Notice is hereby given that an **ORDINARY MEETING** of the **MUNICIPAL COUNCIL** of Knysna Municipality will be held in the **COUNCIL CHAMBER**, Clyde Street, Knysna on **THURSDAY, 27 MARCH 2014** at **09:00** to consider the business set forth in the attached agenda.

Kennis geskied hiermee dat ‘n **GEWONE VERGADERING** van die **MUNISIPALE RAAD** van Knysna Munisipaliteit in die **RAADSAAL**, Clydestraat, Knysna op **DONDERDAG, 27 MAART 2014** om **09:00** gehou sal word ten einde sake soos uiteengesit in die aangehegte agenda te oorweeg.

**Isaziso SENTLANGANISO EQHELEKILEYO yeBHUNGA likaMASIPALA waseKnysna eyakubanjelwa KWIGUMBI LEKHANSILE kwisitalato iClydee, Knysna lentlanganiso iyakuba NGOLWESINE, NGE 27 MATSHI 2014 ngentsimibi ye 09:00 umba iyakuba lushishino oluchazwekwi agenda.**

**CLLR M WASSEMAN**  
The Speaker  
Die Speaker  
Usomloko

**L WARING**  
Municipal Manager  
Munisipale Bestuurder  
Umanejala Kamasipala

**Date: 20 March 2014**
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10. Urgent Matters
11. Items in Committee
12. Closure
AGENDA

1. OPENING AND WELCOMING

2. SILENT PRAYER

3. CODE OF CONDUCT
   3.1 THE PROVISIONS OF SCHEDULE 1 (CODE OF CONDUCT FOR COUNCILLORS) OF THE LOCAL GOVERNMENT MUNICIPAL SYSTEMS ACT, 2000
   3.2 DISCLOSURE OF INTERESTS BY COUNCILLORS

4. ATTENDANCE OF MEMBERS
   4.1 COUNCILLORS PRESENT
   4.2 COUNCILLOR WITH LEAVE
   4.3 COUNCILLORS WITHOUT LEAVE

5. INTRODUCTION OF NEWLY APPOINTED STAFF
   Financial Services
   The following new appointments were made during February 2014:
   Ms Judith Annette Meyer   Payroll Controller
   Ms Liesl Grobler    Accountant: Services

6. CONFIRMATION AND ADOPTION OF MINUTES OF THE MUNICIPAL COUNCIL
   6.1 Ordinary Municipal Council meeting: 30 January 2014
   RECOMMENDATION OF THE MUNICIPAL MANAGER
   That the minutes of the Ordinary Council meeting held on 30 January 2014, be approved.
KNYSNA LOCAL MUNICIPALITY

MINUTES

OF AN ORDINARY MEETING
OF THE
MUNICIPAL COUNCIL OF KNYSNA MUNICIPALITY
WHICH WAS HELD ON
Thursday, 30 January 2014
At 09:00
In the Municipal Council Chamber

COUNCILLORS IN ATTENDANCE

Speaker, Cllr Wasserman, M [DA]
Executive Mayor, Cllr Wolmarans, G [DA]
Executive Deputy Mayor, Cllr Edge, ED [DA]

Cllr Barrell, R [DA]
Cllr Dawson, RA [DA]
Cllr De Vries, S [ANC]
Cllr M Dyantyi [ANC]
Cllr Gombo, TME [ANC]
Cllr Grootboom, IWJ [DA]
Cllr Hart, LM [DA]
Cllr Litoli, WN [ANC]
Cllr Lizwani, M [ANC]
Cllr Nayler, T [DA]
Cllr Nkam, PP [ANC]
Cllr Sopeki, N [Independent]
Cllr Tyokolo, B [DA]
Cllr Van Aswegen, EO [COPE]
Cllr Williams, M [DA]
Cllr Witbooi, CK [ANC]
OFFICIALS IN ATTENDANCE

Ellman, B  Acting Municipal Manager  
Easton, G  Director: Financial Services  
Maughan-Brown, M  Director: Planning and Development  
Rhode, M  Director: Technical Services  
Adonis, D  Director: Community Services  
Richardson, L  Town Electro-technical Engineer  
Paulsen, M  Manager: Legal Services  
Bezuidenhout, C  Manager: Communications and Customer Relations  
Lakay, J  Manager: Council Committees and Councillor Support  
Bridge, V  Manager: Information Technology  
Ngalo, M  Legal Advisor  
Swart, L  PA: Full time Councillors  
Manyuka, K  Housing Clerk  
Botha, M  Intern: Legal Services  
Mtwa, S  Committee Officer  

AUDIT COMMITTEE

Metelerkamp, N  Chairperson: Audit Committee  

1. **WELCOMING ADDRESS BY THE SPEAKER**

   The Speaker welcomed Councillors, officials, the learners, the Knysna Rotary members and members of the public to the meeting.

2. **PRAYER**

   The Speaker requested that all present take a moment of silence to open the meeting.

3. **CODE OF CONDUCT**

   3.1 **THE PROVISIONS OF SCHEDULE 1 (CODE OF CONDUCT FOR COUNCILLORS) OF THE LOCAL GOVERNMENT MUNICIPAL SYSTEMS ACT, 2000 [ACT 32 OF 2000]**

   The Speaker drew the attention of Councillors to the Schedule 1 of the Local Government Municipal Systems Act, 2000.

   **RESOLVED**

   That the Code of Conduct for Councillors be noted.
3.2 DISCLOSURE OF INTERESTS BY COUNCILLORS

RESOLVED

That it be noted that no member of the Municipal Council declared any interest in any item on the Agenda

4. COUNCILLORS: ABSENT

- WITH LEAVE
  
  None

- WITHOUT LEAVE
  
  None

4A PRESENTATION

The Executive Mayor presented her “Welcome Speech” to Council as follows:

There is a saying in Tibetan, ‘tragedy should be utilized as a source of strength.’ However, we all know this is not easily done. We are still dealing with the sad farewell to Madiba, which is still fresh in our minds. And closer to home we feel deeply for the loss of our Municipal Manager and her family who are still dealing with the painful tragedy of losing loved ones.

Today is the beginning of our new cycle and the only comfort I have is the knowledge that no matter what sort of difficulties, how painful experience is, if we lose our hope and our energy to face our future with positive purpose we will lose our strength. And we do have a positive purpose!

As we start the New Year it is a time to re-asses the year past and I think there is so much for Knysna and this Council to be proud of and that gives us hope for our future.

We’ve had numerous successful events and a successful summer holiday season. These events and achievements are due to the hard work, commitment and determination of everyone here today. Organisers, volunteers and businesses that contributed to make this happen, thank you, from all of us.

The Municipality can celebrate the many goals we set and achieved. We delivered on our promise and can be proud of sound financial management that will take us in to a better future. Our clean audit lays the strong foundation that will inspire us to fulfil our commitments to our communities.

We have many highlights.
The Integrated Strategic Development Framework (ISDF) has been launched. We have appointed four new directors and the Public Accounts Committee were put in place. We have reached our many targets regarding continued infrastructure development and our Ward allocations made a real difference in the lives of many. 2014 will hopefully not only follow in the footsteps of the previous year, but is bound to provide some of its own highlights.

It is election year. We celebrate twenty years of democracy. Twenty years of freedom in which much has been achieved. Human rights have been realised and our society is transforming. We live in a society where corruption is exposed, our Constitutional court our equality court, our Public Protector – this is a lot to be proud of. We also have a lot to strive for. Let us make this election year a year we again make the choice for freedom.

My hope for 2014 is that we as people from Knysna and South Africa, will, through hard work and commitment, look back at the end of the year and say that we have really made a difference where it matters most.

May we say that we as a Council, together with our community, that we worked hard to bring the necessary changes about.

Change, which will bring us closer together and change which will strengthen our communities. The important changes that will uplift our people and bring a balanced society about that will have hope for their future. We have come a long way but this is where Madiba’s wise words again come to mind: “It cannot be done until it’s done”. Let this be our motto this year and let us be the town we are. A town where people and nature prosper!”

5. INTRODUCTION OF NEWLY APPOINTED STAFF

Corporate Services

The Director Corporate Services, B Ellman, introduced the following new appointee in the Corporate Services Directorate who was appointed during December 2013:

Mr D Paulsen  Labour Relations Officer

Community Services

The Director Community Services, D Adonis, introduced the following new appointees in the Community Services Directorate who were appointed during December 2013 and January 2014:

Mr M D Mortlock  Tractor Driver: Parks (Sedgefield)
Ms P Nxayi    General Assistant: Street Cleaning
Financial Services

The Director Financial Services, G Easton, introduced the following new appointees in the Financial Services Directorate who were appointed during December 2013 and January 2014:

Mr G Avery  Credit Controller
Ms F Kruger  Manager: Expenditure (Supply Chain Management)
Ms A Sunkar  Manager: Budget Office
Ms L Spies  Administration Assistant: Income
Ms L Songqengqe  Administration Assistant: Income

Electro-technical Engineering department

The Electro-technical Engineer, L Richardson, introduced the following new appointee in the Electro-technical Engineering department who was appointed during January 2014:

Mr L Williams  Technical: Electrical Engineering

Planning & Development

The Director: Planning & Development, M Maughan-Brown, introduced the following new appointees in the Planning & Development department who were appointed during January 2014:

Mr M C Penxa  Manager: Integrated Human Settlements
Mr R Pedro  Building Inspector

Technical Services

The Director Technical Services, GM Rhode, introduced the following new appointees in the Technical Services Directorate who were appointed during December 2013 and January 2014:

Mr C Dixon  Plant Operator: Water Purification
Ms VA Ketile  Supervisor: Sewerage Purification

6. CONFIRMATION AND ADOPTION OF MINUTES OF THE MUNICIPAL COUNCIL

6.1 Ordinary Municipal Council meeting: 28 November 2013

It was unanimously

RESOLVED

That the minutes of the Ordinary Council meeting held on 28 November 2013 as amended, be confirmed and adopted as a true reflection of the
proceedings, with the exception of item CM05/11/13 that still needs to be verified by the recording and subject to the following:

[i] That the amount of “R1 238, 00” as stated in item CMC05/11/13, be amended to read “R1 238 000”;

[ii] That the wording “Cllr Van Aswegen’s vote against the above resolution be recorded.”, be inserted at the end of resolution CM05/11/13;

[iii] That in item CM05/11/13 the recording of the Council meeting held on 28 November 2013 be checked for the correctness of paragraph six of the preamble, which reads as follows:

“At this time in the meeting Cllr Dyantyi stepped out of the Council Chamber and was not present during the voting process.”;

(iv) That in item CM06/11/13[b] “Section 80” be replaced with “Finance Committee”;

[v] That in item 10.1[b] the word “that” be inserted after “September 2013”, before the word “was”;

[vi] That in item 10.3, in the heading, the word: “DEVELOPMENT”, be correctly spelt to read “DEVELOPMENT”;

[vii] That in item 10.7, the word “Private” be inserted after the word “Pezula” in the first line of the resolution;

[viii] That in item 11c the recording be checked to confirm whether Cllrs Litoli and Witbooi voted for the approval of the “Overflowing Sewer in Ward 8” as an urgent matter.

6.2 Special Council: Motion of Condolences: 6 December 2013

It was unanimously

RESOLVED

That the minutes of the Special Council meeting held on 6 December 2013, be confirmed and adopted as a true reflection of the proceedings.

6.3 Special Council meeting: 12 December 2013

It was unanimously

RESOLVED
That the minutes of the Special Council meeting held on 12 December 2013, be confirmed and adopted as a true reflection of the proceedings, subject to the following:

[i] That in the second line of the postscript of item SC01/12/13 after “Sopeki” the wording: “… and the Councillors announced their resignation as Committee members.” be included and the words “requested that their vote against the aforementioned resolution be minuted.” be deleted.
7. REPORTS & COMMUNICATIONS BY THE EXECUTIVE MAYOR

No reports were received at time of compilation of the agenda.

8.1 REPORT: EXECUTIVE MAYOR: 23 JANUARY 2014

**CM01/01/14 TABLING OF THE DRAFT ANNUAL REPORT: 2012/2013 FINANCIAL YEAR**

Director: Corporate Services

Cllr De Vries raised concerns with the Annual Report 2012/2013 received by the Municipal Public Accounts Committee and thereafter changes were made.

Cllr Van Aswegen raised concerns with Council being expected to approve an Annual Report of which they have not seen a final version, as there are alterations made of which Council is unaware of.

Cllr Barrell advised that the Annual Report 2012/2013 that should serve at Council should be the final version and not have been altered as decided at the Municipal Public Accounts Committee.

Cllr Edge requested for a 10 minute caucus.

The Speaker agreed to grant the caucus, but after receipt of a reply to the Councillor’s concerns from the Acting Municipal Manager and the Manager: Legal Services.

The Acting Municipal Manager responded and advised Council that the same copy of the Annual Report circulated to Council was circulated to MPAC and will also be available at all Council offices and libraries.

The Manager Legal Services with reference to the MFMA, Section 127(2), advised that she concurred with the three Councillors and that the final Annual Report should be approved by Council and not a draft version.

At 09:35 the Speaker granted a 15 minute caucus.

At 09:50 Cllr Edge advised that what Council is accepting the Report tabled at the Mayoral Committee meeting in 23 January 2014 and Council was unaware of any changes being made.

Cllr Edge, seconded by Cllr Hart, proposed that the word: “draft” be deleted in the entire report.

Cllr Van Aswegen requested to speak further on the matter.

The Speaker, however disagreed and asked the Councillor to sit and if not, to leave the meeting.
The Speaker called the matter to a vote.

10 votes were recorded in favour of the original recommendation while no votes were recorded against the recommendation. 9 Councillors abstained from voting.

At 10:03 Cllr Van Aswegen left the Council Meeting.

The amended resolution as set out in the Agenda was thus carried.

RESOLVED

[a] That the contents of the report regarding the Annual Report for the 2012/2013 financial year be noted;

[b] That in terms of Section 127(2) of the Local Government: Municipal Finance Management Act, 2003, the submission of the Annual Report for the 2012/2013 financial year; be accepted;

[c] That the Annual Report for the 2012/2013 financial year be submitted to the Municipal Public Accounts Committee for consideration and the preparation of an Oversight Report in terms of Section 129 of the Local Government: Municipal Finance Management Act, 2003, which is to be considered by the Municipal Council on Thursday, 27 March 2014;

[d] That the Municipal Manager be requested to make public the Annual Report as stipulated in Section 127(5)(a) of the Local Government: Municipal Finance Management Act, 2003;

[e] That the Municipal Manager be requested to submit the Annual Report to the relevant authorities as stipulated in Section 127(5)(b) of the Local Government: Municipal Finance Management Act, 2003.

Ref 9/1/2/9
File Number: 5/10/3
Execution Acting Municipal Manager
Director: Corporate Services
Manager: Administration
Cllr Edge requested that the financial reports be submitted (to the Section 80 Committee) and discussed in the following order: Section 71 Report, followed by the Section 52 Report and then the Section 72 Report.

CM02/01/14 SECTION 71 REPORT FOR MONTH OF DECEMBER 2013
Director: Financial Services

RESOLVED

That the contents of the report regarding the Section 71 Report for December 2013 be noted.

File Number: 9/1/2/10
Execution: Acting Municipal Manager
Director: Finance Services
Manager: Budget Office

CM03/01/14 SECTION 52 REPORT FOR THE QUARTER ENDING DECEMBER 2013
Director: Financial Services

RESOLVED

That the contents of the report regarding the Section 52 report for the quarter ending December 2013 be noted.

File Number: 9/1/2/10
Execution: Acting Municipal Manager
Director: Finance Services
Manager: Budget Office

CM04/01/14 SECTION 72 REPORT FOR THE FINANCIAL YEAR 2013/14
Director: Financial Services

RESOLVED

[a] That the contents of the report regarding the Section 72 report for the 2013/14 financial year be noted;

[b] That an Adjustment Budget for 2013/2014 be prepared and considered by the Municipal Council by not later than Friday, 28 February 2014.

File Number: 9/1/2/10
Execution: Acting Municipal Manager
Director: Finance Services
Manager: Budget Office
9.1 **EDEN DISTRICT MUNICIPALITY**

No reports were received at time of compilation of the agenda.

9.2 **REPORT FROM THE SPEAKER**

No reports were received at time of compilation of the agenda.

9.3 **CHANGES IN WARD COMMITTEE MEMBERSHIP**

**RESOLVED**

[a] That the contents of the report by the Speaker on changes in Ward Committee membership be noted;

[b] That Rev Angie Picard be removed as member of Ward 2 Ward Committee;

[c] That the Administration takes the necessary steps to remove the persons in (b) from the payroll system;

[d] That the relevant Ward Councillors take steps as set out in Section 18 of the Ward Committee Constitution to fill vacancies created by the removal of Ward Committee members;

[e] That after vacancy have been filled in terms of (d) above a report be submitted to the Municipal Council for information and approval.

File Number: 3/3/3/4
Execution: Manager: Public Participation
Director: Corporate Services
9.4 **UPDATE ON WATER SITUATION**

A verbal report was presented by Cllr L Hart.

10. **URGENT MATTERS**

   a. **COMMUNITY SAFETY IN THE GREATER KNYSNA BEACH FRONTS**

      Cllr Sopeki raised concern with regard to the safety of the children in particular, and the lack of lifeguards to enforce safety measures and a watchful eye at beaches. She reminded Council that young kids have drowned at these beaches during the festive season.

      The Speaker called the matter to a vote.

      8 votes were recorded in favour of the matter being regarded as urgent while 10 votes were recorded against the matter being regarded as urgent.

      The matter was thus not considered as urgent.

   b. **THE FILTHY CONDITION OF MUNICIPAL COUNCILLOR OFFICES OUTSIDE THE MAIN BUILDING**

      Cllr Litoli raised concern with regard to the dirty conditions Councillors have to work under in their offices, contrary to the condition of the offices of the fulltime Councillors in the main building.

      The Speaker called the matter to a vote.

      8 votes were recorded in favour of the matter being regarded as urgent while 10 votes were recorded against the matter being regarded as urgent.

      The matter was thus not considered as urgent.

11. **ITEMS IN COMMITTEE**

    See separate Minute.

12. **CLOSURE**

    The Speaker thanked everyone who attended and the meeting concluded at 10:13.

    -oOo-
6.2 **Special Council meeting: 17 February 2014**

**RECOMMENDATION OF THE MUNICIPAL MANAGER**

That the minutes of the Special Council meeting held on 17 February 2014, be approved.
OF THE SPECIAL MEETING
OF THE

MUNICIPAL COUNCIL OF KNYSNA LOCAL MUNICIPALITY

WHICH WAS HELD ON
Monday, 17 February 2014

at 12:00

in the Municipal Council Chamber

COUNCILLORS IN ATTENDANCE

Speaker, Cllr Wasserman, M (DA)
Executive Mayor, Cllr G Wolmarans
Deputy Executive Mayor, Cllr Edge, ED (DA)
Cllr Barrell, RA (DA)
Cllr Dyantyi, M (ANC)
Cllr Dawson, R (DA)
Cllr De Vries (ANC)
Cllr Gombo, T M (ANC)
Cllr Grootboom, IWJ (DA)
Cllr Hart, LM (DA)
Cllr Tyokolo, B (DA)
Cllr Litoli, WN (ANC)
Cllr Lizwani, M (ANC)
Cllr Nayler, T (DA)
Cllr Nkam, PP (ANC)
Cllr Sopeki, N (Independent)
Cllr Williams, M (DA)
Cllr Van Aswegen, E (COPE) (from 12:08)
Cllr Witbooi, CK (ANC)
1. **OPENING AND WELCOME**

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

2. **ATTENDANCE**

2.1 Councillors: Present

19 Councillors were present.

2.2 Councillors: Absent With Leave

None

2.3 Councillors: Absent Without Leave

None.

**RESOLVED**

1. That the Code of Conduct for Councillors be noted;

2. That it be noted that no member of the Municipal Council declared any interest on any item in the Agenda.

**NOTED**

4. **NEW ITEMS**


Cllr M Dyantyi proposed, seconded by Cllr C Witbooi that the table in the recommendation be amended to include the remuneration of the Chairperson of Section 79 Committees.

The Speaker called for a vote.

8 Votes were recorded for the proposal from Cllr Dyantyi.
10 Votes were recorded against the inclusion of the remuneration of the Chairpersons of Section 79 Committees.

The proposal from Cllr M Dyantyi was not carried.

**RESOLVED**

[a] That the Grade of the Knysna Local Municipality be determined, in terms of the relevant Government Notice No.R.64 dated 29 January 2014, as follows:

<table>
<thead>
<tr>
<th>Total Municipal Income:</th>
<th>R 425 849 504-00</th>
<th>- 33,33 Points (AFS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total population</td>
<td>68 659</td>
<td>-16, 67 Points (Census 2011)</td>
</tr>
<tr>
<td>Total Points</td>
<td>50,00</td>
<td></td>
</tr>
</tbody>
</table>

**Thus a Grade 3.**

[b] That the remuneration of the members of the Knysna Local Municipality’s Municipal Council be determined, in terms of
Government Notice No.R.64 dated 29 January 2014, at the upper limit of a Grade 3 from 1 July 2013, subject to [d] below;

[c] That, read with [b] above, the total annual remuneration packages of the respective members of the Knysna Local Municipal Council which includes a basic salary component, a travel allowance as provided in items 6(a) and 10(a) of Government Notice No. R.64 dated 29 January 2014, housing allowance as provided in item 6(b) and 10(b) of Government Notice No. R.64 dated 29 January 2014, the municipal contribution to a pension fund as provided in item 13(a) of Government Notice No. R.64 dated 29 January 2014 and the municipal contribution to a medical aid scheme as provided in item 13(b) of Government Notice No. R.64 dated 29 January 2014, be thus determined as follows:

[d] That the member of the Executive Council responsible for local government in the Western Cape Province, Honourable Minister Anton Bredell, be petitioned to seek his concurrence of the determination of

<table>
<thead>
<tr>
<th>INCUMBENT</th>
<th>DESIGNATION</th>
<th>ANNUAL TOTAL REMUNERATION PACKAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FULL TIME:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WOLMARANS,G</td>
<td>EXECUTIVE MAYOR</td>
<td>R 677 826.00</td>
</tr>
<tr>
<td>EDGE, E</td>
<td>DEPUTY EXECUTIVE MAYOR</td>
<td>R 542 261.00</td>
</tr>
<tr>
<td>WASSERMAN, ML</td>
<td>SPEAKER</td>
<td>R542 261.00</td>
</tr>
<tr>
<td>DAWSON, RA</td>
<td>MEMBER OF MAYORAL COMMITTEE</td>
<td>R 508 370.00</td>
</tr>
<tr>
<td>HART, LM</td>
<td>MEMBER OF MAYORAL COMMITTEE</td>
<td>R 508 370.00</td>
</tr>
<tr>
<td>WILLIAMS, M</td>
<td>MEMBER OF MAYORAL COMMITTEE</td>
<td>R 508 370.00</td>
</tr>
<tr>
<td><strong>PART TIME:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BARRELL, R</td>
<td>PART TIME COUNCILLOR</td>
<td>R 203 348.00</td>
</tr>
<tr>
<td>DE VRIES, S</td>
<td>PART TIME COUNCILLOR</td>
<td>R 203 348.00</td>
</tr>
<tr>
<td>DYANTI, M</td>
<td>PART TIME COUNCILLOR</td>
<td>R203 348.00</td>
</tr>
<tr>
<td>GOMBO, TME</td>
<td>PART TIME COUNCILLOR</td>
<td>R203 348.00</td>
</tr>
<tr>
<td>GROOTBOOM, IWJ</td>
<td>PART TIME COUNCILLOR</td>
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<td>PART TIME COUNCILLOR</td>
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<tr>
<td>LIZWANI, M</td>
<td>PART TIME COUNCILLOR</td>
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</tr>
<tr>
<td>NAYLER, T</td>
<td>PART TIME COUNCILLOR</td>
<td>R203 348.00</td>
</tr>
<tr>
<td>NKAM, PP</td>
<td>PART TIME COUNCILLOR</td>
<td>R203 348.00</td>
</tr>
<tr>
<td>SOPEKI, N</td>
<td>PART TIME COUNCILLOR</td>
<td>R203 348.00</td>
</tr>
<tr>
<td>TYOKOLO, B</td>
<td>PART TIME COUNCILLOR</td>
<td>R203 348.00</td>
</tr>
<tr>
<td>VAN ASWEGEN, EO</td>
<td>PART TIME COUNCILLOR</td>
<td>R203 348.00</td>
</tr>
<tr>
<td>WITBOOI, CK</td>
<td>PART TIME COUNCILLOR</td>
<td>R203 348.00</td>
</tr>
</tbody>
</table>
the remuneration of members of the Knysna Local Municipality's Municipal Council, as mentioned in [b] and [c] above;

[e] That all members of the Municipal Council be paid a cellphone allowance, from 1 July 2013, of R 1739.00 per month;

[f] That the Municipal Manager submit comprehensive reports regarding the current/proposed policies on Special risk insurance and Capacity Building for Councillors as mentioned in clauses 14 and 16 of Government Notice No.R.64 dated 29 January 2014.

RESOLVED

That the report on the Rule 17.5 claim of the Cape Joint Pension Fund (CJPF) be withdrawn and referred to the Special Council Meeting to be held on 27 February 2014.

5. **Closure**

The Speaker thanked everyone for attending and the meeting concluded at 12:12.

-oo-
6.3 Special Council meeting: 27 February 2014

RECOMMENDATION OF THE MUNICIPAL MANAGER

That the minutes of the Special Council meeting held on 27 February 2014, be approved.
MINUTES

OF THE SPECIAL MEETING
OF THE
MUNICIPAL COUNCIL OF KNYSNA LOCAL MUNICIPALITY

WHICH WAS HELD ON
Thursday, 27 February 2014

at 9:00

in the Municipal Council Chamber

COUNCILLORS IN ATTENDANCE

Speaker, Cllr Wasserman, M (DA)
Executive Mayor, Cllr G Wolmarans
Deputy Executive Mayor, Cllr Edge, ED (DA)
Cllr Barrell, RA (DA)
Cllr Dyantyi, M (ANC)
Cllr Dawson, R (DA)
Cllr Gombo, T M (ANC)
Cllr Grootboom, IWJ (DA)
Cllr Hart, LM (DA)
Cllr Tyokolo, B (DA)
Cllr Litoli, WN (ANC)
Cllr Lizwani, M (ANC)
Cllr Nayler, T (DA)
Cllr Nkam, PP (ANC)
Cllr Sopeki, N (Independent)
Cllr Williams, M (DA)
Cllr Van Aswegen, E (COPE)
Cllr Witbooi, CK (ANC)
OFFICIALS IN ATTENDANCE

Easton, G  Acting Municipal Manager
Maughan-Brown, M  Director: Planning and Development
Jaftha, J  Acting Director: Community Services
McDonald, M  Acting: Town Eletro-technical Engineer
Mattheus, C  Manager: Administration
Tyelela, G  Manager: Human Resources
Kalani, J  Manager: Public Participation
Sunkar, A  Manager: Budget Office
Bridge, V  Manager: Information Technology
Lakay, J  Manager: Council Committees and Cllr Support
Bezuidenhout, C  Manager: Communications and Customer Relations
Botha, M  Legal Intern
Cornelius, B  Public Participation Co-ordinator
Mtwa, S  Committee Officer
Swart, L  Personal Assistant to the Full Time Councillors

AUDIT COMMITTEE

Metelerkamp, N  Chairperson: Audit Committee

1. OPENING AND WELCOME

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

The Speaker requested that item 4.5 be dealt with first.

2. ATTENDANCE

2.1 Councillors: Present

18 Councillors were present.

2.2 Councillors: Absent With Leave

Cllr De Vries (ANC)

2.3 Councillors: Absent Without Leave

None.

**RESOLVED**

1. That the Code of Conduct for Councillors be noted;

2. That it be noted that no member of the Municipal Council declared any interest on any item in the Agenda.

**NOTED**

4. **NEW ITEMS**

SC 03/02/14 **PURCHASE OF ERF 1114, KNYSNA (3 CLYDE STREET)**

**RESOLVED**

That the matter with regard to the purchase of Erf 1114, Knysna (3 Clyde Street), be withdrawn to enable the Director: Corporate Services to submit the fully signed offer to purchase to the next Council meeting in March 2014.

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File Number
9/1/2/9

Execution: Director: Corporate Services
Manager: Administration

SC 04/02/14 **REPORT ON THE RULE 17.5 CLAIM OF THE CAPE JOINT PENSION FUND (CJPF)**

**RESOLVED**

[a] That the contents of the report on the matter between the Cape Joint Pension Fund (CJPF) and the Knysna Municipality be noted;

[b] That the Settlement Agreement drafted on substantially the same terms as set out in Annexure A (Conversion to Defined Contribution Section), be approved;

[c] That the Acting Municipal Manager be authorized to sign the settlement agreement between the Knysna Municipality and the CJPF;

[d] That the Acting Municipal Manager be authorized to pay the conversion amount with immediate effect;
That the Acting Municipal Manager ensure that affected employees be advised of the restructuring of the Cape Joint Pension Fund and inform them that the CJPF will engage with them personally to explain the details and implications thereof.

File Number: 12/1/1/22

Execution: Director: Corporate Service
Manager: Legal Services

SC 05/02/14 CDW OPERATIONAL GRANT

RESOLVED

[a] That the report with regard to the CDW Operational grant be noted;

[b] That only point [b] of the Council resolution dated 28 November 2013 as set out hereunder, be rescinded:

"RESOLVED

[a] That the correspondence from the Department of Local Government regarding the 40% reduction in the Community Development Worker Operational Grant to Knysna Local Municipality dated 15 October 2013, be noted;

[b] That the Municipal Manager not sign the applicable agreement until future discussions on the item has taken place at the Governance and Economic Development Committee meeting to be held in February 2014;

[c] That provision be made in the Adjustments Budget for the Community Development Worker Operational Grant.;

[c] That provision to the amount of R10 200.00 be made in the Adjustments Budget.

[d] That the Municipal Manager be authorised to sign the applicable Memorandum of agreement with regard to the CDW Operational Grant.

File Number: 5/7/R

Execution: Director Corporate Services
Manager: Public Participation
2013/2014 - 2015/16 ADJUSTMENTS BUDGET

Refer item SC07/02/14.


Cllr Witbooi enquired with regard to the Supplementary agenda reaching councillors the day before the meeting.

The Acting Municipal Manager, Mr Grant Easton advised Council that the Adjustments Budget was complexed and the Financial Services Section could only forward the document to the administration on Tuesday, 25 February 2014 at 16:30.

Cllr Litoli requested a 10 minute caucus to afford councillors the opportunity to discuss the Adjustments Budget.

The Speaker granted a 10 minute break from 9:05 to 9:20.

On return Cllr Litoli requested that the approval of the Adjustments Budget be postponed until Councillors have had sufficient time to peruse the document.

After a lengthy discussion Cllr Dyantyi requested a 10 minute caucus at 10:05, which was granted by the Speaker.

Council returned to the Chamber at 10:32. The ANC, Cllr Sopeki and Van Aswegen was not present at this stage. The Speaker proceeded as a quorum was present.

Cllr Dyantyi requested that the matter be postponed until Council has dealt with the other items on the agenda. There was no seconder for the proposal from Cllr Dyantyi.

