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give effect to the Spatial Planning and Land Use Management Act (16/2013) and the Western Cape Land Use Planning Act, 2014 (No. 3) will not result in additional unnecessary red tape. At may only be possible for DEADP to develop "To Be" processes and service levels for planning decisions once the various planning regulations at National and Provincial level have been finalised and enacted.

2.5 The Provincial Department of Economic Development and Tourism will need to work closely with The Provincial Government Department of Cultural Affairs and Sport (DCAS) to design a consultation process to obtain stakeholder inputs (including from municipalities in the Western Cape as well as the private sector involved in the property development process) develop a position paper on proposed amendments to the National Heritage Resources Act No. 25 of 1999. These proposed amendments could include the decentralisation of certain Heritage related decision-making powers to municipalities. DEDAT also needs to ensure (or recommend) that research is conducted to inform a proposal to expand the number of local heritage departments available across the Province.

2.6 The WCG: DEDAT to decide how best to take forward the following opportunities to continue supporting municipalities to reduce red tape and to institutionalise continuous business process improvement:

- a) Integrating Municipal Supplier Databases with the WCSD (driven by WCG: Provincial Treasury): DEDAT needs to engage with Provincial Treasury to discuss the integration process and identify additional measures make the process of local suppliers based in each municipality registering on the WCSD, as well as other registrations (CIPCO, Department of Labour, SARS etc.) as easy and accessible as possible. This could include road shows organized with the municipalities and with the participation of representatives of these company registration organisations and allowing suppliers to submit registration documents at these road shows. The role of the municipalities in receiving and forwarding WCSD registration documents at local municipal offices must also be clarified so that local suppliers do not incur any costs in registering for the WCSD (other than their time involved in registering).
- b) WCG Red Tape Reduction unit to engage with either SANRAL and/or the National Department of Transport and Public Works regarding the need for clear and appropriate guidelines for Municipalities to erect signage along national roads that has broader economic development impacts- especially for smaller towns.
- c) WCG (incl. Red Tape Reduction Unit and/or Department of Local Government and Housing) to consider providing financial and/or technical assistance support to municipalities to assist in the development and finalisation of certain municipal by-laws (for example Informal Trading By-laws). This support could include the provision of good-practice by-law frameworks or templates which municipalities can then easily adapt to their unique circumstances, as well as a process checklist informed by the Presidency's Socio-Economic Impact Assessment guidelines.

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- d) WCG: DEDAT to develop a **Municipal Services Benchmarking Club model** and approach to allow municipalities to compare their performance regarding certain key service standards which are of particular importance to businesses and the overall economy (e.g. building plan approval time-frames and supply chain management processes). The scope of the Municipal Services Benchmarking Club would first need to be clarified and its detailed design needs to be based on thorough research.
- e) WCG: DEDAT to encourage each Municipal Department needs to nominate a Red Tape Reduction Champion to coordinate ongoing reduction of red tape, including business process improvement initiatives. Each Directorate representative should participate in a Red Tape Reduction Task Team which ideally should be coordinated by the Municipal Manager's Office (or alternatively the Director of Corporate/ Strategic Services).
- f) WCG: DEDAT to provide ongoing training and support to municipalities to develop business process management and improvement skills and experience.

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Annexure 1: Overstrand Municipality: Launch Minutes and Detailed Red Tape Reduction Action Plans including 'As Is' and 'To Be' Processes where relevant

1. Red tape launch workshop minutes

Red Tape Reduction Process: Launch Workshop: Minutes Overstrand Municipality 17 October: 10:00-12:00

1. Attendance:

2. Meeting purpose and Agenda:

3. Welcome:

Michelle Ellis (Western Cape Government: Department Economic Development and Tourism: Red Tape Unit) provided background that the red tape reduction initiative had been discussed in May with relevant municipal managers and Overstrand MM had indicated the Municipality's willingness to participate in this initiative.

