



MINUTES OF A MEETING OF THE PORTFOLIO COMMITTEES OF THE SWARTLAND MUNICIPAL COUNCIL, HELD IN THE MALMESBURY BANQUETING HALL ON WEDNESDAY, 9 MARCH 2011 AT 10:00

- ADMINISTRATION AND FINANCES -

PRESENT:

COUNCILLORS

Chairman, ald N J A Rust

Cleophas, J H	Solomons, C W
Geel, B W	Goliath, M S I
Sedeman, A C	Van Wyk, J D
Wilskut, W	Van der Westhuizen, R F
Stanley, B J	

The Executive Mayor, ald T van Essen (ex officio)

OFFICIALS:

Municipal Manager, mr J J Scholtz
Director: Safety and Security Services, mr P A C Humphreys
Director: Electrical Engineering Services, mr R du Toit
Director: Financial Services, mr K C Cooper
Director: Development Services, mr J T Steenkamp
Director: Civil Engineering Services, mr A J Botha
Director: Corporate Services, ms M S Terblanche
Committee Official, ms R J Pretorius

1. OPENING / APOLOGIES

The Chairman opened the meeting and welcomed all present, after which clr J H Cleophas opened with a prayer.
Apologies received from clrs R J du Plooy and E Schoor.

The Municipal Manager referred to the Chatsworth housing project and said that the first houses have already been handed over. He expressed his thanks and appreciation to the Director: Development Services, but especially to messrs S Arendse and M Harmse for the way in which they managed the project. They handled both the project and the people exceptionally well. He also stated that they complied with the 3 E's namely, "economical, efficient and effective". He explained that they never operate the housing project on political grounds and remain completely neutral. Messrs S Arendse and M Harmse were then excused from the meeting.

2. MINUTES

2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (ADMINISTRATION AND FINANCES) HELD 2 FEBRUARY 2011

RESOLUTION

(proposed by clr B W Geel, seconded by clr J H Cleophas)

That the minutes of a Portfolio Committee Meeting (Administration and Finances) held on 2 February 2011 are approved as correct.

3. **DEPUTATIONS/SUBMISSIONS/COMMUNICATIONS**

3.1 **LETTERS OF THANKS AND APPRECIATION TO THE SWARTLAND MUNICIPALITY
RESOLUTION**

That note is taken of the letters of thanks and appreciation to the Swartland Municipality.

4. **MATTERS ARISING FROM THE MINUTES**

None

5. **DELEGATED MATTERS**

5.1 **MONTHLY REPORTS**

5.1.1 **MUNICIPAL MANAGER'S MONTHLY REPORT (JANUARY 2011)**

5.1.2 **FINANCIAL SERVICES MONTHLY REPORT (JANUARY 2011)**

5.1.3 **CORPORATE SERVICES MONTHLY REPORT (JANUARY 2011)**

RESOLUTION

(proposed by clr J D Van Wyk, seconded by clr B J Stanley)

That note is taken of the monthly reports from the Municipal Manager, Financial Services and Corporate Services for January 2011 respectively.

6. **MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR**

None

**(SGD) N J A RUST
CHAIRMAN**

- CIVIL AND ELECTRICAL SERVICES -

PRESENT:

COUNCILLORS:

Chairman, clr J Loxton
Vice-chairman, clr J H Cleophas

Atkins, A J	Nqokoto, N E
Fortuin, C	Rust, N J A
Geel, B W	Sedeman, A C
Goliath, M S I	Johnson, A
Stanley, B J	

The Executive Mayor, ald T van Essen (ex officio).

OFFICIALS:

Municipal Manager, mr J J Scholtz
Director: Safety and Security Services, mr P A C Humphreys
Director: Electrical Engineering Services, mr R du Toit
Director: Financial Services, mr K C Cooper
Director: Development Services, mr J T Steenkamp
Director: Civil Engineering Services, mr A J Botha
Director: Corporate Services, ms M S Terblanche
Committee Official, ms R J Pretorius

1. **OPENING / APOLOGIES**

The meeting commenced at 10:40.