Cllr Litoli proposed that the matter be postponed until Friday, 28 February 2014. Cllr Nkam, seconded the proposal by Cllr Litoli.

The Speaker called the matter to a vote. 8 Votes were recorded in favour of the proposal from Cllr Litoli while 10 votes were recorded as not in favour of the proposal by Cllr Litoli.

Cllr Van Aswegen requested whether COPE may be recused at 10:45, until after the discussion of the Adjustments Budget.
Cllr N Sopeki requested whether she may be recused until after the discussion of the item.

Cllr Litoli requested on behalf of the ANC to be recused until after the discussion of the item.

The ANC, Independent Councillor and Cope were not present from 10:45 for the discussion of the Adjustments Budget.

The Executive Mayor reported that the Acting Municipal Manager, Mr B Ellman, the Directors Financial Services and Technical Services were instructed to attend a meeting with COGTA and National Treasury on 26 February 2014. She asked the Acting Municipal Manager, Mr Easton to elaborate on the meeting that was attended.

Mr Easton reported that the meeting was attended by himself, Mr Ellman and Mr Rhode and that the meeting mainly focussed on the tenders that have not been awarded. He also advised Council that COGTA raised concern with regard to projects that have not commenced. Mr Easton informed Council that a letter will be forwarded to National Treasury with regard to the concerns raised by National Treasury.

The Speaker drew the attention of Council to the recommendation on page 3 as well as the recommendations on page 12 of the agenda.

It was unanimously

RESOLVED

[a] That the annual Adjustments Budget of Knysna Municipality for the financial year 2013/2014 - 2015/16, as set out in the schedules contained in Section 4, be approved:

[i] Table B2 : Adjustments Budget Financial Performance (expenditure by standard classification);

[ii] Table B3 : Adjustments Budget Financial Performance (expenditure by municipal vote);

[iii] Table B4 : Adjustments Budget Financial Performance (revenue by source);

[iv] Table B5 : Adjustments Budget Capital Expenditure for both multi-year and single year by vote, standard classification and funding;

[b] That the following adjustments permitted in terms of section 28(2) of the Municipal Finance Management Act and reflected in the tables referred to in resolution [a] above be approved:
[i] That those additional revenues that have become available over and above those anticipated in the annual budget be appropriated to revise or accelerate spending programmes already budgeted for.

_Cllr Barrell requested the Speaker to be excused at this point in the meeting and was not present from 10:50 to 10:53._

_The ANC, Cllrs Sopeki and Van Aswegen returned to the Council Chamber at 10:52._

**ERF 2252 KNYSNA: PROPOSED REZONING, SUBDIVISION AND DEPARTURE (PART OF HORNLEE HOUSING PROJECT)**

RESOLVED

[a] That the following correspondence be noted:

(i) Application from Macroplan Town and Regional Planners and Architects dated 1 July 2010;

(ii) Comments from the Town Electro-technical Engineer dated 27 August 2010;

(iii) Comments from the Director: Technical Services dated 02 September 2010;

(iv) Objection letter from Marike Vreken Town and Regional Planners dated 11 October 2010;

(v) Objection letter from W T Mc Shane undated;

(vi) Objection email from S. W van der Merwe dated 27 July 2010;

(vii) Letter from Knysna Ratepayers Association dated 11 October 2010;

(viii) Applicant’s responses to comments dated 20 November 2010 and 20 January 2011; and

(ix) The environmental authorization letter from Department of Environmental Affairs dated 26 November 2013.

[b] That the Rezoning of Erf 2252 Knysna from Public Open Space to General Residential, to allow 126 General Residential dwelling units in two-storey walk-up configurations that will cater for the low and lower-middle income earners in the area be **Approved** in terms of Section 16 of the Land Use Planning Ordinance 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. The buildings are to comply with the regulations for ‘General Residential’ zoned erven as stipulated within the Knysna Zoning Scheme Regulations (1992), where applicable;

III. No development shall take place on slopes steeper than 1:4;

IV. A detailed site development plan shall be submitted for approval to include the positioning of units, building design and aesthetics, communal areas and parking;
V. The developer shall enter into an agreement with Council to ensure the affordability of these units and to ensure that the housing units will be affordable to the target beneficiaries to the satisfaction of Council;

VI. The development shall be in phases in accordance with time frame for the supply of bulk water and waste water services;

VII. All municipal services shall be protected to the satisfaction of the Director: Technical Services and where necessary, the services shall be framed by servitudes. The cost for the protection of municipal services shall be for the account of the developer;

VIII. Augmentation be set at R13, 315.60 per unit of 2009/10 and inflated to R15312.90 for 2010/11 in line with the annual increase of 15% in augmentation fees for 2010/11. This amount would be then increased annually each year with the normal increases in augmentation fees for water and waste water services, On this basis the augmentation fees would be due on application to transfer an erf on or application for building plan approval whichever is earliest;

IX. All local bulk infrastructure and connection services shall be installed at the developer’s cost in terms the SSI report dated June 2010;

X. The report (SSI dated June 2010) does not analyse the local water and waste pipe infrastructure or take into account the current demand on infrastructure. It is required that the applicant undertakes this study and upgrades the local infrastructure to the point as having capacity to the approval of the Director of Technical Service, As this has not yet been determined in detail Council takes no responsibility for any increased costs should the final analysis prove additional infrastructure is required;

XI. All costs of local bulk infrastructure and connection services to be carried by the developer and to be to the approval of Director of Technical Services;

XII. The final analysis of reservoir storage be undertaken by the developer and storage requirements to be provided to the approval of the Director of Technical Services (item 7.4 of the report);

XIII. A detailed study of each area must be undertaken identifying the stormwater runoff requirements for infrastructure and taking into consideration the need for subsoil drainage connections;

XIV. All servitudes for stormwater infrastructure must be provided;

XV. All roads giving access to the sites/areas which are not bitumen surfaced must be constructed with a bitumen/segmented paving or equivalent surface to the approval of the Director Technical Services;

XVI. All connection roads must be provided to the same width as connecting road and minimum road width shall be 4.5m, not 3.5m as per clause 5.4.1 of report; Cul de sac’s serving six erven or less may be served by a 3.5m wide road;
XVII. All existing services must be identified and accommodated in the development;
XVIII. Servitudes are required where these services are in the erven even if in the building lines. Preferably no public services should be in erven;
XIX. All internal services to be provided in terms of the report and to the approval of the Director of Technical Services;
XX. The Noetzie reservoir zone cannot accommodate this development and the necessary upgrading must be undertaken to the approval of the Director: Technical Services;
XXI. More details regarding vehicle access to the development must be submitted to the Satisfaction of the Director of Technical Services;
XXII. A services agreement must be completed with the Municipality for the provision of services to the development;
XXIII. Applicant must make arrangements to ensure access for meter reading purposes;
XXIV. The medium voltage (MV) supply to Hornlee needs to be upgraded by the installation of a MV underground cable between the Main Intake Substation and ring main unit RMU-Shamrock, and between the latter RMU and pole mounted transformer PMT-Jonathan Street, including the necessary MV switchgear, at an estimated cost of R5,35M, excl. VAT and escalation. This cost will be for the account of the developer;
XXV. The developer to comply with the Electrical Services Report by Clinkscales Maughan – Brown Consulting Mechanical and Electrical Engineers, dated 1 June 2010;
XXVI. Solar-assisted water heating systems or gas water heaters shall be fitted to all bathrooms and other installations requiring hot water where they have not already been fitted, to the satisfaction of the Town Electro-technical Engineer;
XXVII. Dual / gas electric hob installations shall be fitted to all cooking installations that currently rely on electrical appliances to the satisfaction of the Town Electro-technical Engineer;
XXVIII. Load switching relays shall be installed wherever appropriate, at the discretion of the Town Electro-technical Engineer;
XXIX. Low Energy Lamps light bulbs shall be installed in all light fittings, where feasible;
XXX. Local labour in the area and contractors from within the Knysna Municipal area shall be utilised wherever possible, and, in this regard, contracts regarding BEE and local labour content, (including those relating to transportation of employees) to the satisfaction of Council, shall be submitted to the Director: Corporate Services for approval prior to commencement of construction, and a monthly report on labour and contractors shall be submitted to the Director: Planning and Development for information of Council.
XXXI. A social contribution determined by agreement with Council is to be made by the Developer. This contribution shall be finalized prior to building plan approval. Alternatively detailed
proposals for the use of the area shown on the plans submitted as the “hotel site” shall be submitted for consideration by the Municipality and for further advertisement if required.

XXXII. Normal building plan approval in terms of the National Building Regulations and Standards Act shall be applicable.

XXXIII. All Municipal services encountered will be relocated at the cost of the Applicant.

[c] That the application for the subdivision of Erf 2252, Knysna into the portions as indicated on the Proposed Subdivisional Map be approved in terms of Section 25 of the Land Use Planning Ordinance (No.15 of 1985), subject to the following conditions:

I. All Erven must be serviced to Council’s requirements prior to transfer of any portion;

II. The applicant, upon registration of the subdivided portion, shall forward copies of the approved Surveyor General diagrams to the Council;

III. 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:

a] The owner of this erf shall, without compensation, be obliged to allow gas mains, electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewage and drainage including stormwater of 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 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;

b] The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation 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;

[d] That the application in terms of Section 15 of the Land Use Planning Ordinance (No.15 of 1985) for the Departure from the Knysna Municipality Zoning Scheme Regulations (Regulation 3.4.2) requiring 1 x parking bay per residential unit plus 0.5 parking bays per residential
unit for visitors to allow for the provision of 1 parking bay per residential unit only on Erf 2252 Knysna, **BE APPROVED.**

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

SC 09/02/14 **ERF 3333 KNYSNA: PROPOSED REZONING, SUBDIVISION AND DEPARTURE (PART OF HORNLEE HOUSING PROJECT)**

**RESOLVED**

[a] That the following correspondence be noted:

(i) Application from Macroplan Town and Regional Planners and Architects dated 1 July 2010;

(ii) Comments from the Town Electro-technical Engineer dated 27 August 2010;

(iii) Comments from the Director: Technical Services dated 31 August 2010;

(iv) Objection letter from Marike Vreken Town and Regional Planners dated 11 October 2010;

(v) Objection letter from W T Mc Shane undated;

(vi) Objection email from S. W van der Merwe dated 27 July 2010;

(i) Letter from Knysna Ratepayers Association dated 11 October 2010;

(viii) Applicant’s responses to comments dated 20 November 2010 and 20 January 2011; and

(ii) The environmental authorization letter from Department of Environmental Affairs dated 26 November 2013.

[b] That the Rezoning of Erf 3333 Knysna from Public Open Space to General Residential Zone, Single Residential Zone and Street Zone as proposed be **Approved** in terms of Section 16 of the Land Use Planning Ordinance (No. 15 of 1985) to allow provision for a total of 120 residential units consisting of 42 subsidized duplex units of 55m² each in a row-house configuration for the subsidy housing market and 78 General Residential 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. The buildings are to comply with the regulations for ‘General Residential’ and ‘Single Residential’ zoned erven as stipulated within the Knysna Zoning Scheme Regulations (1992), where applicable;

III. A detailed site development plan shall be submitted for approval to include the positioning of units, building design and aesthetics, communal areas and parking;

IV. No development shall take place on slopes steeper than 1:4;
V. The developer shall enter into an agreement with Council to ensure the affordability of these units and to ensure that the housing units will be affordable to the target beneficiaries to the satisfaction of Council;

VI. The development shall be in phases in accordance with time frame for the supply of bulk water and waste water services;

VII. All municipal services shall be protected to the satisfaction of the Director: Technical Services and where necessary, the services shall be framed by servitudes. The cost for the protection of municipal services shall be for the account of the developer;

VIII. Augmentation be set at R13, 315.60 per unit of 2009/10 and inflated to R15312.90 for 2010/11 in line with the annual increase of 15% in augmentation fees for 2010/11. This amount would be then increased annually each year with the normal increases in augmentation fees for water and waste water services. On this basis the augmentation fees would be due on application to transfer an erf on or application for building plan approval whichever is earliest;

IX. All local bulk infrastructure and connection services shall be installed at the developers cost in terms the SSI report dated June 2010;

X. The report (SSI dated June 2010) does not analyse the local water and waste pipe infrastructure or take into account the current demand on infrastructure. It is required that the applicant undertakes this study and upgrades the local infrastructure to the point as having capacity to the approval of the Director of Technical Service. As this has not yet been determined in detail Council takes no responsibility for any increased costs should the final analysis prove additional infrastructure is required;

XI. All costs of local bulk infrastructure and connection services to be carried by the developer and to be to the approval of Director of Technical Services;

XII. The final analysis of reservoir storage be undertaken by the developer and storage requirements to be provided to the approval of the Director of Technical Services (item 7.4 of the report);

XIII. A detailed study of each area must be undertaken identifying the stormwater runoff requirements for infrastructure and taking into consideration the need for subsoil drainage connections;

XIV. All roads giving access to the sites/areas which are not bitumen surfaced must be constructed with bitumen/segmented paving or equivalent surface to the approval of the Director Technical Services;

XV. All connection roads must be provided to the same width as connecting road and minimum road width shall be 4.5m, not 3.5m as per clause 5.4.1 of report; Cul de sac's serving six erven or less may be served by a 3.5m wide road;
XVI. All existing services must be identified and accommodated in the development;

XVII. Servitudes are required where these services are in the erven even if in the building lines. Preferably no public services should be in erven;

XVIII. All internal services to be provided in terms of the report and to the approval of the Director of Technical Services;

XIX. Servitudes will be required for sewer crossing the General Residential erf;

XX. Stormwater will be required through General Residential erf and these must be provided in Private Open Space, and as servitudes;

XXI. Detail consideration must be given for stormwater project adjacent erven such as erf 6434 and 6450 etc. and systems provided to the satisfaction of the Director Technical Services;

XXII. The access to Protea Street to be engineered to the approval of the Director Technical Services;

XXIII. There are pedestrian routes over the site that must be accommodated in the proposals and approved in the site development plan and servitudes created over the General Residential erf;

XXIV. The distinction between the new Public Street and the parking for the General Residential erf is confusing for maintenance purposes and will cause problems in the future. A maintenance agreement with the Body Corporate or HOA for the General Residential erf is required;

XXV. A services agreement must be completed with the Municipality for the provision of services to the development;

XXVI. Applicant must make arrangements to ensure access for meter reading purposes;

XXVII. The medium voltage (MV) supply to Hornlee needs to be upgraded by the installation of a MV underground cable between the Main Intake Substation and ring main unit RMU-Shamrock, and between the latter RMU and pole mounted transformer PMT-Jonathan Street, including the necessary MV switchgear, at an estimated cost of R5,35M, excl. VAT and escalation. This cost will be for the account of the developer;

XXVIII. The developer to comply with the Electrical Services Report by Clinkscales Maughan – Brown Consulting Mechanical and Electrical Engineers, dated 1 June 2010;

XXIX. Solar-assisted water heating systems or gas water heaters shall be fitted to all bathrooms and other installations requiring hot water where they have not already been fitted, to the satisfaction of the Town Electro-technical Engineer;

XXX. Dual / gas electric hob installations shall be fitted to all cooking installations that currently rely on electrical appliances to the satisfaction of the Town Electro-technical Engineer;

XXXI. Load switching relays shall be installed wherever appropriate, at the discretion of the Town Electro-technical Engineer;
XXXII. Low Energy light bulbs shall be installed in all light fittings, where feasible;

XXXIII. Local labour in the area and contractors from within the Knysna Municipal area shall be utilised wherever possible, and, in this regard, contracts regarding BEE and local labour content, (including those relating to transportation of employees) to the satisfaction of Council, shall be submitted to the Director: Corporate Services for approval prior to commencement of construction, and a monthly report on labour and contractors shall be submitted to the Director: Planning and Development for information of Council;

XXXIV. A social contribution determined by agreement with Council is to be made by the Developer. This contribution shall be finalized prior to building plan approval. Alternatively detailed proposals for the use of the area shown on the plans submitted as the “hotel site” shall be submitted for consideration by the Municipality and for further advertisement if required; and

XXXV. Normal building plan approval in terms of the National Building Control and Building Regulations Act shall be applicable;

XXXVI All Municipal services encountered will be relocated at the cost of the Applicant.

[c] That the application for the subdivision of Erf 3333, Knysna into the portions as indicated on the Proposed Subdivisional Map be approved in terms of Section 25 of the Land Use Planning Ordinance (No.15 of 1985), subject to the following conditions:

I. All Erven must be serviced to Councils requirements prior to transfer of any portion;

II. The applicant, upon registration of the subdivided portion, shall forward copies of the approved Surveyor General diagrams to the Council;

III. 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:

a] The owner of this erf shall without compensation, be obliged to allow gas mains, electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewage and drainage including stormwater of 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 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;
b] The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation 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.

[d] That the application in terms of Section 15 of the Land Use Planning Ordinance (No.15 of 1985) for the Departure from the Knysna Municipality Zoning Scheme Regulations (Regulation 3.4.2) requiring 1 x parking bay per residential unit plus 0.5 parking bays per residential unit for visitors to allow for the provision of 1 parking bay per residential unit only on Erf 3333 Knysna, BE APPROVED.
SC 10/02/14 ERF 3336 KNYSNA: PROPOSED REZONING, SUBDIVISION AND DEPARTURE (PART OF HORNLEE HOUSING PROJECT)

RESOLVED

[a] That the following correspondence be noted:

(i) Application from Macroplan Town and Regional Planners and Architects dated 1 July 2010;
(ii) Comments from the Town Electro-technical Engineer dated 27 August 2010;
(iii) Comments from the Director: Technical Services dated 31 August 2010;
(iv) Objection letter from Marike Vreken Town and Regional Planners dated 11 October 2010;
(v) Objection letter from W T Mc Shane undated;
(vi) Objection email from S. W van der Merwe dated 27 July 2010;
(vii) Letter from Knysna Ratepayers Association dated 11 October 2010;
(viii) Applicant’s responses to comments dated 20 November 2010 and 20 January 2011; and
(iii) The environmental authorization letter from Department of Environmental Affairs dated 26 November 2013.

[b] That the Rezoning of Erf 3336 Knysna from Public Open Space to General residential; Public Open Space and Street Zone as proposed be Approved in terms of Section 16 of the Land Use Planning Ordinance (No. 15 of 1985) to allow 63 General Residential dwelling units in two- and three-storey walk-up configurations, 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. The buildings are to comply with the regulations for ‘General Residential’ zoned erven as stipulated within the Knysna Zoning Scheme Regulations (1992), where applicable;
III. A detailed site development plan shall be submitted for approval to include the positioning of units, building design and aesthetics, communal areas and parking;
IV. No development shall take place on slopes steeper than 1:4;
V. The developer shall enter into an agreement with Council to ensure the affordability of these units and to ensure that the housing units will be affordable to the target beneficiaries to the satisfaction of Council;
VI. The development shall be in phases in accordance with time frame for the supply of bulk water and waste water services;
VII. All municipal services shall be protected to the satisfaction of the Director: Technical Services and where necessary, the services shall be framed by servitudes. The cost for the protection of municipal services shall be for the account of the developer;
VIII. Augmentation be set at R13, 315.60 per unit of 2009/10 and inflated to R15312.90 for 2010/11 in line with the annual increase of 15% in augmentation fees for 2010/11. This amount would be then increased annually each year with the normal increases in augmentation fees for water and waste water services. On this basis the augmentation fees would be due on application to transfer an erf on or application for building plan approval whichever is earliest;

IX. All local bulk infrastructure and connection services shall be installed at the developers cost in terms the SSI report dated June 2010;

X. The report (SSI dated June 2010) does not analyse the local water and waste pipe infrastructure or take into account the current demand on infrastructure. It is required that the applicant undertakes this study and upgrades the local infrastructure to the point as having capacity to the approval of the Director of Technical Service. As this has not yet been determined in detail Council takes no responsibility for any increased costs should the final analysis prove additional infrastructure is required;

XI. All costs of local bulk infrastructure and connection services to be carried by the developer and to be to the approval of Director of Technical Services;

XII. The final analysis of reservoir storage be undertaken by the developer and storage requirements to be provided to the approval of the Director of Technical Services (item 7.4 of the report);

XIII. All servitudes for stormwater infrastructure must be provided;

XIV. All roads giving access to the sites/areas which are not bitumen surfaced must be constructed with bitumen/segmented paving or equivalent surface to the approval of the Director Technical Services;

XV. All connection roads must be provided to the same width as connecting road and minimum road width shall be 4.5m, not 3.5m as per clause 5.4.1 of report; Cul de sac's serving six erven or less may be served by a 3.5m wide road;

XVI. All existing services must be identified and accommodated in the development;

XVII. Servitudes are required where these services are in the erven even if in the building lines. Preferably no public services should be in erven;

XVIII. All internal services to be provided in terms of the report and to the approval of the Director of Technical Services;

XIX. The pressure analysis must be submitted and any requirements of the Director Technical Services provided at the cost of the developer;

XX. The water pressure for the development must be to the approval of the Director Technical Services as per report;

XXI. Stormwater control will be critical. Erven 6553 to 6555 must be protected from runoff from the development to the approval of
the Director Technical Services. Poor drainage and soil conditions will require specialist design of foundations for multi-storey building proposed;

XXII. Vehicle access is to be 4.5m wide minimum;

XXIII. Pedestrian access route through erf 3336 Knysna should be accommodated and shown on the overall site development plan;

XXIV. A services agreement must be completed with the Municipality for the provision of services to the development;

XXV. Applicant must make arrangements to ensure access for meter reading purposes;

XXVI. The medium voltage (MV) supply to Hornlee needs to be upgraded by the installation of a MV underground cable between the Main Intake Substation and ring main unit RMU-Shamrock, and between the latter RMU and pole mounted transformer PMT-Jonathan Street, including the necessary MV switchgear, at an estimated cost of R5,35M, excl. VAT and escalation. This cost will be for the account of the developer;

XXVII. The developer to comply with the Electrical Services Report by Clicnkscales Maughan – Brown Consulting Mechanical and Electrical Engineers, dated 1 June 2010;

XXVIII. Solar-assisted water heating systems or gas water heaters shall be fitted to all bathrooms and other installations requiring hot water where they have not already been fitted, to the satisfaction of the Town Electro-technical Engineer;

XXIX. Dual / gas electric hob installations shall be fitted to all cooking installations that currently rely on electrical appliances to the satisfaction of the Town Electro-technical Engineer;

XXX. Load switching relays shall be installed wherever appropriate, at the discretion of the Town Electro-technical Engineer;

XXXI. Low Energy light bulbs shall be installed in all light fittings, where feasible;

XXXII. Local labour in the area and contractors from within the Knysna Municipal area shall be utilised wherever possible, and, in this regard, contracts regarding BEE and local labour content, (including those relating to transportation of employees) to the satisfaction of Council, shall be submitted to the Director: Corporate Services for approval prior to commencement of construction, and a monthly report on labour and contractors shall be submitted to the Director: Planning and Development for information of Council;

XXXIII. A social contribution determined by agreement with Council is to be made by the Developer. This contribution shall be finalized prior to building plan approval. Alternatively detailed proposals for the use of the area shown on the plans submitted as the “hotel site” shall be submitted for consideration by the Municipality and for further advertisement if required.

XXXIV. Normal building plan approval in terms of the National Building Regulations and Standards Act shall be applicable;
XXXV All Municipal services encountered will be relocated at the cost of the Applicant.

[c] That the application for the subdivision a 4 884m² portion of Erf 3336 Knysna, into the portions as indicated on the Proposed Subdivisional Map be approved in terms of Section 25 of the Land Use Planning Ordinance (No.15 of 1985), subject to the following conditions:
I. All Erven must be serviced to Council's requirements prior to transfer of any portion;
II. The applicant, upon registration of the subdivided portion, shall forward copies of the approved Surveyor General diagrams to the Council;
III. 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:
   a] The owner of this erf shall without compensation, be obliged to allow gas mains, electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewage and drainage including stormwater of 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 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;
   b] The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation 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.

[d] That the application in terms of Section 15 of the Land Use Planning Ordinance (No.15 of 1985) for the Departure from the Knysna Municipality Zoning Scheme Regulations (Regulation 3.4.2) requiring 1 x parking bay per residential unit plus 0.5 parking bays per residential unit for visitors to allow for the provision of 1 parking bay per residential unit only on Erf 3336 Knysna, **BE APPROVED.**
SC 11/02/14  **ERF 3339, KNYSNA: PROPOSED REZONING AND SUBDIVISION AND (PART OF HORNLEE HOUSING PROJECT)**

**RESOLVED**

[a] That the following correspondence be noted:

(i) Application from Macroplan Town and Regional Planners and Architects dated 1 July 2010;

(ii) Comments from the Town Electrotechnical Engineer dated 27 August 2010;

(iii) Comments from the Director: Technical Services dated 30 August 2010;

(iv) Objection letter from Marike Vreken Town and Regional Planners dated 11 October 2010;

(v) Objection letter from W T Mc Shane undated;

(vi) Objection email from S. W van der Merwe dated 27 July 2010;

(vii) Letter from Knysna Ratepayers Association dated 11 October 2010;

(viii) Applicant’s responses to comments dated 20 November 2010 and 20 January 2011; and

(ix) The environmental authorization letter from Department of Environmental Affairs dated 26 November 2013.

[b] That the Rezoning of Erf 3339 Knysna from “Public Open Space” to “Single Residential”; “Public Open Space” and “Street Zone” as proposed be **Approved** in terms of Section 16 of the Land Use Planning Ordinance (No 15 of 1985) to allow the provision for 75 single residential units that will cater for the low and lower-middle income earners in the area, 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. The buildings are to comply with the regulations for ‘Single Residential’ zoned erven as stipulated within the Knysna Zoning Scheme Regulations (1992), where applicable;

III. A detailed site development plan shall be submitted for approval to include the positioning of units, building design and aesthetics, communal areas and parking;

IV. No development shall take place on slopes steeper than 1:4;

V. The developer shall enter into an agreement with Council to ensure the affordability of these units and to ensure that the housing units will be affordable to the target beneficiaries to the satisfaction of Council;

VI. The development shall be in phases in accordance with time frame for the supply of bulk water and waste water services;

VII. All municipal services shall be protected to the satisfaction of the Director: Technical Services and where necessary, the
services shall be framed by servitudes. The cost for the protection of municipal services shall be for the account of the developer;

VIII. Augmentation be set at R13, 315.60 per unit of 2009/10 and inflated to R15312.90 for 2010/11 in line with the annual increase of 15% in augmentation fees for 2010/11. This amount would be then increased annually each year with the normal increases in augmentation fees for water and waste water services. On this basis the augmentation fees would be due on application to transfer an erf on or application for building plan approval whichever is earliest;

IX. All local bulk infrastructure and connection services shall be installed at the developments cost in terms the SSI report dated June 2010;

X. The report (SSI dated June 2010) does not analyse the local water and waste pipe infrastructure or take into account the current demand on infrastructure. It is required that the applicant undertakes this study and upgrades the local infrastructure to the point as having capacity to the approval of the Director of Technical Service, As this has not yet been determined in detail Council takes no responsibility for any increased costs should the final analysis prove additional infrastructure is required;

XI. All costs of local bulk infrastructure and connection services to be carried by the developer and to be to the approval of Director of Technical Services;

XII. The final analysis of reservoir storage be undertaken by the developer and storage requirements to be provided to the approval of the Director of Technical Services (item 7.4 of the report);

XIII. All roads giving access to the sites/areas which are not bitumen surfaced must be constructed with bitumen/segmented paving or equivalent surface to the approval of the Director Technical Services;

XIV. All connection roads must be provided to the same width as connecting road and minimum road width shall be 4.5m, not 3.5m as per clause 5.4.1 of report; Cul de sac’s serving six erven or less may be served by a 3.5m wide road;

XV. All existing services must be identified and accommodated in the development;

XVI. Servitudes are required where these services are in the erven even if in the building lines. Preferably no public services should be in erven;

XVII. The pressure analysis must be submitted and any requirements of the Director Technical Services provided at the cost of the developer.

XVIII. All internal services to be provided in terms of the report and to the approval of the Director of Technical Services;

XIX. Stormwater routes will be required through the erven and these must be provided in Public Open Space, not as servitudes, as
the erven are too small. Comments as to subsoil drainage above are likely to be applicable as the soil conditions were not tested;

XX. Vehicle access maintained to the reservoirs on erf 4161 Knysna;

XXI. There is a pedestrian route through erf 3339 Knysna and this should be accommodated;

XXII. A services agreement must be completed with the Municipality for the provision of services to the development;

XXIII. Applicant must make arrangements to ensure access for meter reading purposes;

XXIV. The medium voltage (MV) supply to Hornlee needs to be upgraded by the installation of a MV underground cable between the Main Intake Substation and ring main unit RMU-Shamrock, and between the latter RMU and pole mounted transformer PMT-Jonathan Street, including the necessary MV switchgear, at an estimated cost of R5,35M, excl. VAT and escalation. This cost will be for the account of the developer;

XXV. The developer to comply with the Electrical Services Report by Clinkscales Maughan – Brown Consulting Mechanical and Electrical Engineers, dated 1 June 2010;

XXVI. Solar-assisted water heating systems or gas water heaters shall be fitted to all bathrooms and other installations requiring hot water where they have not already been fitted, to the satisfaction of the Town Electro-technical Engineer;

XXVII. Dual / gas electric hob installations shall be fitted to all cooking installations that currently rely on electrical appliances to the satisfaction of the Town Electro-technical Engineer;

XXVIII. Load switching relays shall be installed wherever appropriate, at the discretion of the Town Electro-technical Engineer;

XXIX. Low Energy light bulbs shall be installed in all light fittings, where feasible;

XXX. Local labour in the area and contractors from within the Knysna Municipal area shall be utilised wherever possible, and, in this regard, contracts regarding BEE and local labour content, (including those relating to transportation of employees) to the satisfaction of Council, shall be submitted to the Director: Corporate Services for approval prior to commencement of construction, and a monthly report on labour and contractors shall be submitted to the Director: Planning and Development for information of Council;

XXXI. A social contribution determined by agreement with Council is to be made by the Developer. This contribution shall be finalized prior to building plan approval. Alternatively detailed proposals for the use of the area shown on the plans submitted as the “hotel site” shall be submitted for consideration by the Municipality and for further advertisement if required; and

XXXII. Normal building plan approval in terms of the National Building Regulations and Standards Act shall be applicable;
XXXIII All Municipal services encountered will be relocated at the cost of the Applicant.

[c] That the application for the subdivision of Erf 3339 Knysna, into the portions as indicated on the Proposed Subdivisional Map be approved in terms of Section 25 of the Land Use Planning Ordinance (No.15 of 1985), subject to the following conditions:

I. All Erven must be serviced to Councils requirements prior to transfer of any portion;

II. The applicant, upon registration of the subdivided portion, shall forward copies of the approved Surveyor General diagrams to the Council;

III. 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:

a] The owner of this erf shall without compensation, be obliged to allow gas mains, electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewage and drainage including stormwater of 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 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;

b] The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation 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.