4. Overview of the Red Tape Reduction Process:

Rae Wolpe of Impact Economix presented the proposed process which included detailed roles and responsibilities of Impact Economix, the Municipality, and business organisations to ensure the success of the process.

5. Discussion of Process: The following was agreed:

- a. The process would include one separate RT identification and action plan workshop each for formal and informal businesses.
- b. The RT Identification workshop should ideally take place the week of 10-14 November with Overstrand municipality to confirm next week (week 20th October) if this is possible and propose one day for the workshops to take place as well as to then confirm and book the venue for the workshops (which may be the same town or two different towns).
- c. Overstrand Municipality to obtain and forward to Impact Economix by 25th October 2014 all available electronic (excel) databases of businesses in the Municipality (databases should ideally include: business name, owner/ manager name, email address, cell phone, and land line) by contacting relevant organisations, including from supply chain management, finance, Local tourism organisations, local business chambers, construction supplier development, and informal trading associations etc..
- d. Overstrand Municipality to provide comments on draft red tape questionnaires in writing to Impact Economix (Rae Wolpe: rae@impacteconomix.com) by 24th October.
- e. Overstrand Municipality to confirm date for two action plan workshops (to take place 2-3 weeks after the RT identification workshop) and ideally before mid-December if at all possible.

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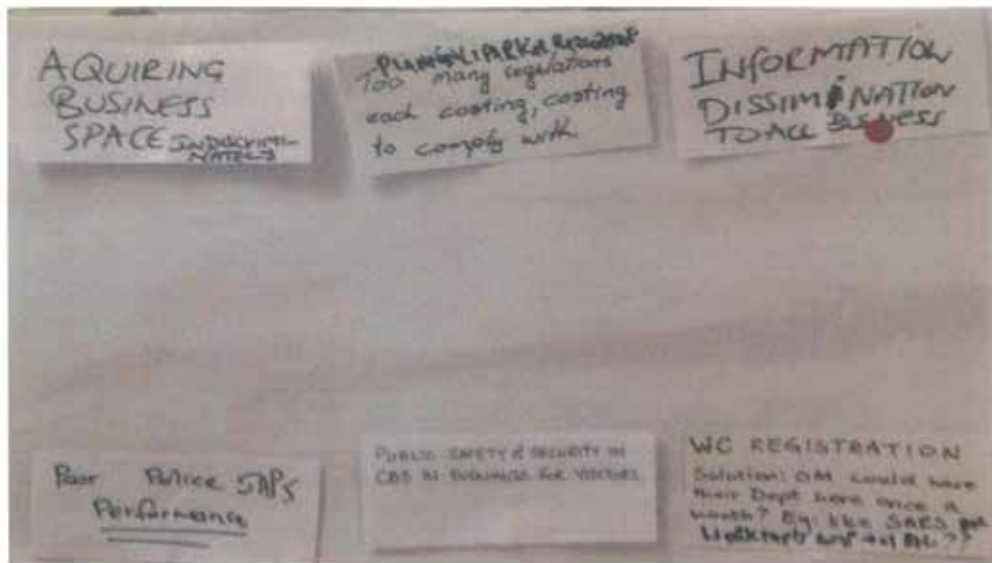
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- f. Mr Xolile Kosi to be the Municipality's Red Tape liaison person with Impact Economix and to take forward all logistical arrangements and responsibilities as outlined in the presentation.

6. Meeting closed

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2.1. Attendance registers



RED TAPE REDUCTION
 WORKSHOP
 VENUE: AUDITORIUM, Overstrand
 Municipality
 DATE: 19 NOVEMBER 2014
 TIME: 09H00-11H00