2. **MINUTES**

2.1 **MINUTES OF A PORTFOLIO COMMITTEE MEETING (CIVIL AND ELECTRICAL SERVICES) HELD ON 2 FEBRUARY 2011**

RESOLUTION

(proposed by ald N J A Rust, seconded by clr M S I Goliath)

That the minutes of a Portfolio Committee Meeting (Civil and Electrical Services) held on 2 February 2011 are approved as correct.

3. **DEPUTATION/SUBMISSIONS**

None

4. **MATTERS ARISING FROM THE MINUTES**

None

5. **DELEGATED MATTERS**

5.1 **MONTHLY REPORTS**

5.1.1 **CIVIL ENGINEERING SERVICES MONTHLY REPORT (JANUARY 2011)**

5.1.2 **ELECTRICAL ENGINEERING SERVICES (JANUARY 2011)**

RESOLUTION

(proposed by clr J H Cleophas, seconded by clr A J Atkins)

(a) That note is taken of the monthly reports from the Directorates: Civil and Electrical

5.1/...

- (b) Engineering services respectively for the month of January 2011;
- That note is taken of the statistics with respect to the incidents (complaints) reported during working hours in the “old Malmesbury area”, namely:
 - Water – office hours (60) – (after hours [47]);
 - Sewerage – office hours (120) – (after hours [32]);
- (c) That the incidents (complaints) reported during office hours are included in the monthly report.

6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

6.1 PROGRESS WITH RESPECT TO THE EXTENDED PUBLIC WORKS PROGRAMME (EPWP)

During his State of the Nation Address delivered on 3 June 2009 President Zuma announced the government’s plan to create four million job opportunities by 2014. In order to implement this he has announced Phase 2 of the **Extended Public Works Programme (EPWP)**.

During a meeting of the Executive Mayor’s Committee held on 17 November 2010 the committee undertook to support the EPWP.

Swartland Municipality makes use of a data recorder for reporting on the EPWP projects. The relevant person is employed by the Provincial Department of Transport and Public Works, who also pay her salary. Swartland Municipality needs only to provide a workstation, computer and access to the internet.

All the reports are done via the internet on web pages specifically designed for the purpose. Swartland Municipality is busy with this at present and up to date with reporting of the projects.

RECOMMENDATION

(proposed by clr B W Geel, seconded by clr A C Sedeman)

- (a) That note is taken of the good progress made with respect to the EPWP projects.
- (b) That it is note, with thanks, that the goal to create 133 jobs for the period 1 March 2010 to 28 February 2011 has been achieved.

**(SGD) J LOXTON
CHAIRMAN**

- DEVELOPMENT AND SAFETY AND SECURITY SERVICES -

PRESENT:

COUNCILLORS:

Chairman, clr W Wilskut
Vice-chairman, clr M S I Goliath

Atkins, A J	Sedeman, A C
Sneewe, A M	Van der Westhuizen, R F
Geel, B W	Van Wyk, J D
Johnson, A	Stemele, O M

The Executive Mayor, ald T van Essen (ex officio)

OFFICIALS:

Municipal Manager, mr J J Scholtz
Director: Safety and Security Services, mr P A C Humphreys
Director: Electrical Engineering Services, mr R du Toit
Director: Financial Services, mr K C Cooper
Director: Development Services, mr J T Steenkamp
Director: Civil Engineering Services, mr A J Botha
Director: Corporate Services, ms M S Terblanche
Committee Official, ms R J Pretorius

1. OPENING / APOLOGIES

The meeting commenced at 11:00. Apology received from clr R J du Plooy.

2. MINUTES

2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (DEVELOPMENT AND SAFETY AND SECURITY SERVICES) HELD ON 2 FEBRUARY 2011

RESOLUTION

(proposed by clr R F van der Westhuizen, seconded by clr J D Van Wyk)

That the minutes of a Portfolio Committee Meeting (Development and Safety and Security Services) held on 2 February 2011 are approved as correct.