File number: 15/2/5/2
Execution: Director: Planning and Development
Manager: Town Planning and Building Control
ERVEN 3642, 3667, 3668, 3669, 3670 AND 4822, KNYSNA: PROPOSED REZONING, SUBDIVISION, CLOSURE OF ROAD, CONSOLIDATION AND DEPARTURE (PART OF HORNLEE HOUSING PROJECT)

RESOLVED

[a] That the following correspondence be noted:
   (i) Application from Macroplan Town and Regional Planners and Architects dated 1 July 2010;
   (ii) Comments from the Town Electrotechnical Engineer dated 27 August 2010;
   (iii) Comments from the Director: Technical Services dated 07 September 2010;
   (iv) Objection letter from Marike Vreken Town and Regional Planners dated 11 October 2010;
   (v) Objection letter from W T Mc Shane undated;
   (vi) Objection email from S. W van der Mervwe dated 27 July 2010;
   (vii) Letter from Knysna Ratepayers Association dated 11 October 2010;
   (viii) Applicant’s responses to comments dated 20 November 2010 and 20 January 2011; and
   (x) The environmental authorization letter from Department of Environmental Affairs dated 26 November 2013.

[b] That the Rezoning of Erven 3642, 3667, 3668, 3669, 3670 and 4822 Knysna from Public Open Space, Single Residential and Undetermined Use to General residential, Public Open Space and Street Zone as proposed be APPROVED in terms of Section 16 of the Land Use Planning Ordinance (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. The buildings are to comply with the regulations for ‘General Residential’ zoned erven as stipulated within the Knysna Zoning Scheme Regulations (1992), where applicable;
   III. A detailed site development plan shall be submitted for approval to include the positioning of units, building design and aesthetics, communal areas and parking;
   IV. No development shall take place on slopes steeper than 1:4;
   V. The developer shall enter into an agreement with Council to ensure the affordability of these units and to ensure that the housing units will be affordable to the target beneficiaries to the satisfaction of Council;
   VI. The development shall be in phases in accordance with time frame for the supply of bulk water and waste water services;
VII. All municipal services shall be protected to the satisfaction of the Director: Technical Services and where necessary, the services shall be framed by servitudes. The cost for the protection of municipal services shall be for the account of the developer;

VIII. Augmentation be set at R13, 315.60 per unit of 2009/10 and inflated to R15312.90 for 2010/11 in line with the annual increase of 15% in augmentation fees for 2010/11. This amount would be then increased annually each year with the normal increases in augmentation fees for water and waste water services, On this basis the augmentation fees would be due on application to transfer an erf on or application for building plan approval whichever is earliest;

IX. All local bulk infrastructure and connection services shall be installed at the developments cost in terms the SSI report dated June 2010;

X. The report (SSI dated June 2010) does not analyse the local water and waste pipe infrastructure or take into account the current demand on infrastructure. It is required that the applicant undertakes this study and upgrades the local infrastructure to the point as having capacity to the approval of the Director of Technical Service, As this has not yet been determined in detail Council takes no responsibility for any increased costs should the final analysis prove additional infrastructure is required;

XI. All costs of local bulk infrastructure and connection services to be carried by the developer and to be to the approval of Director of Technical Services;

XII. The final analysis of reservoir storage be undertaken by the developer and storage requirements to be provided to the approval of the Director of Technical Services (item 7.4 of the report);

XIII. All connection roads must be provided to the same width as connecting road and minimum road width shall be 4.5m, not 3.5m as per clause 5.4.1 of report; Cul de sac’s serving six erven or less may be served by a 3.5m wide road;

XIV. All existing services must be identified and accommodated in the development;

XV. Servitudes are required where these services are in the erven even if in the building lines. Preferably no public services should be in erven;

XVI. All internal services to be provided in terms of the report and to the approval of the Director of Technical Services;

XVII. The water for the development must be to the approval of the Director Technical Services as per report and comments above. The four General Residential sites
must each be supplied by a single bulk water connection and water meter;

XVIII. Stormwater routes will be required through the erven and these must be provided in Private Open Space, and as servitudes. Comments as to subsoil drainage above are likely to be applicable as the soil conditions for Callander Street are very poor with a high clay swell. Detail storm drainage is required for approval of Director Technical Services with special attention to marshy areas and low permeability;

XIX. Splays to be provided to all roads;
XX. No parking area in Callander Street is to be accessed directly from Callander Street;
XXI. The parking directly off Alexander Street will cause the Council problems for maintenance in future. The maintenance must be responsibility of the Body Corporate or HOA and described in the services agreement to reduce this risk to Council;

XXII. Access through Alexander Street is described as “difficult” details are to be provided prior to approval of this access by the Director Technical Services;

XXIII. Special and detailed design is required for foundations for the multi-storey buildings and for the site drainage due to the very poor soil conditions;

XXIV. A services agreement must be completed with the Municipality for the provision of services to the development;

XXV. Applicant must make arrangements to ensure access for meter reading purposes;

XXVI. The medium voltage (MV) supply to Hornlee needs to be upgraded by the installation of a MV underground cable between the Main Intake Substation and ring main unit RMU-Shamrock, and between the latter RMU and pole mounted transformer PMT-Jonathan Street, including the necessary MV switchgear, at an estimated cost of R5,35M, excl. VAT and escalation. This cost will be for the account of the developer;

XXVII. The developer to comply with the Electrical Services Report by Clinkscales Maughan – Brown Consulting Mechanical and Electrical Engineers, dated 1 June 2010;

XXVIII. Solar-assisted water heating systems or gas water heaters shall be fitted to all bathrooms and other installations requiring hot water where they have not already been fitted, to the satisfaction of the Town Electro-technical Engineer;

XXIX. Dual / gas electric hob installations shall be fitted to all cooking installations that currently rely on electrical appliances to the satisfaction of the Town Electro-technical Engineer;
XXX. Load switching relays shall be installed wherever appropriate, at the discretion of the Town Electro-technical Engineer;

XXXI. Low Energy light bulbs shall be installed in all light fittings, where feasible;

XXXII. Local labour in the area and contractors from within the Knysna Municipal area shall be utilised wherever possible, and, in this regard, contracts regarding BEE and local labour content, (including those relating to transportation of employees) to the satisfaction of Council, shall be submitted to the Director: Corporate Services for approval prior to commencement of construction, and a monthly report on labour and contractors shall be submitted to the Director: Planning and Development for information of Council;

XXXIII. A social contribution determined by agreement with Council is to be made by the Developer. This contribution shall be finalized prior to building plan approval. Alternatively detailed proposals for the use of the area shown on the plans submitted as the “hotel site” shall be submitted for consideration by the Municipality and for further advertisement if required;

XXXIV. Normal building plan approval in terms of the National Building Regulations and Standards Act shall be applicable; and

XXXV. All Municipal services encountered will be relocated at the cost of the Applicant.

[c] That the application for the subdivision of Erven 3642, 3667, 3668, 3669, 3670 and 4822, Knysna into the portions as indicated on the Proposed Subdivisional Plan be APPROVED in terms of Section 25 of the Land Use Planning Ordinance (No.15 of 1985), subject to the following conditions:

I. All Erven must be serviced to Councils requirements prior to transfer of any portion;

II. The applicant, upon registration of the subdivided portion, shall forward copies of the approved Surveyor General diagrams to the Council;

III. 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:

a] The owner of this erf shall without compensation, be obliged to allow gas mains, electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewage and drainage including stormwater of 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 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;

b] The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation 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.

d] That the application in terms of Section 15 of the Land Use Planning Ordinance (No.15 of 1985) for the Departure from the Knysna Municipality Zoning Scheme Regulations (Regulation 3.4.2) requiring 1 x parking bay per residential unit plus 0.5 parking bays per residential unit for visitors to allow for the provision of 1 parking bay per residential unit only on Erven 3642, 3667, 3668, 3669, 3670 and 4822, Knysna, be APPROVED.

e] That the application for Road Closure of a Kort Street and Portion of Hall Street (constituting a combined area of 2 675m² in extent) as indicated on the Subdivisional Plan for Erven 3642, 3667, 3668, 3669, 3670 and 4822, Knysna be APPROVED in terms of Municipal Ordinance Number 20 of 1974 subject to the following conditions:

1) The consolidation of Erf 3669, Erf 3670, a 3 719m² portion of Erf 4822, Kort Street and the closed portion of Hall Street to create a new erf 11 788m² in extent.

File number: 17/4/R
Execution: Director: Planning and Development Manager: Town Planning and Building Control

RESOLVED

[a] That the following correspondence be noted:

(i) Application from Macroplan Town and Regional Planners and Architects dated 1 July 2010;
(ii) Comments from the Town Electro-technical Engineer dated 27 August 2010;
(iii) Comments from the Director: Technical Services dated 07 September 2010;
(iv) Objection letter from Marike Vreken Town and Regional Planners dated 11 October 2010;
(v) Objection letter from W T Mc Shane undated;
(vi) Objection email from S. W van der Merwe dated 27 July 2010;
(vii) Letter from Knysna Ratepayers Association dated 11 October 2010;
(viii) Applicant’s responses to comments dated 20 November 2010 and 20 January 2011; and
(ix) The environmental authorization letter from Department of Environmental Affairs dated 26 November 2013.

[b] That the Rezoning of Erven 4712 – 4723 and 4773 – 4787 Knysna to Single Residential Zone, Public Open Space and Street Zone as proposed be APPROVED in terms of Section 16 of the Land Use Planning Ordinance (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. A detailed site development plan shall be submitted for approval to include the positioning of units, building design and aesthetics, communal areas and parking;
III. No development shall take place on slopes steeper than 1:4;
IV. The developer shall enter into an agreement with Council to ensure the affordability of these units and to ensure that the housing units will be affordable to the target beneficiaries to the satisfaction of Council;
V. The development shall be in phases in accordance with time frame for the supply of bulk water and waste water services;
VI. All municipal services shall be protected to the satisfaction of the Director: Technical Services and where necessary, the services shall be framed by servitudes. The cost for the protection of municipal services shall be for the account of the developer;
VII. Augmentation be set at R13, 315.60 per unit of 2009/10 and inflated to R15312.90 for 2010/11 in line with the annual increase of 15% in augmentation fees for 2010/11. This amount would be then increased annually each year with the normal increases in augmentation fees for water and waste water services. On this basis the augmentation fees would be due on application to transfer an erf on or application for building plan approval whichever is earliest;
VIII. All local bulk infrastructure and connection services shall be installed at the developments cost in terms the SSI report dated June 2010;
IX. The report (SSI dated June 2010) does not analyse the local water and waste pipe infrastructure or take into account the current demand on infrastructure. It is required that the applicant undertakes this study and upgrades the local
infrastructure to the point as having capacity to the approval of the Director of Technical Service, As this has not yet been determined in detail Council takes no responsibility for any increased costs should the final analysis prove additional infrastructure is required;

X. All costs of local bulk infrastructure and connection services to be carried by the developer and to be to the approval of Director of Technical Services;

XI. The final analysis of reservoir storage be undertaken by the developer and storage requirements to be provided to the approval of the Director of Technical Services (item 7.4 of the report);

XII. All roads giving access to the sites/areas which are not bitumen surfaced must be constructed with a bitumen/segmented paving or equivalent surface to the approval of the Director Technical Services;

XIII. All connection roads must be provided to the same width as connecting road and minimum road width shall be 4.5m, not 3.5m as per clause 5.4.1 of report; Cul de sac’s serving six erven or less may be served by a 3.5m wide road;

XIV. All existing services must be identified and accommodated in the development;

XV. Servitudes are required where these services are in the erven even if in the building lines. Preferably no public services should be in erven;

XVI. All internal services to be provided in terms of the report and to the approval of the Director of Technical Services;

XVII. The Noetzie reservoir zone cannot accommodate this development and the necessary upgrading must be undertaken to the approval of the Director: Technical Services;

XVIII. More details regarding vehicle access to the development are must be submitted to the satisfaction of the Director of Technical Services;

XIX. A services agreement must be completed with the Municipality for the provision of services to the development;

XX. Applicant must make arrangements to ensure access for meter reading purposes;

XXI. The medium voltage (MV) supply to Hornlee needs to be upgraded by the installation of a MV underground cable between the Main Intake Substation and ring main unit RMU-Shamrock, and between the latter RMU and pole mounted transformer PMT-Jonathan Street, including the necessary MV switchgear, at an estimated cost of R5,35M, excl. VAT and escalation. This cost will be for the account of the developer;

XXII. The developer to comply with the Electrical Services Report by Clinkscales Maughan – Brown Consulting Mechanical and Electrical Engineers, dated 1 June 2010;

XXIII. Solar-assisted water heating systems or gas water heaters shall be fitted to all bathrooms and other installations requiring
hot water where they have not already been fitted, to the satisfaction of the Town Electro-technical Engineer;

XXIV. Dual / gas electric hob installations shall be fitted to all cooking installations that currently rely on electrical appliances to the satisfaction of the Town Electro-technical Engineer;

XXV. Load switching relays shall be installed wherever appropriate, at the discretion of the Town Electro-technical Engineer;

XXVI. Low Energy light bulbs shall be installed in all light fittings, where feasible;

XXVII. Local labour in the area and contractors from within the Knysna Municipal area shall be utilised wherever possible, and, in this regard, contracts regarding BEE and local labour content, (including those relating to transportation of employees) to the satisfaction of Council, shall be submitted to the Director: Corporate Services for approval prior to commencement of construction, and a monthly report on labour and contractors shall be submitted to the Director: Planning and Development for information of Council;

XXVIII. A social contribution determined by agreement with Council is to be made by the Developer. This contribution shall be finalized prior to building plan approval. Alternatively detailed proposals for the use of the area shown on the plans submitted as the “hotel site” shall be submitted for consideration by the Municipality and for further advertisement if required; and

XXIV. Normal building plan approval in terms of the National Building Regulations and Standards Act shall be applicable;

XXX. All Municipal services encountered will be relocated at the cost of the Applicant.

That the application for the subdivision of Erven 4712 – 4723 and 4773 – 4787, Knysna into the portions as indicated on the Proposed Subdivisional Plan be APPROVED in terms of section 25 of the Land Use Planning Ordinance (No.15 of 1985), subject to the following conditions:

I. All Erfen must be serviced to Council’s requirements prior to transfer of any portion;

II. The applicant, upon registration of the subdivided portion, shall forward copies of the approved Surveyor General diagrams to the Council;

III. 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:

a] The owner of this erf shall without compensation, be obliged to allow gas mains, electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewage and drainage including stormwater of 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 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;

b] The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation 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;

doisten the contents of the report submitted by Knysna Tourism;

That Council, in principle, endorses the proposed changes to the role, structure and business model of Knysna Tourism, subject to detailed agreement on all significant issues, which agreement is to be achieved by the end of the current financial year. Such detailed agreement is to be submitted to Council for approval;

That Council accepts that the proposals for Knysna Tourism represent an effective place marketing strategy for Greater Knysna;

That Council instructs the Municipal Manager to provide an amount of R4 million for Knysna Tourism in Council’s budget for the 2014 / 2015 financial year;
That Council instructs the Municipal Manager to conclude a revised Service Level Agreement with Knysna Tourism to run until 30th June 2015 only;

That Council notes the proposed restructuring of the Board of Knysna Tourism and resolves to retain its representation on the Board for the financial year 2014/2015 only, in order to exercise oversight on the expenditure of its grant funding;

That Council strongly recommends to the Board of Knysna Tourism that a new Chief Executive Officer for the organization should be recruited as a matter of urgency with a view to taking office by no later than 1st July 2014.

That the lease of Erf 475, Knysna (Knysna Tourism Offices), be extended to 30 June 2015, to run concurrently with the envisaged revised Service Level Agreement as mentioned in [e] above, subject thereto that all conditions of the prevailing lease agreement shall remain in force;

That the resolution of the Municipal Council per item 8.3, (Knysna Tourism: Services Level Agreement post June 2013) taken on 24 January 2013, be rescinded where it is in conflict with points [a] to [h] as mentioned above.

Administrative notes:

1. Subsequent to recommendation [i] above been taken, an investigation revealed that the mentioned Council Resolution per item 8.3 taken on 24 January 2013, is not in conflict with points [a] to [h] as mentioned in the recommendation of the Executive Mayor;

2. The report mentioned in recommendation [a] above of Knysna Tourism and item M05/02/14 which served before the Mayoral Committee on 20 February 2014, are attached hereto for perusal.

Annexures:

1. Knysna Tourism Report
2. Item M05/02/14

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

5. **Closure**
The Speaker thanked everyone for attending and the meeting concluded at 11:31.

-oOo-
7 RECOMMENDATIONS FROM THE EXECUTIVE MAYOR

7.1 REPORT: EXECUTIVE MAYOR: 20 FEBRUARY 2014

The minutes of the Mayoral Committee meeting held on 20 FEBRUARY 2014 is attached as Annexure for consideration by Council.

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the resolved items contained in the minutes of the Mayoral Committee meeting which was held on 20 FEBRUARY 2014, a copy of which is attached as Annexure, by virtue of statutory power in terms of Section 56 of the Local Government: Municipal Structures Act, 1998 and delegated authority, be noted;

[b] That the recommendations contained in the minutes of the Mayoral Committee meeting which was held on 20 FEBRUARY 2014, a copy of which is attached as Annexure be considered and approved.
KNYSNA LOCAL MUNICIPALITY

M I N U T E S

of the

MAYORAL COMMITTEE

meeting which took place in the Council Chamber
on

Thursday, 20 February 2014
at

08:00
1. Opening and Welcoming

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

2. In Attendance:

2.1 Councillors Present

Members:

Cllr G Wolmarans
Cllr E Edge
Cllr R Dawson
Cllr L Hart
Cllr M Williams arrived at 08h07

Non-members:

Cllr E Van Aswegen
Cllr C Witbooi
Cllr I Grootboom
Cllr M Dyantyi
Cllr W Litoli
Cllr M Wasserman
Cllr B Tyokolo
Cllr T Gombo
Cllr P Nkam

2.2 Officials:

Mr Ellman, B Acting: Municipal Manager
Mr Maughan-Brown, M Director: Planning and Development
Mr Adonis, D Director: Community Services
Mr Easton, G Director: Financial Services
Mr Kalani, J Manager: Public Participation
Mr Bezuidenhout, C Manager: Communication and Customer Relations
Ms Paulsen, M Manager: Legal Services
Mr Richardson, L Town Electro-technical Engineer
Mr Mattheus, C Manager: Administration
Mr Mc Cartney, W Manager: Performance and Internal Auditing
Mr Mthembu, S Town Planner
Mr Cornelius, B Coordinator: Public Participation Unit
Ms Lakay, J Manager: Council Committees and Councillor Support
Ms Swart, L Personal Assistant to the full time Councillors
Ms Fandese, N Committee Officer
3. Councillors: Absent with leave

   None

4. Councillors: Absent without leave

   None


   RESOLVED

   That the Provisions of the Code of Conduct for Councillors

   RESOLVED

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

Declaration of Interest
8.2 REPORT: EXECUTIVE MAYOR: 20 FEBRUARY 2014

G01/02/14 PRESENTATION BY KNYSNA TOURISM
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Governance and Economic Development Committee take note of the presentation by Knysna Tourism.

G02/02/14 MONTHLY REPORT FROM DIRECTOR: CORPORATE SERVICES
Director: Corporate Services [Human Resources]

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the monthly report for December 2013 and January 2014 received from the Director: Corporate Services [Human Resources] be noted;

[b] That future reports regarding appointments should include reasons why the Employment Equity targets are not met.

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

G03/02/14 MONTHLY REPORT: MUNICIPAL MANAGER [COMMUNICATION AND CUSTOMER RELATIONS]
Municipal Manager

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the monthly report for October, November, December 2013 received from the Municipal Manager [Communication and Customer Relations] be noted.

File Number: 4/1/2/1
Execution: Municipal Manager
Manager: Communication and Customer Relations
G04/02/14  **MONTHLY REPORT: CORPORATE SERVICES [LEGAL SERVICES]**  
Director: Corporate Services [Legal Services]

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the monthly report for November 2013 to January 2014 received from the Director: Corporate Services [Legal Services], be noted;

[b] That an updated amended report be submitted to the Mayoral Committee meeting in February 2014.

File Number: 9/1/2/9

Execution: Director: Corporate Services  
Manager: Legal Services

G05/02/14  **MONTHLY REPORT: PLANNING AND DEVELOPMENT [LOCAL ECONOMIC DEVELOPMENT]**  
Director: Planning and Development [Local Economic Development]

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the monthly reports for November and December 2013 received from the Director: Planning and Development [Local Economic Development] be noted;

[b] That a report on the Timber Industry initiative be submitted to the Governance and Economic Development Committee meeting in March 2014.

File Number: 9/1/2/13

Execution: Director Planning and Development  
Manager: Local Economic Development

G06/02/14  **PUBLIC PARTICIPATION MONTHLY REPORT: OCTOBER, NOVEMBER AND DECEMBER 2013**  
Director: Corporate Services [Public Participation]

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the monthly reports for October, November and December 2013 received from the Director: Corporate Services [Public Participation] be noted.

File Number: 9/1/2/9

Execution: Director: Corporate Services
Manager: Public Participation

G07/02/13 MONTHLY REPORT: PLANNING AND DEVELOPMENT [INTEGRATED DEVELOPMENT PLANNING]
Director: Planning and Development [Integrated Development Planning]

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the monthly reports for November and December 2013 received from the Director: Planning and Development [Integrated Development Unit] be noted.

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

G08/02/14 DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 31 OCTOBER 2013
Director: Finance [Budget Office]

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report: 2013/2014 as at 31 October 2013, be noted.

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

G09/02/14 DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 30 NOVEMBER 2013
Director: Finance [Budget Office]

RECOMMENDATION OF THE EXECUTIVE MAYOR

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

File Number: 9/1/2/10
Execution: Director Finance
Manager: Budget Office
G10/02/14  DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 31 DECEMBER 2013
Director: Financial Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report: 2013/2014 as at 31 December 2013, be noted.

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

G11/02/14  REPORT ON AMENDMENTS IN THE OVERTIME POLICY
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the committee note the contents of the report with regard to amendments in the overtime policy;

[b] That the committee recommends the proposed amendments to Council for approval.

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

G12/02/14  COUNCIL REPRESENTATION ON VARIOUS FORUMS/COMMITTEES/BOARDS
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That Council note the contents of the report;

[b] That Council notes that the South Cape Karoo Electrical Forum has become inoperative and as a result, Cllr Edge and Cllr Dyantyi will no longer be representatives;

[c] That the administration directs a letter to the Wilderness Lakes Catchment Forum requesting them to invite both Councillors to the meetings of the Forum and provide reasons why Cllr Litoli was not invited to the meetings;
[d] That Councillor Edge be replaced by Councillor Hart on the Knysna Catchment Forum;

[e] That an ANC Councillor be nominated by the Chief Whip to serve on the Knysna Catchment Forum and that the name of such Councillors be submitted to the office of the Speaker;

[f] That Council notes that the District Assessment Land Reform Committee has become inoperative and as a result, Cllr Williams and Cllr Litoli will no longer serve as representatives;

[g] That a letter be sent to child welfare requesting them to submit constitution and to indicate why Councillors should not be allowed to form part of their Governing body;

[h] That Council notes that the Brenton Blue Trust is no longer in need of Council representation and as a result, Cllr Nayler will no longer serve as a representative;

[i] That Councillor Nayler and an ANC Councillor, whose name must be submitted by the Chief Whip to the office of the Speaker, be appointed to represent Council on the Brenton Blue Management Committee;

[j] That Council notes the error in the report which states that Cllr Lizwani is the Council representative on the Pledge Nature Reserve Management Committee. Cllr Gombo is the representative, not Cllr Lizwani.

File Number: 3/2/2

Execution: Director Corporate Services
Manager:

G13/02/14 **CDW OPERATIONAL GRANT**
Director: Corporate Services

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

[a] That the report with regard to the CDW Operational grant be noted;

[b] That only point [b] of the Council resolution dated 28 November 2013 as set out hereunder, be rescinded:

**RESOLVED**

[a] That the correspondence from the department of local government regarding the 40% reduction in the community development worker operational grant to Knysna Local Municipality dated 15 October 2013, be noted;
[b] That the Municipal Manager not sign the applicable agreement until future discussions on the item has taken place at the Governance and Economic Development Committee meeting to be held in February 2014;

c] That provision be made in the adjustments budget for the community development worker operational grant."

c] That the Municipal Manager be authorised to sign the applicable Memorandum of agreement with regard to the CDW Operational Grant.

File Number: 5/7/R
Execution: Director Corporate Services
Manager: Public Participation

G14/02/14 REPORT ON WARD COMMITTEE CONSTITUTION AMENDMENTS
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the contents of the report regarding the amendments of the Ward Committee Constitution be noted; and

[b] That the proposed amendments to the Knysna Municipality Ward Committee Constitution be referred to the Workshop after the Mayoral Committee to be held on 20 February 2014.

File Number: 3/3/3/4
Execution: Director Corporate Services
Manager: Public Participation
IMPLEMENTATION OF AN ANTI-FRAUD MUNICIPAL HOTLINE FACILITY
Acting: Municipal Manager

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That approval be granted for the implementation of the Anti-Fraud Hotline facility;

[b] That negotiations be entered into with Eden District Municipality on condition that the agreement:
   a. is reviewed every three financial years;
   b. may be terminated with a three month reciprocal notice period;
   c. Eden District Municipality to notify Knysna Municipality prior to the maximum of 50 reports per month for the Eden district being exceeded;

[c] That reports generated by the service provider relating to employees other than the Municipal Manager be to the Municipal Manager for further action;

[d] That reports generated by the service provider relating to Executive Mayor be directed to the Speaker,

[e] That reports generated with regard to Councillors be directed to the office of the Speaker;

[f] That reports generated with regard to the Speaker be directed to the office of the Executive Mayor;

[g] That reports generated with regard to the Municipal Manager be directed to the office of the Executive Mayor.

File Number: 6/2/1/2

Execution: Acting Municipal Manager

PARTICIPATION IN ONE-OF-A-KIND (OAK) GARDEN ROUTE
Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the item with regard to the participation in One-of-a-Kind (Oak) Garden Route be referred for consideration to the Governance and Economic Development Committee meeting in March 2014 and that Jo Mellville from Oak be requested to do a presentation at the meeting in March 2014.

File Number: 9/1/2/13

Execution: Director: Planning and Development
**G17/02/14 REPORT ON THE LEASE BETWEEN KNYSNA MUNICIPALITY AND MASAKHANE BUSINESS CORPORATION (SANLAM MALL)**  
Director: Corporate Services [Legal Services]

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That the report on the lease between Knysna Municipality and Masakhane Business Corporation (Sanlam Mall) be referred back for a more comprehensive report to the Governance and Economic Development Committee in March 2014.

File Number: C79

Execution: Director Corporate Services  
Manager: Legal Services

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**G18/02/14 RISK MANAGEMENT COMMITTEE CHARTER**  
Acting: Municipal Manager

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That Council approves the Knysna Municipality Risk Management Committee Charter for implementation, be approved.

File Number: 9/1/1/1

Execution: Acting Municipal Manager
7.1.2 ITEMS SUBMITTED TO THE COMMUNITY SERVICES COMMITTEE MEETING 11 FEBRUARY 2013

C01/02/14 DISASTER MANAGEMENT EXPENDITURE ON STATE FUNERAL OF FORMER STATE PRESIDENT MANDELA
Director: Community Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the unforeseen expenditure incurred during the period of the State Funeral of our Former State President NR Mandela, be provided for in the 2013/2014 Adjustment Budget.

File Number: 9/1/2/5

Execution:  Director: Community Services
            Manager: Disaster Manager

C02/02/14 MONTHLY REPORTS: COMMUNITY SERVICES
Director: Community Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the following monthly reports for October, November, December 2013 and January 2014 received from the Director Community Services and Eden District Municipality be noted:

[a] Safety and Security, Traffic and Licensing, Fire, Sport and Rescue and Social Services :
   [i] That monthly reports include minimal photographs and that programmes be included;

[b] Libraries and Heritage:
   [i] That the group Ubumnandi Bethu be invited to the next Council meeting in March 2014;

[c] Parks and Recreation:
   [i] That the condition of the swings in Khayalethu be investigated by the Parks Department;
   [ii] That the Chairperson of the Planning, Development and Infrastructure Committee liaise with the Director: Technical Services with regard to the drains that need cleaning in the Khayalethu and Dam se-Bos areas;

[d] Waste Management;
[e] Eden District Municipality [Environmental Health].

File Number: 9/1/2/5
During the Community Services Committee meeting, Cllr Van Aswegen left the chambers at 10h30 to attend another commitment.

C03/02/14  DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 31 OCTOBER 2013
Director: Financial Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report: 2013/2014 as at 31 October 2013, be noted.

File Number: 9/1/2/10

Execution: Director: Financial Services
           Acting Manager: Budget Office

C04/02/14  DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 30 NOVEMBER 2013
Director: Financial Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

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

File Number: 9/1/2/10

Execution: Director: Financial Services
           Acting Manager: Budget Office
DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 31 DECEMBER 2013
Director: Financial Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report: 2013/2014 as at 31 December 2013, be noted.

File Number: 9/1/2/10

Execution: Director: Financial Services
Acting Manager: Budget Office
7.1.3 ITEMS SUBMITTED TO THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE COMMITTEE MEETING 12 FEBRUARY 2014

P01/02/14 FARM 191/51, RHEENENDAL MAIN ROAD (MR 355), WESTFORD, KNYSNA: PROPOSED REZONING - APPLICATION No. 335

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the application from Marike Vreken Town Planners CC on behalf of Mr J Bryden, the property owner, be withdrawn as per the written request of both the applicant and owner.

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

P02/02/14 ERF 3919, No. 65 RIDGE DRIVE, HEUWELKRUIN, KNYSNA: APPLICATION FOR REZONING, BUILDING LINE RELAXATION, THE AMENDMENT OF TITLE DEED CONDITIONS AND ENCROACHMENT OF COUNCIL LAND - APPLICATION No. 430

PURPOSE OF THE REPORT

The purpose of this report is to consider an application from Marike Vreken Town Planners CC on behalf of Markus Muller and Christine Elke Heisswolf (the property owners), for the following:

1. Application in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the rezoning of the Erf from “Single Residential” to “General Residential” for a six bedroom guest house.