NAME & SURNAME	ORGANISATION/BUSINESS	CONTACT NUMBER	OPERATIONAL AREA	SIGNATURE
Diana K... Gail Elster	Blun... RTB...	0212670017 0233562008	Hermanus Hermanus/Orby	[Signature]
UD... Rae W... Xolise Kosi	IMPACT ECONOMIC CPTA	0719567031 071999876 077 802 7820		[Signature]
Natasha N... Edouard Wolf	Just property Just property	0766175203 0762065000	Hermanus Hermanus	[Signature]
George N... Marius	Beantangs OFHS	082 777 2049 078 021239	Hermanus Hermanus	[Signature]
Margaret M... Michelle Ellis	TK... DADA 1	0810911469 083 565 187	Hermanus CPT	[Signature]
ANGELA CHORIE Rebecca	HERMANUS BUSINESS CH. S... S...	072 294 0408 072 179886	HERMANUS S...	[Signature]

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RED TAPE REDUCTION
 WORKSHOP
 VENUE: AUDITORIUM, Overstrand
 Municipality
 DATE: 19 NOVEMBER 2014
 TIME: 09H00-11H00



NAME & SURNAME	ORGANISATION/BUSINESS	CONTACT NUMBER	OPERATIONAL AREA	SIGNATURE
Doris Classen	Private Sales	0783875030		<i>[Signature]</i>
Hercia Lourens	Parsons Investment	084509758	Combrani	<i>[Signature]</i>
Zabroth Linde	" " "	0845534106	"	<i>[Signature]</i>
Job Lourens	Solar Planet	079146440		<i>[Signature]</i>

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RED TAPE REDUCTION
WORKSHOP
VENUE: AUDITORIUM, Overstrand
Municipality
DATE: 19 NOVEMBER 2014
TIME: 09H00-14H00



NAME & SURNAME	ORGANISATION/BUSINESS	CONTACT NUMBER	OPERATIONAL AREA	SIGNATURE
HOWARD MATIWA	Iscoms 20 Farm	0167144458	HAUSTON	H. Matlwa
Indumane Aisiphet	Mil. Area Farming	028753320	Hauston	Aisiphet
Hein Ntjane	Smoking Catches	0750273314	Hauston	Hein
Lucinda Marcus	Flamingo's in	015040617	Hauston	Lucinda
Estherine October	Hauston T/Phy Serv	0725284528	Hauston	Estherine
Earl Marea	Qwise Hub	0824641854	Hauston	Earl
M. Anu	Imuni Security	0761697925	ZWELINGE	M. Anu
Michelle Ellis	DEBAT	083 565 1867	CPT	Michelle

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3. Red tape Action plan workshops

3.1. Action plan table and "As Is" and "To Be" process maps

A. Overstrand Municipality Red Tape Action Plan: Formal Businesses: Building plan approval process

This action plan focuses on the following issue prioritised by formal businesses during the red tape identification workshop:

- The improvement of the building plan approval process which is taking too long and which includes applications for various departures.