3. SUBMISSIONS/DEPUTATIONS

None

4. MATTERS ARISING FROM THE MINUTES

None

5. DELEGATED MATTERS

5.1 MONTHLY REPORTS

- 5.1.1 DEVELOPMENT SERVICES MONTHLY REPORT (JANUARY 2011)
- 5.1.2 SAFETY AND SECURITY SERVICES MONTHLY REPORT (JANUARY 2011)
- 5.1.3 MUNICIPAL POLICE SERVICES MONTHLY REPORT (JANUARY 2011)
- 5.1.4 FIRE FIGHTING MONTHLY REPORT (JANUARY 2011)

RESOLUTION

(proposed by clr A C Sedeman, seconded by clr B W Geel)

5.1/...

- (a) That note is taken of the respective monthly reports for January 2011 from the Directorates: Development Services and Safety and Security Services;
- (b) That, in answer to a question from clr O M Stemele, note is taken that the municipality is at present busy fumigating municipal property in order to prevent pests and diseases;
- (c) That note is also taken that the municipality does not provide this service on private property.

6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

[6.1 item 6.1 of Technical Services refers.]

6.2 PROPOSED SUBDIVISION OF ERF 2021, RIEBEEK KASTEEL (15/3/6-11) (WARD 3)

An application was received on behalf of the registered owner, The Property Farm (Pty) Ltd to subdivide erf 2021 (1.3038ha in extent), situated in the northern part of Riebeek Kasteel into 16 portions varying in size between 600m² and 1943m², as well as a road (±1773m²).

After completion of the public participation process with respect to the above mentioned application a modified application was received.

Therefore application has now been made for the subdivision of erf 2021(1.3038ha in extent), situated in the northern part of Riebeek Kasteel into two portions, namely a restant (±1,0284ha) and portion A (±2754m²).

RECOMMENDATION

(proposed by clr B W Geel, seconded by clr A J Atkins)

- A That the application for subdividing erf 2021 (1.3038ha in extent), situated to the north of Riebeek Kasteel into a restant (±1,0284ha) and portion A (±2754m²) as well as subdividing the restant (±1, 039ha) into 14 portions (±600m² to ±607m²) and a road portion (±1962m²) is approved in accordance with article 25(1) of Ordinance 15 of 1985 subject to the following conditions:

A1 TOWN PLANNING AND BUILDING MANAGEMENT

- (a) that the necessary building plans are submitted to the Director: Development Services for consideration;
- (b) that the owner/developer establishes a homeowners association in accordance with article 29 of Ordinance 15 of 1985 with a constitution that:
 - i) provides for the management of the maintenance of the buildings, services and facilities resulting from the subdivision and rezoning application;
 - ii) makes provision that the owners of the properties resulting from the subdivision and rezoning application are, as members, jointly responsible for the expenses of the association;
 - iii) makes provision for a building handbook which addresses the design and architecture of the group housing development;
 - iv) is approved by the Council in order to ensure that the conditions in subparagraphs (i), (ii) and (iii) are complied with;

A2 WATER

- (a) that each newly created erf is provided with a separate water connection;
- (b) that an internal network is created to provide water to each unit;
- (c) that the internal network will not be taken over by the Swartland Municipality;
- (d) that the developer appoints a professional person registered in terms of Act 46 of 2000 for the design of the reticulation network;

6.2/...

The design must be submitted to the Director: Civil Engineering for approval and the professional person must supervise the installation of the reticulation network;

- (e) that a consulting engineer is appointed to determine, model and analyse the water demand in terms of the existing water network;
- (f) that the consulting engineer makes a recommendation with respect to the capacity of the existing network to accommodate the proposed development and determine how it can be accommodated;
- (g) that the consulting engineer determines where the connections are to be placed in order to optimise the use of the existing network.

