



KAAP AGULHAS MUNISIPALITEIT  
CAPE AGULHAS MUNICIPALITY  
U MASIPALA WASECAPE AGULHAS

## **NOTULE VAN 'N ALGEMENE RAADSVERGADERING VIRTUEEL EN IN DIE RAADSAAL GEHOU OM 10:00 OP DINSDAG 14 DESEMBER 2021**

### **MINUTES OF A GENERAL COUNCIL MEETING HELD VIRTUALLY AND IN THE COUNCIL CHAMBERS ON TUESDAY, 14 DECEMBER 2021 AT 10:00**

#### **RAADSLEDE / COUNCILLORS**

Me J August-Marthinus  
Mnr D Burger  
Me K Donald  
Mnr D Jantjies  
Mnr R Louw  
Me M Matthysen  
Mnr R Mokotwana  
Mnr J Nieuwoudt  
Mnr G Olwage  
Mnr R Ross  
Mnr P Swart

#### **AMPTENARE / OFFICIALS**

Mnr E Phillips	Munisipale Bestuurder / Municipal Manager
Mnr S Stanley	wnd Direkteur: Finansiële Dienste
Mnr A Jacobs	Direkteur: Infrastruktuurdienste
Mnr H Kröhn	Direkteur: Bestuursdienste
Mnr B Swart	Interne Ouditeur
Mnr M Moelich	Bestuurder: Administrasie
Me N Mhlali-Musewe	Divisional Head: HR and OD
Me T Stone	Afdelingshoof: Strategiese Dienste
Me A Jonker	Snr Admin Beampte: Komiteedienste

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1. **OPENING**

Die Speaker heet die teenwoordiges welkom en Raadslid Swart open die vergadering met gebed.

2. **AANSOEKE OM VERLOF TOT AFWESIGHEID / APPLICATIONS FOR LEAVE**

Mnr H van Biljon : Direkteur: Finansiële Dienste

3. **TERUGVOERING VANAF RAADSLEDE OOR VERGADERINGS BYGEWOON**

Geen.

4. **VERKLARINGS EN/OF MEDEDELINGS DEUR DIE VOORSITTER**

4.1 **BRIEWE VAN DANK / VIR KENNISNAME**

Aangeheg op *bladsy 1* van die bylaes.

4.2 **FUNKSIES VIR DIE MAAND**

Geen.

4.3 **AANWYS VAN AFGEVAARDIGDES**

Geen.

4.4 **DRINGENDE SAKE DEUR DIE SPEAKER VOORGELê**

**ALGEMEEN**

Die Speaker heet alle Raadslede, maar spesifiek die nuwe Raadslede baie welkom by die eerste amptelike Raadsvergadering.

Die Speaker verwys na die Reglement van Orde asook die Etiese Gedragskode vir Raadslede waarbinne alle Raadsvergaderings sal plaasvind.

5. **VERKLARINGS EN/OF MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER**

Die Burgemeester wens alle Raadslede geluk met hul verkiesing en spreek sy verwagting uit dat die Raad as 'n span sal funksioneer. Hy versoek dat alle Wyksraadslede se kontakbesonderhede gereedlik beskikbaar gestel word aan inwoners van die onderskeie wyke.

Die Burgemeester meld dat KAM vir die agtste agtereenvolgende jaar 'n skoon oudit vanaf die Ouditeur-Generaal ontvang het.

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## 6. ITEMS NA DIE RAAD VERWYS VIR OORWEGING

### 6.1 CAPE AGULHAS MUNICIPALITY DRAFT ANNUAL REPORT 2020/21

#### **REPORT FROM THE OFFICE OF THE MUNICIPAL MANAGER: STRATEGIC PLANNING AND ADMINISTRATIVE DIVISION**

#### **PURPOSE OF REPORT**

To table the Draft Annual Report for the 2020/21 financial year to Council for adoption in terms of section 127(2) of the Municipal Finance Management Act, (Act 56 of 2003).