2. Application in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for a departure from the restrictions applicable to the General residential Zone in order to allow a street building line of 0m in lieu of 8m for a retaining wall; an eastern lateral building line of 2,2m in lieu of 4,5m for a portion of the existing building and a western lateral building line of 0m in lieu of 4,5m for a portion of the existing building;

3. Application in terms of Section 2 of the Removal of Restrictions Act, 1967 (Act 84 of 1967) for the amendment of Condition C.6(a) in title deed No. T61194/2012 being the title deed for Erf 3919 Knysna in order to allow a street building line of 0m in lieu of 5m for a retaining wall and the western lateral building line of 0m in lieu of 1,5m for a portion of the existing building;

4. A request is made by the property owner to enter into an encroachment agreement with Council in respect of a portion of the road reserve adjacent to Erf 3919 Knysna.
The application is **recommended for partial refusal, partial approval and an alternative solution**;

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

[a] That the following correspondence be noted:

(i) A copy of the application from Marike Vreken Town Planners CC dated May 2013;
(ii) Kydd-Coutts RA (60 Ridge Drive) dated 4 June 2013;
(iii) Mrs P E Nurse as per correspondence dated 12 June 2013;
(iv) F F Howell as per correspondence dated 14 June 2013;
(v) Dudley Schnetler as per correspondence dated 6 June 2013;
(vi) Barbara Bevan, 21 Syringa Street, Heuwelkruin as per correspondence received on 18 June 2013;
(vii) Mr and Mrs Robert and Barbara Bevan, 17 Syringa Street, Heuwelkruin as per correspondence received on 18 June 2013;
(viii) Duncan and Jacqui Kane, 23 Syringa Road, as per correspondence dated 12 June 2013;
(ix) Mrs P J Rider as per correspondence received on 18 June 2013;
(x) S Davis, 14 Syringa Street, Heuwelkruin as per undated correspondence;
(xi) M H du Plessis, 71 Ridge Drive as per correspondence dated 17 June 2013;
(xii) M G Haskins & M J Haskins, 69 Ridge Drive as per correspondence dated 10 June 2013;
(xiii) R A Farrell, 55 Ridge Drive, Heuwelkruin as per correspondence dated 17 June 2013;
(xiv) E & F Beardsley, 70 Ridge Drive, Heuwelkruin as per correspondence received on 28 May 2013 and on 12 June 2013;
(xv) Johan McDonald as per correspondence dated 10 June 2013;
(xvi) Jorrie Jordaan as per correspondence dated 29 May 2013;
(xvii) T J McDonald, 7 Kloof Street, Heuwelkruin as per correspondence dated 7 June 2013;
(xviii) R & N Rohloff, 67 Ridge Drive, Heuwelkruin as per correspondence dated 6 June 2013 and K A Maade, 16 Rio Street, Heuwelkruin as per correspondence dated 17 June 2013;
(xix) A copy of internal comments.

[b] That **approval be refused** in terms of Section 16 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the rezoning of the erf from “Single Residential” to “General Residential” for a six bedroom guest house on the grounds that the size and topography of the property make it undesirable for a General residential Zone to be applied to the Property;
That a Temporary Use Departure as envisaged in section 15 of the Land use Planning Ordinance be granted for a period of five years only subject to the following conditions;

i) The owner of the property shall be responsible for complying with all conditions of approval;

ii) The property owner shall be responsible for the cost of complying with the conditions outlined hereunder;

iii) Should it be shown to the satisfaction of the Municipal Manager that the guest house is a source of noise and / or nuisance, including nuisance related to the parking of vehicles in the Street the Municipal Manager will revoke the Temporary use Departure;

iv) The kitchen and dining room and other guest facilities shall at no time be open to the public as a restaurant or provide services to anyone not staying at least one night on the property;

v) Overnight on-street parking by visitors of the property is strictly prohibited;

vi) The manager/caretaker shall reside permanently on the property;

vii) 2 x Water Augmentation levies will be payable. 2 x Sewer Augmentation levies will be payable.

viii) Any electrical services encountered will be relocated at the cost of the applicant;

ix) The applicant is to ensure that there is access to property for meter reading purposes;

x) 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);

xi) 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;

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; This relay is to be purchased from Council by the applicant.

xiii) Low Energy lamps are to be used in all fittings if advantageous;

xiv) Should the owners wish to continue operating a guest house on the property after the expiry of the five year period an application for rezoning to an appropriate zone in terms of the applicable zoning scheme must be submitted. No further temporary use permission is to be considered and any complaints regarding the use of the property in the intervening period are to be taken into consideration in evaluating the application.

That the Director: Land Management (Region 3) be advised that Knysna Municipality has no objection to the application in terms of Section 2 of the Removal of Restrictions Act, 1967 (Act 84 of 1967) for the amendment of Condition C.6(a) in title deed No. T61194/2012
being the title deed for Erf 3919 Knysna in order to allow a street building line of 0m in lieu of 5m for a retaining wall and the western lateral building line of 0m in lieu of 1.5m for a portion of the existing building, subject to the following conditions:

i) That the department supports the applicant’s request to enter into an encroachment agreement with Council in respect of a portion of the road reserve adjacent to Erf 3919 Knysna.

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

PORTION 38 OF THE FARM EASTBROOK, NO. 183, (PROVINCIAL ROAD NO. MR 351) KNYSNA: PROPOSED SUBDIVISION AND REZONING (Application No. 553)

PURPOSE OF THE REPORT

To consider the following applications from Marike Vreken Town Planners CC on behalf of Lanstan Investments (Pty) Ltd, the property owner:

a) Application in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) for the rezoning of Farm 183/38 Knysna from “Agriculture Zone I” to “Special Zone: Rural Residential”; and

b) Application in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) for the subdivision of Farm 183/38 Knysna (10,5457 ha) into two portions namely Portion A (4.0444ha) and a Remainder (6.5013 ha);

The subdivision application is recommended for approval and the rezoning application is recommended for refusal.

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the following correspondence be noted:
   (i) Copy of the applicant’s motivation dated 9 September 2013;
   (ii) Letter of subdivision approval dated 10 May 2000;
   (iv) Comments from internal departments printed on 6 November 2013;
   (v) Comments from the Western Cape Department of Agriculture dated 8 October 2013;

[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 Farm 183/38 Knysna (10,5457 ha) into two portions
namely Portion A (4.0444ha) and a Remainder (6.5013 ha), subject to the following conditions;

(iv) That the property owner shall take responsibility for ensuring compliance with these conditions;

(v) This approval applies to the application for subdivision as set out above and may not be construed as authority to deviate from any other legal prescriptions or requirements;

(vi) That, except the for the existing structures which shall remain on their current position, all future proposals will be subject to the parameters of the “Agriculture I” zoning as set out in the Section 8 Zoning Scheme;

(vii) Any future construction activities on site shall require an OSCAE permit;

(viii) Any action taken by the applicant in connection with the approval shall be regarded as an acceptance and compliance with these conditions;

(ix) The owner of the property must join and become members of the South Cape Fire Protection Association; and

(x) The applicant must initiate an Invasive Alien Plan species clearing project to remove invasive alien plants from the property and prevent their spread.

[c] That the application in terms of Section 16 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the rezoning of the subdivided portions of Farm 183/38 Knysna from “Agriculture Zone I” to “Special Zone: Rural Occupation”, be refused on the basis that the amendment of the Section 8 Zoning Scheme Regulations in order to create a new zoning category is not a local authority competence and if such creation of a new zoning category rezoning would be approved, it would create a bad precedent which will result in the creation of ad-hoc pockets of smallholdings which are not in keeping with the character of the Knysna rural and cultural landscape.
Presentation was done by Town Planner Mr S Mthembu and Director Planning and Development Mr M Maughan - Brown until 09h05.

P04/02/14  ERF 2252 KNYRNA: PROPOSED REZONING, SUBDIVISION AND DEPARTURE (PART OF HORNLEE HOUSING PROJECT)

PURPOSE OF THE REPORT

To consider an application from Macroplan Town and Regional Planners and Architects on behalf of Knysna Municipality for the following applications:

- A Rezoning of Erf 2252 Knysna from “Public Open Space” to “General Residential Zone”, “Public Open Space” and “Street Zone” in terms of Section 17 of the Land Use Planning Ordinance (No 15 of 1985), to allow 126 General Residential dwelling units in two-storey walk-up configurations that will cater for the low and lower-middle income earners in the area,
- A simultaneous application in terms of Section 24 of the Land Use Planning Ordinance (No. 15 of 1985) for the subdivision of Erf 2255, Knysna into the portions as indicated on the Proposed Subdivisional Map; and
- Departure from the Knysna Municipality Zoning Scheme Regulations (Regulation 3.4.2) requiring 1 x parking bay per residential unit plus 0.5 parking bays per residential unit for visitors in terms of Section 15 of the Land Use Planning Ordinance (No 15 of 1985) to allow for the provision of 1 parking bay per residential unit only on Erf 2252, Knysna.

It should be noted that Section 18(1) of the Land Use Planning Ordinance (Ordinance 15 of 1985) states as follows: “A rezoning may, on the initiative of … a council, be granted under section 16(1) by … that council in respect of land situated in its area of jurisdiction, irrespective of whether or not a local authority is the owner of the land” (emphasis added).

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the following correspondence be noted:
   (i) Application from Macroplan Town and Regional Planners and Architects dated 1 July 2010;
   (ii) Comments from the Town Electro-technical Engineer dated 27 August 2010;
   (iii) Comments from the Director: Technical Services dated 02 September 2010;
   (iv) Objection letter from Marike Vreken Town and Regional Planners dated 11 October 2010;
   (v) Objection letter from W T Mc Shane undated;
   (vi) Objection email from S. W van der Merwe dated 27 July 2010;
   (xi) Letter from Knysna Ratepayers Association dated 11 October 2010;
That the Rezoning of Erf 2252 Knysna from Public Open Space to General Residential, to allow 126 General Residential dwelling units in two-storey walk-up configurations that will cater for the low and lower-middle income earners in the area be **Approved** in terms of Section 16 of the Land Use Planning Ordinance 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. The buildings are to comply with the regulations for ‘General Residential’ zoned erven as stipulated within the Knysna Zoning Scheme Regulations (1992), where applicable;

III. No development shall take place on slopes steeper than 1:4;

IV. A detailed site development plan shall be submitted for approval to include the positioning of units, building design and aesthetics, communal areas and parking;

V. The developer shall enter into an agreement with Council to ensure the affordability of these units and to ensure that the housing units will be affordable to the target beneficiaries to the satisfaction of Council;

VI. The development shall be in phases in accordance with timeframe for the supply of bulk water and waste water services;

VII. All municipal services shall be protected to the satisfaction of the Director: Technical Services and where necessary, the services shall be framed by servitudes. The cost for the protection of municipal services shall be for the account of the developer;

VIII. Augmentation be set at R13, 315.60 per unit of 2009/10 and inflated to R15312.90 for 2010/11 in line with the annual increase of 15% in augmentation fees for 2010/11. This amount would be then increased annually each year with the normal increases in augmentation fees for water and waste water services, On this basis the augmentation fees would be due on application to transfer an erf on or application for building plan approval whichever is earliest;

IX. All local bulk infrastructure and connection services shall be installed at the developer’s cost in terms the SSI report dated June 2010;

X. The report (SSI dated June 2010) does not analyse the local water and waste pipe infrastructure or take into account the current demand on infrastructure. It is required that the applicant undertakes this study and upgrades the local infrastructure to the point as having capacity to the approval of the Director of Technical Service, As this has not yet been determined in detail Council takes no responsibility for any
increased costs should the final analysis prove additional infrastructure is required;

XI. All costs of local bulk infrastructure and connection services to be carried by the developer and to be to the approval of Director of Technical Services;

XII. The final analysis of reservoir storage be undertaken by the developer and storage requirements to be provided to the approval of the Director of Technical Services (item 7.4 of the report);

XIII. A detailed study of each area must be undertaken identifying the stormwater runoff requirements for infrastructure and taking into consideration the need for subsoil drainage connections;

XIV. All servitudes for stormwater infrastructure must be provided;

XV. All roads giving access to the sites/areas which are not bitumen surfaced must be constructed with a bitumen/segmented paving or equivalent surface to the approval of the Director Technical Services;

XVI. All connection roads must be provided to the same width as connecting road and minimum road width shall be 4.5m, not 3.5m as per clause 5.4.1 of report; Cul de sac's serving six erven or less may be served by a 3.5m wide road;

XVII. All existing services must be identified and accommodated in the development;

XVIII. Servitudes are required where these services are in the erven even if in the building lines. Preferably no public services should be in erven;

XIX. All internal services to be provided in terms of the report and to the approval of the Director of Technical Services;

XX. The Noetzie reservoir zone cannot accommodate this development and the necessary upgrading must be undertaken to the approval of the Director: Technical Services;

XXI. More details regarding vehicle access to the development must be submitted to the Satisfaction of the Director of Technical Services;

XXII. A services agreement must be completed with the Municipality for the provision of services to the development;

XXIII. Applicant must make arrangements to ensure access for meter reading purposes;

XXIV. The medium voltage (MV) supply to Hornlee needs to be upgraded by the installation of a MV underground cable between the Main Intake Substation and ring main unit RMU-Shamrock, and between the latter RMU and pole mounted transformer PMT-Jonathan Street, including the necessary MV switchgear, at an estimated cost of R5,35M, excl. VAT and escalation. This cost will be for the account of the developer;

XXV. The developer to comply with the Electrical Services Report by Clinkscales Maughan – Brown Consulting Mechanical and Electrical Engineers, dated 1 June 2010;

XXVI. Solar-assisted water heating systems or gas water heaters shall be fitted to all bathrooms and other installations requiring
hot water where they have not already been fitted, to the satisfaction of the Town Electro-technical Engineer;

XXVII. Dual / gas electric hob installations shall be fitted to all cooking installations that currently rely on electrical appliances to the satisfaction of the Town Electro-technical Engineer;

XXVIII. Load switching relays shall be installed wherever appropriate, at the discretion of the Town Electro-technical Engineer;

XXIX. Low Energy Lamps light bulbs shall be installed in all light fittings, where feasible;

XXX. Local labour in the area and contractors from within the Knysna Municipal area shall be utilised wherever possible, and, in this regard, contracts regarding BEE and local labour content, (including those relating to transportation of employees) to the satisfaction of Council, shall be submitted to the Director: Corporate Services for approval prior to commencement of construction, and a monthly report on labour and contractors shall be submitted to the Director: Planning and Development for information of Council.

XXXI. A social contribution determined by agreement with Council is to be made by the Developer. This contribution shall be finalized prior to building plan approval. Alternatively detailed proposals for the use of the area shown on the plans submitted as the “hotel site” shall be submitted for consideration by the Municipality and for further advertisement if required.

XXXII. Normal building plan approval in terms of the National Building Regulations and Standards Act shall be applicable.

XXXIII All Municipal services encountered will be relocated at the cost of the Applicant.

[c] That the application for the subdivision of Erf 2252, Knysna into the portions as indicated on the Proposed Subdivisional Map be approved in terms of Section 25 of the Land Use Planning Ordinance (No.15 of 1985), subject to the following conditions:

I. All Erven must be serviced to Councils requirements prior to transfer of any portion;

II. The applicant, upon registration of the subdivided portion, shall forward copies of the approved Surveyor General diagrams to the Council;

III. 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:

a] The owner of this erf shall without compensation, be obliged to allow gas mains, electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewage and drainage including stormwater of 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 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;

b] The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation 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;

d] That the application in terms of Section 15 of the Land Use Planning Ordinance (No.15 of 1985) for the Departure from the Knysna Municipality Zoning Scheme Regulations (Regulation 3.4.2) requiring 1 x parking bay per residential unit plus 0.5 parking bays per residential unit for visitors to allow for the provision of 1 parking bay per residential unit only on Erf 2252 Knysna, **BE APPROVED.**

File number: 15/2/5/2
Execution: Director: Planning and Development
Manager: Town Planning and Building Control
P05/02/14  ERF 3333 KNYSNA: PROPOSED REZONING, SUBDIVISION AND DEPARTURE (PART OF HORNLEE HOUSING PROJECT)

PURPOSE OF THE REPORT

To consider an application from Macroplan Town and Regional Planners and Architects on behalf of Knysna Municipality for the following applications:

- A Rezoning of Erf 3333 Knysna from “Public Open Space” to “General Residential Zone”, “Single Residential Zone” and “Street Zone” as proposed in terms of Section 17 of the Land Use Planning Ordinance, (No 15 of 1985), to allow the provision for a total of 120 residential units consisting of 42 subsidized duplex units of 55m² each in a row-house configuration for the subsidy housing market and 78 General Residential dwelling units of 43m² each in two- and three-storey walk-up configurations that will cater for the low and lower-middle income earners in the area;

- A simultaneous application in terms of Section 24 of the Land Use Planning Ordinance (No. 15 of 1985) for the subdivision of Erf 3333, Knysna into the portions as indicated on the Proposed Subdivisional Map; and

- Departure from the Knysna Municipality Zoning Scheme Regulations (Regulation 3.4.2) requiring 1 x parking bay per residential unit plus 0.5 parking bays per residential unit for visitors in terms of Section 15 of the Land Use Planning Ordinance (No 15 of 1985) to allow for the provision of 1 parking bay per residential unit only.

It should be noted that Section 18(1) of the Land Use Planning Ordinance (Ordinance 15 of 1985) states as follows: “A rezoning may, on the initiative of … a council, be granted under section 16(1) by … that council in respect of land situated in its area of jurisdiction, irrespective of whether or not a local authority is the owner of the land” (emphasis added).

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the following correspondence be noted:
(i) Application from Macroplan Town and Regional Planners and Architects dated 1 July 2010;
(ii) Comments from the Town Electro-technical Engineer dated 27 August 2010;
(iii) Comments from the Director: Technical Services dated 31 August 2010;
(iv) Objection letter from Marike Vreken Town and Regional Planners dated 11 October 2010;
(v) Objection email from S. W van der Merwe dated 27 July 2010;
(xi) Letter from Knysna Ratepayers Association dated 11 October 2010;
(viii) Applicant’s responses to comments dated 20 November 2010 and 20 January 2011; and
(xii) The environmental authorization letter from Department of Environmental Affairs dated 26 November 2013.

[b] That the Rezoning of Erf 3333 Knysna from Public Open Space to General Residential Zone, Single Residential Zone and Street Zone as proposed be Approved in terms of Section 16 of the Land Use Planning Ordinance (No. 15 of 1985) to allow provision for a total of 120 residential units consisting of 42 subsidized duplex units of 55m² each in a row-house configuration for the subsidy housing market and 78 General Residential 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. The buildings are to comply with the regulations for ‘General Residential’ and ‘Single Residential’ zoned erven as stipulated within the Knysna Zoning Scheme Regulations (1992), where applicable;

III. A detailed site development plan shall be submitted for approval to include the positioning of units, building design and aesthetics, communal areas and parking;

IV. No development shall take place on slopes steeper than 1:4;

V. The developer shall enter into an agreement with Council to ensure the affordability of these units and to ensure that the housing units will be affordable to the target beneficiaries to the satisfaction of Council;

VI. The development shall be in phases in accordance with time frame for the supply of bulk water and waste water services;

VII. All municipal services shall be protected to the satisfaction of the Director: Technical Services and where necessary, the services shall be framed by servitudes. The cost for the protection of municipal services shall be for the account of the developer;

VIII. Augmentation be set at R13, 315.60 per unit of 2009/10 and inflated to R15312.90 for 2010/11 in line with the annual increase of 15% in augmentation fees for 2010/11. This amount would be then increased annually each year with the normal increases in augmentation fees for water and waste water services. On this basis the augmentation fees would be due on application to transfer an erf on or application for building plan approval whichever is earliest;

IX. All local bulk infrastructure and connection services shall be installed at the developers cost in terms the SSI report dated June 2010;

X. The report (SSI dated June 2010) does not analyse the local water and waste pipe infrastructure or take into account the current demand on infrastructure. It is required that the applicant undertakes this study and upgrades the local infrastructure to the point as having capacity to the approval of
the Director of Technical Service, As this has not yet been determined in detail Council takes no responsibility for any increased costs should the final analysis prove additional infrastructure is required;

XI. All costs of local bulk infrastructure and connection services to be carried by the developer and to be to the approval of Director of Technical Services;

XII. The final analysis of reservoir storage be undertaken by the developer and storage requirements to be provided to the approval of the Director of Technical Services (item 7.4 of the report);

XIII. A detailed study of each area must be undertaken identifying the stormwater runoff requirements for infrastructure and taking into consideration the need for subsoil drainage connections;

XIV. All roads giving access to the sites/areas which are not bitumen surfaced must be constructed with bitumen/segmented paving or equivalent surface to the approval of the Director Technical Services;

XV. All connection roads must be provided to the same width as connecting road and minimum road width shall be 4.5m, not 3.5m as per clause 5.4.1 of report; Cul de sac's serving six erven or less may be served by a 3.5m wide road;

XVI. All existing services must be identified and accommodated in the development;

XVII. Servitudes are required where these services are in the erven even if in the building lines. Preferably no public services should be in erven;

XVIII. All internal services to be provided in terms of the report and to the approval of the Director of Technical Services;

XIX. Servitudes will be required for sewer crossing the General Residential erf;

XX. Stormwater will be required through General Residential erf and these must be provided in Private Open Space, and as servitudes;

XXI. Detail consideration must be given for stormwater project adjacent erven such as erf 6434 and 6450 etc. and systems provided to the satisfaction of the Director Technical Services;

XXII. The access to Protea Street to be engineered to the approval of the Director Technical Services;

XXIII. There are pedestrian routes over the site that must be accommodated in the proposals and approved in the site development plan and servitudes created over the General Residential erf;

XXIV. The distinction between the new Public Street and the parking for the General Residential erf is confusing for maintenance purposes and will cause problems in the future. A maintenance agreement with the Body Corporate or HOA for the General Residential erf is required;

XXV. A services agreement must be completed with the Municipality for the provision of services to the development;
XXVI. Applicant must make arrangements to ensure access for meter reading purposes;

XXVII. The medium voltage (MV) supply to Hornlee needs to be upgraded by the installation of a MV underground cable between the Main Intake Substation and ring main unit RMU-Shamrock, and between the latter RMU and pole mounted transformer PMT-Jonathan Street, including the necessary MV switchgear, at an estimated cost of R5,35M, excl. VAT and escalation. This cost will be for the account of the developer;

XXVIII. The developer to comply with the Electrical Services Report by Clinkscates Maughan – Brown Consulting Mechanical and Electrical Engineers, dated 1 June 2010;

XXIX. Solar-assisted water heating systems or gas water heaters shall be fitted to all bathrooms and other installations requiring hot water where they have not already been fitted, to the satisfaction of the Town Electro-technical Engineer;

XXX. Dual / gas electric hob installations shall be fitted to all cooking installations that currently rely on electrical appliances to the satisfaction of the Town Electro-technical Engineer;

XXXI. Load switching relays shall be installed wherever appropriate, at the discretion of the Town Electro-technical Engineer;

XXXII. Low Energy light bulbs shall be installed in all light fittings, where feasible;

XXXIII. Local labour in the area and contractors from within the Knysna Municipal area shall be utilised wherever possible, and, in this regard, contracts regarding BEE and local labour content, (including those relating to transportation of employees) to the satisfaction of Council, shall be submitted to the Director: Corporate Services for approval prior to commencement of construction, and a monthly report on labour and contractors shall be submitted to the Director: Planning and Development for information of Council;

XXXIV. A social contribution determined by agreement with Council is to be made by the Developer. This contribution shall be finalized prior to building plan approval. Alternatively detailed proposals for the use of the area shown on the plans submitted as the “hotel site” shall be submitted for consideration by the Municipality and for further advertisement if required; and

XXXV. Normal building plan approval in terms of the National Building Control and Building Regulations Act shall be applicable;

XXXVI. All Municipal services encountered will be relocated at the cost of the Applicant.

[c] That the application for the subdivision of Erf 3333, Knysna into the portions as indicated on the Proposed Subdivisional Map be approved in terms of Section 25 of the Land Use Planning Ordinance (No.15 of 1985), subject to the following conditions:

I. All Erven must be serviced to Councils requirements prior to transfer of any portion;
II. The applicant, upon registration of the subdivided portion, shall forward copies of the approved Surveyor General diagrams to the Council;

III. 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:

a] The owner of this erf shall without compensation, be obliged to allow gas mains, electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewage and drainage including stormwater of 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 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;

b] The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation 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.

[d] That the application in terms of Section 15 of the Land Use Planning Ordinance (No.15 of 1985) for the Departure from the Knysna Municipality Zoning Scheme Regulations (Regulation 3.4.2) requiring 1 x parking bay per residential unit plus 0.5 parking bays per residential unit for visitors to allow for the provision of 1 parking bay per residential unit only on Erf 3333 Knysna, BE APPROVED.

File number: 15/2/5/2
Execution: Director: Planning and Development
Manager: Town Planning and Building Control
P06/02/14  ERF 3336 KNYSNA: PROPOSED REZONING, SUBDIVISION AND DEPARTURE (PART OF HORNLEE HOUSING PROJECT)

PURPOSE OF THE REPORT

To consider an application from Macroplan Town and Regional Planners and Architects on behalf of Knysna Municipality for the following applications:

- A Rezoning of Erf 3336 Knysna from “Public Open Space” to “General Residential Zone”, “Public Open Space” and “Street Zone” as proposed in terms of Section 17 of the Land Use Planning Ordinance, 1985, to allow a total of 63 General Residential dwelling units in two- and three-storey walk-up configurations that will cater for the low and lower-middle income earners in the area,

- A simultaneous application in terms of Section 24 of the Land Use Planning Ordinance (No. 15 of 1985) for the subdivision of a 4 884m² portion of Erf 3336, Knysna into the portions as indicated on the attached Proposed Subdivisional Map; and

- Departure from the Knysna Municipality Zoning Scheme Regulations (Regulation 3.4.2) requiring 1 x parking bay per residential unit plus 0.5 parking bays per residential unit for visitors in terms of Section 15 of the Land Use Planning Ordinance (No 15 of 1985) to allow for the provision of 1 parking bay per residential unit only.

It should be noted that Section 18(1) of the Land Use Planning Ordinance (No. 15 of 1985) states as follows: “A rezoning may, on the initiative of ... a Council, be granted under section 16(1) by.... that Council in respect of land situated in its area of jurisdiction, irrespective of whether or not a local authority is the owner of the land” (emphasis added).

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the following correspondence be noted:

(i) Application from Macroplan Town and Regional Planners and Architects dated 1 July 2010;

(ii) Comments from the Town Electro-technical Engineer dated 27 August 2010;

(iii) Comments from the Director: Technical Services dated 31 August 2010;

(iv) Objection letter from Marike Vreken Town and Regional Planners dated 11 October 2010;

(v) Objection letter from W T Mc Shane undated;

(vi) Objection email from S. W van der Merwe dated 27 July 2010;

(vii) Letter from Knysna Ratepayers Association dated 11 October 2010;

(viii) Applicant’s responses to comments dated 20 November 2010 and 20 January 2011; and

(xiii) The environmental authorization letter from Department of Environmental Affairs dated 26 November 2013.
[b] That the Rezoning of Erf 3336 Knysna from Public Open Space to General residential; Public Open Space and Street Zone as proposed be Approved in terms of Section 16 of the Land Use Planning Ordinance (No. 15 of 1985) to allow 63 General Residential dwelling units in two- and three-storey walk-up configurations, 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. The buildings are to comply with the regulations for ‘General Residential’ zoned erven as stipulated within the Knysna Zoning Scheme Regulations (1992), where applicable;

III. A detailed site development plan shall be submitted for approval to include the positioning of units, building design and aesthetics, communal areas and parking;

IV. No development shall take place on slopes steeper than 1:4;

V. The developer shall enter into an agreement with Council to ensure the affordability of these units and to ensure that the housing units will be affordable to the target beneficiaries to the satisfaction of Council;

VI. The development shall be in phases in accordance with time frame for the supply of bulk water and waste water services;

VII. All municipal services shall be protected to the satisfaction of the Director: Technical Services and where necessary, the services shall be framed by servitudes. The cost for the protection of municipal services shall be for the account of the developer;

VIII. Augmentation be set at R13, 315.60 per unit of 2009/10 and inflated to R15312.90 for 2010/11 in line with the annual increase of 15% in augmentation fees for 2010/11. This amount would be then increased annually each year with the normal increases in augmentation fees for water and waste water services, On this basis the augmentation fees would be due on application to transfer an erf on or application for building plan approval whichever is earliest;

IX. All local bulk infrastructure and connection services shall be installed at the developers cost in terms the SSI report dated June 2010;

X. The report (SSI dated June 2010) does not analyse the local water and waste pipe infrastructure or take into account the current demand on infrastructure. It is required that the applicant undertakes this study and upgrades the local infrastructure to the point as having capacity to the approval of the Director of Technical Service, As this has not yet been determined in detail Council takes no responsibility for any increased costs should the final analysis prove additional infrastructure is required;

XI. All costs of local bulk infrastructure and connection services to be carried by the developer and to be to the approval of Director of Technical Services;
XII. The final analysis of reservoir storage be undertaken by the developer and storage requirements to be provided to the approval of the Director of Technical Services (item 7.4 of the report);

XIII. All servitudes for stormwater infrastructure must be provided;

XIV. All roads giving access to the sites/areas which are not bitumen surfaced must be constructed with bitumen/segmented paving or equivalent surface to the approval of the Director Technical Services;

XV. All connection roads must be provided to the same width as connecting road and minimum road width shall be 4.5m, not 3.5m as per clause 5.4.1 of report; Cul de sac's serving six erven or less may be served by a 3.5m wide road;

XVI. All existing services must be identified and accommodated in the development;

XVII. Servitudes are required where these services are in the erven even if in the building lines. Preferably no public services should be in erven;

XVIII. All internal services to be provided in terms of the report and to the approval of the Director of Technical Services;

XIX. The pressure analysis must be submitted and any requirements of the Director Technical Services provided at the cost of the developer;

XX. The water pressure for the development must be to the approval of the Director Technical Services as per report;

XXI. Stormwater control will be critical. Erven 6553 to 6555 must be protected from runoff from the development to the approval of the Director Technical Services. Poor drainage and soil conditions will require specialist design of foundations for multi-storey building proposed;

XXII. Vehicle access is to be 4.5m wide minimum;

XXIII. Pedestrian access route through erf 3336 Knysna should be accommodated and shown on the overall site development plan;

XXIV. A services agreement must be completed with the Municipality for the provision of services to the development;

XXV. Applicant must make arrangements to ensure access for meter reading purposes;

XXVI. The medium voltage (MV) supply to Hornlee needs to be upgraded by the installation of a MV underground cable between the Main Intake Substation and ring main unit RMU-Shamrock, and between the latter RMU and pole mounted transformer PMT-Jonathan Street, including the necessary MV switchgear, at an estimated cost of R5,35M, excl. VAT and escalation. This cost will be for the account of the developer;

XXVII. The developer to comply with the Electrical Services Report by Clinkscscales Maughan – Brown Consulting Mechanical and Electrical Engineers, dated 1 June 2010;

XXVIII. Solar-assisted water heating systems or gas water heaters shall be fitted to all bathrooms and other installations requiring
hot water where they have not already been fitted, to the satisfaction of the Town Electro-technical Engineer;

XXIX. Dual / gas electric hob installations shall be fitted to all cooking installations that currently rely on electrical appliances to the satisfaction of the Town Electro-technical Engineer;

XXX. Load switching relays shall be installed wherever appropriate, at the discretion of the Town Electro-technical Engineer;

XXXI. Low Energy light bulbs shall be installed in all light fittings, where feasible;

XXXII. Local labour in the area and contractors from within the Knysna Municipal area shall be utilised wherever possible, and, in this regard, contracts regarding BEE and local labour content, (including those relating to transportation of employees) to the satisfaction of Council, shall be submitted to the Director: Corporate Services for approval prior to commencement of construction, and a monthly report on labour and contractors shall be submitted to the Director: Planning and Development for information of Council;

XXXIII. A social contribution determined by agreement with Council is to be made by the Developer. This contribution shall be finalized prior to building plan approval. Alternatively detailed proposals for the use of the area shown on the plans submitted as the “hotel site” shall be submitted for consideration by the Municipality and for further advertisement if required.