A3 SEWERAGE

- (a) that each newly created portion is supplied with a separate sewerage connection;
- (b) that an internal distribution network is created to provide each unit with sewerage services;
- (c) that the internal distribution network will not be taken over by the Municipality;
- (d) that the developer appoints a professional person registered in terms of Act 46 of 2000 to design the internal distribution network. The design must be submitted to the Director: Civil Engineering Services for approval and the professional person must supervise the installation of the reticulation network;
- (e) at present there is not sufficient capacity at the Riebeek Kasteel sewerage works to provide the development with sewerage services. Short term solutions will be investigated in order to try to provide capacity. The long term solution is to extend the sewerage works. This process is already underway and it is hoped that the upgraded sewerage works will come into operation in 2013. If short term measures are not feasible, the proposed development can only be provided with sewerage services when the treatment capacity has been increased.

A4 ROADS AND STORM WATER

- (a) that all storm water from the development is channelled underground to the nearest available collection point;
- (b) that provision is made that the storm water runoff from the development does not overload the existing system;;
- (h) that adequate servitudes are registered where storm water pipes cross erwen;
- (i) that the developer provides the proposed developments with an underground system which can accommodate volumes up to and including 1:5 year floods;
- (j) that the developer provides the proposed development with an above ground escape routes which can accommodate volumes up to and including 1:50 year floods;
- (k) that the internal road is provided with a permanent surface;
- (l) that the internal road and storm water systems will not be taken over by the municipality;
- (m) that a minimum road width of 5,5m between curbs is provided;
- (n) that the developer appoints a professional person registered in terms of Act 46 of 2000 to design the internal road and storm water runoff system. The design must be submitted to the Director: Civil Engineering Services for approval and the professional person must supervise the building of the internal road and the storm water runoff system;

A5 REFUSE REMOVAL

- (a) that the basic refuse removal tariff is levied on each residence;
- (b) that the refuse is placed in black plastic bags on the nearest municipal pavement on the morning of refuse removal;

A6 ESKOM

- (a) that, if as a result of the development, any Eskom services need to be moved the relevant costs will be to the account of the owner/developer;
- (b) that the erection of any structure within 9m of an Eskom power line is forbidden;
- (c) that the owner/developer is responsible for the electricity reticulation to the properties;

6.2/...

A7 CAPITAL CONTRIBUTIONS

- (a) that the owner/developer takes note of the capital contribution for the provision of bulk water which is determined by the West Coast District Municipality at R7 716,66 (VAT inclusive) per kiloliter annual daily demand (R7 716,66/kl AADD) for each newly created unit (a total of R108 033,24). This capital contribution is payable to the Swartland Municipality at clearance stage. This amount is valid for the 2010/2011 financial year after which it may be revised and is payable to budget item no. 50-80-75-72-7710;
- (b) that the fixed capital contribution with respect to bulk water services to the amount of R 7 277,00 per newly created unit (a total of R101 878,00) is payable to this municipality at clearance stage. This amount is payable to budget item no. 77-92-86-00-6200 and is valid for the 2010/2011 financial year after which it may be revised;
- (c) that the fixed capital contribution with respect to bulk sewerage services to the amount of R 3 600,00 per newly created unit (a total of R 50 400,00) is payable to this municipality at building plan stage. This amount is payable to budget item no. 59-76-86-00-6200 and is valid for the 2010/2011 financial year after which it may be revised;
- (d) that the fixed capital contribution with respect to roads and storm water to the amount of R 5 363,00 per newly created unit (a total of R75 082,00) is payable to this municipality at building plan stage. This amount is payable to budget item no. 71-82-86-00-6200 and is valid for the 2010/2011 financial year after which it may be revised;

A8 GENERAL

- (a) that if extensions to the existing distribution networks are necessary in order to supply the proposed development with service connections the relevant costs will be to the account of the applicant;
- (b) that the objectors are notified by registered post of their right to appeal;
- (c) that the clearance certificate, in accordance with article 31 of Ordinance 15 of 1985, authorising the transfer of any of the subdivided portions, will not be issued until all the relevant conditions are met.