#### **BACKGROUND**

Following the tabling of the 2020/21 Draft Annual Report to Council, it will be made public and submitted to the relevant organs of state. It will also be referred to MPAC to perform the oversight process which shall include the consideration of any representations received from the public and organs of state and the compilation of the oversight report.

#### **The Draft Annual Report for 2020/21 has the following Annexures:**

1. The final consolidated Annual Financial Statements for 2020/21 as signed-off by the Auditor-General; **Annexure A.**
2. The final consolidated Audit Report from the Auditor- General; **Annexure B.**
3. The Audit Committee report for 2020/21; **Annexure C.**
4. The Performance Audit Committee report for 2020/21; **Annexure D.**

#### **DISCUSSION**

The most important documents of the Municipality are the Integrated Development Plan (IDP), Budget, Service Delivery Budget Implementation Plan (SDBIP) and Annual Report. The IDP, Budget and SDBIP are planning documents that focus on the year ahead; the IDP identifies the objectives, strategies and projects that the Municipality will achieve and implement in the year, the budget indicates how they will be funded and the SDBIP indicates the key performance indicators against which performance will be measured. The Annual Report is retrospective and focuses on the year's actual performance as measured against the key performance indicators set out in the SDBIP during the year under review.

The 2020/21 Draft Annual Report will be made public and submitted to the relevant organs of state following its adoption. The report will also be referred to MPAC to perform the oversight process which shall include the consideration of any representations received from the public and organs of state and the compilation of the oversight report.

#### **LEGAL IMPLICATIONS**

The submission of the Annual Report is regulated by the Municipal Systems Act, Act 32 of 2000 and the Municipal Finance Management Act, Act 56 of 2003. The following table provides an overview of the main provisions.

<b>MUNICIPAL SYSTEMS ACT NO. 32 OF 2000</b>	
Section 46: Annual performance reports	<ol style="list-style-type: none"> <li>1) <i>A municipality must prepare for each financial year a performance report reflecting -</i> <ol style="list-style-type: none"> <li>(a) <i>the performance of the municipality and of each external service provider during that financial year;</i></li> <li>(b) <i>a comparison of the performances referred to in paragraph (a) with targets set for and performances in the previous financial year; and</i></li> <li>(c) <i>measures taken to improve performance.</i></li> </ol> </li> <li>2) <i>An annual performance report must form part of the municipality's annual report in terms of Chapter 12 of the Municipal Finance Management Act.</i></li> </ol>

