities within the Eden District to explore the possibility of the establishment of a Joint Planning Tribunal.

File number: 9/1/2/13
Execution: Director: Planning and Development
Manager: Town Planning & Building Control

M10/05/14

ERF 1072, 19 GULL STREET, SEDGEFIELD CENTRAL, SEDGEFIELD: PROPOSED SUBDIVISION AND DEPARTURE, (616)

Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the following correspondence be noted:
- (i) Copy of the applicant's motivation dated November 2013;
 - (ii) Objection from H S Dreyer dated 6 February 2014;
 - (iii) Comments of the Western Cape Department of Agriculture, Forestry and Fisheries dated 31 January 2014;
 - (iv) Comments from SANParks dated 31 January 2014;
 - (v) Correspondence to JJ & MC Abrie dated 20 March 2014;
 - (vi) Correspondence to VPM Planning, with internal comments, dated 18 February 2014;
 - (vii) Applicant's response to comments and objections dated 19 February 2014;

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- [b] That **approval be granted** in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) for the subdivision of Erf 1072, Sedgefield (1115m²) into two portions namely Portion A (±527m²) and the Remainder Erf (±588m²) for residential purposes as indicated on Drawing No. S1072SUB1 drawn by VPM dated 2 December 2013;
- [c] That **approval also be granted** in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) for a departure to relax the communal boundaries between the two resultant Erven from 3m to 1,5m in order to allow for larger building platforms/envelopes as indicated on Drawing No. S1072SUB1 drawn by VPM dated 2 December 2013;

The following conditions are hereby imposed in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985), that:

- i) This approval refers to the proposal as set out above and may not be construed as authority to deviate from any other legal prescriptions or requirements;
- ii) The property owner shall take responsibility for ensuring compliance with these conditions;
- iii) Erf 1072 is entitled to 60 Amp single phase electricity;
- iv) The owner / applicant of the remainder shall be liable to pay Medium voltage and Low voltage Capital Contribution Fees. Said fees shall become payable when application for an electricity supply is received which shall be calculated by means of a costing prepared by the Dept. Electro-technical Services.
- v) 1 x ee water augmentation will be due on development;
- vi) The developer shall extend existing services onto the newly created Erf;
- vii) The developer shall install conservancy tanks to the satisfaction of the Directorate: Technical Services;
- viii) The proposed buildings shall not substantially differ from structures labeled as Unit 1 and Unit 2 drawn by Johan Grobler Architect enclosed in the application motivation;
- ix) The applicant shall supply the municipality with copies of the new Erf diagrams on approval by the surveyor-general;
- x) 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

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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.

- xi) 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

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M10/05/14 **ERF 2207, KNYSNA (3 LINDSAY STREET, HUNTER'S HOME):
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED
CONDITION**

Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the following correspondence be noted:
- [i] Application from Pinard Architecture Incorporated, dated 24 October 2013;
 - [ii] Letter from G. & C. Pirker dated 11 February 2014;
 - [iii] Letter from Abdo & Abdo Attorneys (Grant Berndt) dated 10 February 2014;
 - [iv] Letter from G Booyesen dated 9 February 2014;
 - [v] Letter from B.G Lawson dated 10 February 2014;
 - [vi] Letter of consent from RC & ELM Oelofse dated 10 February 2014;
 - [vii] Letter from B.A Derbidge dated 3 February 2014;
 - [viii] Letter from Keith Cretchley dated 21 February 2014;
 - [ix] Letter from Dr Vanessa Viljoen dated 06 March 2014;
 - [x] Comments from the internal department undated; and
 - [xi] The applicant's response to comments and objections, dated 4 March 2014;
- [b] That the Director: Land Management (Region 3), Department of Environmental Affairs & Development Planning be advised that the Knysna Municipality supports the removal of condition 2(IV) (a), of Title Deed No. T000020015/2012 of Erf 2207, Knysna (No. 3 Lindsay Street, Hunters Home) for the following reasons:
- i) That the Knysna Zoning Scheme Regulations provide adequately for the management of development parameters;
 - ii) It is in the public interest that governance should be straight forward, transparent and that there should not be overlapping; sometimes contradictory legislation administered by different organs of state; and
 - iii) Council does not give any commitment or undertaking that any application in terms of the Land Use Planning Ordinance will be supported or approved in respect of any future proposals.