XXXIV. Normal building plan approval in terms of the National Building Regulations and Standards Act shall be applicable;

XXXV. All Municipal services encountered will be relocated at the cost of the Applicant.

[c] That the application for the subdivision a 4 884m² portion of Erf 3336 Knysna, into the portions as indicated on the Proposed Subdivisional Map be approved in terms of Section 25 of the Land Use Planning Ordinance (No.15 of 1985), subject to the following conditions:

I. All Erven must be serviced to Councils requirements prior to transfer of any portion;

II. The applicant, upon registration of the subdivided portion, shall forward copies of the approved Surveyor General diagrams to the Council;

III. 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:

a] The owner of this erf shall without compensation, be obliged to allow gas mains, electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewage and drainage including stormwater of 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 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;

b] The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation 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.

d] That the application in terms of Section 15 of the Land Use Planning Ordinance (No.15 of 1985) for the Departure from the Knysna Municipality Zoning Scheme Regulations (Regulation 3.4.2) requiring 1x parking bay per residential unit plus 0.5 parking bays per residential unit for visitors to allow for the provision of 1 parking bay per residential unit only on Erf 3336 Knysna, BE APPROVED.

File number: 15/2/5/2  
Execution: Director: Planning and Development  
Manager: Town Planning and Building Control
ERF 3339, KNYSNA: PROPOSED REZONING AND SUBDIVISION AND (PART OF HORNLEE HOUSING PROJECT)

PURPOSE OF THE REPORT

To consider an application from Macroplan Town and Regional Planners and Architects on behalf of Knysna Municipality for the following applications:

- A Rezoning of Erf 3339 Knysna from “Public Open Space” to “Single Residential Zone”, “Public Open Space” and “Street Zone” as proposed in terms of Section 17 of the Land Use Planning Ordinance, 1985, to allow the provision for 75 single residential units that will cater for the low and lower-middle income earners in the area, and
- A simultaneous application in terms of Section 24 of the Land Use Planning Ordinance (No. 15 of 1985) for the subdivision of Erf 3339, Knysna into the portions as indicated on the Proposed Subdivisional Map.

It should be noted that Section 18(1) of the Land use Planning Ordinance (Ordinance 15 of 1985) states as follows: “A rezoning may, on the initiative of … a council, be granted under section 16(1) by … that council in respect of land situated in its area of jurisdiction, irrespective of whether or not a local authority is the owner of the land” (emphasis added).

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the following correspondence be noted:
   (i) Application from Macroplan Town and Regional Planners and Architects dated 1 July 2010;
   (ii) Comments from the Town Electrotechnical Engineer dated 27 August 2010;
   (iii) Comments from the Director: Technical Services dated 30 August 2010;
   (iv) Objection letter from Marike Vreken Town and Regional Planners dated 11 October 2010;
   (v) Objection letter from W T Mc Shane undated;
   (vi) Objection email from S. W van der Merwe dated 27 July 2010;
   (vii) Letter from Knysna Ratepayers Association dated 11 October 2010;
   (viii) Applicant’s responses to comments dated 20 November 2010 and 20 January 2011; and
   (ix) The environmental authorization letter from Department of Environmental Affairs dated 26 November 2013.

[b] That the Rezoning of Erf 3339 Knysna from “Public Open Space” to “Single Residential”; “Public Open Space” and “Street Zone” as proposed be Approved in terms of Section 16 of the Land Use Planning Ordinance (No 15 of 1985) to allow the provision for 75 single residential units that will cater for the low and lower-middle income earners in the area, 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. The buildings are to comply with the regulations for ‘Single Residential’ zoned erven as stipulated within the Knysna Zoning Scheme Regulations (1992), where applicable;

III. A detailed site development plan shall be submitted for approval to include the positioning of units, building design and aesthetics, communal areas and parking;

IV. No development shall take place on slopes steeper than 1:4;

V. The developer shall enter into an agreement with Council to ensure the affordability of these units and to ensure that the housing units will be affordable to the target beneficiaries to the satisfaction of Council;

VI. The development shall be in phases in accordance with time frame for the supply of bulk water and waste water services;

VII. All municipal services shall be protected to the satisfaction of the Director: Technical Services and where necessary, the services shall be framed by servitudes. The cost for the protection of municipal services shall be for the account of the developer;

VIII. Augmentation be set at R13, 315.60 per unit of 2009/10 and inflated to R15312.90 for 2010/11 in line with the annual increase of 15% in augmentation fees for 2010/11. This amount would be then increased annually each year with the normal increases in augmentation fees for water and waste water services, On this basis the augmentation fees would be due on application to transfer an erf on or application for building plan approval whichever is earliest;

IX. All local bulk infrastructure and connection services shall be installed at the developments cost in terms the SSI report dated June 2010;

X. The report (SSI dated June 2010) does not analyse the local water and waste pipe infrastructure or take into account the current demand on infrastructure. It is required that the applicant undertakes this study and upgrades the local infrastructure to the point as having capacity to the approval of the Director of Technical Service, As this has not yet been determined in detail Council takes no responsibility for any increased costs should the final analysis prove additional infrastructure is required;

XI. All costs of local bulk infrastructure and connection services to be carried by the developer and to be to the approval of Director of Technical Services;

XII. The final analysis of reservoir storage be undertaken by the developer and storage requirements to be provided to the approval of the Director of Technical Services (item 7.4 of the report);

XIII. All roads giving access to the sites/areas which are not bitumen surfaced must be constructed with bitumen/segmented paving
or equivalent surface to the approval of the Director Technical Services;

XIV. All connection roads must be provided to the same width as connecting road and minimum road width shall be 4.5m, not 3.5m as per clause 5.4.1 of report; Cul de sac's serving six erven or less may be served by a 3.5m wide road;

XV. All existing services must be identified and accommodated in the development;

XVI. Servitudes are required where these services are in the erven even if in the building lines. Preferably no public services should be in erven;

XVII. The pressure analysis must be submitted and any requirements of the Director Technical Services provided at the cost of the developer.

XVIII. All internal services to be provided in terms of the report and to the approval of the Director of Technical Services;

XIX. Stormwater routes will be required through the erven and these must be provided in Public Open Space, not as servitudes, as the erven are too small. Comments as to subsoil drainage above are likely to be applicable as the soil conditions were not tested;

XX. Vehicle access maintained to the reservoirs on erf 4161 Knysna;

XXI. There is a pedestrian route through erf 3339 Knysna and this should be accommodated;

XXII. A services agreement must be completed with the Municipality for the provision of services to the development;

XXIII. Applicant must make arrangements to ensure access for meter reading purposes;

XXIV. The medium voltage (MV) supply to Hornlee needs to be upgraded by the installation of a MV underground cable between the Main Intake Substation and ring main unit RMU-Shamrock, and between the latter RMU and pole mounted transformer PMT-Jonathan Street, including the necessary MV switchgear, at an estimated cost of R5.35M, excl. VAT and escalation. This cost will be for the account of the developer;

XXV. The developer to comply with the Electrical Services Report by Clinkscales Maughan – Brown Consulting Mechanical and Electrical Engineers, dated 1 June 2010;

XXVI. Solar-assisted water heating systems or gas water heaters shall be fitted to all bathrooms and other installations requiring hot water where they have not already been fitted, to the satisfaction of the Town Electro-technical Engineer;

XXVII. Dual / gas electric hob installations shall be fitted to all cooking installations that currently rely on electrical appliances to the satisfaction of the Town Electro-technical Engineer;

XXVIII. Load switching relays shall be installed wherever appropriate, at the discretion of the Town Electro-technical Engineer;

XXIX. Low Energy light bulbs shall be installed in all light fittings, where feasible;
XXX. Local labour in the area and contractors from within the Knysna Municipal area shall be utilised wherever possible, and, in this regard, contracts regarding BEE and local labour content, (including those relating to transportation of employees) to the satisfaction of Council, shall be submitted to the Director: Corporate Services for approval prior to commencement of construction, and a monthly report on labour and contractors shall be submitted to the Director: Planning and Development for information of Council;

XXXI. A social contribution determined by agreement with Council is to be made by the Developer. This contribution shall be finalized prior to building plan approval. Alternatively detailed proposals for the use of the area shown on the plans submitted as the “hotel site” shall be submitted for consideration by the Municipality and for further advertisement if required; and

XXXII. Normal building plan approval in terms of the National Building Regulations and Standards Act shall be applicable;

XXXIII All Municipal services encountered will be relocated at the cost of the Applicant.

[c] That the application for the subdivision of Erf 3339 Knysna, into the portions as indicated on the Proposed Subdivisional Map be approved in terms of Section 25 of the Land Use Planning Ordinance (No.15 of 1985), subject to the following conditions:

I. All Erven must be serviced to Council's requirements prior to transfer of any portion;

II. The applicant, upon registration of the subdivided portion, shall forward copies of the approved Surveyor General diagrams to the Council;

III. 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:

a] The owner of this erf shall without compensation, be obliged to allow gas mains, electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewage and drainage including stormwater of 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 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;

b] The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation 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.

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

ERVEN 3642, 3667, 3668, 3669, 3670 AND 4822, KNYSNA: PROPOSED REZONING, SUBDIVISION, CLOSURE OF ROAD, CONSOLIDATION AND DEPARTURE (PART OF HORNLEE HOUSING PROJECT)

PURPOSE OF THE REPORT

To consider an application from Macroplan Town and Regional Planners and Architects on behalf of Knysna Municipality for the following applications:

- The closure of Kort Street and a portion of Hall Street (constituting a combined area of 2 675m² in extent) as indicated on the Subdivisional Plan in terms of the Cape Municipal Ordinance, 1974 (Ordinance 20 of 1974);
- The consolidation of Erf 3669, Erf 3670, a 3 719m² portion of Erf 4822, Kort Street and the closed portion of Hall Street to create a new erf 11 788m² in extent;
- The consolidation of Erf 3667 and a 456m² portion of Erf 3668 to create a new erf 4 120m² in extent;
- A Rezoning of Erven 3642, 3667, 3668, 3669, 3670 and 4822, Knysna to General Residential Zone, Public Open Space and Street Zone as proposed in terms of Section 17 of the Land Use Planning Ordinance, (No 15 of 1985), to allow a provision for a total of 249 General Residential dwelling units in two- and three-storey walk-up configurations that will cater for the low and lower-middle income earners in the area,
- A application in terms of Section 24 of the Land Use Planning Ordinance (No. 15 of 1985) for the subdivision of Erven 3642, 3667, 3668, 3669, 3670 and 4822, Knysna into the portions as indicated on the attached Proposed Subdivisional Map; and
- Departure from the Knysna Municipality Zoning Scheme Regulations (Regulation 3.4.2) requiring 1 x parking bay per residential unit plus 0.5 parking bays per residential unit for visitors in terms of Section 15 of the Land Use Planning Ordinance (No 15 of 1985) to allow for the provision of 1 parking bay per residential unit only.
It should be noted that Section 18(1) of the Land Use Planning Ordinance (Ordinance 15 of 1985) states as follows: “A rezoning may, on the initiative of … a council, be granted under section 16(1) by … that council in respect of land situated in its area of jurisdiction, irrespective of whether or not a local authority is the owner of the land” (emphasis added).

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the following correspondence be noted:
   (i) Application from Macroplan Town and Regional Planners and Architects dated 1 July 2010;
   (ii) Comments from the Town Electrotechnical Engineer dated 27 August 2010;
   (iii) Comments from the Director: Technical Services dated 07 September 2010;
   (iv) Objection letter from Marike Vreken Town and Regional Planners dated 11 October 2010;
   (v) Objection letter from W T Mc Shane undated;
   (vi) Objection email from S. W van der Merwe dated 27 July 2010;
   (vii) Letter from Knysna Ratepayers Association dated 11 October 2010;
   (viii) Applicant’s responses to comments dated 20 November 2010 and 20 January 2011; and
   (xiv) The environmental authorization letter from Department of Environmental Affairs dated 26 November 2013.

[b] That the Rezoning of Erven 3642, 3667, 3668, 3669, 3670 and 4822 Knysna from Public Open Space, Single Residential and Undetermined Use to General residential, Public Open Space and Street Zone as proposed be APPROVED in terms of Section 16 of the Land Use Planning Ordinance (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. The buildings are to comply with the regulations for ‘General Residential’ zoned erven as stipulated within the Knysna Zoning Scheme Regulations (1992), where applicable;
   III. A detailed site development plan shall be submitted for approval to include the positioning of units, building design and aesthetics, communal areas and parking;
   IV. No development shall take place on slopes steeper than 1:4;
   V. The developer shall enter into an agreement with Council to ensure the affordability of these units and to ensure that the housing units will be affordable to the target beneficiaries to the satisfaction of Council;
   VI. The development shall be in phases in accordance with time frame for the supply of bulk water and waste water services;
   VII. All municipal services shall be protected to the satisfaction of the Director: Technical Services and where necessary, the services shall be framed by servitudes. The cost for the
protection of municipal services shall be for the account of the developer;

VIII. Augmentation be set at R13, 315.60 per unit of 2009/10 and inflated to R15312.90 for 2010/11 in line with the annual increase of 15% in augmentation fees for 2010/11. This amount would be then increased annually each year with the normal increases in augmentation fees for water and waste water services. On this basis the augmentation fees would be due on application to transfer an erf on or application for building plan approval whichever is earliest;

IX. All local bulk infrastructure and connection services shall be installed at the developments cost in terms the SSI report dated June 2010;

X. The report (SSI dated June 2010) does not analyse the local water and waste pipe infrastructure or take into account the current demand on infrastructure. It is required that the applicant undertakes this study and upgrades the local infrastructure to the point as having capacity to the approval of the Director of Technical Service. As this has not yet been determined in detail Council takes no responsibility for any increased costs should the final analysis prove additional infrastructure is required;

XI. All costs of local bulk infrastructure and connection services to be carried by the developer and to be to the approval of Director of Technical Services;

XII. The final analysis of reservoir storage be undertaken by the developer and storage requirements to be provided to the approval of the Director of Technical Services (item 7.4 of the report);

XIII. All connection roads must be provided to the same width as connecting road and minimum road width shall be 4.5m, not 3.5m as per clause 5.4.1 of report; Cul de sac's serving six erven or less may be served by a 3.5m wide road;

XIV. All existing services must be identified and accommodated in the development;

XV. Servitudes are required where these services are in the erven even if in the building lines. Preferably no public services should be in erven;

XVI. All internal services to be provided in terms of the report and to the approval of the Director of Technical Services;

XVII. The water for the development must be to the approval of the Director Technical Services as per report and comments above. The four General Residential sites must each be supplied by a single bulk water connection and water meter;

XVIII. Stormwater routes will be required through the erven and these must be provided in Private Open Space, and as servitudes. Comments as to subsoil drainage above are likely to be applicable as the soil conditions for Callander Street are very poor with a high clay swell. Detail storm drainage is required for
approval of Director Technical Services with special attention to marshy areas and low permeability;

XIX. Splays to be provided to all roads;
XX. No parking area in Callander Street is to be accessed directly from Callander Street;
XXI. The parking directly off Alexander Street will cause the Council problems for maintenance in future. The maintenance must be responsibility of the Body Corporate or HOA and described in the services agreement to reduce this risk to Council;
XXII. Access through Alexander Street is described as “difficult” details are to be provided prior to approval of this access by the Director Technical Services;
XXIII. Special and detailed design is required for foundations for the multi-storey buildings and for the site drainage due to the very poor soil conditions;
XXIV. A services agreement must be completed with the Municipality for the provision of services to the development;
XXV. Applicant must make arrangements to ensure access for meter reading purposes;
XXVI. The medium voltage (MV) supply to Hornlee needs to be upgraded by the installation of a MV underground cable between the Main Intake Substation and ring main unit RMU-Shamrock, and between the latter RMU and pole mounted transformer PMT-Jonathan Street, including the necessary MV switchgear, at an estimated cost of R5.35M, excl. VAT and escalation. This cost will be for the account of the developer;
XXVII. The developer to comply with the Electrical Services Report by Clinkscales Maughan – Brown Consulting Mechanical and Electrical Engineers, dated 1 June 2010;
XXVIII. Solar-assisted water heating systems or gas water heaters shall be fitted to all bathrooms and other installations requiring hot water where they have not already been fitted, to the satisfaction of the Town Electro-technical Engineer;
XXIX. Dual / gas electric hob installations shall be fitted to all cooking installations that currently rely on electrical appliances to the satisfaction of the Town Electro-technical Engineer;
XXX. Load switching relays shall be installed wherever appropriate, at the discretion of the Town Electro-technical Engineer;
XXXI. Low Energy light bulbs shall be installed in all light fittings, where feasible;
XXXII. Local labour in the area and contractors from within the Knysna Municipal area shall be utilised wherever possible, and, in this regard, contracts regarding BEE and local labour content, (including those relating to transportation of employees) to the satisfaction of Council, shall be submitted to the Director: Corporate Services for approval prior to commencement of construction, and a monthly report on labour and contractors shall be submitted to the Director: Planning and Development for information of Council;
XXXIII. A social contribution determined by agreement with Council is to be made by the Developer. This contribution shall be finalized prior to building plan approval. Alternatively detailed proposals for the use of the area shown on the plans submitted as the “hotel site” shall be submitted for consideration by the Municipality and for further advertisement if required;

XXXIV. Normal building plan approval in terms of the National Building Regulations and Standards Act shall be applicable; and

XXXV. All Municipal services encountered will be relocated at the cost of the Applicant.

c] That the application for the subdivision of Erven 3642, 3667, 3668, 3669, 3670 and 4822, Knysna into the portions as indicated on the Proposed Subdivisional Plan be APPROVED in terms of Section 25 of the Land Use Planning Ordinance (No.15 of 1985), subject to the following conditions:

I. All Erven must be serviced to Councils requirements prior to transfer of any portion;

II. The applicant, upon registration of the subdivided portion, shall forward copies of the approved Surveyor General diagrams to the Council;

III. 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:

a] The owner of this erf shall without compensation, be obliged to allow gas mains, electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewage and drainage including stormwater of 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 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;

b] The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation 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.
[d] That the application in terms of Section 15 of the Land Use Planning Ordinance (No.15 of 1985) for the Departure from the Knysna Municipality Zoning Scheme Regulations (Regulation 3.4.2) requiring 1 x parking bay per residential unit plus 0.5 parking bays per residential unit for visitors to allow for the provision of 1 parking bay per residential unit only on Erven 3642, 3667, 3668, 3669, 3670 and 4822, Knysna, be APPROVED.

[e] That the application for Road Closure of a Portion of Hall Street (constituting a combined area of 2 675m² in extent) as indicated on the Subdivisional Plan for Erven 3642, 3667, 3668, 3669, 3670 and 4822, Knysna be APPROVED in terms of Municipal Ordinance Number 20 of 1974 subject to the following conditions:

1) The consolidation of Erf 3669, Erf 3670, a 3 719m² portion of Erf 4822, Kort Street and the closed portion of Hall Street to create a new erf 11 788m² in extent.

File number: 17/4/R  
Execution: Director: Planning and Development  
Manager: Town Planning and Building Control

P09/02/14 ERVEN 4712 – 4723 AND 4773 – 4787, KNYSNA: PROPOSED REZONING, SUBDIVISION, CLOSURE OF ROADS, CONSOLIDATION AND DEPARTURE (PART OF HORNLEE HOUSING PROJECT)

PURPOSE OF THE REPORT

To consider an application from Macroplan Town and Regional Planners and Architects on behalf of Knysna Municipality for the following applications:

- The closure of a portion of Ysterhout Way as indicated on the Subdivisional Plan;
- The consolidation of a portion of Erf 4712, a portion of Erf 4777, portions of Erven 4713, 4714, 4721, 4722, 4723, 4773, 4774, 4775, 4776, 4778, 4779 and 4786, the entire extent of erven 4715, 4716, 4717, 4718, 4719, 4720, 4780, 4781, 4782, 4783, 4784 and 4785 and the closed portion of Ysterhout Way;
- A Rezoning of Erf 4712 – 4723 and 4773 - 4787 Knysna to Single Residential Zone, Public Open Space and Street Zone as proposed in terms of Section 17 of the Land Use Planning Ordinance, 1985, to provision for a total of 118 duplex dwelling units that will cater for the low and lower-middle income earners in the area;
- The rezoning of the Remainders of Erven 4713 and 4714 to Public Open Space Zone and the consolidation thereof with the Remainder of Erf 4712; and
- The rezoning of the Remainders of Erven 4773, 4774, 4775, 4776 and 4778 to Public Open Space Zone and the consolidation thereof with the Remainder of Erf 4777; and
• An application in terms of Section 24 of the Land Use Planning Ordinance (No. 15 of 1985) for the subdivision of Erven 4712 – 4723 and 4773 - 4787, Knysna into the portions as indicated on the attached Proposed Subdivisional Map.

It should be noted that Section 18(1) of the Land Use Planning Ordinance (Ordinance 15 of 1985) states as follows: “A rezoning may, on the initiative of … a council, be granted under section 16(1) by … that council in respect of land situated in its area of jurisdiction, irrespective of whether or not a local authority is the owner of the land” (emphasis added).

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the following correspondence be noted:
(i) Application from Macroplan Town and Regional Planners and Architects dated 1 July 2010;
(ii) Comments from the Town Electro-technical Engineer dated 27 August 2010;
(iii) Comments from the Director: Technical Services dated 07 September 2010;
(iv) Objection letter from Marike Vreken Town and Regional Planners dated 11 October 2010;
(v) Objection letter from W T Mc Shane undated;
(vi) Objection email from S. W van der Merwe dated 27 July 2010;
(vii) Letter from Knysna Ratepayers Association dated 11 October 2010;
(viii) Applicant’s responses to comments dated 20 November 2010 and 20 January 2011; and
(ix) The environmental authorization letter from Department of Environmental Affairs dated 26 November 2013.

[b] That the Rezoning of Erven 4712 – 4723 and 4773 – 4787 Knysna to Single Residential Zone, Public Open Space and Street Zone as proposed be APPROVED in terms of Section 16 of the Land Use Planning Ordinance (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. A detailed site development plan shall be submitted for approval to include the positioning of units, building design and aesthetics, communal areas and parking;
III. No development shall take place on slopes steeper than 1:4;
IV. The developer shall enter into an agreement with Council to ensure the affordability of these units and to ensure that the housing units will be affordable to the target beneficiaries to the satisfaction of Council;
V. The development shall be in phases in accordance with time frame for the supply of bulk water and waste water services;
VI. All municipal services shall be protected to the satisfaction of the Director: Technical Services and where necessary, the
services shall be framed by servitudes. The cost for the protection of municipal services shall be for the account of the developer;

VII. Augmentation be set at R13, 315.60 per unit of 2009/10 and inflated to R15312.90 for 2010/11 in line with the annual increase of 15% in augmentation fees for 2010/11. This amount would be then increased annually each year with the normal increases in augmentation fees for water and waste water services, On this basis the augmentation fees would be due on application to transfer an erf on or application for building plan approval whichever is earliest;

VIII. All local bulk infrastructure and connection services shall be installed at the developments cost in terms the SSI report dated June 2010;

IX. The report (SSI dated June 2010) does not analyse the local water and waste pipe infrastructure or take into account the current demand on infrastructure. It is required that the applicant undertakes this study and upgrades the local infrastructure to the point as having capacity to the approval of the Director of Technical Service, As this has not yet been determined in detail Council takes no responsibility for any increased costs should the final analysis prove additional infrastructure is required;

X. All costs of local bulk infrastructure and connection services to be carried by the developer and to be to the approval of Director of Technical Services;

XI. The final analysis of reservoir storage be undertaken by the developer and storage requirements to be provided to the approval of the Director of Technical Services (item 7.4 of the report);

XII. All roads giving access to the sites/areas which are not bitumen surfaced must be constructed with a bitumen/segmented paving or equivalent surface to the approval of the Director Technical Services;

XIII. All connection roads must be provided to the same width as connecting road and minimum road width shall be 4.5m, not 3.5m as per clause 5.4.1 of report; Cul de sac's serving six erven or less may be served by a 3.5m wide road;

XIV. All existing services must be identified and accommodated in the development;

XV. Servitudes are required where these services are in the erven even if in the building lines. Preferably no public services should be in erven;

XVI. All internal services to be provided in terms of the report and to the approval of the Director of Technical Services;

XVII. The Noetzie reservoir zone cannot accommodate this development and the necessary upgrading must be undertaken to the approval of the Director: Technical Services;
XVIII. More details regarding vehicle access to the development area must be submitted to the Satisfaction of the Director of Technical Services;

XIX. A services agreement must be completed with the Municipality for the provision of services to the development;

XX. Applicant must make arrangements to ensure access for meter reading purposes;

XXI. The medium voltage (MV) supply to Hornlee needs to be upgraded by the installation of a MV underground cable between the Main Intake Substation and ring main unit RMU-Shamrock, and between the latter RMU and pole mounted transformer PMT-Jonathan Street, including the necessary MV switchgear, at an estimated cost of R5,35M, excl. VAT and escalation. This cost will be for the account of the developer;

XXII. The developer to comply with the Electrical Services Report by Clinkscales Maughan – Brown Consulting Mechanical and Electrical Engineers, dated 1 June 2010;

XXIII. Solar-assisted water heating systems or gas water heaters shall be fitted to all bathrooms and other installations requiring hot water where they have not already been fitted, to the satisfaction of the Town Electro-technical Engineer;

XXIV. Dual / gas electric hob installations shall be fitted to all cooking installations that currently rely on electrical appliances to the satisfaction of the Town Electro-technical Engineer;

XXV. Load switching relays shall be installed wherever appropriate, at the discretion of the Town Electro-technical Engineer;

XXVI. Low Energy light bulbs shall be installed in all light fittings, where feasible;

XXVII. Local labour in the area and contractors from within the Knysna Municipal area shall be utilised wherever possible, and, in this regard, contracts regarding BEE and local labour content, (including those relating to transportation of employees) to the satisfaction of Council, shall be submitted to the Director: Corporate Services for approval prior to commencement of construction, and a monthly report on labour and contractors shall be submitted to the Director: Planning and Development for information of Council;

XXVIII. A social contribution determined by agreement with Council is to be made by the Developer. This contribution shall be finalized prior to building plan approval. Alternatively detailed proposals for the use of the area shown on the plans submitted as the “hotel site” shall be submitted for consideration by the Municipality and for further advertisement if required; and

XXIV. Normal building plan approval in terms of the National Building Regulations and Standards Act shall be applicable;

XXX. All Municipal services encountered will be relocated at the cost of the Applicant.

[c] That the application for the subdivision of Erven 4712 – 4723 and 4773 – 4787, Knysna into the portions as indicated on the Proposed
Subdivisional Plan be **APPROVED** in terms of Section 25 of the Land Use Planning Ordinance (No.15 of 1985), subject to the following conditions:

I. All Erven must be serviced to Council’s requirements prior to transfer of any portion;

II. The applicant, upon registration of the subdivided portion, shall forward copies of the approved Surveyor General diagrams to the Council;

III. 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:

   a] The owner of this erf shall without compensation, be obliged to allow gas mains, electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewage and drainage including stormwater of 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 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;

   b] The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation 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;

[d] That the closure of a portion of Ysterhout Way as indicated on the Subdivisional Plan for Erven 4712 – 4723 and 4773 – 4787, Knysna be **APPROVED** in terms of Municipal Ordinance Number 20 of 1974 subject to the following conditions:1) The consolidation of a portion of Erf 4712, a portion of Erf 4777, portions of Erven 4713, 4714, 4721, 4722, 4723, 4773, 4774, 4775, 4776, 4778, 4779 and 4786, the entire extent of erven 4715, 4716, 4717, 4718, 4719, 4720, 4780, 4781, 4782, 4783, 4784 and 4785 and the closed portion of Ysterhout Way;
At 09:45 the chairperson granted a 15 minute body break.

P10/02/14 ERF 8978, SANDALWOOD DRIVE, EASTFORD, KNYSNA: AMENDMENT OF CONDITIONS OF APPROVAL (APPLICATION NO. 400)

PURPOSE OF THE REPORT

To consider an application from Marike Vreken Town Planners CC on behalf of Tresso Trading 79 (Pty) Ltd, the property owner, for the following:

a) Application in terms of Section 42(3)(b) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the imposition of an additional condition in respect of the unregistered Erf 19047 Knysna (a portion of the Remainder Erf 8978 Knysna) in order to allow the property owner to take transfer of Erf 19047 Knysna so as to allow the Erf to be developed independently of the proposed residential development on Erf 8978 Knysna.

The application is recommended for approval.

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the following correspondence be noted:
(i) Copy of the applicant’s motivation dated 6 December 2012;
(ii) Comments from SANParks dated 31 May 2013;
(iii) Applicant’s response to general comments and objections dated 27 May and 26 September 2013;
(iv) Amendment of the Knysna-Wilderness-Plettenberg Bay Structure Plan and the Rezoning of the mother Erf, Erf 8978 Knysna approval letter dated 19 March 2003;
(v) Approval letter for the amendment of a subdivision plan dated 15 May 2013;
(vi) Comments from internal departments printed on 2 December 2013.

[b] That approval be granted in terms of Section 42(3)(b) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the imposition of an additional condition in respect of the unregistered Erf 19047 Knysna (a portion of the Remainder Erf 8978 Knysna) in order to allow the property owner to take transfer of Erf 19047 Knysna so as to allow the Erf to be developed independently of the proposed residential development on Erf 8978 Knysna, subject to the following conditions:

i) That the approval set out above may not be construed as authority to deviate from any other legal prescriptions or requirements;

ii) This approval shall be subject to the submission of an amended proposal and site development plan to the satisfaction of the Director: Planning and Development in
accordance with Condition [xxxvi] of the subdivision letter of approval dated 14 May 2012;

iii) The conditions of approval set out in the Council decision taken on 26 November 2009 shall not be applicable to Erf 19047 Knysna and the registration of Erf 19047 Knysna shall be taken to be the Phase 1 of the residential development proposal in respect of the Remainder Erf 8978 Knysna;

iv) The registration and the development of Erf 19047 Knysna does not and shall not be construed as confirming any development rights on the remainder of the subdivisional area of Erf 8978 Knysna;

v) A rehabilitation programme for the tributary into the Salt River (within the property boundaries of Erf 19074 Knysna shall be developed and implemented; An alien clearing strategy and rehabilitation plan shall be implemented and such clearing and rehabilitation shall precede the construction of any units on Erf 19047 Knysna.

File number: 15/2/5/1
Execution: Director: Planning and Development
Manager: Town Planning and Building Control

P11/02/14

FARM PAARDEKOP NO. 29, PROVINCIAL ROAD MR NO. 390 (KM 25.5), KNYSNA: APPLICATION FOR TEMPORARY LAND USE DEPARTURE (APPLICATION NO. 528)

PURPOSE OF THE REPORT

The purpose of this report is to consider an application from the Provincial Government of the Western Cape (Department of Transport and Public Works) in conjunction with RodePlan on behalf of Richard John Herholdt (the property owner), for the following:

1. Application in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) for a temporary land use departure to allow the excavation of gravel material for road maintenance and/or construction on a portion of the Farm Paardekop No. 29 indicated as such on Drawing No. 402828/CT/75 for a period of 30 years.

The application is recommended for approval.

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the following correspondence be noted:

(i) A copy of the application from PGWC in conjunction with Rode Plan on behalf of Richard John Herholdt (the property owner) dated July 2013;

(ii) Comment of Heritage Western Cape dated 12 October 2011;
(iii) Comments from the Department of Agriculture, Forestry and Fisheries;
(iv) A copy of internal comments printed on 21 October 2013.