6.3 PROPOSED REZONING AND SUBDIVISION OF ERF 1015, RIEBEEK KASTEEL (15/3/3-11) (WARD 3)

An application has been received on behalf of the registered owner, B & H Investment Trust, for the rezoning of a portion ($\pm 919\text{m}^2$ in extent) of erf 1015, situated in Hermon Road, Riebeeck Kasteel from residential zone I to sub-divisible zone in order to provide for the following:

- A Business Zone I property ($\pm 675\text{m}^2$),
- Transport Zone II, private road ($\pm 244\text{m}^2$).

Application has also been made for the subdivision of erf 1015 (5513m^2), Riebeeck Kasteel into a restant ($\pm 4594\text{m}^2$), portion A ($\pm 675\text{m}^2$) and portion B ($\pm 244\text{m}^2$).

RECOMMENDATION

(proposed by clr A C Sedeman, seconded by clr R F van der Westhuizen)

- A** that the Council approves the rezoning of erf 1015, 919m^2 in extent, situated in Hermon Road, Riebeeck Kasteel from residential zone I to sub-divisible zone in accordance with article 16(1) of Ordinance 15 of 1985, in order to make provision for the following:
- A Business Zone I property ($\pm 675\text{m}^2$),
 - Transport Zone II, private road ($\pm 244\text{m}^2$).
- B** that the Council approves the subdivision of erf 1015 (5513m^2 in extent), Riebeeck Kasteel into a restant ($\pm 4594\text{m}^2$), portion A ($\pm 675\text{m}^2$) and portion B ($\pm 244\text{m}^2$) in accordance with article 25 of Ordinance 15 of 1985, subject to the following conditions:

6.3/...

- B1 TOWN PLANNING AND BUILDING MANAGEMENT**
- (a) that the necessary building plans to change the existing house into business premises are submitted to the Director: Development Services for consideration;
 - (b) that parking on the property is provided in accordance with the new zoning regulations;
- B2 WATER**
- (a) that each subdivided portion is provided with a separate water connection. This condition is applicable at building plan stage;
- B3 SEWERAGE**
- (a) that each subdivided portion is provided with a separate sewerage connection. This condition is applicable at subdivision stage;
 - (b) that there is insufficient reserve capacity at the Riebeek Kasteel sewerage works to supply the subdivided portion with sewerage services;
- B4 ROADS AND STORM WATER**
- (a) that the parking area on portion B is provided with a permanent dust free surface (of either tar, concrete or paving or any other material approved by the Swartland Municipality) and that the parking bays are clearly marked;
 - (b) that storm water is channelled from the development to the nearest available municipal collection point without overloading the existing systems;
- B5 CAPITAL CONTRIBUTIONS**
- (a) that the owner/developer takes note of the capital contribution for the provision of bulk water which is determined by the West Coast District Municipality at R7 716,66 (VAT inclusive) per kiloliter annual daily demand (R7 716,66/kl AADD). This capital contribution is payable to the Swartland Municipality at clearance stage. This amount is valid for the 2010/2011 financial year after which it may be revised and is payable to budget item no. 50-80-75-72-7990;
 - (b) that the fixed capital contribution with respect to bulk water services to the amount of R 7 277,00 is payable to this municipality at declaration stage. This amount is payable to budget item no. 77-92-86-00-6200 and is valid for the 2010/2011 financial year after which it may be revised;
 - (c) That the fixed capital amount with respect to bulk sewerage services for an amount of R3 600,00 is payable to this municipality at clearance stage. This amount is payable to budget item no. 59-76-86-00-6200 and is valid for the 2010/2011 financial year after which it may be revised;
 - (d) That the fixed capital contribution with respect to roads and storm water to the amount of R5 363,00 is payable to this municipality at clearance stage. This amount is payable to budget item no. 71-82-86-00-6200 and is valid for the 2010/2011 financial year after which it may be revised;
- B6 ESKOM**
- (a) that, if as a result of the development, any Eskom services need to be moved the relevant costs will be to the account of the owner/developer;
 - (b) that the erection of any structure within 9m of an Eskom power line is forbidden;
 - (c) that the owner/developer is responsible for the electricity reticulation to the subdivided properties;
- B7 REFUSE REMOVAL**
- (a) that a basic refuse removal tariff is levied for each business and that this amount is dependent on the amount of refuse to be removed;
 - (b) that the refuse is placed in black plastic bags on the nearest municipal pavement on the morning of refuse removal;
- B8 DEPARTMENT OF TRANSPORT AND PUBLIC WORKS**
- (a) that a statutory 5m building line is applicable along Main Road 226 in accordance with article 17 of Ordinance 19 of 1976;
 - (b) that the subdivision is carried out in accordance with the attached plan;
 - (c) that no new entrances are built and that changes to the existing entrance are not effected without the permission of the Department of Transport and Public Works;