<p>Red Tape issues and Problem Statement:</p> <p>'As Is' Process</p>	<p>Building Plan Approval Process.</p> <p>Guidelines on the building plan approval process.</p> <ul style="list-style-type: none"> • According to the national building regulations and building standards act (act 103 of 1977) a local authority has thirty days in which to approve a building plan submitted for a building up to 500m² and sixty days for a building plan submitted for a building bigger than 500m². • Overstrand Municipality has a key performance indicator (KPI) of 21 days in which to approve a compliant plan and has monthly and yearly check-ups to ensure that we meet the criteria as set out in our policy/KPI. • To date we have achieved 100% success rate as we have had an average of 98% compliancy to the KPI since 2010. • This fact proves that we have met our KPI's and have maintained a good, consistent service to the public. <p>As Is Process</p> <p>The building plan approval process consists of the following steps:</p> <ol style="list-style-type: none"> 1. Pre-screening 2. Payment 3. Formal submission 4. Scrutiny by other departments 5. Building plan committee meeting 6. Post meeting feedback <p>Each of these steps is described in detail below:</p> <p>Pre - Screening</p> <p>This takes place when clients bring their applications to be submitted. Before submission can be allowed, the clerk receiving the application must do a proper pre-screening.</p> <p>Pre-screening entails the following:</p> <ol style="list-style-type: none"> 1. Ensuring that all necessary documentation is attached. Examples of this document assessment include: title deeds & checking for title deed restrictions, architect/draughtsperson registration & appointment form
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	<p>engineers appointment form (where applicable), sans 10400 part xa calculations (where applicable).</p> <ol style="list-style-type: none"> 2. Pre-screen plans for building line encroachments, indicating height of buildings, ensuring that the necessary and very important basic information is present on the application etc. 3. Informing the client of any non-compliant issues. Pre-screening is an essential part of the building plan application as it ensures that a building plan is not submitted with any minor issues that could have been dealt with before submission. <p>If any issues are found, the client will not be allowed to submit the application until the issues have been dealt with. A revised or amended plan can then be brought back and once again be pre-screened by the clerk. Pre-screening takes place immediately and there is no time delay.</p> <p>Payment</p> <ul style="list-style-type: none"> • Payment can only take place if the building plan application has been pre-screened and has met all the necessary requirement. • The building plan fee's and builders deposit (where applicable) is calculated immediately and the client can pay for submission. • Payment of plans can be delayed if the client's municipal account is in arrears or not up to date (as per municipal policy). • In the case of the above mentioned, the onus is on the client to rectify. • Electronic payments are accepted. <p>Formal Submission</p> <ul style="list-style-type: none"> • Formal submission has taken place once the client has paid the building plan fee and builders deposit (where applicable) and has submitted the proof of payment as well as the full application at our offices. • The application will then receive a unique building plan number which can be used as a tracking/reference number during inquiries. • In order to ensure that no confusion is possible no building plan number can ever be duplicated. <p>Scrutiny by other departments</p> <ul style="list-style-type: none"> • Building plan meetings are held weekly and the cut off day • For submissions weekly are Wednesdays. • The following departments scrutinizes the plans on the • Following days: Thursdays and Fridays - Environmental Department, Fire Department and District Municipality – Health Department. Tuesdays: Local Heritage & Aesthetics Committee Member. <p>Building plan committee meeting</p>
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	<p>This meeting takes place every Monday in Hermanus and every second Friday in Gansbaai & Kleinmond.</p> <p>The key players of this committee are:</p> <ul style="list-style-type: none"> • Building control manager (John Simson). • First technician (Gerrit Coetzee). • 2 x building inspectors. • Town planner/s. • Senior clerk. <p>During this meeting the plans intensely scrutinized and are considered or not considered for approval. Depending on the compliance to the required regulations.</p> <p>Post meeting feedback:</p> <p>Compliant plans</p> <p>If a building plan application has been considered for approval during the building plan committee meeting. It is processed the same week and will be signed by the manager: building control (John Simson) where after it will be forwarded to the area manager for Approval on behalf of council. Once the plans have returned from the area Managers office, it is processed (during the processing, the client is contact via email or Telephone, that the application has been approved and is ready for collection.)</p> <p>Non-compliant plans</p> <p>If a building plan application has not been considered for approval during the building plan committee meeting due to non-compliance, the senior clerk will inform the client (owner and architect/draughtsperson) in writing. This writing will include the notes made during the building plan committee meeting. The onus is then on the owner to respond i.e. rectify the plan or ensure the compliance of the building plan application.</p> <p>Non-compliance can also include plans that have to undergo further applications. A few examples of these are as follows:</p> <ul style="list-style-type: none"> • Departures / relaxations of building lines. • Removal of title deed restrictions. • Compliance with architectural guidelines in cases of an estate. • Licences for the removal of protected trees. • Environmental impact assessments. • Provincial approval for example when encroaching. • The road widening reserve. • Local heritage & aesthetics approval. • Heritage Western Cape approval.