That approval be granted in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) for a temporary land use departure to allow the excavation of gravel material for road maintenance and/or construction on a portion of the Farm Paardekop No. 29 indicated as such on Drawing No 402828/CT/75 for a period of 30 years, subject to the following conditions:

i) This approval applies to the temporary land use departure application as outlined above and may not be construed as authority to deviate from any other legal prescriptions or requirements;

ii) The property owner shall be responsible for the cost of complying with the conditions outlined hereunder;

iii) The property owner shall ensure the removal of alien vegetation within the borrow pit area as well as extending the removal to surrounding areas where/if possible;

iv) The applicant shall obtain the approval of the Department of Mineral Resources prior to the extraction of any further material from the subject farm;

v) Decommissioning must be addressed according to the Environmental Assessment and Department of Minerals Requirements; and

The conditions imposed by Heritage Western Cape set out in the permit dated 10 October 2013 shall be adhered to.

File number: 15/2/5/1
Execution: Director: Planning and Development
Manager: Town Planning and Building Control
P12/02/14  PIPE BURSTS IN THE KNYSNA CENTRAL BUSINESS DISTRICT (CBD) ON 31 DECEMBER 2013 AND 1 JANUARY 2014

PURPOSE OF THE REPORT

To inform council of the pipe bursts experienced on 31 December 2013 and 1 January 2014.

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the pipe bursts experienced on 31 December 2013 and 1 January 2014 report, be noted;

[b] That serious consideration be given to the replacement and repair of the ageing infrastructure in Knysna.

File number: 16/1/R
Execution: Director: Technical Services
Dep. Town Engineer: Sewer& Water

P13/02/14  AUDIT REPORT ON IMPLEMENTATION OF THE WSDP 2012/2013

PURPOSE OF THE REPORT

The purpose of the report is to inform Council of the Water Service Authority’s annual audit report.

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Water Service Authority’s annual audit report with corrections, be noted.

File number: 5/10/3
Execution: Director: Technical Services
Dep. Town Engineer: Sewer& Water

Administrative Note: The “corrections” mentioned in the recommendation above, have been received in the form of an amended item which is circulated under separate cover.
REPORT ON THE ROAD HIERARCHY AND THE ROLL OUT OF THE MAINTENANCE PROGRAM FOR 2013-2014

PURPOSE OF THE REPORT

The purpose of the report is to inform Council where in the hierarchy every road in the Knysna Municipal area falls.

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the contents of the report on the hierarchy of where every road in the Knysna Municipal area falls, be noted;

[b] That the Road hierarchy as indicated on Annexure A, attached as annexure to the agenda of the Planning Development and Infrastructure Committee Meeting held on 12 February 2014, as amended, be approved.

[c] That the Director: Technical Services add to this report the budget allocation of each Ward as well as the balance remaining;

[d] That the roads report on the Knysna Municipal area be a standing item on Technical Services monthly report.

File number: 16/3/2/1
Execution: Director: Technical Services
Dep. Town Engineer: Public Works

MONTHLY REPORT DIRECTOR: TECHNICAL SERVICES

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the water and sewer results report for November and December 2013 received from the Director: Technical Services, be noted;

[b] That the Public Works monthly report for November and December 2013 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
P16/02/14  DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 31 OCTOBER 2013

PURPOSE OF THE REPORT

To provide each portfolio committee with progress reports on capital expenditure spent to date.

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report: 2013/2014 as at 31 October 2013, be noted.

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

P17/02/14  DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 30 NOVEMBER 2013

PURPOSE OF THE REPORT

To provide each portfolio committee with progress reports on capital expenditure spent to date.

RECOMMENDATION OF THE EXECUTIVE MAYOR

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

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

P18/02/14  DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 31 DECEMBER 2013

PURPOSE OF THE REPORT

To provide each portfolio Committee with progress reports on Capital Expenditure Spent to date.

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report: 2013/2014 as at 31 December 2013, be noted.

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

P19/02/14  MONTHLY REPORT: TOWN ELECTRO-TECHNICAL ENGINEER

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the monthly report for October, November and December 2013 received from the Town Electro-technical Engineer, be noted.

File Number: 9/1/2/10
Execution: Town Electro-technical Engineering

P20/02/14  PLANNING AND DEVELOPMENT: MONTHLY REPORTS

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the monthly report for November and December 2013 received from the Director: Planning & Development Services [Environmental Management], be noted;

[b] That the monthly report for November and December 2013 received from the Director: Planning & Development Services [Town Planning, Building Control], be noted;

[c] That the monthly report for November and December 2013 received from the Director: Planning & Development Services [Integrated Human Settlements], be noted.
P21/02/14 PMU REPORT - SEPTEMBER 2013, OCTOBER 2013, NOVEMBER 2013, DECEMBER 2013

PURPOSE OF THE REPORT

To inform Council about the monthly expenditure on the MIG grant against the DPIPs for the months of September 2013, October 2013, November 2013 and December 2013.

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the report on the monthly expenditure on the MIG grant against the DPIPs for the months of September 2013, October 2013, November 2013 and December 2013, be noted.
7.1.4 ITEMS SUBMITTED TO THE FINANCE COMMITTEE MEETING 5 FEBRUARY 2014

F01/02/14 REPORT TO THE MUNICIPAL MANAGER REGARDING SUPPLY CHAIN MANAGEMENT (SCM) FOR THE PERIOD 1 JULY 2013 TO 30 SEPTEMBER 2013

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the report to the Municipal Manager regarding Supply Chain Management (SCM) for the period of 1 July 2013 to 30 September 2013, be withdrawn and referred back to the Finance Committee meeting on 5 March 2014 inclusive of the report for the period 1 October 2013 to 31 December 2013.

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

F02/02/14 DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 31 OCTOBER 2013

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report: 2013/2014 as at 31 October 2013, be noted.

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

F03/02/14  DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 30 NOVEMBER 2013

RECOMMENDATION OF THE EXECUTIVE MAYOR

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

File Number: 9/1/2/10

Execution: Director: Financial Services
           Acting Manager: Budget Office

F04/02/14  DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 31 DECEMBER 2013

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report: 2013/2014 as at 31 December 2013, be noted.

File Number: 9/1/2/10

Execution: Director: Financial Services
           Acting Manager: Budget Office

F05/02/14  QUARTERLY WITHDRAWAL REPORT FOR THE QUARTER ENDING 31 DECEMBER 2013

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Quarterly Withdrawal Report for the quarter ending 31 December 2013, required in terms of Section 11(4) of the Local Government: Municipal Finance Management Act, 2003, be noted.

File Number: 9/1/2/10

Execution: Director: Financial Services
           Officer Accounting & Budgeting-Operator
7.2 REPORTS SUBMITTED TO THE EXECUTIVE MAYOR

M01/02/14 DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 31 OCTOBER 2013, 30 NOVEMBER 2013 AND DECEMBER 2013
Director: Financial Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report for the 2013/2014 Financial year as at 31 October 2013, 30 November 2013 and 31 December 2013, be noted.

File Number: 5/12/1

Execution: Director: Financial Services
Manager: Budget Office

M02/02/14 QUARTERLY BUDGET STATEMENT DECEMBER 2013
Director: Financial Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Quarterly Budget Statement for December 2013, in terms of the Local Government Municipal Finance Management Act, 2003, be noted.

File Number: 9/1/2/10

Execution: Director: Financial Services
Manager: Budget Office

M03/02/14 SDBIP REVIEW: FIRST QUARTER JULY – SEPTEMBER 2013 2014
Director: Financial Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That Council notes the quarterly report regarding the implementation of the SDBIP referred to in Section 53, 54, 69 and 72 of the MFMA as well as National Circular 13 for the period 1 July 2013 to 30 September 2013;

[b] That the Municipal Manager undertake the required amendments to the SDBIP indicators with regards to reformatting PIs and the development of Reporting Indicators;

[c] That the Municipal Manager review the current performance indicators contained in the SDBIP to ensure that they address the predetermined outcomes contained in the IDP as of 1 July 2013.
M04/02/14  MONTHLY REPORT: CORPORATE SERVICES [LEGAL SERVICES]
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the updated amended monthly report for November 2013 to January 2014 received from the Director: Corporate Services [Legal Services], be noted.

File Number: 9/1/2/9

Execution: Director: Corporate Services
Manager: Legal Services

M05/02/14  KNYSNA TOURISM – SERVICE LEVEL AGREEMENT
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That Council notes the contents of the report submitted by Knysna Tourism;

[b] That Council, in principle, endorses the proposed changes to the role, structure and business model of Knysna Tourism, subject to detailed agreement on all significant issues, which agreement is to be achieved by the end of the current financial year. Such detailed agreement is to be submitted to Council for approval;

[c] That Council accepts that the proposals for Knysna Tourism represent an effective place marketing strategy for Greater Knysna;

[d] That Council instructs the Municipal Manager to provide an amount of R4 million for Knysna Tourism in Council's budget for the 2014 / 2015 financial year;

[e] That Council instructs the Municipal Manager to conclude a revised Service Level Agreement with Knysna Tourism to run until 30th June 2015 only;
That Council notes the proposed restructuring of the Board of Knysna Tourism and resolves to retain its representation on the Board for the financial year 2014/2015 only, in order to exercise oversight on the expenditure of its grant funding;

That Council strongly recommends to the Board of Knysna Tourism that a new Chief Executive Officer for the organization should be recruited as a matter of urgency with a view to taking office by no later than 1st July 2014.

That the lease of Erf 475, Knysna (Knysna Tourism Offices), be extended to 30 June 2015, to run concurrently with the envisaged revised Service Level Agreement as mentioned in [e] above, subject thereto that all conditions of the prevailing lease agreement shall remain in force;

That the resolution of the Municipal Council per item 8.3, (Knysna Tourism: Services Level Agreement post June 2013) taken on 24 January 2013, be rescinded where it is in conflict with points [a] to [h] as mentioned above.

Administrative note: Subsequent to recommendation [i] above been taken, on investigation revealed that the mentioned Council Resolution per item 8.3 taken on 24 January 2013, is not in conflict with points [a] to [h] as mentioned in the recommendation of the Executive Mayor.

File Number: 9/1/2/13

Execution: Director: Planning and Development
Manager: Local Economic Development
8. Closure

The Executive Mayor mentioned problems with regard to a privately owned property which burnt down in Botha Street, Hornlee. The Director: Planning and Development undertook to investigate the matter and report speedily back to the Executive Mayor.

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

-oOo-
7.2 REPORT: EXECUTIVE MAYOR: 19 MARCH 2014

The minutes of the Mayoral Committee meeting held on 19 MARCH 2014 is attached as Annexure for consideration by Council.

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the resolved items contained in the minutes of the Mayoral Committee meeting which was held on 19 MARCH 2014, a copy of which is attached as Annexure, by virtue of statutory power in terms of Section 56 of the Local Government : Municipal Structures Act, 1998 and delegated authority, be noted;

[b] That the recommendations contained in the minutes of the Mayoral Committee meeting which was held on 19 MARCH 2014, a copy of which is attached as Annexure be considered and approved.
KNYSNA LOCAL MUNICIPALITY

MINUTES

of the

MAYORAL COMMITTEE

meeting which took place in the Council Chamber
on

Wednesday, 19 March 2014
at

08:00
6. Opening and Welcoming

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

7. In Attendance:

7.1 Councillors Present

Members:

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

Non-members:

Cllr E Van Aswegen
Cllr C Witbooi
Cllr I Grootboom
Cllr M Wasserman
Cllr T Gombo
Cllr S De Vries
Cllr R Barrell
Cllr N Sopeki

2.2 Officials:

Ms Waring, L Municipal Manager
Mr Ellman, B Director: Corporate Services
Mr Phillips, E Acting 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
Mr Bezuidenhout, C Manager: Communication and Customer Relations
Ms Paulsen, M Manager: Legal Services
Ms Van Schalkwyk, I Manager: Local and Economic Development

Mr Mabula, J Manager: Environmental Management
Mr Mattheus, C Manager: Administration
Mr Cornelius, B Coordinator: Public Participation
Ms Wolmarans, C IDP: Clerk
Mr Maree, S Manager: Public Works
8. Councillors: Absent with leave

None

9. Councillors: Absent without leave

None


RESOLVED

That the Provisions of the Code of Conduct for Councillors

RESOLVED

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

11. Declaration of Interest
7.1 **ITEMS CONSIDERED BY THE SECTION 80 COMMITTEES**

7.1.1 **ITEMS SUBMITTED TO THE GOVERNANCE AND ECONOMIC DEVELOPMENT COMMITTEE MEETING 4 MARCH 2014**

**G01/03/14**

**MONTHLY REPORT FROM DIRECTOR: CORPORATE SERVICES**
Director: Corporate Services [Human Resources]

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

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

File Number: 9/1/2/9

Execution: Director Corporate Services
Manager: Human Resources

**G02/03/14**

**MONTHLY REPORT: MUNICIPAL MANAGER [COMMUNICATION AND CUSTOMER RELATIONS]**
Municipal Manager

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That the monthly report for January 2014 received from the Municipal Manager [Communication and Customer Relations] be noted.

File Number: 4/1/2/1

Execution: Municipal Manager
Manager: Communication and Customer Relations

**G03/03/14**

**MONTHLY REPORT: CORPORATE SERVICES [LEGAL SERVICES]**
Director: Corporate Services [Legal Services]

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That the monthly report for January to February 2014 received from the Director: Corporate Services [Legal Services], be noted.

File Number: 9/1/2/9

Execution: Director: Corporate Services
Manager: Legal Services
G04/03/14  DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 31 JANUARY 2014  
Director: Finance [Budget Office]  
RECOMMENDATION OF THE EXECUTIVE MAYOR  
That the Detailed Capital Budget Report: 2013/2014 as at 31 January 2014, be noted.  
File Number:  9/1/2/10  
Execution:  Director: Financial Services  
Manager: Budget Office  

G05/03/14  INFORMAL TRADERS POLICY APPROVAL AND ADOPTION  
Director: Planning and Development  
RECOMMENDATION OF THE EXECUTIVE MAYOR  
[a] That the contents of the report on the Informal Trading Policy be noted;  
[b] That the Knysna Municipality Informal Traders Policy & SOP, 2013, be adopted with amendments under item 3.5.1 on page 39 of the Governance and Economic Development Committee Meeting agenda of 4 March 2014.  
File Number:  9/1/2/13  
Execution:  Director: Planning and Development  
Manager: Local and Economic Development  

G06/03/14  REPORT ON REGULATIONS ON APPOINTMENT AND CONDITIONS OF EMPLOYMENT OF SENIOR MANAGERS  
Director: Corporate Services [Human Resources]  
RECOMMENDATION OF THE EXECUTIVE MAYOR  
[a] That the contents of the report on the Local Government : Regulation on appointment and conditions of employment of Senior Managers as promulgated per Government Notice no 21 on 17 January 2014, be noted;  
[b] That the Committee refer the Regulations as mentioned in [a] above to a workshop for discussion;  
[c] That the administration ensure that the current policy regarding the Appointment and Conditions of Employment of Senior Managers is in line with the Regulation on appointment and conditions of employment
of Senior Managers as promulgated per Government Notice no 21 on 17 January 2014.

File Number: 9/1/2/9

Execution: Director Corporate Services
Manager: Human Resources

G07/03/14 REPORT ON THE VISIT FROM DEPARTMENT OF LABOUR
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the report from the Department of Labour attached to the item, be noted;

[b] That the presentation by Mr. Kenneth Mayekiso to the committee be noted;

[c] That the report for Knysna Municipality from the Department of Labour for 2012/2013 be submitted to the next Governance and Economic Development Committee in April 2014.

File Number: 9/1/2/8

Execution: Director Corporate Services
Manager: Human Resource

G08/03/14 REPORT ON LOCAL LABOUR FORUM MEETINGS OF OCTOBER AND NOVEMBER 2013
Director: Corporate Services [Human Resource]

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the minutes of the Local Labour Forum meetings held on 28 October 2013 and 19 November 2013 respectively, be noted.

[b] That an item on the composition of the employer component of the Local Labour Forum be submitted to the next Council meeting to be held on 27 March 2014.

File Number: 9/1/2/8
Execution: Director Corporate Services
Manager: Human Resource
G09/03/14  KARATARA AND RHEENENDAL COMPREHENSIVE RURAL DEVELOPMENT PROGRAMME INITIATIVE FEEDBACK
Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the report with regard to the Karatara and Rheenendal comprehensive rural development programme initiative be noted.

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

G10/03/14  MEMBERSHIP OF THE WESTERN CAPE ECONOMIC DEVELOPMENT PARTNERSHIP
Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the creation of dedicated local capacity outside of local government structures in support of economic partnerships in the Eden District, be supported;

[b] That the funding for dedicated capacity in the Southern Cape Business Partnership, through the Western Cape Economic Development Partnership (WCEDP) to the amount of R50 000 for the 2013/2014 year and R 75 000 in the 2014/2015 financial year, be approved;

[c] That the provisions of section 67 of the Local Government: Municipal Finance Management Act, 2003, be complied with before any funds are transferred to the WCEDP.

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

G11/03/14 PARTICIPATION IN ONE-OF-A-KIND (OAK) GARDEN ROUTE
Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That Knysna Municipality participate in One of a Kind Garden Route as a “Responsible Partner”;

[b] That a Memorandum of Agreement (MOA) be signed with One of A Kind Garden Route to govern the relationship as implicated in [a] above;

[c] That provision be made in the 2013/2014 LED budget for an amount of R50 000 as municipal contributions towards the project and be recommended to Council;

[d] That the Memorandum of Agreement be entered into for one (1) year and subsequent funding be subject to a report to be tabled to Council 9 month(s) after signing of the MOA.

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

G12/03/14 REPORT ON REVIEW OF BY LAWS
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the proposed amendments to the by-laws relating to Public Amenities, Public Nuisance, Keeping of Dogs and Sporting facilities, be referred to the next Workshop in May 2014 and that the relevant Law Enforcement officials be requested to attend.

File Number: 9/1/2/9
Execution: Director Corporate Services
Manager: Legal Services
G13/03/14  KNYSNA TIMBER INITIATIVE FEEDBACK
Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the report with regard to the KNYSNA TIMBER INITIATIVE received from the Director: Planning and Development [LED], be noted

[b] That a comprehensive report with regard to the concerns raised by Councillors be submitted to the Governance and Economic Development Committee such report should contain the following information:

i) The demographic break down of the KTI;

ii) What measures are in place to include previous employees within the timber industry?

iii) How stakeholders are identified;

iv) What does the R1000 membership fee provide and entail?

v) What further funding is required to sustain the KTI?

vi) What is the legal status of KTI?

File Number: 9/1/2/13

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

G14/03/14  PLEDGE NATURE RESERVE: FINANCIAL ASSISTANCE
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the request for an additional Grant-in-Aid of R60 000.00 not be granted to the Pledge Nature Reserve Trust;

[b] That the administration be mandated to engage with the Pledge Nature Reserve Trust with regard to the future financial sustainability of the reserve.

File no: L.321

Execution: Director: Corporate Services
Manager: Administration

G15/03/14  REPORT ON REVIEW OF LIQOUR TRADING BY-LAW
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR
[a] That the report on the review of Knysna Municipal By-Laws relating to Liquor Trading Days and Hours as contained in Annexures “A” attached to the agenda of the Governance and Economic Development Committee meeting held on 4 March 2014, be noted;

[b] That the proposed amendments to the by-law relating to Liquor Trading Days and Hours, be sent to a workshop with Councillors;

[c] That once the proposed amendments are workshopped, the amended by-law be submitted to the Municipal Council to approve the advertising thereof.

File Number: 13/R

Execution:  Director: Corporate Services
Manager: Legal Services

G16/03/14 PUBLIC PARTICIPATION MONTHLY REPORT: JANUARY 2014
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

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

File Number: 9/1/2/9

Execution:  Director: Corporate Services
Manager: Public Participation
7.1.2 ITEMS SUBMITTED TO THE FINANCE COMMITTEE MEETING 5 MARCH 2014

F01/03/14 REPORT TO THE MUNICIPAL MANAGER REGARDING TENDERS AWARDED FOR JANUARY 2014
Direction: Financial Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the minutes of the Bid Adjudication Committee meeting held on 17 December 2013, be noted.

[b] That the Bid Adjudicating Committee minutes be submitted to the Finance Committee meeting as soon as adjudication has taken place.

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

F02/03/14 DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 31 JANUARY 2014
Direction: Financial Services

The Chairperson of the Finance Committee requested Mr Easton to report on the meeting that the Acting Municipal Manager, Mr B Ellman and Directors: Technical and Financial Services attended in Pretoria on 26 February 2014.

Mr Easton, at the Finance Committee meeting held on 5 March 2014, gave a brief summary of what was discussed and informed the Committee that a letter from the Municipality will be forwarded to National Treasury with regard to the concerns raised by National Treasury.

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report: 2013/2014 as at 31 January 2014, be noted.

File Number: 9/1/2/10
Execution: Director: Financial Services
Manager: Budget Office
F03/03/14  **OPCAR AS AT 19 FEBRUARY 2014**  
Direction: Financial Services  

RECOMMENDATION OF THE EXECUTIVE MAYOR  

That the Operation Clean Audit Report (OPCAR) as at 19 February 2014, be noted.  

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

F04/03/14  **DEVIATION REPORT FOR THE MONTHS OF JANUARY AND FEBRUARY 2014**  
Direction: Financial Services  

RECOMMENDATION OF THE EXECUTIVE MAYOR  

That the contents of the deviation report for January and February 2014, be noted.  

File Number: 9/1/2/10  
Execution: Director: Financial Services  
Manager: Expenditure (SCM)
7.1.3 ITEMS SUBMITTED TO THE COMMUNITY SERVICES COMMITTEE MEETING 11 MARCH 2013

C01/03/14  DISASTER MANAGEMENT PLAN
Director: Community Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the Disaster Management Plan be approved;

[b] That electronic copies of the Plan approved in [a] above be made available to Councillors, Officials and interested members of the public;

[c] That it be noted that the plan has two sections namely the plan and the contact list. The contact list will be updated periodically.

File Number: 9/1/2/5
Execution: Director: Community Services
Acting Chief: Traffic

C02/03/14  OAK TREES IN KNYSNA
Director: Community Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the content of the report with regard to the Oak trees in Knysna be noted;

[b] That a consultation process be undertaken regarding the placement of new trees due to the location of underground services and the outcome be reported to the Municipal Council;

[c] That the Manager: Parks discusses the problem with a horticulturist before any felling of Oak trees takes place.

File Number: 9/1/2/5
Execution: Director: Community Services
Manager: Parks and Recreation
C03/03/14  **DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 31 JANUARY 2014**
Director: Financial Services

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That the Detailed Capital Budget Report: 2013/2014 as at 31 January 2014, be noted.

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

C04/03/14  **CLOSURE OF KNYSNA LIBRARY FROM 20 MARCH 2014 TO 3 APRIL 2014**
Director: Community Services

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

[a] That Council takes cognisance of the report with regard to the closure of the Knysna Library from 20 March 2014 to 3 April 2014;

[b] That the notice of the closure of the Knysna Library from 20 March 2014 to 3 April 2014 be sent to all the schools.

File Number: 9/1/2/5
Execution: Director: Community Services
Manager: Libraries and Heritage

C05/03/14  **MONTHLY REPORTS: COMMUNITY SERVICES**
Director: Community Services

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

That the following monthly report for January and February 2014 received from the Director Community Services and Eden District Municipality be noted:

[a] Safety and Security, Traffic and Licensing, Fire, Sport and Rescue and Social Services:

[i] That the monthly report of the Youth desk in Sedgefield be submitted to the Mayoral Committee in March 2014;

[b] Libraries and Heritage;

[c] Parks and Recreation:
[i] That it be noted that the Chairperson of the Community Services Committee, the Director: Community Services and other relevant officials will conduct a site visit on 11 March 2014, which will include all the sporting facilities and the ablution facilities at the Taxi rank in the Central Business District;

[d] Waste Management;
[e] Eden District Municipality [Environmental Health].

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
7.1.4 ITEMS SUBMITTED TO THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE COMMITTEE MEETING 12 MARCH 2014

The Planning Development and Infrastructure Committee meeting scheduled for 12 March 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 19 March 2014.

7.2 REPORTS SUBMITTED TO THE EXECUTIVE MAYOR

M01/03/14 DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 31 JANUARY 2014
Director: Financial Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the Detailed Capital Budget Report for the 2013/2014 Financial year as at 31 January 14, be noted.

[b] That Council note that a letter setting out the MIG revised cash flows for 2012/2013 was forwarded to National Treasury.

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

M02/03/14 PURCHASE OF ERF 1114, KNYSNA, 3 CLYDE STREET
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That Erf 1114, Knysna with street address of 3 Clyde Street be purchased for R 1.4 million;

[b] That it be noted that the expenditure regarding the purchase of Erf 1114, Knysna, as mentioned in [a] above has been budgeted for in the Adjustment Budget.

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

M03/03/14 NEIGHBOURHOOD DEVELOPMENT PARTNERHSIP GRANT (NDPG
Director: Planning and Development

This item was discussed after item M21/03/14 and in conjunction with item M22/03/14.

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That Council approves and supports the proposed business plan;

[b] That the proposed projects be submitted to Treasury for final approval of the business plan.

File Number: 10/2/2

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

TABLING OF DRAFT IDP REVIEW 2014/2015

Director: Planning and Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the Mayoral Committee note the contents of the report on the 2014/2015 Draft IDP Review report, be noted;

[b] That the Mayoral Committee takes note of the tabling of the draft Integrated Development Plan (IDP) Review for 2014/2015 and recommend it to the Council for noting;


File Number: 9/1/2/13
Execution: Director: Planning and Development
Manager: Integrated Development Plan
M05/03/14  REVIEW AND RECOMMENDATION FOR THE APPROVAL OF THE STAFF CONDITIONAL BURSARY POLICY
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the committee notes the contents of the report;

[b] That the Staff Conditional Bursary Policy attached as annexure to the agenda of the Mayoral Committee meeting of 19 March 2014 be approved.

File Number: 5/11/2
Execution: Director: Corporate Services
Manager: Human Resources

M06/03/14  REPORT ON AMENDMENTS OF THE WARD COMMITTEE CONSTITUTION
Director: Corporate Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the contents of the report regarding the amendments of the Ward Committee Constitution be noted; and

[b] That the proposed amendments to the Knysna Municipality Ward Committee Constitution be approved;

[c] That the delegations register be amended to reflect clause 4 (d) of the code of conduct for Ward Committee.

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

M07/03/14  ERF 619, (NO. 619 FYNBOS STREET) BRENTON: PROPOSED REMOVAL OF TITLE DEED RESTRICTIONS
Director: Planning & Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the following correspondence be noted:
   (i) Copy of the application from Margolis and Associates Inc. submitted on 14 August 2013;
   (ii) Objection from Cape Nature dated 11 December 2013;
   (iii) An undated letter from the Brenton Extension 1 Homeowners Association;
AGENDA

(iv) Correspondence from Amanda Engelbrecht dated 12 December 2013; and
(v) Comments from internal departments printed on 15 January 2014.

[b] That the Director Land Management (Region 3) be advised that the Knysna Municipal Council supports the removal in terms of Section 2 of the Removal of Restrictions Act, 1967 (Act 84 of 1967) of Condition D.1 (1.1-1.3) of title deed No. T100641/2002, being the title deed for Erf 619 Brenton, in order to lift the requirement that the owner becomes a member of the Brenton Extension 1 Homeowners’ Association, subject to the following conditions:

(i) This approval applies to the removal of restrictive conditions as set out above and may be construed as authority to deviate from any other legal prescriptions or requirements.

File number: 15/2/5/4

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

M08/03/14 ERF 3116, NO. 6 CUTHBERT AVENUE, KANONKOP, KNYSNA:
APPLICATION FOR BUILDING LINE RELAXATION

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the following correspondence be noted:
(i) A copy of the application from S Conyers submitted on 16 September 2013;
(ii) Letter of objection from Logan-Martin Inc. dated 18 November 2013;
(iii) Consent form from the owner of Erf 3115 Knysna;
(iv) Consent form from the owner of 8573 Knysna;
(v) Applicant’s response to comments dated 14 January 2014;
(vi) A copy of internal comments.

[b] That approval be granted in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) for a departure on Erf 3116 Knysna for the relaxation of the street building line from 4,5m to 0m for a 20,76m² guard house as indicated on Dwg. No. WJA-MC-001 drawn by WJA Architects dated 13 January 2014;

[c] That the following conditions are 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 application for a departure as outlined above and may not be construed as authority to deviate from any other legal prescriptions or requirements;
The owner of the property shall be responsible for complying with and for the cost of complying with all conditions of approval outlined hereunder;

Building plans for the proposed guard house shall be submitted to the Building Control Section for scrutiny and approval prior to any building work being undertaken;

The gate is to be set back 6m from the street boundary;

The lateral boundary wall height must be 1,2m in height for a distance of 4,5m from the street boundary and thereafter 1,8m in height and the applicant shall be permitted to use open decorative fencing over the 1,2m high portion of the fence to ensure a safe sight distance of Cuthbert Avenue for cars leaving the premises;

The existing two wooden structures over the northern lateral building line shall be shifted 2m away from the erf boundary or demolished prior to building plans being submitted;

The guard house may not be converted into an additional dwelling unit with a kitchen and related appurtenances without prior written approval from Council;

Any electrical services to be relocated will be relocated at the cost of the applicant;

The applicant is to ensure that there is access to property for meter reading purposes;

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);

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;

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; and

Energy-saving lamps are to be used in all fittings if advantageous.

File number: 15/2/5/2

Execution: Director: Planning and Development
Manager: Town Planning and Building Control
RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the following documentation be noted:
   (i) Application from Marike Vreken Urban and Environmental Planners for Consent Use Departure dated 28 June 2013 and an amended application dated 15 July 2013;
   (ii) Letter from Department of Agriculture, forestry and fisheries dated 16 July 2013;
   (iii) Letter from SANParks dated 4 July 2013;
   (iv) Letter from Cape Nature dated 7 August 2013;
   (v) Letter from Department of Health dated 18 July 2013;
   (vi) Letter from Department of Transport and Public Works dated 30 July 2013;
   (vii) Internal Department comments;
   (viii) Letter of objection from Anja Luise Braun dated 26 July 2013;
   (ix) Applicant’s response to comment dated 19 September 2013 and an email from Mr Brodie dated 30 September 2013.

[b] That the departure application be approved in terms of Section 15 of the Land Use Planning Ordinance (Ordinance 15 of 1985) to relax the eastern lateral building line from 30,0m to 12,25m and the street building line from 30m to 26,99m to allow for the existing garage; for relaxation of the eastern lateral building line from 30m to 23,94m; street building line from 30m to 24,53m to allow Outbuilding B; and for a departure from street building line from 30m to 0m and from 30m to 15,91m to allow for the existing dwelling house, Outbuilding D and A respectively on farm Bibby’s Hoek No. 122, Knysna, as depicted on plan No. Pr.11/11SDP02 dated 27 June 2013 drawn by Marike Vreken, subject to the following conditions:
   (i) The applicant is responsible for ensuring compliance with all the conditions imposed hereunder;
   (ii) The building line relaxations only apply to the existing structures as shown on the above plan number as applied for, and no other structure;
   (iii) The conditions imposed by SANParks must be adhered to:
      i. Alien clearing takes place in a phased approach;
      ii. The landowner becomes a member of the Southern Cape Fire Protection Association (FPA);
      iii. Access to the GRNP is discussed with the Area Manager of Wilderness Section of the GRNP
   (iv) Normal building plan approval in terms of the National Building Regulations shall be obtained;
   (v) Normal building plan application fees are to be charged instead of As-Built fees for building plan submissions;
(vi) Occupation Certificates should be issued to building completed in compliance with approved building plans and in compliance with all other requirements at the normal fee for Occupation Certificates; and

(vii) This approval does not absolve the developer from compliance with any other approvals or statutory requirements.