<b>MUNICIPAL FINANCE MANAGEMENT ACT NO 56 OF 2003</b>	
Section 121: Preparation and adoption of annual reports	<ol style="list-style-type: none"> <li>1) Every municipality and every municipal entity must for each financial year prepare an annual report in accordance with this Chapter. The council of a municipality must within nine months after the end of a financial year deal with the annual report of the municipality and of any municipal entity under the municipality's sole or shared control in accordance with section 129.</li> <li>2) The purpose of an annual report is- <ol style="list-style-type: none"> <li>(a) to provide a record of the activities of the municipality or municipal entity during the financial year to which the report relates;</li> <li>(b) to provide a report on performance against the budget of the municipality or municipal entity for that financial year; and</li> <li>(c) to promote accountability to the local community for the decisions made throughout the year by the municipality or municipal entity.</li> </ol> </li> <li>3) The annual report of a municipality must include- <ol style="list-style-type: none"> <li>(a) the annual financial statements of the municipality, and in addition, if section 122 (2) applies, consolidated annual financial statements, as submitted to the Auditor-General for audit in terms of section 126 (1);</li> <li>(b) the Auditor-General's audit report in terms of section 126 (3) on those financial statements;</li> <li>(c) the annual performance report of the municipality prepared by the municipality in terms of section 46 of the Municipal Systems Act;</li> <li>(d) the Auditor-General's audit report in terms of section 45 (b) of the Municipal Systems Act;</li> <li>(e) an assessment by the municipality's accounting officer of any arrears on municipal taxes and service charges;</li> <li>(f) an assessment by the municipality's accounting officer of the municipality's performance against the measurable performance objectives referred to in section 17 (3) (b) for revenue collection from each revenue source and for each vote in the municipality's approved budget for the relevant financial year;</li> <li>(g) particulars of any corrective action taken or to be taken in response to issues raised in the audit reports referred to in paragraphs (b) and (d);</li> <li>(h) any explanations that may be necessary to clarify issues in connection with the financial statements;</li> <li>(i) any information as determined by the municipality;</li> <li>(j) any recommendations of the municipality's audit committee; and</li> <li>(k) any other information as may be prescribed.</li> </ol> </li> </ol>
Section 127: Submission and tabling of annual reports	<ol style="list-style-type: none"> <li>1) The accounting officer of a municipal entity must, within six months after the end of a financial year, or on such earlier date as may be agreed between the entity and its parent municipality, submit the entity's annual report for that financial year to the municipal manager of the entity's parent municipality.</li> <li>2) The Mayor must within seven months (by end January) of the financial year, table in the municipal council the annual report of the municipality.</li> <li>3) If the mayor, for whatever reason, is unable to table in council the annual report of the municipality, or the annual report of any municipal entity under the municipality's sole or shared control, within seven months after the end of the financial year to which the report relates, the mayor must: <ol style="list-style-type: none"> <li>a) Promptly submit to the council a written explanation referred to in section 133(1)(a) setting out the reasons for the delay, together with any components of the annual report listed in section 121(3) or (4) that are ready; and</li> <li>b) Submit to council the outstanding annual report or the outstanding components of the annual report as soon as may be possible.</li> </ol> </li> <li>(4) The Auditor-General may submit the financial statements and audit report - <ol style="list-style-type: none"> <li>(a) of a municipality directly to the municipal council, the National Treasury, the relevant provincial treasury, the MEC responsible for local government in the province and any prescribed organ of state, if the mayor fails to comply with subsection (2) or (3); or</li> <li>(b) of a municipal entity directly to the parent municipality, the National Treasury, the relevant provincial treasury, the MEC responsible for local government in the province and any prescribed organ of state, if the accounting officer of the entity fails to comply with subsection (1).</li> </ol> </li> <li>5) Immediately after an annual report is tabled in the council in terms of subsection (2), the accounting officer of the municipality must - <ol style="list-style-type: none"> <li>(a) in accordance with section 21A of the Municipal Systems Act -</li> </ol> </li> </ol>

<b>MUNICIPAL FINANCE MANAGEMENT ACT NO 56 OF 2003</b>	
	<p>(i) make public the annual report; and</p> <p>(ii) invite the local community to submit representations in connection with the annual report; and</p> <p>(b) submit the annual report to the Auditor-General, the relevant provincial treasury and the provincial department responsible for local government in the Province.</p>
Section 129: Oversight reports on annual reports	1) The council of a municipality must consider the annual report of the municipality and of any municipal entity under the municipality's sole or shared control, and by no later than two months from the date on which the annual report was tabled in the council in terms of section 127 adopt an oversight report....
Section 130 Council meetings open to the public and certain officials	<p>1) The meetings of a municipal council at which an annual report is to be discussed or at which decisions concerning an annual report are to be taken, must be open to the public and any organs of state, and a reasonable time must be allowed -</p> <p>a) for the discussion of any written submissions received from the local community or organs of state on the annual report; and</p> <p>b) for members of the local community or any organs of state to address the council.</p> <p>2) Representatives of the Auditor-General are entitled to attend, and to speak at, any council meeting referred to in subsection (1).</p> <p>3) This section, with the necessary modifications as the context may require, is also applicable if only components of the annual report were tabled in terms of section 127 (3).</p>

### **FINANCIAL IMPLICATIONS**

None.