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	<p><u>Problems with the "As Is" process to inform actions required and the "To Be" process:</u></p> <p>Delays in getting feedback from the Western Cape Provincial Department Developers are experiencing a lot of delays when a building plan requires approval from the Province. For instance, if a developer requires an approval to remove a protected tree, the Provincial Heritage Department takes a long time (up to two or three months) to give this approval. In addition, the Provincial Heritage Department does not accept an application from a developer without a comment from the municipality. Overstrand Municipality does not have an official responsible for the heritage property approvals. However, they have a committee which sits regularly to comment on these applications.</p> <p>Safety at construction sites The municipality is concerned about the safety at construction sites. The national Department of Labour is responsible for handling this function. The Building Control Officer can only visit a construction site for at least 4 times to inspect the different stages, hence the official cannot monitor the safety on these sites.</p> <p>The services report The Building Control Department has a document on the website which summarizes the building plan application requirements.</p> <p>'As Is' Building plan application process:</p> <ol style="list-style-type: none"> 1. Developer approaches the Town Planner to get advice for a pre-screening session for their proposal for a development. 2. The developer prepares the application based on the advice from the Town Planner. The municipality gives the developer the application forms. 3. The developer submits the final application to the Town Planner. The Town Planning Department send a notification of receipt to the applicant. 4. The Town Planner and other municipal departments have 14 days to evaluate the application to see if there are any issues to be corrected. 5. If there is a problem, the Town Planner asks the developer to revise plan. The developer is given thirty days to revise application. 6. If the application has no issues to be corrected, the Town Planner advertises the development in the media. The advertisement runs for thirty days. 7. The application is sent to relevant provincial departments for comment. This usually takes five weeks. However, provincial department delay and can take upto three months. 8. The Town Planner receive comments from stakeholders. 9. When objections are received the applicant has an opportunity to respond. The applicant can make any one of the following responses: a) Address the issue raised b) The issues raised is no important including supporting documents. c)
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	<p>Modify the plan according to the issue raised.</p> <p>10. Council meets once a month to approve building plan application. The developer has to wait for that month long period. Council either approves or another comment which means unsupported.</p> <p>11. Town Planning sends Council feedback to the applicant and objectors. Council can approve or not approve with some comments/recommendations.</p> <p>Avoiding future problems The Town Planning Department assesses a property before it is sold and it alerts new buyers of any key issues to be noted so that new buyers cannot inherit problems from the previous seller. If the new buyer desires to proceed in purchasing the new property, the municipality allows the new owner to apply for a departure.</p>
<p>Causes of the Problem</p>	<ul style="list-style-type: none"> Provincial departments are delaying in issuing approvals for building plan application processes.
<p>Actions to address causes</p> <p>'To Be' process</p>	<p>Proposed 'To Be' Building plan application process (with new proposed changes highlighted in bold):</p> <ol style="list-style-type: none"> Developer approaches the Town Planner to get advice for a pre-screening session for their proposal for a development. The advice provided includes information on the Bulk Infrastructure Contribution Levy which contains levy guidelines for different types of bulk infrastructure contributions. Town Planning also advises which municipal official to contact to obtain further clarity on BICLE if relevant/ needed. The developer prepares the application based on the advice from the Town Planner. The municipality gives the developer the application forms and instructions to complete them. The developer submits the final application to the Town Planner. The Town Planning Department send a notification of receipt to the applicant. The Town Planner and other municipal departments have 14 days to evaluate the application to see if there are any issues to be corrected. If there is a problem, the Town Planner asks the developer to revise plan. The developer is given thirty days to revise application. If the application has no issues to be corrected, the Town Planner advertises the development in the media. The advertisement runs for thirty days. The application is sent to relevant provincial departments for comment. This usually takes five weeks. Province prepares a contact list of officials to contact for follow up on comments. Provincial Government Department of Environmental Affairs and Development Planning develops service standards and Standard Operating Procedures for its key decisions impacting on the property development process (to ensure that the time-frames for Provincial Government decisions do not exceed the maximum time-frames as stipulated in relevant legislation). The Town Planner receives comments from stakeholders. When objections are received the applicant has an opportunity to respond. The applicant can make any one of the following responses: a) Address the issue