File number: 15/2/5/4

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

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M12/05/14

ERF 13556 (AN UNREGISTERED PORTION OF ERF 7614 KNYSNA), CNR RIO AND CONCORDIA STREET, LELIESKLOOF, KNYSNA: PROPOSED AMENDMENT OF A SITE DEVELOPMENT PLAN, (520)

Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the following correspondence be noted:
- (i) Copy of the applicant's motivation dated July 2013;
 - (ii) Objection and petitions from Charles Miller dated 12 October 2014;
 - (iii) Objection from Trafalgar Property Management on behalf of Kloof Gardens Body Corporate dated 9 October 2013;
 - (iv) Objection from Trafalgar Property Management on behalf of Oaklands on the Knoll dated 30 September 2013;
 - (v) Objection from Sue Thomas on behalf of Hillcrest Body Corporate dated 9 October 2013;
 - (vi) A copy of the subdivision approval letter dated 5 October 2009;
 - (vii) A copy of the rezoning and subdivision approval letter dated 24 June 2008;
 - (viii) Correspondence to VPM Planning, with internal comments, dated 15 October 2013;
 - (ix) Applicant's response to comments and objections dated 18 February 2014;
- [b] That **approval be granted** in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) for the amendment of Site Development Plan No. S0009 dated 27/08/2009 in order to densify the property (an unregistered Portion of Erf 7614, Knysna) by creating ± 72 general residential units in lieu of the approved 18 units as indicated on the proposed Site Development Plan No. 2013-001 dated July 2013;
- [c] The following conditions are hereby imposed in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985), that:
- i) This approval refers to the proposal as set out above and may not be construed as authority to deviate from any other legal prescriptions or requirements;
 - ii) The developer shall take responsibility for ensuring compliance with these conditions;
All conditions of approval set out in the rezoning and subdivision approval letter dated 24 June 2008 shall be adhered to;
 - iii) The capacity of Council system to handle additional loading shall be determined and upgrades shall be undertaken by the applicant if required for the proposed development;

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- iv) The outcomes of the updated Traffic Impact Assessment must be accepted and implemented by developer and all improvements must be stated and accepted and the developer shall make a commitment to the improvements;
 - v) The previous conditions of the Town Engineer are still valid with regards to water and sewer;
 - vi) All Human Settlement guidelines must be incorporated in the design including minimum pressure for the development;
 - vii) The access points to the proposed development shall be approved by the Directorate: Technical Services as indicated on Figure 10 of the revised site development plan;
 - viii) The developer shall foot the cost of the provision of the access points to the development, including the necessary road signs and markings; and
 - ix) The building line be set back, the fence line be positioned lower than the road surface and the verge on both approaches to Access 2 be kept clear of vegetation that may hinder visibility in order to achieve the required shoulder sight distances of 120m to the north, and the maximum possible to the south (approximately 90m) with the cost thereof to be met by the developer.
 - x) All conditions imposed by Council in respect of the rezoning and subdivision permissions relevant to the properties shall remain in force and shall be complied with prior to the approval of building plans or the registration of any transfer, whichever happens first.

File number: 15/2/6/R

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

M13/05/14

IMPACT OF THE PROPOSED BUDGET ON INFRASTRUCTURE MAINTENANCE

Director: Technical Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That this report be considered with the final 2014/2015 budget in May and the implications be noted if the under investment in Asset Management continues.

File number: 5/3/R

Execution: Director: Technical Services
Dep. Town Engineer: Public Works

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M14/05/14 **INTRODUCTION OF THE DRAFT KNYSNA BY-LAW ON MUNICIPAL LAND USE PLANNING UNDER THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT (ACT NO. 16 OF 2013)**

Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the matter with regard to the introduction of the Draft Knysna By-Law on Municipal Land Use Planning under the Spatial Planning and Land Use Management Act (Act No. 16 of 2013), be withdrawn at the request of the Chairperson of the Planning Development and Infrastructure Committee .

File number: 5/3/R

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

M15/05/14 **ERF 12975, NO. 1 CANDLEWOOD CLOSE, UPPER OLD PLACE, KNYSNA: WAIVER OF CONTRAVENTION LEVIES**

Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the following correspondence be noted:
- (i) Letter of approval for a contravention levy dated 7 January 2014;
 - (ii) Affidavit from Roger Anthony Marlin dated 17 March 2014;
 - (iii) Affidavit from Marjorie Janet Donaldson dated 24 March 2014;
 - (iv) Policy in respect of Waiver of As-built Fees and Non-imposition of Contravention Levies in respect Transferred Properties and Building Work undertaken before 22nd September 2000; and
 - (v) Correspondence to Mrs Donaldson dated 26 March 2014.
- [b] That **approval be granted** in terms of Section D of the Policy in respect of Waiver of As-built Fees and Non-imposition of Contravention Levies in respect of Transferred Properties and Building Works undertaken before 22nd September 2000, in order to allow the waiver of an amount of R10240,00 towards contravention levies imposed on the owner of Erf 12975 Knysna in respect of an as-built swimming pool;
- [c] That subject to the waiver of contravention levies by Council, **approval also be granted** in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) for a departure to relax the lateral building line from 3m to 0,5m for an as-built swimming pool