### **PERSONNEL IMPLICATIONS**

None.

### **MANAGEMENT RECOMMENDATION**

- (i) That the Council adopts the 2020/21 Draft Annual Report as tabled by the Mayor in terms of Section 127(2) of the MFMA.
- (ii) That the 2020/21 Draft Annual Report be made public and submitted to the relevant organs of state in terms of Section 127 of the MFMA.
- (iii) That the 2020/21 Draft Annual Report be referred to the MPAC to perform the oversight process and compile the Oversight Report.

### **RESOLUTION 249/2021**

- (i) That the Council adopts the 2020/21 Draft Annual Report as tabled by the Mayor in terms of Section 127(2) of the MFMA.
- (ii) That the 2020/21 Draft Annual Report be made public and submitted to the relevant organs of state in terms of Section 127 of the MFMA.
- (iii) That the 2020/21 Draft Annual Report be referred to the MPAC to perform the oversight process and compile the Oversight Report.

## **6.2 PERFORMANCE EVALUATIONS 2020/21: MUNICIPAL MANAGER AND SENIOR MANAGERS AND PAYMENT OF PERFORMANCE BONUSES**

### **REPORT BY THE MUNICIPAL MANAGER**

#### **PURPOSE OF REPORT**

To submit the 2020/21 performance reviews of the Municipal Manager and Senior Managers to Council, and to request approval to pay performance bonuses. The full performance reviews report is attached on **page 2 to 9**.

## **LEGAL IMPLICATIONS**

The Municipal Manager and senior managers reporting directly to the Municipal Manager are required to conclude an annual performance agreement for each financial year in terms of Section 57 (1) (b) of the Local Government: Municipal Systems Act. Performance evaluations are done twice a year in terms of the Local Government Municipal Performance Regulations for Municipal Managers and Managers directly accountable to Municipal Managers (2006).

**Performance bonuses are payable in terms of Sub regulation 8 of the aforementioned regulations that state that:**

*“a performance bonus, based on affordability, may be paid to the employee, after -*

- 1) *the annual report for the financial year under review has been tabled and adopted by the municipal council;*
- 2) *an evaluation of performance in accordance with the provisions of regulation 23; and*
- 3) *approval of such evaluation by the municipal council as a reward for outstanding performance.”*

**The bonus structure is as follows:**

<b>RATING</b>	<b>LEVEL</b>	<b>BONUS CALCULATION</b>
0% - 64%	Poor performance	0% of Total package
65% - 69%	Average Performance	5% of Total Package
70% - 74%	Fair Performance	8% of Total Package
75% - 79%	Good Performance	11% of Total Package
80% - 100%	Excellent Performance	14% of Total Package

## **DISCUSSION**

The performance reviews for the full 2020/21 financial year were done on 11 October 2011 and were done by a panel which was constituted in terms of legislation and the performance agreements of the respective managers.

**The following officials were evaluated:**

1. Municipal Manager - Mr E Phillips
2. Director: Infrastructure Services – Mr AA Jacobs
3. Director: Finance and IT Services – Mr H van Biljon
4. Director Management Services – Mr H Krohn

## **PERFORMANCE EVALUATION PROCESS**

The officials were given an opportunity to make a presentation to the panel and scoring was done in terms of evidence provided. The following information was considered during the evaluation:

1. The presentation of the official.
2. The actual achievements in terms of the key performance indicators based on the performance agreements (80%).
3. Core competencies (20%).

The supporting evidence was audited in full by the Internal Auditor prior to the evaluation to ensure that the achievements were accurately reported.