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	<p>raised b) The issues raised is no important including supporting documents. c) Modify the plan according to the issue raised.</p> <p>10. Council meets once a month to approve building plan application. The developer has to wait for that month long period. Council either approves or another comment which means unsupported</p> <p>11. Town Planning sends Council feedback to the applicant and objectors. Council can approve or not approve with some comments/recommendations.</p> <p><u>Other Improvement Actions Identified to Reduce Red Tape:</u></p> <p>2. Improving Communication between businesses involved in the development process and the municipality regarding regulations and new developments:</p> <ul style="list-style-type: none"> • The municipality should develop a plan to use formal communication channels or structures between business bodies and the municipality. Ideally this is part of a Municipal Communication policy and Strategy which needs to be developed (by corporate or strategic services). • The municipality should proactively identify any red tape issues rather than waiting for them to be reported by businesses. • Apparently, Overstrand municipal management has given a directive to set up structures for formal engagement between the municipality and business. • The municipality has a list called the Building Control Contractors List which contains registered businesses in construction. This list is often used when the municipality wants to communicate to businesses in this sector. Businesses that are not on this list must contact Building Control in order to be added to the list. However, businesses suggested that the municipality should publish more information articles in the newspaper so that local business are informed on the current discussions within the building sector including any new legislation. The municipality should also consider using the Overstrand builders association and the construction talk show on radio to raise awareness on any new legislation affecting businesses in the construction sector. <p>National Heritage Resources Act No. 25 of 1999</p> <p>The municipality suggested that the Western Cape Province should consider assisting the municipality to set up a local office in the municipality. This local office would make the assessment of Heritage developments much quicker. In-addition, Provincial Government needs to develop a submission to national government proposing certain delegations of powers to municipalities to improve the efficient implementation of the Act. This proposal could include certain thresholds for the types of assessments which can be conducted locally by the municipality. This delegation of heritage assessment powers will require an amendment of the National Heritage Resources Act of 1999.</p> <p>Provincial department delays</p> <ul style="list-style-type: none"> • The municipality suggested that the Provincial Government Department of
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	<p>Environmental Affairs and Development Planning should monitor the time-frames in which its different departments respond to applications from the local municipalities. In addition, the Provincial Government should develop service standards for all its departments which handle application approvals so that they can monitor if the departments are giving feedback in time.</p> <ul style="list-style-type: none"> • The municipality suggested that the Provincial Government should clarify the core functions of the Environment and Planning Departments. • The Provincial Government should consider developing a contact database for officials to be contacted in case of the need to get provincial approvals.
Expected benefits once implemented	<ul style="list-style-type: none"> • Provincial department approvals will be received in the stipulated time-frames which will ensure that the comments processes for developments do not include unnecessary delays which can negatively impact on the Provincial economy and job creation.
Champion & team	<p>The Provincial Department of Economic Development and Tourism will need to work closely with The Provincial Government Department of Environment and Development Planning (DEADP) to take forward a number of initiatives including:</p> <ul style="list-style-type: none"> d) DEADP to compile a guide containing contact details of Provincial officials in the department responsible for managing/ taking various kinds of decisions the DED is responsible for in terms of legislation. e) DEADP should develop service standards and refined "To Be" process maps for various comments required as part of the property development process. f) The Western Cape Government, Department Economic Development and Tourism needs to work with the Department of Cultural Affairs and Sport to design a consultation process to obtain stakeholder inputs (including from municipalities in the Western Cape as well as the private sector involved in the property development process) develop a position paper on proposed amendments to the National Heritage Resources Act No. 25 of 1999.
Who needs to support and next steps	<ul style="list-style-type: none"> • The municipality should support the Province in establishing a Local Heritage Department.