[c] That the applicant be instructed in terms of Section 40(1)(a)(ii) of the Land Use Planning Ordinance (No. 15 of 1985) to apply for the determination of a contravention levy in respect of the illegal structure (outbuilding C) on the property within thirty (30) days of date of letter of notification. The Provincial guideline for such levies is “20% of the standard average building cost, in the open market, of that portion of the building which is contravening, as determined by the Council”. Application for such a contravention levy shall be made to the Town Planning Department of the Knysna Municipality; subject to:

(i) The applicant must submit proof of the cost of construction within the above specified period to determine the contravention levy payable;

(ii) In addition, the applicant be informed that, on payment of the contravention levy, that the building plans in respect of the contravening structure can be recommended for approval.

File number: 15/2/5/1

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

M10/03/14

FEASIBILITY STUDY PHASE 2A OF THE REGIONAL INTEGRATION OF THE BULK WATER SUPPLY SYSTEMS OF KNYSNA AND BITOU MUNICIPALITIES

Director: Planning & Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the content and the presentation of the Phase 2A of the feasibility study of the Regional Integration of the Bulk water supply systems of Knysna and Bitou Municipalities, be noted.

File number: 5/7/R

Execution: Director: Technical Services
Engineer: Water Works & Sewer
M11/03/14  KNYSNA MUNICIPALITY’S SEAWATER REVERSE OSMOSIS (SWRO) PLANTS
Director: Planning & Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the contents of the report on Knysna’s two seawater reverse osmosis (SWRO) plants, their operational and maintenance issues and proposals on the way forward, be noted;

[b] That the following be considered:
   [i] Provision of at least the minimum operation and maintenance budget to keep the plants well maintained
   [ii] Investigation into the Additional Pretreatment of Feedwater for the Knysna Reverse Osmosis Plant be carried out by Veolia Water, in consultation with ourselves, in the amount of R250 000 (Excl.VAT).

File number: T82-2013
Execution: Director: Technical Services
           Engineer: Water Works & Sewer

M12/03/14  ERF 2985 (23 GEORGE REX DRIVE IN THE HEADS), KNYSNA: APPLICATION FOR DEPARTURES
Director: Planning & Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the following correspondence be noted:
   (i) Application from Marike Vreken dated 8 April 2011;
   (ii) Comments from the Town Electro-technical Engineer dated 15 April 2011;
   (i) Comments from the Director Technical Services dated 18 April 2011;
   (ii) Comment from the Environmental Department dated 26 April 2011;
   (iii) Comments from the Director Community Services dated 5 May 2011;
   (iv) Comments from G Bester dated 9 May 2011;
   (v) Objection from Logan-Martin Attorneys dated 12 May 2011;
   (vi) Comments from Cape nature dated 7 June & 30 June 2011;
   (vii) Comments from SanParks dated 10 June 2011;
   (viii) Comments from the applicant dated 27 July 2011;
   (ix) Comments from Geoff and Bea Snelgar dated 23 December 2013;
   (x) Comments from Mr. G P Grylls dated 30 January 2014.
That the application for a Departure in terms of Section 15(1) of the Land Use Planning Ordinance to permit an additional storey as indicated on Plan no: MO 003 dated 26/08/10 on Erf 2985 Knysna be approved, subject to the following conditions:

(i) No further development will be allowed on the property or additional rights granted;

(ii) The boat shed only be used as a boat storage facility and for no other uses;

(iii) Any electrical services encountered during the renovation process will be relocated at the cost of the applicant;

(iv) The applicant is to ensure that there is access to the property for meter reading purposes;

(v) The Erf is limited to the existing electrical supply. No further electrical upgrades will be permitted until Eskom have completed the upgrading of the 132 kV supply line to Knysna and have allowed Knysna Municipality to increase the Notified demand;

(vi) Solar assisted or gas assisted water heating devices or heat pumps shall be installed by the applicant;

(vii) Load switch accommodation is required and will be wired in accordance to the Electrical Department’s specification and the switch shall be purchased by the applicant;

(viii) Low energy fittings are to be used in all cases;

(ix) Normal building plan approval is required;

(x) Council reserves the right to impose additional conditions if deemed necessary.

(xi) The parapet already constructed on the top floor is to be lowered to 1 metre, as per the approved plan.

(xii) All windows facing erf 1491 in the part of the building permitted in terms of this departure are to be of frosted glass.

(xiii) The Building Control Officer is to consult the owners of Erf 1491 before approval of the building plans and satisfy herself that the agreement reached between the applicant and the objector is reflected in the plans.

(xiv) The layout of the walls of the new section is to be treated as if it were the establishment of foundations on a new site and the layout is to be approved by the Building Inspector before construction begins. No deviation from building plans will be approved after the plans have been approved.

File number: 15/2/5/1

Execution: Director: Planning and Development
Manager: Town Planning and Building Control
M13/03/14  ESTABLISHMENT OF THE KNYSNA MUNICIPALITY OUTDOOR ADVERTISING, HERITAGE AND AESTHETICS COMMITTEE
Director: Planning & Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the matter with regard to the establishment of the Knysna Municipality Outdoor Advertising, Heritage and Aesthetics Committee be withdrawn and that the curriculum vitae of all the shortlisted candidates be submitted to the Planning Development and Infrastructure Committee meeting in April 2014.

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

M14/03/14  FARM 191/51, RHEENENDAL MAIN ROAD (MR 355), CHARLESFORD, KNYSNA: PROPOSED REZONING
Director: Planning & Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the following correspondence be noted:
(i) Copy of the applicant’s motivation dated March 2013;
(ii) Objection from Surego Investments dated 29 April 2013;
(iii) Objections from Jayne Fearon dated 23rd and 29th April 2013;
(iv) Objection from A P Boyes dated 29 April 2013;
(v) Objection from Heather Westley (undated);
(vi) Comments from the Western Cape Government’s Department of Transport and Public Works;
(vii) Comments of the Western Cape Department of Agriculture dated 17 May 2013;
(viii) Comments from the Western Cape Department of Health dated 26 April 2013;
(ix) Comments from SANParks dated 30 May 2013; and
(x) Applicant’s response to comments and objections dated 31 May 2013.

a) 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 Farm 191/51 Knysna Division from “Agriculture Zone I” to “Resort Zone I” in order to establish holiday accommodation consisting of five self-catering units, a restaurant, a walking trail and a children’s play area.

[b] That approval also be granted in terms of Regulation 4.7 of the zoning scheme regulations promulgated in terms of Section 8 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) for a consent use to establish a restaurant and a children’s play area.
That 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) A site development plan taking into account the concerns of the surrounding property owners shall be submitted for the approval of the Director: Planning and Development;

iv) Regular water samples have to be taken for chemical and bacteriological quality testing. The results of the water samples must be kept on record and be made available to a competent authority upon request;

v) No septic tanks or soak-aways shall be allowed for the disposal of sewage;

vi) No disposal of untreated sewage effluent shall be allowed;

vii) All sewage is to be connected to the proposed waste water treatment plant (WWTP);

viii) A skilled operator must be appointed to operate the WWTP;

ix) The developer must have an emergency plan in place to combat any health nuisance that might occur with the operation of the WWTP;

x) If a health nuisance occurs, the developer shall inform the office of the Eden District Municipality Health Services (Knysna Office) without delay;

xi) All possible steps must be taken to protect the environment and surface and underground water from pollution;

xii) The effluent must comply with bacteriological standards as determined by the Department of Water Affairs;

xiii) The utilization of the sewage effluent and sludge is subject to the office of the Department of Health’s “Guidelines for the Permissible Use of Sewage Effluent and Sludge”;

xiv) No localized disposal of refuse is allowed. All refuse must be disposed of at an approved refuse disposal site or removed by an approved refuse removal service;

xv) The landowner shall join the Phantom-Homtini Conservancy;

xvi) The landowner shall become a member of the Southern Cape Fire Protection Association;

xvii) Fencing is restricted and only wildlife friendly fences are to be used;

xviii) A Conservation Management Plan shall be developed and implemented to include alien clearing;

xix) The property owner in conjunction with the Eden Municipality shall clear the vegetation within the road reserve of the Main Road 355 and ensure that the minimum required sight distances are obtained and maintained;

xx) Only the existing access of Main Road 355 shall be used and no new accesses may be created;
xxi) No forests shall be destroyed as defined in the NFA;
xxii) The owners of the property must join and become members of the South Cape Fire Protection Association;
xxiii) The restaurant and children’s play area shall not be used as a venue for concerts and no forms of amplified music shall be played in the outdoor area;
xxiv) Development parameters applicable under Agriculture Zone I in terms of the Section 8 Zoning Scheme Regulations (1988) shall be applicable;
xxv) The restaurant and the children’s play park shall only operate between 10h00 and 22h00 after which the place shall be cleared and secured;
xxvi) Reasonable measures shall be taken to control excessive noise levels during the day for neighbours’ consideration.
xxvii) The applicant must widen the entrance to accommodate two lanes – an “in” and a “out” lane.
xxviii) Adequate parking and turning space shall be provided for both small and intermediate vehicles; and
xxix) Save for the proposed restaurant, no additional structures shall be permitted on the property.

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

M15/03/14  FOLLOW UP REPORT ON THE ROAD HIERARCHY AND THE ROLL OUT OF THE MAINTENANCE PROGRAM FOR 2013-2014
Director: Technical Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the contents of the Road hierarchy report as indicated on Annexure 2, be noted;

[b] That a special meeting be arranged with Councillors and that all Councillors submit a written list of their concerns to that meeting.

File number: 16/3/2/1
Execution: Director: Technical Services
Dep. Town Engineer: Public Works
PLANNING AND DEVELOPMENT: MONTHLY REPORTS  
Director: Planning & Development

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the monthly report for January 2014 received from the Director: Planning & Development Services [Town Planning, Building Control], be noted;

[b] That the monthly report for January 2014 received from the Director: Planning & Development Services [Integrated Human Settlements], be noted;

[c] That the monthly report for January 2014 received from the Director: Planning & 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

MONTHLY REPORT: TOWN ELECTRO-TECHNICAL ENGINEER  
Director: Town Electro- Technical Engineer

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the monthly report for January 2014 received from the Town Electro-technical Engineer, be noted.

File Number:  9/1/2/13

Execution: Town Electro-technical Engineering

MONTHLY REPORT DIRECTOR: TECHINICAL SERVICES  
Director Technical Services [Public Works, Sewer and Water Works]

RECOMMENDATION OF THE EXECUTIVE MAYOR

[a] That the monthly report for January 2014 received from the Director: Technical Services, be noted;

[b] That the water and sewer results report for January 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

M19/03/14 **DETAILED CAPITAL BUDGET REPORT FOR THE 2013/2014 FINANCIAL YEAR AS AT 31 JANUARY 2014**
Director: Financial Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Detailed Capital Budget Report: 2013/2014 as at 31 January 2014, be noted.

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

M20/03/14 **SEDGEFIELD YOUTH ADVISORY CENTRE JANUARY 2014 REPORT**
Director: Community Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That the Sedgefield Youth Advisory Centre report for January 2014, be noted.

File Number: 9/1/2/5
Execution: Director: Community Services
Manager: Disaster and Social Services

M21/03/14 **MONTHLY BUDGET STATEMENT FOR FEBRUARY 2013**
Director: Financial Services

RECOMMENDATION OF THE EXECUTIVE MAYOR

That Council notes the monthly budget statement and supporting documentation for February 2014.
M22/03/14  **NEIGHBOURHOOD DEVELOPMENT PARTNERSHIP GRANT (NDPG)**
Director: Planning and Development

*Refer item M03/03/14*

8. Closure

The Chairperson thanked everybody present and the meeting concluded at 10h40.

-ooOo-
8  REPORTS

8.1  EDEN DISTRICT MUNICIPALITY

No reports were received at time of compilation of the agenda.

8.2  REPORT FROM THE SPEAKER ON TRAVEL BY THE EXECUTIVE MAYOR FROM JANUARY 2014 TO MARCH 2014

PURPOSE OF THE REPORT

To report to Council on the travelling of the Executive Mayor, as authorised by the Speaker.

BACKGROUND / DISCUSSION

In terms of the Knysna Municipality’s Travel and Subsistence Policy, the Speaker authorises the travelling of the Executive Mayor and must report to Council on the nature and reasons for such travel, expenses incurred and funding for such travel. The Speaker authorised the following trips of the Executive Mayor from the 31\textsuperscript{st} of January 2014 to the 17\textsuperscript{th} of March 2014.

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<th>Date</th>
<th>Description</th>
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<td>Department of Local Government</td>
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<td>26/02/2014</td>
<td>EPWP and Job Creation discussion</td>
<td>Eden District Municipality</td>
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<td>Establishment of Regional Landfill meeting</td>
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RELEVANT LEGISLATION

Point 4.2.2.5 of the Knysna Municipality’s Travel and Subsistence Policy

FINANCIAL IMPLICATIONS

Total cost of Mayoral travel from the 31\textsuperscript{st} of January to the 17\textsuperscript{th} of March 2014 amounts to R12 282.40
RECOMMENDATION OF THE MUNICIPAL MANAGER

That Council notes the contents of the report from the Speaker on travel by the Executive Mayor from January 201 to March 2014.

APPENDIX / ADDENDUM

*Annexure A* - Permission for Mayor to attend Premiers Coordinating Forum on 06/03/2014
*Annexure B* – Permission for Mayor to attend EPWP and Job Creation Discussion on 26/02/2014
*Annexure C* – Permission for Mayor to attend the Opening of Western Cape Provincial Parliament on 21/02/2014
*Annexure D* – Permission for Mayor to attend the Establishment of Regional Landfill meeting on 03/02/2014

File Number: 9/1/1/1
Execution: Municipal Manager
REQUEST FOR PERMISSION
By Mayor TO UNDERTAKE MUNICIPAL BUSINESS OUTSIDE
THE GREATER KNYSNA MUNICIPAL AREA

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<tr>
<th>Delegate's Name &amp; Position</th>
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<td>Event Name</td>
<td>Premiers Coordinating Forum</td>
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<tr>
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<td>Place</td>
<td>Riebeek Kasteel</td>
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<th>Name of Official Acting while Delegate is away (if applicable)</th>
<th>Cllr. Edge</th>
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Signature of Delegate

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<th>Comments by Speaker</th>
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Signature: Speaker
Date: 28/2/2014

*Reminder: Please attach a copy of the agenda/invitation*
Travelling Breakdown
06 March 2014
Premiers Coordinating Forum

Accommodation

Mayor
05 & 06 March 2014
R700.00 per day
Total R1400.00

Driver
05 & 06 March 2014
R540.00 per day
Total R1080.00

Subsistence

Mayor
05 March 2014
Supper = R100
06 March 2014
Inconvenience = R50.00
Supper = R100
07 March 2014
Inconvenience = R50.00
Lunch = R50.00
Total R350.00

Driver
05 March 2014
Supper = R100
06 March 2014
Inconvenience = R50.00
Lunch = R50.00
Supper = R100
07 March 2014
Inconvenience = R50.00
Lunch = R50.00
Total R400.00

Transport

Mayoral vehicle
REQUEST FOR PERMISSION
By Mayor TO UNDERTAKE MUNICIPAL BUSINESS OUTSIDE
THE GREATER KNYSNA MUNICIPAL AREA

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<th>Delegate's Name &amp; Position</th>
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<td>Date of Return</td>
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<tr>
<td>Place</td>
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<tr>
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<td>Discussion on EPWP and Job Creation</td>
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<tr>
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<tr>
<td>Name of Official Acting while Delegate is away (if applicable)</td>
<td>Cllr. Edge</td>
</tr>
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- Reminder: Please attach a copy of the agenda/invitation -
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<thead>
<tr>
<th>Delegate’s Name &amp; Position</th>
<th>Geolene Wolmarans</th>
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<tbody>
<tr>
<td>Event Name</td>
<td>Opening of Western Cape Provincial Parliament</td>
</tr>
<tr>
<td>Date of Event</td>
<td>21 February 2014</td>
</tr>
<tr>
<td>Date of Departure</td>
<td>20 February 2014</td>
</tr>
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<td>Date of Return</td>
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<td>Place</td>
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<td>Organisation</td>
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Signature of Delegate: [Signature]

Comments by Speaker: [Comment]

Approved by: [Signature] [Date: 06/12/2014]

Reminder: Please attach a copy of the agenda/invitation.
## REQUEST FOR PERMISSION

By Mayor TO UNDERTAKE MUNICIPAL BUSINESS OUTSIDE THE GREATER KNYSNA MUNICIPAL AREA

<table>
<thead>
<tr>
<th>Delegate's Name &amp; Position</th>
<th>Georlne Wolmarans</th>
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<tbody>
<tr>
<td>Event Name</td>
<td>Establishment of Regional Landfill meeting</td>
</tr>
<tr>
<td>Date of Event</td>
<td>03 February 2014</td>
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<td>Date of Departure</td>
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<td>1 Dorp Street, Cape Town</td>
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<td>Purpose of Event / Theme</td>
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<th>Name of Official Acting while Delegate is away (if applicable)</th>
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<td>Cllr. Edge</td>
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Signature of Delegate

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<td>Subject to attached memo from the Executive Mayor dated 31/01/2014.</td>
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<table>
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<th>NOT APPROVED</th>
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</table>

Signature: Speaker  
Date: 31/01/2014

- Reminder: Please attach a copy of the agenda/invitation -
Attention: Speaker

This letter confirms that I, Georlne Wolmarans, will be held personally responsible for day two of the Avis account which will be paid by myself on receipt of the Avis account.

My assistant has requested Avis to issue two separate bills, one for 03 February and one for 04 February but due to the Corporate Offices closing at 13:00 today and me departing on Monday early morning there is a risk of the two invoices not being received in time.

I hereby request that the permission slip be signed in light of the above.

Yours faithfully,

Georlne Wolmarans
Executive Mayor
Office of the Executive Mayor

Georlne Wolmarans
Executive Mayor
Office of the Executive Mayor
9.1

C01/03/14 CHANGES IN WARD COMMITTEE MEMBERSHIP OF WARD 2 AND 9

REPORT FROM DIRECTOR: CORPORATE SERVICES

PURPOSE OF THE REPORT

To advise Council about changes in Ward Committee membership.

BACKGROUND / DISCUSSION

On the 30 January 2014 Council resolved to remove Reverend Angie Pickard as a member of Ward 2 Ward Committee after a letter of resignation was received from the Ward Committee member. In her letter of resignation Reverend Angie Pickard requested Masithandane, the organisation she represented, to nominate a replacement.

On 8 February 2014 Masithandane forwarded the name of Reverend Ginny Cormack as a replacement. Mr Chris Henwood, a Ward 9 Ward Committee member, has forwarded his letter of resignation (with effect from 28 February 2014) to the Office of the Speaker on 18 February 2014.

On 13 March 2014 a letter was received from Knysna Heads Association who nominated Mr Christopher Gould to represent them on the Ward 9 Ward Committee.

RELEVANT LEGISLATION

Municipal Structures Act, Ward Committee Constitution.

FINANCIAL IMPLICATIONS

Budgeted for.

RECOMMENDATION OF THE MUNICIPAL MANAGER

[a] That the content of the report on changes in Ward 2 and 9 Ward Committees be noted;

[b] That Mr Chris Henwood be removed as a member of Ward 9 Ward Committee with effect from 1 March 2014;

[c] That the administration takes the necessary steps to remove Mr Chris Henwood from the payroll system;

[d] That the names of Reverend Ginny Cormack be accepted and approved as a replacement for Reverend Angie Pickard from Ward 2 and Mr Christopher Gould for Ward 9 Ward Committee;
[e] That the administration takes the necessary steps to add Reverend Ginny Cormack on the payroll system for Ward 2 Ward Committee and Mr Christopher Gould for Ward 9 Ward Committee.

APPENDIX / ADDENDUM
As attached

File Number: 3/3/3/4

Execution: Director: Corporate Services
Manager: Public Participation
Brian Cornelius - Ward Council 2 Representative Masithandane

From: Jacky Weaver <weaverjacky@gmail.com>
To: 'Louisa Hart' <lhart@knysna.gov.za>
Date: 28/8/2014 8:22 AM
Subject: Ward Council 2 Representative Masithandane
CC: Will Jonckheere <jonckheere@telkom.co.za>, GINNY CORMACK <ginnycormack@i...>
Attachments: MST LOGO_JPEG.JPG

Dear Cllr Hart

APPOINTMENT TO WARD 2 COMMITTEE

With the resignation of Rev Angie Pickard as a Management Board member, we hereby nominate Rev Ginny Cormack to represent our non-profit organisation on the Ward 2 Committee.

Rev Ginny Cormack has confirmed her willingness to serve on the ward committee.

We trust that you will find this in order and we look forward to hearing from you.

Kind regards

Jacky Weaver
Programmes Manager

file://C:\Documents and Settings\bcornelius\Local Settings\Temp\XPgrpwsc\52F8C5AEK... 2/20/2014
From: Angie Pickard <dominecangie@gmail.com>  
To: <knysna@knysna.gov.za>, Louisa Hart <lhart@knysna.gov.za>  
Date: 28/12/2013 13:32  
Subject: At: Municipal Manager

Dear Ma'm

This is to inform and confirm with you that I have sent my resignation from the Ward Committee for Ward 2 to Councillor Hart. I have also asked Masithandane, the organisation I was representing, to nominate a replacement for me.

Thank you for the opportunity afforded me to serve my community on this forum. I wish you God's strength and perseverance as you continue to serve the people of Knysna.

Warm greetings
Rev Angie Pickard.
Brian Cornelius - Ward Committee

From:  "Chris Henwood" <chrisandmaria@xsinet.co.za>
To:    "Michelle Wasserman" <mwasserman@knysna.gov.za>
Date:  2/18/2014 1:10 PM
Subject: Ward Committee

Dear Michelle

This will confirm our recent conversation regarding my membership of the Ward 9 ward committee

Please accept my resignation from the committee with effect from 28th February 2014

It is necessitated due to our move back to Johannesburg in March or April

Thank you for your leadership of the committee and for what you have achieved for Ward 9 – especially the Honelee portion of the ward

Yours sincerely

Chris
Knysna Heads Association

Ms. Michelle Wasserman
Speaker, Ward 9 Councillor

The Councillors
Knysna Municipal Council

At their Annual General Meeting held on 12 December 2013 at 5.00 pm, following a determination that a quorum was present and after all of the items on the agenda had been addressed, the members of the Knysna Heads Association were asked to consider the following resolution to nominate Christopher Gould to serve on the Ward 9 Committee.

"RESOLUTION"

It is hereby resolved that:

Christopher Gould, Chairman of the Knysna Heads Association, be and hereby is nominated to serve on the committee serving the residents of Ward 9, Knysna municipality (the "Ward 9 Committee")."

The resolution carried by a show of hands.

Yours sincerely,

[Signature]
Brian Stowe
Meeting Secretary
9.2

C02/03/14 INVESTIGATION OF UNAUTHORISED, IRREGULAR OR FRUITLESS AND WASTEFUL EXPENDITURE: 2012/2013 FINANCIAL YEAR – REPORT OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC)

REPORT OF THE CHAIRPERSON OF THE MPAC

PURPOSE OF THE REPORT

The purpose of this report is to report to the Municipal Council the outcome on the investigation of MPAC regarding Unauthorised, Irregular or Fruitless and Wasteful Expenditure incurred in the 2012/2013 financial year.

BACKGROUND

The Committee resolved on 7 June 2013, per Item MPAC 01/06/13, to take cognisance of the MFMA Circular No 68, from National Treasury, dated 10 May 2013, dealing with Unauthorised, Irregular, Fruitless and Wasteful Expenditure.

At the same meeting as quoted above, the Committee resolved, per Item MPAC 04/06/13, to take note of the additional Powers and Functions delegated by the Municipal Council to the Municipal Public Accounts Committee (MPAC) per Item G10/05/13 on 30 May, 2013.

The relevant Municipal Council resolution, as quoted above, reads as follows:

“[a] That the following powers be delegated to the Municipal Public Accounts Committee (MPAC) to enable it to perform its functions:

(i) To obtain legal, technical and any other specialised assistance required to exercise their functions and duties within budget provided;

(ii) To investigate unauthorised, irregular or fruitless and wasteful expenditure in terms of section 32 (2) of the MFMA with a view to recommending to Council whether such expenditure is irrecoverable or not.

[b] That the Delegations Register be updated to incorporate the delegations to MPAC referred to in (a) above.”

The Municipal Council resolved, per Item CM05/10/13 on 28 November 2013 as follows:

“[a] That Unauthorised Capital and Operating Expenditures for the financial year 2012/13, be noted.

[b] That the Fruitless and Wasteful Expenditure of R 408 221 incurred in the financial year 2012/13 be noted and that the Municipal Public Accounts Committee be
[c] That the Irregular Expenditure of R6 360 incurred in the financial year 2012/13 be noted and that the Municipal Public Accounts Committee be requested to investigate and make recommendations thereon to the Municipal Council”.

DISCUSSION

During its meeting held on 22 November 2013, the Committee considered, per Item MPAC 03/11/13, the report of the Director: Finance which served before the Mayoral Committee on 21 November 2013.

The officials gave satisfactory answers to most of the questions of the members of the Committee, which were mostly related to budgeting based on the lack of credible data. However, three issues needed further investigation and were referred to the next MPAC meeting.

These issues were:

I. General expenses of Fuel and Oil of R913 539 of Community Services;

II. Outsourced function - Bulk refuse removal costs of R 402 995 of Community Services;

III. Irregular expenditure regarding the payment of a member of the Audit Committee who is employed as a teacher, of R6360.

During its meeting held on 24 January 2014, the relevant reports regarding the three outstanding issues were submitted and the Committee resolved that the relevant Manager and Director responsible for bulk refuse removal must appear before the Committee at the next meeting.

During its meeting held on 5 February 2014, the Committee interrogated the officials responsible for bulk refuse removal and came to the conclusion that the relevant unauthorised expenditure of R913 539 for fuel and oil and R402 995 for bulk refuse removal cost are budget related problems and can in future be avoided by proper budgeting practices.

The Committee also resolved that the expenditure of R6360 mention in III above, not be deemed to be irregular expenditure and be removed from the Auditor General’s Report. The Committee’s finding is herein explained:

MPAC has received the following response from our Administration:

This expenditure is irregular in terms of MFMA circular 65 of the internal audit and audit committee, kindly refer to page 8 of the Circular, and is stated as below:

The following is an extract of page 8 of MFMA circular 65:
“Remuneration of Members:

The members of the audit committee shall be remunerated for time spent in attendance of audit committee meetings. The municipality may utilise the rates provided by the National Treasury, from time to time. Should the accounting officer deem it necessary, he or she can, in consultation with the municipal council, determine other remuneration, provided that the charter properly define time and cost.

Remuneration will only be applicable to officials employed outside the public service. No remuneration for participating in audit committees will be payable to officials employed at national, provincial and local government, its agencies or other entities regarded as falling within the definition of an organ of state, except for out of pocket expenses which may be reimbursed. The above will become effective for new members of audit committees, from the date of this Circular and for existing members, their current contracts will run its course.”

Circular 65 is dated 23 November 2012 and the Audit Committee was appointed on 1 October 2012 by Council.

In view of the above, the Committee confirmed that the relevant Audit Committee member was appointed by the Municipal Council before Circular 65 become effective. The conditions of appointment, including the remuneration attached thereto, will thus run its course for the duration of the term of the Audit Committee members.

During its meeting held on 5 March 2014, the Committee resolved to recommend to the Municipal Council that no Unauthorised, Irregular or Fruitless and Wasteful Expenditure incurred during the 2012/2013 financial year are deemed to be recoverable.

RECOMMENDATION OF THE MUNICIPAL MANAGER

[a] That the report regarding the investigation of Unauthorised, Irregular or Fruitless and Wasteful Expenditure: 2012/2013 financial year by the Municipal Public Accounts Committee (MPAC) be noted;

[b] That the Irregular expenditure of R6360, paid to an Audit Committee member, not be deemed to be Irregular Expenditure;

[c] That in view of 2 above, relevant formal written contracts be entered into with the members of Audit Committees (including the current Audit Committee) effective from that member’s date of appointment;

[d] That the Unauthorised expenditure for the 2012/2013 financial year be certified as irrecoverable and written off, in terms of Section 32(2)(a)(ii) of the Local Government: Municipal Finance Management Act, 2003;

[e] That the Irregular expenditure for the 2012/2013 financial year be certified as irrecoverable and written off, in terms of Section 32(2)(b) of the Local Government: Municipal Finance Management Act, 2003;
[f] That the Fruitless and Wasteful Expenditure for the 2012/2013 financial year be certified as irrecoverable and written off, in terms of Section 32 (2)(b) of the Local Government: Municipal Finance Management Act, 2003;

[g] That the Executive Mayor ensures that proper budgeting practices be followed when the 2013/2014 Budget and Adjustments Budget are drafted and that credible data and relevant information be used to estimate expenditure.

File Number: 3/3/3/3/10

Execution: Director: Corporate Services
Manager: Administration
9.3

REPORT FROM THE MUNICIPAL MANAGER

PURPOSE OF THE REPORT

The purpose of this report is for the Municipal Council to consider the adoption of the Oversight Report in terms of Section 129 of the Local Government: Municipal Finance Management Act, 2003.

BACKGROUND

The attached Oversight Report 2012/2013 is self-explanatory and was drafted by the Municipal Public Accounts Committee (MPAC) acting in its capacity as the Oversight Committee. The revised and updated electronic version of the Annual Report of the Knysna Municipality for the 2012/2013 financial year will be circulated per Compact Disk.

RECOMMENDATION OF THE MUNICIPAL MANAGER

That the recommendations contained under point 9 in the Oversight Report be considered.

APPENDIX

OVERSIGHT REPORT 2012/2013

File number: 5/10/3
Execution: Director: Corporate Services
Manager: Administration
OVERSIGHT REPORT 2012/2013

1. Introduction

The Constitution of the Republic of South Africa, 1996 (in Section 152) states that:

“(1) The objects of local government are –

a) To provide democratic and accountable government for local communities;
b) To ensure the provision of services to the communities in a sustainable manner;
c) To promote social and economic development
d) To promote a safe and healthy environment
e) To encourage the involvement of communities and community organisations in the matters of local government”

Sub-section (2) then qualifies within which parameters a municipality must do this. It states that “A municipality must strive, within its financial and administrative capacity, to achieve the objects set out in subsection (1).”

The Annual Report gives further expression to these Constitutional provisions by:

- Providing a record of the activities of the municipality during the financial year.
- Providing a report on performance against the budget.
- Promoting accountability to the local community for the decisions made throughout the year and
- Promoting information that supports the revenue and expenditure decisions made.