6.3/...

B9 GENERAL

- (a) That if it is necessary to upgrade any existing services in order to supply the development with service connections the relevant costs will be to the account of the owner/developer;
- (b) that any existing services shared by the restant and the subdivided portions must be uncoupled or moved so that each erf carries its own piping;
- (c) that the objectors are notified by registered post of their right to appeal;
- (d) that the clearance certificate, in accordance with article 31 of Ordinance 15 of 1985, authorising the transfer of any of the subdivided portions, will not be issued until all the relevant conditions are met.

6.4 ARCHITECTURAL DESIGN HANDBOOK FOR RIEBEEK WEST 186 HOME OWNERS ASSOCIATION: ERF 186, RIEBEEK WES (15/3/6-12) (WARD 3)

The subdivision of erf 186, Riebeek West was approved by the Council on 10 December 2009. Erf 186 is zoned residential zone III (town houses) in accordance with the zoning scheme regulations applicable to Riebeek West. As part of the approval, a condition was made that the developer submits a constitution and design handbook to the Swartland Municipality for consideration and approval. The constitution for the homeowners association has already been submitted and was approved by the Council on 19 October 2010.

The architectural design handbook for the Riebeek West 186 Home Owners Association has now been received. The relevant architectural design handbook has been examined by the Planning Division and was found to be in order. Accordingly the architectural design handbook is now ready for approval by the Council.

RECOMMENDATION

(proposed by clr B W Geel, seconded by clr A C Sedeman)

That the architectural design handbook of the Riebeek West 186 Home Owners Association, erf 186, Riebeek West is approved in accordance with article 29 of Ordinance 15 of 1985.

6.5 PROPOSED REZONING OF A PORTION OF HERMON ROAD: RIEBEEK KASTEEL (15/3/3-11) (WARD 3)

The Council approved the swap of a portion of Hermon Road ($\pm 460\text{m}^2$) with a portion of erf 1964 ($\pm 421\text{m}^2$), subject to following the necessary administrative processes.

The legal road closure was advertised and no objections were received, therefore the relevant part of Hermon Road ($\pm 460\text{m}^2$) must be rezoned to residential zone I.

The relevant portion of Hermon Road being part of erf 183 has been used for years and is therefore desirable in the context of the relevant part of Riebeek Kasteel.

RECOMMENDATION

(proposed by clr B W Geel, seconded by clr A C Sedeman)

That the Council approves the rezoning of a portion of Hermon Road ($\pm 460\text{m}^2$) to residential zone I in accordance with article 16(1) of Ordinance 15 of 1985.

6.6 DEPARTURE ON ERF 2072, DARLING (15/3/4) (WARD 4)

The departure on erf 2072, Darling was not approved during a meeting of the Executive Mayor's Committee held on 15 October for various reasons. The carport and storage area were subsequently illegally built. A new building plan application has been received from mr G Conchar to approve the departure.

6.6/...

RECOMMENDATION

(proposed by ald A Johnson, seconded by clr B W Geel)

That the application for departure from the 4m street building to 0m, the 2m side building line (northern boundary) to 0m and the coverage of 50% to 56% on erf 2027, Darling in order to legalise the existing garage and storage area is approved, subject to the following conditions:

- (a) that the garage is provided with a roll-up door;
- (b) that the owner pays additional building plan costs for the building work already completed without building plan approval;
- (c) that standard methods are employed to catch and drain the rain water from the garage roof to ensure that water does not run onto erf 5.