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as indicated on Plan No. 100 drawn by Frankenfeld & King Architects CC dated September 2013;

- [d] That following conditions are hereby imposed in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985), that:
- i) This approval refers to the proposal as set out above and may not be construed as authority to deviate from any other legal prescriptions or requirements;
 - ii) 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;
 - iii) 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);
 - iv) The erf is also limited to 60Amps Single Phase;
 - v) Solar assisted or gas assisted water heating devices or heat pumps shall be installed by the applicant;
 - vi) 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;
 - vii) Low energy lamps are to be used in all fittings; and
 - viii) Normal building plan approval in terms of the National Building Regulations shall be obtained.

File number: 5/3/R

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

M16/05/14

MONTHLY REPORT DIRECTOR: TECHNICAL SERVICES

Director: Technical Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

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

File number: 9/1/2/1

Execution: Director: Technical Services
Engineers: Public Works, Sewer and Water Works

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M17/05/14 **MONTHLY REPORT: TOWN ELECTRO-TECHNICAL ENGINEER**
Director: Town Electro-technical Engineering

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the monthly reports for February and March 2014 received from the Town Electro-technical Engineer, be noted.

File Number: 9/1/2/13
Execution: Town Electro-technical Engineering

M18/05/14 **DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 28 FEBRUARY 2014**
Director: Financial Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report: 2013/2014 as at 28 February 2014, be noted.

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

M19/05/14 **DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 30 APRIL 2014**
Director: Financial Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report: 2013/2014 as at 30 April 2014, be noted.

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

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M20/05/14 **PLANNING AND DEVELOPMENT: MONTHLY REPORTS**
Director: Financial Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the monthly reports for February and March 2014 received from the Director: Planning and Development Services [Town Planning, Building Control], be noted;
- [b] That the monthly reports for February and March 2014 received from the Director: Planning and Development Services [Integrated Human Settlements], be noted;
- [c] That the monthly reports for February and March 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

M21/05/14 **REPORT ON THE LEASE BETWEEN KNYSNA MUNICIPALITY AND MASAKHANE BUSINESS CORPORATION (SANLAM MALL)**
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the lease between Knysna Municipality and Masakhane Business Corporation (Sanlam Mall) attached as annexure to the agenda of the Mayoral Committee Meeting held on 22 May 2014, be noted.

M22/05/14 **KNYSNA TOURISM SERVICE LEVEL AGREEMENT**
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the Knysna Tourism Service Level Agreement, attached as annexure to the agenda of the Mayoral Committee meeting held on 22 May 2014, be noted;
- [b] That a discussion be held with regard to the future of Knysna Tourism and that Council determines a position in this regard.

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M23/05/14

SCHEDULE OF MEETINGS: JULY 2014 TO JUNE 2015

Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That the schedule of meetings for July 2014 to June 2015 be herewith approved subject to the following and [b] and [c] below:
- [i] The Speaker in consultation with the Municipal Manager, may advance or postpone the date of scheduled Ordinary Municipal Council Meetings;
 - [ii] The Executive Mayor may, in consultation with the Municipal Manager, advance or postpone the dates of scheduled Mayoral Committee Meetings;
 - [iii] The Chairpersons of the respective Portfolio Committees (in consultation with the Executive Mayor) Audit Committee and Municipal Public Accounts Committee may advance or postpone the dates of relevant schedule meetings in consultation with the Municipal Manager;
- [b] That the advancement and/or postponement as mentioned in [a] above are subject to proper notice being given to members of such Municipal Council/ Committee;
- [c] That the Speaker and Chairpersons of the Portfolio Committees (in consultation with the Executive Mayor), Audit Committee and Municipal Public Accounts Committee (in consultation with the Municipal Manager) and subject to [b] above, may call relevant Special Meetings if and when required to do so.

File Number: 9/1/2/9

Execution: Director: Corporate Services
Manager: Administration

M24/05/14

COUNCIL'S REPRESENTATIVES: KNYSNA TOURISM

Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

- [a] That Cllrs S De Vries and L Hart be appointed as Council's representatives on the Board of Knysna Tourism in the vacancies created by the resignation of Cllrs Richard Dawson and Esmé Edge;

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- [b] That the advert for the appointment of three (3) community representatives as per the Knysna Tourism Service Level Agreement, be undertaken.

8. Closure

The Chairperson thanked everybody present and the meeting concluded at 09h55.

Approved

Cllr. G Wolmarans

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Chairperson

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Date