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Figure 1 shows the building plan approval process that was presented by the Overstrand Municipal Building Control Department.

Figure 1: Overstrand "As Is" Building Plan Approval Process

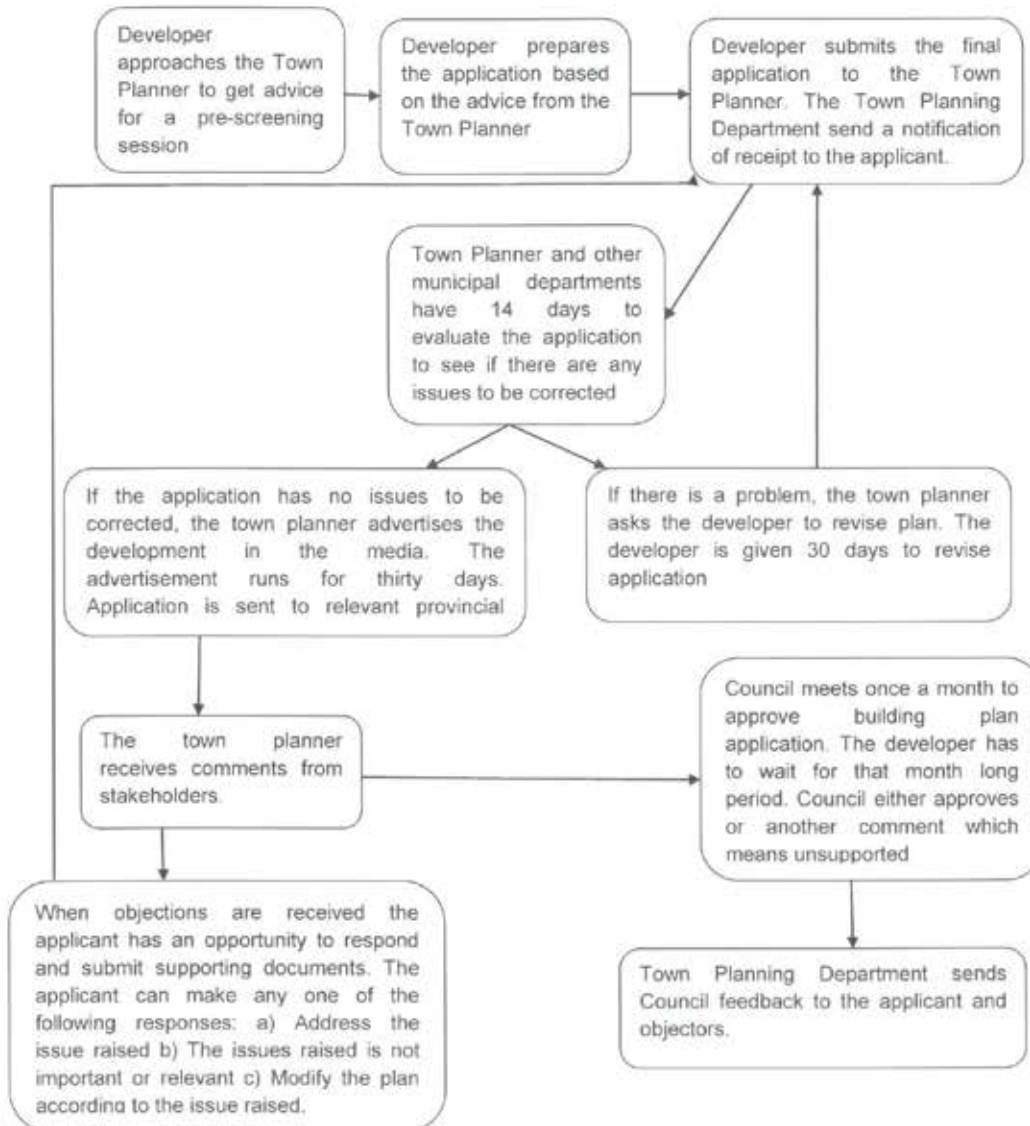


Source: Overstrand Municipality: Building Control Department. 2015

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'As Is' building plan application process for large development applications



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'To Be' building plan application process (with improvements identified in green hatched steps) for large development applications