Council is vested with the responsibility to oversee the performance of the municipality, as required by the Constitution, the Municipal Finance Management Act (MFMA) and Municipal Systems Act (MSA).

The Executive Mayor therefore must submit to Council the Annual Report that provides a record of the activities of the municipality, a report on the performance against the budget of the municipality and thereby promoting accountability to the
local community for the decisions made throughout the year, as envisaged by section152(1)(d) of the Constitution.

The Municipal Public Accounts Committee therefore in its work should check whether the information contained in the Annual Report is a fair and reasonable record of the performance of the municipality and properly accounts for the actions of the municipality in the financial year reported upon.

“The MFMA now requires the municipality to report on all aspects of performance providing a true, honest and accurate account of the goals set by council and the success or otherwise in achieving these goals” (MFMA Circular 11 dated 14 January 2005)

Approval of the Annual Report means that the executive and administration have discharged in full, their accountability for decisions and actions and that their performance meets the criteria set by performance objectives and measures and is also acceptable to the community.

2. **The Municipal Public Accounts Committee**


The relevant Terms of Reference, Clause 3.30, states:

“The functions of the MPAC are:

(a) To consider and evaluate the Annual Report as tabled to Council, and thereafter make recommendations to Council in this regard. The Committee must receive the report no more than two weeks after tabling to Council.

(b) To compile an Oversight Report and table it in Council no later than 60 days from the date of which the Annual Report was tabled, in terms of Section 129 of the MFMA.

(c) To monitor that all submissions and calls for comment have been undertaken as per Section 127(5), 130 and 132 of the MFMA.

(d) To review whether matters raised in past Annual Reports have been attended to, as well as whether recommendations made in previous Oversight Reports in terms of Section 129 of the MFMA have been attended to.


The community was advised through advertisements in the printed media during February 2014 of the availability of the Annual Report and was invited to submit
representations/comments on the report and to attend meetings of MPAC to submit
verbal representations.

The Annual Report was also available at all municipal libraries and offices and was
also placed on the Knysna Municipality web site. The Annual Report was further
submitted to the Auditor General, National Treasury, Provincial Treasury and the
department of Local Government and Traditional Affairs as required by legislation.

At the closing date for public submissions on 19 February 2014, no submission was
received by MPAC. We took note of one consolidated set of comments that was e-
mailed to the CFO. The received consolidated set of comments was adequately
answered by the Director: Financial Services

All Councillors were also invited to attend or/and make written or oral submissions to
MPAC. The Deputy Executive Mayor, Councillor Edge, and Councillor Witbooi
attended some of the meetings of MPAC.


4.1 Format of Report

MFMA Circular 63 dated 26 September 2012 sets out the format for the Annual
Report.

We find that there is overall compliance with the format as outlined in Circular 63.

4.2 Comments on Annual Report

An updated and edited version of the Annual Report was made available which
incorporated amendments requested by the Committee

Auditor- General Report

For the first time, Knysna Municipality received a clean Audit Report from the Auditor
General. However, the Committee wishes to draw attention to the material
distribution losses of purified water amounting to R8 203 919-00 and electricity
amounting to R16 654 660-00 (see point 9 of the Report of the Auditor General).

Furthermore, it is noted that 10 of the 50 planned targets were not met, due to
relevant systems not considered and evidential requirements not achieved (see point
20 of the Report of the Auditor General)

5. COMMUNITY/ OTHER SPHERES OF GOVERNMENT COMMENTS

No official comments were received regarding the Annual Report as advertised.

6. REVIEW OF MATTERS RAISED IN PAST ANNUAL REPORTS
The Committee notes that there was a significant improvement in the contents and presentation of the Annual Report, although there is still room for improvement.

7. RESERVATIONS AND COMMENTS

7.1 Format of Annual Report

The Committee is satisfied with the overall format of the Annual Report as revised.

7.2 Content

The committee has proposed various changes in the Annual Report, which include the use of more updated statistics and uniform reporting on performance from all departments. The Committee also stressed that the Annual Report must not be seen as a draft report when submitted to the Municipal Council for noting, but must be a complete document in all aspects.

7.3 Leadership

It is clear from the Annual Report that comprehensive and firm political and administrative leadership is required to exercise sufficient oversight responsibility regarding financial and performance reporting and compliance. The Committee has some reservations about the degree of political leadership and oversight on the Annual Report.

74. Comments of the Audit Committee

The steps that the Audit Committee, in their report dated 6 January 2014, proposed to be taken are hereby endorsed.

The consolidation of the financial position of the Municipality by curtailing unnecessary expenditure and optimizing of all resources should be fostered and enhanced in the short and medium term.

8. MPAC Committee

In terms of Council Resolution 1/2/13 dated 12 February 2013, Council appointed the following Councillors to serve on the MPAC:

Cllr S De Vries (Chairperson)
Cllr R Barrell
Cllr T Gombo
Cllr I Grootboom
Cllr B Tyokolo

The Committee co-opted the Chairperson of the Audit Committee, Mr N Metelerkamp, to the MPAC.

The MPAC held meetings, to discuss the Oversight Report, on the following dates:
9. **Recommendations**

(a) That Council having fully considered the revised and updated Annual Report of the municipality for the 2012/2013 financial year, adopt the Oversight Report together with the revised and updated Annual Report without reservations.

(b) That the Oversight Report be made public in accordance with Section 129 (3) of the Local Government: Municipal Finance Management Act, 2003;

(c) That the Oversight Report be submitted to provincial legislature in accordance with section 132 (2) of the Local Government: Municipal Finance Management Act, 2003;

(d) That the Executive Mayor ensure greater political leadership in the preparation of the Annual Report before it is tabled at the Municipal Council.

(e) That the Administration investigate methods of achieving greater public input regarding the performance of the Municipality.

Cllr S De Vries (Chairperson)
Cllr R Barrell
Cllr T Gombo
Cllr I Grootboom
Cllr B Tyokolo
Mr N. Metelerkamp

18 March 2014
9.4

C04/03/14 OUTCOME OF THE ANNUAL PERFORMANCE REVIEWS – 2012/2013
FINANCIAL YEAR

REPORT FROM THE MUNICIPAL MANAGER

PURPOSE OF THE REPORT

To inform Council of the outcome of the Annual Performance Reviews of the S56-appointees for 2012/2013

BACKGROUND / DISCUSSION

The Local Government: Municipal Performance Regulations for Municipal Managers and Managers directly accountable to Municipal Managers, 2006 sets out how the performance of the relevant managers is to be directed, monitored and improved.

The performance framework is based upon these regulations and stipulated in the Employment Contracts, as well as the annual Performance Contract. The annual formal performance evaluation focuses on the actual work delivered in terms of Annexure A of the Performance Agreement for the period ending 30 June 2013. Section 27 of the Regulations sets out the process to evaluate the performance of the employees, as well as the responsible parties in this regard.

Section 8 of the Regulations stipulates that in accordance with Regulation 32, a performance bonus, based on affordability, may be paid to the employee, after the Annual Report for the financial year under review has been tabled; and the performance of the employees have been evaluated in accordance with the provisions of Regulation 23. Finally, the Municipal Council must approve the outcome of the evaluation.

The evaluations of the previous Directors for Community Services and Corporate Services were held on 16 July 2013. The remaining evaluations were held on 18 September 2013. Those employees who acted for a period were included in the assessments and, in terms of their letters of appointment to act, they are also eligible for a pro rata bonus.

The attached report sets out the process followed as well as the outcomes of the assessments for the consideration and recommendation to Council.

RELEVANT LEGISLATION

The Municipal Systems Act, 32 of 2000Local Government: Municipal Performance Regulations for Municipal Managers and Managers directly accountable to the Municipal Manager, 2006
FINANCIAL IMPLICATIONS
As per the relevant Employment and Performance Agreements. Budgetary provision has been made.

RECOMMENDATION OF THE MUNICIPAL MANAGER

[a] That Council notes the contents of the report;

[b] That Council notes the report on the outcome of the review per employee;

[c] That Council notes the report of the Audit Committee Chairman to the Audit Committee on the Performance Evaluations of the Municipal Manager and the Managers reporting to the Municipal Manager;

[d] That Council approves the performance evaluation for each of the employees assessed for the year 2012/13, as per section 8 of the Local Government: Municipal Performance Regulations for Municipal Managers and Managers directly accountable to the Municipal Manager, 2006

APPENDIX / ADDENDUM

Review Outcome Report
Audit Committee Chair's Report on Performance

File Number: 4/1/2/1

Execution: Municipal Manager
REPORT TO COUNCIL ON OUTCOME OF THE
ANNUAL PERFORMANCE REVIEWS
FOR 2012-2013
1. **INTRODUCTION**

The performance agreements of the s57-employees (s56-appointees and the managers reporting directly to the Municipal Manager) require that the performance of these employees needs to be evaluated at least twice per annum.

The annual formal performance evaluation focussed on the actual work delivered in terms of Annexure A of the performance agreement for the period ending 30 June 2013.

The evaluations of the previous Directors for Community Services and Corporate Services were held on 16 July 2013. The remaining evaluations were held on 18 September 2013.

2. **ASSESSMENT PANEL**

For purposes of evaluating the performance of the employees, an evaluation panel constituted of the following persons was established in terms of section 6.10 of the performance agreement –

- The Executive Mayor for the evaluation of the Municipal Manager;
- The Municipal Manager;
- The Chairpersons of the respective Portfolio Committees;
- A Mayoral Committee representative;
- The Chairperson of the Audit Committee; and
- Municipal Manager from another municipality.

The role of the panel members can be summarised as follows:

- The Executive Mayor was the primary evaluator of the performance of the Municipal Manager;
- The Municipal Manager was the primary evaluator of the performance of the employee;
- The respective Portfolio Councillor was the secondary evaluator of the performance of the employee; and
- The Mayoral Committee representative, chairperson of the audit committee and external Municipal Manager observed the evaluation process and will report to the Audit Committee and hence to Council on the objectivity and the fairness of the process and the evaluations done.

The panel that was constituted for the evaluations done on 16 July 2013 was as follows:

- Lauren Waring, Municipal Manager;
- Councillor Esme Edge representing the Mayoral Committee
- Chairpersons of the respective Portfolio Committees:
  - Chairperson Community Services: Councillor Magda Williams
3. PROCESS

The programme followed was distributed to the employees, along with the year-end top level SDBIP as reported in the Annual Performance Report\(^1\), in order to assist them to prepare for the evaluation.

During the evaluation for each employee:
- The Municipal Manager (Executive Mayor for Municipal Manager) welcomed the members and the employee and explained the evaluation process.
- The approach was summarised as follows:
  - The panel decided to approach the performance review in a holistic manner due to:
    - The impact and assessment of acting directors in three vacant directors’ posts totalling seven individuals.
    - The complete review of the predetermined objectives by means of the top level SDBIP.
    - To enable consistent review.
  - Feedback on performance by the employee
  - Questions from the panel
  - Discussion by the panel members
  - One-on-one feedback by the Municipal Manager at a date to be determined

\(^1\) At the time of assessment the APR was unaudited. However, the report has now been audited by the Auditor-General and there were no findings, as indicated in the final audit outcome.
The employee had an opportunity to provide feedback based on his/her performance in terms of the performance plan.

Questions were asked and comments made by the panel members.

The employee was excused and the panel discussed areas of good performance as well as development areas.

The development areas were documented.

4. EVALUATION FEEDBACK

The performance ratings for each of the employees evaluated were as set out below. Please note that the 2011/2012 percentage of total packages are indicative amounts, as the prevailing agreement between Council and the employees was that the bonus was non-performance based and set at 8.5%. This decision was subsequently rescinded and revoked and the bonus system reverted to performance based, on a sliding scale to the maximum of 14%, inclusive to total cost to Council.

<table>
<thead>
<tr>
<th>Post</th>
<th>Employee(s)</th>
<th>Period</th>
<th>Months</th>
<th>Review Date 2013</th>
<th>Percentage of Total Package Obtained</th>
<th>2011/2012 Obtained</th>
<th>2012/2013 Obtained</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal Manager</td>
<td>L. Waring</td>
<td>1/07/2012 to 30/06/2013</td>
<td>12</td>
<td>18/01/2013</td>
<td>70.00%</td>
<td>11</td>
<td>77.00%</td>
</tr>
<tr>
<td>Acting Director(s): Planning and Development</td>
<td>M. Maughan-Brown</td>
<td>1/07/2012 to 12/11/2012</td>
<td>3</td>
<td>18/01/2013</td>
<td>N/A</td>
<td>-</td>
<td>73.60%</td>
</tr>
<tr>
<td>Director: Planning and Development</td>
<td>D. Adonis</td>
<td>13/11/2012 to 16/01/2013</td>
<td>3</td>
<td>18/01/2013</td>
<td>N/A</td>
<td>-</td>
<td>73.60%</td>
</tr>
<tr>
<td>Director: Planning and Development</td>
<td>M. Maughan-Brown</td>
<td>17/01/2013 to 30/06/2013</td>
<td>6</td>
<td>18/01/2013</td>
<td>70.05%</td>
<td>11</td>
<td>72.60%</td>
</tr>
<tr>
<td>Director: Financial Services</td>
<td>G. Easton</td>
<td>1/07/2012 to 30/06/2013</td>
<td>12</td>
<td>18/01/2013</td>
<td>69.69%</td>
<td>11</td>
<td>76.00%</td>
</tr>
<tr>
<td>Director: Corporate Services</td>
<td>R. Smit</td>
<td>1/07/2012 to 31/12/2013</td>
<td>6</td>
<td>18/01/2013</td>
<td>64.36%</td>
<td>8</td>
<td>60.84%</td>
</tr>
<tr>
<td>Acting Director(s): Corporate Services</td>
<td>G. Tyieila</td>
<td>1/01/2013 to 28/02/2013</td>
<td>2</td>
<td>18/01/2013</td>
<td>N/A</td>
<td>-</td>
<td>70.60%</td>
</tr>
<tr>
<td>Director: Corporate Services</td>
<td>B. Ellman</td>
<td>1/03/2012 to 30/06/2013</td>
<td>4</td>
<td>18/01/2013</td>
<td>N/A</td>
<td>-</td>
<td>70.60%</td>
</tr>
<tr>
<td>Acting Director(s): Community Services</td>
<td>J. Jaftha</td>
<td>1/11/2012 to 30/04/2013</td>
<td>6</td>
<td>18/01/2013</td>
<td>N/A</td>
<td>-</td>
<td>68.93%</td>
</tr>
<tr>
<td>Community Services</td>
<td>S. Langlands</td>
<td>01/05/2013 to 30/06/2013</td>
<td>2</td>
<td>18/01/2013</td>
<td>N/A</td>
<td>-</td>
<td>68.93%</td>
</tr>
<tr>
<td>Director: Community Services</td>
<td>C. Botha</td>
<td>1/07/2012 to 31/10/2013</td>
<td>4</td>
<td>18/01/2013</td>
<td>55.06%</td>
<td>5</td>
<td>48.22%</td>
</tr>
<tr>
<td>Acting Director(s): Technical Services</td>
<td>S. Marea</td>
<td>1/07/2012 to 31/08/2012 and 10/05/2012 to 30/11/2012</td>
<td>6</td>
<td>18/01/2013</td>
<td>N/A</td>
<td>-</td>
<td>69.23%</td>
</tr>
</tbody>
</table>

2 Assuming that there was a 14% bonus system
5. THE WAY FORWARD

It is expected that there will significant further improvement during the 2013/2014 period due to the appointment and settling in of four new directors.

6. CONCLUSION

As can be seen from the table in section 4 there has been a significant improvement in the year on year performance of directors this is attributed to increased managerial maturity and a more focused performance methodology.

Signed on 2 December 2013 at Knysna.

Lauren Waring
Municipal Manager

Esme Edge
Portfolio Councillor (Representing the Executive Committee)
REPORT OF THE AUDIT COMMITTEE CHAIRMAN TO THE KNYSNA AUDIT COMMITTEE ON THE
PERFORMANCE OF THE MUNICIPAL MANAGER AND SECTION 57 MANAGERS FOR THE SECOND
PART OF 2012/2013

INTRODUCTION:

The report below deals with the evaluation of the performance of the Municipal Manager and the
Section 57 Managers which took place on 18 September 2013.

The relevant 2003 Performance Regulations issued under the Municipal Systems Act, require me as a
Chairman of the Audit Committee (which included the functions of the Municipality’s Performance
Audit Committee) to be a member of the Evaluation Panel which conducts Performance Evaluations.

The Internal Auditors Fourth Quarter Review of 2013 contained only one significant matter namely
that the reported progress as per the SDBIP could not always be substantiated by supporting
evidence as included in the Portfolios of Evidence.

DIRECTORS EVALUATED:

The Municipal Manager and all the Directors were evaluated on 18 September 2013. It must however
be mentioned that most of the Directors were only appointed during the period under review and
one Director namely the Director; Community Services was only appointed after the end of the
period.

THE EVALUATION PANEL:

In accordance with the Regulations, on 18 September 2013 the panel consisted of:

1. The Executive Mayor; Georlène Wolmarans
2. The Deputy Mayor; Esme Edge
3. Chairman of the Audit Committee; Neil Metelerkamp
4. Member of a Ward Committee; Magdelena Moos
5. Chairman of the respective Portfolio Committees, and
6. The Municipal Manager of another Municipality, in this case Eden, Godfrey Louw.

The Executive Mayor from Bitou Municipality, Memory Boysen failed to attend.

THE PROCESS FOLLOWED:

The evaluations were facilitated internally by the Manager; Performance, Internal Audit and Risk
Management. The program to be followed was distributed to the relevant Directors in order for
them to prepare for the evaluations. Before the commencement of the evaluations, the panel
members were briefed on the process to be followed.
During the Quarterly Reviews held with the Mayor and the various Directors, performance indicators were identified that required either adjustments or removal. The reasons for these changes are that they either did not adhere to the SMART Principle, were as a result of changes to the Organization and/or functions, or where the targets were based on incorrect assumptions or base information. As a result of this exercise Top Level indicators have been reduced from 185 to 49.

As at 31 August 2013, Management was in the process of finalizing Standard Operating Procedures for the reporting and measuring of each KPI to ensure that concerns raised by Internal and External Audit are addressed.

THE ORDER IN WHICH THE EVALUATION TOOK PLACE:

The Municipal Manager was the first evauluee, followed by the other Directors. In retrospect this does not appeal to be correct as the performance ratings of the Directors must have a bearing on the evaluation of the Municipal Manager and she therefore should be the last to be evaluated and not the first.

EVALUATION RESULTS:

The performance ratings arrived at, were as follows:

<table>
<thead>
<tr>
<th>Occupation</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal Manager</td>
<td>77.00</td>
</tr>
<tr>
<td>Director: Financial Services</td>
<td>78.00</td>
</tr>
<tr>
<td>Director: Planning and Development</td>
<td>73.60</td>
</tr>
<tr>
<td>Director: Corporate Services</td>
<td>70.60</td>
</tr>
<tr>
<td>Director: Community Services</td>
<td>69.93</td>
</tr>
<tr>
<td>Director: Technical Services</td>
<td>69.23</td>
</tr>
</tbody>
</table>

COMMENTS:

In my view, the Evaluation Panel gave a fair appraisal of the performance of the Municipal Manager and the Directors reporting to her, based on the performance before it. I can report that “the tone at the top” has resulted in an improvement in the management of performance at Knysna Municipality. However as can be seen from the Internal Auditors’ Report set out earlier, the process still has some way to go.

NEIL METELERKAMP

CHAIRMAN, KNYSNA AUDIT COMMITTEE

04 DECEMBER 2013.
9.5

C05/03/14 REVIEW OF THE EMPLOYER COMPONENT OF THE LOCAL LABOUR FORUM OF KNYSNA LOCAL MUNICIPALITY

REPORT FROM DIRECTOR: CORPORATE SERVICES

PURPOSE OF THE REPORT

To review the composition of the employer component of the Local Labour Forum of Knysna Local Municipality.

BACKGROUND / DISCUSSION

At the Mayoral Committee meeting of 19 March 2014, a request was made to bring an item directly to Council to review the composition of the employer component of the Local Labour Forum. Please refer to section 2.8 in the attached extract of the South African Local Government Bargaining Council Main Collective Agreement, which relates to the Local Labour Forum.

Section 2.8.1.3 confirms that Councillors and Management shall make up the employer component of the Local Labour Forum. It also confirms that Councillors should not make up any less than a third of this component.

Section 2.8.1.6.4 determines that the employer component shall consist of 10 members, based on our staff figures.

The conclusion is thus that Councillors must be at least 4 of the 10 members of the employer component of the Local Labour Forum of Knysna Local Municipality.

RELEVANT LEGISLATION
South African Local Government Bargaining Council Main Collective Agreement

FINANCIAL IMPLICATIONS
None

RECOMMENDATION OF THE MUNICIPAL MANAGER

[a] That Council takes note of the contents of this report;

[b] That Council confirms its prior decision taken on the 5th of August 2014, that 4 (four) Councillors and 6 (six) Officials shall make up the employer component;

[c] That the Municipal Manager shall determine and appoint the 6 (six) officials whom serve on the employer component;
[d] That the office of the Speaker, after consultation with the various parties, shall confirm the names of the 4 Councillors to serve on the Local Labour Forum to the Municipal Manager.

APPENDIX / ADDENDUM
1. Extract of the South African Local Government Bargaining Council Main Collective Agreement
2. Local Labour Forum relevant resolutions from prior Council meetings
following proportions: up to R200,000.00 (two hundred thousand rand) per trade union by the Council and the remainder, if any, from their respective trade union.

2.6.4 If the provisions of clause 2.6.3 are invoked, the salary or wages of the Office Bearer will continue to be administered by his or her employer subject to the condition that a determined portion of the subsidy will be paid directly to the employer by the Council together with any further portion covered by the respective trade union should this be the case on terms and conditions as agreed by the relevant Municipality and Trade Union concerned.

2.6.5 Should a trade union not exercise its option in terms of clause 2.6.3 in respect of 3 (three) National Office Bearers, such National Office Bearer shall be entitled to 20 (twenty) days' per annum on full pay during working hours to perform trade union activities.

2.6.6 In addition, up to 2 (two) further National Office Bearers from each trade union shall be entitled to 20 (twenty) days' leave per annum on full pay during working hours to perform trade union activities.

2.6.7 A trade union shall be entitled, if it has not fully utilised its R200,000.00 (two hundred thousand rand) subsidy, to utilise the remaining allocation to pay for any unpaid leave that the National Office Bearers may be required to take. Such additional leave may not be refused by the employer concerned.

2.6.8 The figure of R200,000.00 (two hundred thousand rand) referred to in clause 2.6.3 shall be renegotiated in the Council each Year.

2.6.9 Provincial (SAMWU) or Regional (IMATU) Office Bearers shall be entitled to 15 (fifteen) additional days, per annum on full pay.

2.6.10 Branch (SAMWU) or sub-region (IMATU) Office Bearers as set out in Annexures “B1” and “B2”, shall be entitled to an additional 10 (ten) days on full pay.

2.7 REPRESENTATION ON STATUTORY AND OTHER BODIES

2.7.1 Shop stewards, office bearers and trade union members who participate in any of the following bodies and their structures shall be deemed to be on duty:

2.7.1.1 South African Local Government Bargaining Council;

2.7.1.2 a statutory board or Council, accredited medical scheme or retirement fund;

2.7.1.3 the Local Government Sector Education and Training Authority or its successor in title and

2.7.1.4 the National Economic Development and Labour Council (NEDLAC).

2.8 LOCAL LABOUR FORUM

2.8.1 Composition

2.8.1.1 At every employer a Local Labour Forum shall be established with equal representation from the trade unions and the employer.

Main Collective Agreement
2.8.1.2 The trade unions' representation shall be divided in proportion to their respective membership in that employer.

2.8.1.3 Employer representatives shall consist of Councillors and of Management (as set out in clause 2.4.2.1) provided that Councillors make up no less than one-third of the delegation.

2.8.1.4 Up to 2 (two) trade union officials or office bearers may attend such meetings with prior notice to the employer and up to 2 (two) SALGA representatives may attend with prior notice to the trade unions.

2.8.1.5 In metropolitan areas the metropolitan division of the Council shall not serve as the Local Labour Forum and shall establish Local Labour Forums at a departmental or other suitable level as may be decided by that division of the Council.

2.8.1.6 The representatives on each side in each employer shall be constituted locally on the following basis by combining the membership of the trade unions:

2.8.1.6.1 up to 75 members: a committee of 3-a-side;
2.8.1.6.2 from 76 to 250 members: a committee of 5-a-side;
2.8.1.6.3 from 251 to 500 members: a committee of 8-a-side;
2.8.1.6.4 from 501 to 1 000 members: a committee of 10-a-side; and
2.8.1.6.5 more than 1 000 members: a committee of 12-a-side.

2.8.2 Powers and Functions

2.8.2.1 The Local Labour Forum shall have the powers and functions of negotiating and/or consulting:

2.8.2.1.1 on matters of mutual concern pertaining to the employer and which do not form the subject matter of negotiations at the Council or its Divisions;
2.8.2.1.2 on such matters as may from time to time be referred to such forum by the Council or its Divisions;
2.8.2.1.3 provided that it may not negotiate on any matter, which has been reserved for exclusive bargaining in the Council or the Divisions;
2.8.2.1.4 concluding of Minimum Service Agreements.

2.8.2.2 Disputes over what is negotiable, what are the matters that are for consultation and over whether a specific process constitutes sufficient consultation are to be resolved through the dispute resolution mechanism of the Council.
06/06/11  

SPECIALIST COMMITTEES  
Director: Corporate Services

The Speaker granted the DA a five minute caucus at this point in the meeting.

RESOLVED

[a] That the Labour Forum consist of 6 Councillors and 4 officials as the employer component and that the following Councillors serve on the committee:

[i] Labour Forum:  
Cllr M Wasserman  
Cllr E Van Aswegen  
Cllr N Sopeki  
Cllr R Dawson  
Cllr V Waxa  
Cllr M Lizwani

[b] That the following Councillors serve on the specialist committees of Council namely:

[i] Employment Equity Monitoring Committee  
Cllr E Van Aswegen  
Cllr M Wasserman

[ii] Training Committee  
Cllr M Williams  
Cllr R Dawson
FILLING OF VACANCIES LEFT DUE TO RESIGNATION OF COUNCILLOR FROM THE LOCAL LABOUR FORUM AND THE EMPLOYMENT EQUITY MONITORING COMMITTEE

Cllr Barrell, seconded by Cllr Williams proposed that recommendation [b] be deleted, [d] becomes [c] and that in the new [b] Cllr Dawson be appointed to replace Cllr Van Aswegen on the Employment Equity Monitoring Committee.

Cllr Van Aswegen reminded Council that Cllr Dawson already is member on the Employment Equity Monitoring Committee.

Cllr De Vries requested that the new appointment be from the opposing party.

Cllr Barrell proposed that Cllr Tyokolo be appointed instead of Cllr Dawson.

Cllr Edge requested for a 10 minute caucus at 12:50.

The Speaker granted the caucus.

At 13:00 Cllr Edge reported back on the caucus, that the Councillor replacing Cllr Van Aswegen on the Employment Equity Monitoring Committee be from the opposing party.

The Speaker requested that Cllr De Vries nominate a representative from the opposing party.

Cllr De Vries, seconded by Cllr Dyantyi proposed that Cllr Litoli be appointed to replace Cllr Van Aswegen on the Employment Equity Monitoring Committee.

Cllr De Vries's proposal was carried.

RESOLVED

[a] That the contents of the report regarding the filling of vacancies on the Local Labour Forum and Employment Equity Monitoring Committee, as contained in the Governance and Economic Development Committee agenda, be noted;

[b] That Councillor W Litoli be appointed to replace Councillor Van Aswegen on the Employment Equity Monitoring Committee;

[c] That the Director: Corporate Services be requested to submit a report on the structure and current membership of the Local Labour Forum to the Governance and Economic Development Committee at its meeting in July 2013.

File Number: 3/2/2

Execution: Director: Corporate Services
Manager: Human Resources
CMG10/07/13

PROPOSED REVIEW OF THE COMPOSITION OF THE EMPLOYER COMPONENT IN THE LOCAL LABOUR FORUM

Director: Corporate Services [Human Resources]

Cllr Edge seconded by Cllr Williams proposed that Cllr I Grootboom and Cllr R Dawson and that 2 Cllrs from the opposition party also serve on the Local Labour Forum.

Cllr De Vries raised his concern with the structure of the Committee and that in this recommendation the Employer be reduced to 4 members in terms of Section 79 of the Rules of Order.

Cllr Dawson stated that the Administration is more involved in the day to day running of the Municipality than Councillors and therefore has no problem with the composition of the Committee and pointed out that Councillors who have been members of the Committee hardly attend the LLF meetings.

Cllr De Vries seconded by Cllr Witbooi proposed that [c] be amended to 6 (six) Councillors and 4 (four) officials in the Local Labour Forum Committee.

The Speaker called the matter to a vote.

10 votes were recorded in favour of Cllr Edge's proposal while 8 votes were recorded against the proposal and 1 Cllr abstained from voting.

7 votes were recorded in favour of Cllr De Vries's proposal while 10 votes were recorded and 2 Cllrs abstained from voting.

The proposal by Cllr Edge was carried.

The Speaker suggested that the names of the 2 members from the opposing parties be submitted to the office of the Speaker at a later stage.

Cllr De Vries advised that the ANC will not participate in the Local Labour Forum due to the concerns raised by the party with regard to the current composition.

RESOLVED

[a] That the contents of the report with regard to the proposed review of the composition of the employer component in the Local Labour Forum; be noted;

[b] That the review of the composition of the employer component of the Local Labour Forum, be supported;
[c] That the employer component of the Local Labour Forum be composed of 4 (four) Councillors and 6 (six) Officials;

[d] That the Municipal Manager identifies officials to be members of the Local Labour Forum;

[e] That four Councillors be appointed to form part of the employer component.

File Number: 9/1/2/8

Execution: Director: Corporate Services
Manager: Human Resources
9.6

C06/03/14 REPORTS FROM THE AUDIT COMMITTEE: MARCH 2014

PURPOSE OF THE REPORT

To bring reports to the attention of Council, as requested by the Audit Committee at their meeting of the 7th of March 2014.

BACKGROUND

At the last audit committee held on the 7th of March 2014, the committee requested that the following reports be submitted to Council

Please find attached as annexures the following documents:

Minutes of the Audit Committee of 24 January 2014
Audit Committee Activity Report for the period 1 July 2013 till 31 December 2013
Knysna Municipality Risk Committee Charter

RECOMMENDATION OF THE MUNICIPAL MANAGER

[a] That Council notes the contents of this report;

[b] That Council notes the minutes of the last Audit Committee Meeting held on the 24th of January 2014;

[c] That Council notes the Audit Committee Activity Report for the period 1 July 2013 till 31 December 2013;

[d] That Council notes the Knysna Municipality Risk Committee Charter.

APPENDIX

Ordinary Audit Committee Minutes 1/2014

File Number: 5/10/3
Execution Director: Corporate Services
Manager: Administration
9.7 **UPDATE ON WATER SITUATION**

A verbal report to be presented by Cllr L Hart.

10. **URGENT MATTERS**

11. **ITEMS IN COMMITTEE**

12. **CLOSURE**

-oo-