

14.**APPLICATION FOR PERMISSION FOR THE USE OF NEW BOREHOLES FOR IRRIGATION PURPOSES BY THE HERMANUS GOLF CLUB****16/1/8****Hanré Blignaut
24 December 2015****(028) 313 5047****Corporate Head Office**

1. Executive Summary

A Deed of Sale was entered into between Overstrand Municipality and the Hermanus Golf Club (HGC) on 6 December 2006 for the purchase of municipal property, remainder of erf 9935 Hermanus, by the HGC. One of the conditions of the Deed of Sale was that the HGC will not use any borehole water for irrigation purposes. Due to problems recently experienced with the quality of irrigation water, the HGC submitted an application to make use of borehole water for irrigation purposes. Council approved this application under specific conditions on 28 October 2015 (refer to Annexure A). Condition (b) however implied that only existing boreholes will be re-commissioned and used. On further investigation, following Council approval, HGC realized that the existing boreholes have been either covered or demolished during construction activities within the development, and cannot be found, and they subsequently requested that the wording of the Council approval of 28 October 2015 be amended to include the drilling of new boreholes. The purpose of this report is for Council to approve an amended wording to the Council resolution of 28 October 2015, to allow for the drilling of new boreholes for irrigation purposes, under the same conditions as previously approved.

2. Service Delivery and Budget Implementation Plan – IGNITE

Infrastructure & Planning
Engineering Planning – Water Services

3. Compliance with Strategic Priorities

Provision of democratic, accountable and ethical governance
Provision and maintenance of municipal services
Creation and maintenance of a safe and healthy environment

4. Delegated Authority

None

5. Legal Requirements

National Water Act, Act 108 of 1997

6. Background/Discussion/Evaluation/Conclusion**Background**

A Deed of Sale was entered into between the Overstrand Municipality and the Hermanus Golf Club (HGC) on 6 December 2006 for the purchase of municipal property, i.e. the remainder of erf 9935, Hermanus, by the HGC. Clause 12.5 of the Deed of Sale stated as follows: “the Purchaser (HGC) will not utilise any borehole water for the purpose of irrigation”.

The Deed of Sale was amended on 27 April 2007. The wording of clause 12.5 was replaced in its entirety by the following: “The Purchaser (HGC) shall not utilise any borehole water for purposes of irrigation and should the Purchaser wish to use the borehole water for any other purpose, it shall not do so without the written permission and / or the required permit from the Department of Water Affairs or any other relevant authority, at the time it wishes to use the borehole water”.

The HGC currently uses mainly treated effluent from the Hermanus Waste Water Treatment Works (WWTW) for irrigation purposes. The relatively high saline content of the treated effluent from the Hermanus WWTW became problematic for irrigation of the golf course. The Hermanus WWTW uses the conventional activated sludge process to treat waste water to acceptable standards for discharge to sea, and as such is not capable of reducing the saline content of water.

The HGC therefore applied to the municipality for the use of borehole water for irrigation purposes during periods when the saline content of the treated effluent is too high for irrigation of the golf course, and therefore to be able to blend borehole water with treated effluent to dilute the saline content of the effluent water. The HGC proposed to use some of the old and unused boreholes on their property for this purpose. The application by the HGC was approved by Council on 28 October 2015 under specific conditions (refer to Annexure A).

On further investigation, following Council’s approval, the HGC realized that the existing boreholes have been either covered or demolished during construction activities within the development, and cannot be found, and they subsequently requested that the wording of the Council approval of 28 October 2015 be amended to include the drilling of new boreholes (refer to Annexure B). The purpose of this report is for Council to approve an amended wording of the Council resolution of 28 October 2015, to allow for the drilling of new boreholes for irrigation purposes, under the same other conditions as previously approved.

Discussion

It is proposed by the HGC that the wording of condition (b) of the Council resolution of 28 October 2015 be amended as follows:

Approved wording of condition (b): “The specific boreholes to be re-opened be identified by the Hermanus Golf Club and indicated to the municipality and the BGCMA”;

Proposed amended wording of condition (b): ““The specific boreholes be identified by the Hermanus Golf Club and indicated to the municipality and the BGCMA”;

The proposed amendment only involves the deletion of the words “to be re-opened”, and will thereby allow the use of new boreholes, with all other conditions still in place as approved by Council.

Evaluation

The use of borehole water by the HGC will require a water use license application to be approved by the Breede-Gouritz Catchment Management Agency (BGCMA), as the Overstrand Municipality is not the water use licensing authority in terms of the National Water Act. This requirement was included as condition (a) in the Council resolution of 28 October 2015, and will remain in place, irrespective of whether existing or new boreholes, or a combination of existing and new boreholes, are used.