6.7 PROPOSED REZONING AND DEPARTURE ON ERF 2650, DARLING (15/3/3-3) (WARD 4)

An application has been received on behalf of the registered owner, N Basson for CLB Properties (Pty) Ltd for the rezoning of erf 2650 (260m²), situated in Denneboom Avenue, Darling from residential zone I to institutional zone I in order to operate a soup kitchen and supportive tuition functions.

An application has also been received to depart from the 10m building line to ±3,7m (street), ±2,1m (southern side boundary) and ±2,4m (northern side boundary as well as ±1m (back boundary) respectively.

RECOMMENDATION

(proposed by ald A Johnson, seconded by clr B W Geel)

That the item is referred back to the Executive Mayor's Committee for finalisation.

6.8 IMPLEMENTATION OF THE APPROVAL CONDITIONS WITH RESPECT TO THE REZONING OF ERF 330 (NOW ERF 2023), YZERFONTEIN (15/3/3-14) (WARD 5)

On 22 July 2009 the Council approved the repeal of approval conditions with respect to the rezoning of erf 330 (now known as erf 2023), Yzerfontein subject to certain conditions.

The relevant conditions were amended on 9 December 2009, 16 March 2010 and 18 August 2010.

Because the upgrading of the Buitenkant Street and Main Road intersection will not be done within the next 5 years, it is felt that it is only fair to give the owner/developer the opportunity to pay off the relevant monies to the Swartland Municipality. The latter must be arranged by means of a contract.

RECOMMENDATION

(proposed by clr B W Geel, seconded by clr M S I Goliath)

That the Council decision dated 18 August 2010 with respect to the repeal of approval conditions on erf 330, Yzerfontein (now known as erf 2023) is completely revised in accordance with article 42(3)(a) of Ordinance 15 of 1985 as follows:

- (a) "...A6(f) that the applicant makes a financial contribution with respect to the non provision of 8 on site parking bays, based on the valuation of the land of R1 190 500,00, in other words R800/m². Therefore an amount of R11 000,00/parking bay (total of R88 000,00) is payable before building plan approval will be given;
- (b) That condition (a) of EMC decision 7.11 dated 16 March 2010 with respect to the practicality of the rezoning of erf 330 (now erf 2023), Yzerfontein is amended as follows in accordance with article 42(3)(a) of Ordinance 15 of 1985:

6.8/...

“(a) that the owner/developer of erf 2023 Yzerfontein pays an amount of R36 000,00 (10% of the R360 000,00 contribution to the traffic circle at building plan stage and that the balance of R324 000 is not immediately payable by the owner/developer but that the amount is payable in equal payments of R13 500,00 per month over a period of 24 months commencing after the occupation certificate has been issued.

6.9 CONSTITUTION AND ARCHITECTURAL DESIGN HANDBOOK OF STRANDVELD VILLAS, ERF 1366, YZERFONTEIN (15/3/3-14) (WARD 5)

The rezoning and subdivision of erf 1366, Yzerfontein was approved by the Council on 18 August 2009 in order to establish the following land usage: 40 residential zone II erwen, 1 residential zone V erf, 4 public spaces zone II erwen and 1 private road.

As part of the approval conditions the owner/developer was requested to submit a constitution to the Swartland Municipality for consideration and approval. The relevant constitution and architectural design handbook has been examined by the Planning Division and are deemed in order.

RECOMMENDATION

(proposed by clr B W Geel, seconded by clr A C Sedeman)

- (a) That the constitution and architectural design handbook of the “Strandveld Villas”, erf 1366, Yzerfontein are approved in accordance with article 29 of Ordinance 15 of 1985;
- (b) That the Strandveld Villas Homeowners Association is exclusively responsible for the administration/enforcement and maintenance/preservation of the general conditions in paragraph 11 of the design handbook.

6.10 AMENDMENT TO THE ARCHITECTURAL DESIGN HANDBOOK OF THE JAKKALSFONTEIN NATURE RESERVE (15/3/3-5) (WARD 5)

The Jakkalsfontein Nature Reserve held a Special General Meeting on 28 August 2010 with respect to “ordinary” and “special” resolutions in order to effect changes to the Architectural Design Handbook;

The proposed amendments to the constitution and the Architectural Design Handbook were examined by the Planning Division and were found to be in order;

RECOMMENDATION

(proposed by clr B W Geel, seconded by clr A C Sedeman)

That the Council approves the amendments to the Architectural Design handbook of the Jakkalsfontein Nature Reserve in accordance with article 29 of Ordinance 15 of 1985;

6.11 PROPOSED REZONING OF ERWEN 7840 AND 7887, RIVERLANDS (15/3/3-13) (WARD 7)

The need for a church and crèche has been identified in Riverlands and the application was presented to the Council on 24 November 2010.

The public participation process has been followed and therefore application has been made for rezoning erf 7840 (644m² in extent), situated in Houtkappers Street, Riverlands from institutional zone II to institutional zone I for purposes of a crèche.

An application has also been received for rezoning erf 7887 (1696m² in extent), situated in Riverlands Avenue from indeterminate zone to institutional zone II for purposes of a church.

RECOMMENDATION

(proposed by clr M S I Goliath, seconded by clr R F van der Westhuizen)

A That the Council approves the application for the rezoning of erf 7840 (644m² in extent), situated in Houtkappers Street, Riverlands from institutional zone II to institutional zone I for purposes of a crèche, in accordance with article 16(1) of Ordinance 15 of 1985 subject to the following conditions:

A1 TOWN PLANNING AND BUILDING MANAGEMENT

(a) That the necessary building plans are submitted to the Director: Development Services for consideration;

A2 ESKOM

- (a) that, if as a result of the proposed development, any Eskom services need to be moved the relevant costs will be to the account of the owner/developer;
- (b) That the erection of any structure within 9m of an Eskom power line is forbidden;
- (c) That the owner/developer is responsible for the electricity reticulation to the development;

B That the application for rezoning of erf 7887 (1696m² in extent), situated in Riverlands Avenue from indeterminate zone to institutional zone II for purposes of a church is approved in accordance with article 16(1) of Ordinance 15 of 1985 subject to the following conditions:

B1 TOWN PLANNING AND BUILDING MANAGEMENT

(a) That the necessary building plans are submitted to the Director: Development Services for consideration;

B2 ESKOM

- (a) that, if as a result of the proposed development, any Eskom services need to be moved the relevant costs will be to the account of the owner/developer;
- (b) That the erection of any structure within 9m of an Eskom power line is forbidden;
- (c) That the owner/developer is responsible for the electricity reticulation to the development;

6.12 PROPOSED SUBDIVISION AND DEPARTURE ON PORTION 22 OF THE FARM GOEDEHOOP NO. 758, DIVISION MALMESBURY (15/3/4-15) (WARD 7)

An application has been received from the owners, W W & F L Jordaan for subdivision of portion 22 of the Farm GoedeHoop no. 758 (17,13ha in extent), Division Malmesbury, into two portions, namely a restant (±10ha) and portion A (7,13ha).

Application was also made to depart from the 30m building line to 10m.

RECOMMENDATION

(proposed by clr M S I Goliath, seconded by clr R F van der Westhuizen)

A That the application for subdivision and departure of portion 22 of the Farm GoedeHoop no. 758 (17,13ha in extent), Division Malmesbury, into two portions, namely a restant (±10ha) and portion A (7,13ha) is not approved in terms of article 25(1) and 15(10(b) of Ordinance 15 of 1985 for the following reasons:

- (a) that the policy framework with respect to Tierfontein dictates that the total number of units may not be increased; and
- (b) that subdivisions create units of not less than 10ha and that the subdivided portion must be consolidated or notarialy attached to another one;
- (c) that the applicant is notified by registered post of his right to appeal.

**(SGD) W WILSKUT
CHAIRMAN**