The interest of the municipality and its consumers will remain protected by ensuring compliance to all the conditions as stipulated in the Council resolution of 28 October 2015. Therefore it is recommended that the HGC’s application for amendment of the wording of condition (b) of the Council resolution of 28 October 2015 be approved.

Conclusion

The application by HGC to also drill new boreholes for irrigation purposes can be supported, subject to the conditions as stipulated in the Council resolution of 28 October 2015.

7. Financial Implications

Support of the application by the HGC to utilise new boreholes for irrigation purposes will have no financial implications for Overstrand Municipality.

8. Staff Implications

Support of the application by the HGC to utilise new boreholes for irrigation purposes will have no staff implications for Overstrand Municipality.

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

Annexure A: Council Resolution of 28 October 2015

Annexure B: HGC application for the drilling of new boreholes

RECOMMENDATION TO THE COUNCIL:

that condition (b) of the amended Clause 12.5 of the Deed of Sale between Overstrand Municipality and the Hermanus Golf Club, as approved by Council on 28 October 2015, be replaced by the following:

“(b) The specific boreholes be identified by the Hermanus Golf Club and indicated to the municipality and the BGCMA”;

RESPONSIBLE OFFICIAL :**H BLIGNAUT****TARGET DATE FOR IMPLEMENTATION :****1 FEBRUARY 2016****TARGET DATE TO INFORM APPLICANT :****1 FEBRUARY 2016**

5.7**APPLICATION FOR PERMISSION FOR THE USE OF BOREHOLE WATER FOR IRRIGATION PURPOSES BY THE HERMANUS GOLF CLUB****(ITEM 9, PAGE 176 : INFRASTRUCTURE AND PLANNING PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 OCTOBER 2015)****RESOLVED (UNANIMOUSLY):**

that Clause 12.5 of the Deed of Sale between Overstrand Municipality and the Hermanus Golf Club, as amended on 27 April 2007, be replaced by the following:

The Hermanus Golf Club may use borehole water for irrigation purposes only if all the following conditions are being complied with:

- (a) The Hermanus Golf Club to successfully apply for a water use license to the Breede Overberg Catchment Management Agency (BGCMA) for using borehole water for irrigation purposes;
- (b) The specific boreholes to be re-opened be identified by the Hermanus Golf Club and indicated to the municipality and the BGCMA;
- (c) The condition of the proposed boreholes be assessed by the Hermanus Golf Club (casing, depth, water level, water quality), and reported to the BGCMA and the municipality for final approval to ensure that abstraction will take place only from the shallow Skurweberg aquifer;
- (d) The Hermanus Golf Club to provide evidence of the implementation of a Water Conservation and Water Demand Management program for irrigation;
- (e) The Hermanus Golf Club to establish a monitoring borehole and install monitoring equipment as per specification of the BGCMA and the municipality;
- (f) The Hermanus Golf Club to make all monitoring data available monthly for routine processing and analysis to the BGCMA and the municipality;
- (g) The Hermanus Golf Club to become a member of the Hermanus Groundwater Monitoring Committee; and
- (h) Groundwater abstraction by the Hermanus Golf Club to stop immediately in the event of any negative impact on any existing legal groundwater users.

MINUTES : ORDINARY MEETING OF THE COUNCIL**28 OCTOBER 2015****RESPONSIBLE OFFICIAL :****H BLIGNAUT****TARGET DATE FOR IMPLEMENTATION :****1 NOVEMBER 2015****TARGET DATE TO INFORM APPLICANT :****29 OCTOBER 2015**

Hanre blignaut - RE: HGC Application for the use of boreholes for irrigation

From: "Hermanus Golf Club - Sharon Sleigh" <sharon@hgc.co.za>
To: "Hanre blignaut" <hblignaut@overstrand.gov.za>
Date: 2015/11/19 08:53 AM
Subject: RE: HGC Application for the use of boreholes for irrigation
Cc: <smuller@overstrand.gov.za>, "Stephen van der Merwe" <stephen.vandermerw...>
Attachments: image004.jpg; image005.jpg

Dear Hanré,

As discussed at our most recent meeting, we have not been successful in locating the existing boreholes.

Therefore, we would need to drill for new boreholes, in the same vicinity.

We have also been advised that the existing borehole casings are probably worn out, hence it would be better to drill from scratch.

Kindly re-consider the removal of the following words listed as condition b) The specific boreholes ~~to be re-opened~~ be identified... and accordingly revise the Addendum to Deed of Sale.

Kind regards

Sharon Sleigh
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