## **EVALUATION OUTCOMES**

**The evaluation outcomes following the assessment were as follows:**

NAME	KPI'S WEIGHTED % 80	CORE COMPETENCIES WEIGHTED % 20	FINAL ASSESSMENT
Municipal Manager (Mr E Phillips)	62.8%	18.0%	80.8%
Director: Infrastructure Services (Mr A A Jacobs)	64.2%	18.0%	82.2%
Director: Finance and IT Services (Mr H van Biljon)	64.7%	18.0%	82.7%
Director: Management Services (Mr H Krohn)	65.4%	18.0%	83.4%

These outcomes were communicated to the employees and signed off following the evaluation. No appeals were received.

### **PERFORMANCE BONUSES PAYABLE**

Bonuses payable in terms of clause 11.3 of the performance agreements are a percentage of the official's annual remuneration package. The Municipal Manager only commenced service on 1 November 2020 and his is therefore calculated pro-rata. The assessment outcomes are calculated as follows:

DESIGNATION	NAME	FINAL ASSESSMENT	BONUS
Municipal Manager	Mr E Phillips	80.8%	14% (Pro rata)
Director: Infrastructure Services	Mr A A Jacobs	82.2%	14%
Director: Finance and IT Services	Mr H van Biljon	82.7%	14%
Director: Management Services	Mr H Krohn	83.4%	14%

A prerequisite for the payment of bonuses is that the Draft Annual Report for 2020/21 is tabled and adopted prior to or at the same council meeting.

### **FINANCIAL IMPLICATIONS (DIRECTOR FINANCE AND IT SERVICES)**

A provision was made on the 2020/21 Annual Financial Statements for the payment of full performance bonuses.

### **PERSONNEL IMPLICATIONS**

Regulated in terms of the 2020/21 performance agreements.

### **MANAGEMENT RECOMMENDATION**

- (i) That Council takes note of the content of the 2020/21 performance evaluation report.
- (ii) That Council approves the payment of performance bonuses to the Municipal Manager and Senior Managers for the 2020/21 financial year as per the outcome of the performance evaluations.

### **RESOLUTION 250/2021**

- (i) That Council takes note of the content of the 2020/21 performance evaluation report.
- (ii) That Council approves the payment of performance bonuses to the Municipal Manager and Senior Managers for the 2020/21 financial year as per the outcome of the performance evaluations.



### 6.3 VERKIESING VAN KOMITEES VAN DIE RAAD

#### DOEL VAN VERSLAG

Verkiesing van komitees van die Raad.

#### AGTERGROND

Die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No 117 van 1998) maak voorsiening vir die daarstelling van artikel 79 en artikel 80 komitees.

Artikel 79 komitees is Raadskomitees, aangewys deur die Raad vir 'n spesifieke doel en verantwoordbaar aan die Raad. Artikel 79 komitees moet so saamgestel word dat dit die partye en belange gereflekteer in die Raad se samestelling, verteenwoordig. Die Raad mag persone wat nie Raadslede is nie, op hierdie komitees benoem, gebaseer op hierdie persone se tegniese ondervinding. Sulke komitees sluit ouditkomitees, oorsigkomitees, prestasiebestuur komitees en reëlkomitees in.

Artikel 80 komitees word deur die Raad aangewys om die Uitvoerende Burgemeester by te staan in die uitvoering van sy pligte. Hierdie komitees is verantwoordbaar aan die Uitvoerende Burgemeester.

#### LEDE MOET VIR DIE VOLGENDE KOMITEES AANGEWYS WORD

##### A. ARTIKEL 79 KOMITEES

1. Arbeidsforum (4)
2. Gelyke Indiensnemingskomitee (2)
3. Opleiding- en Ontwikkelingskomitee (2)
4. Beroepsgesondheid- en Veiligheidskomitee (2)
5. Behuisingskomitee (6 Wyksraadslede)
6. MPAC
7. Oudit- en Prestasie-Oudit Komitee

##### B. ARTIKEL 80 KOMITEES

1. Bestuursdienste Komitee (4)
2. Infrastruktuurdienste Komitee (4)
3. Finans- en IT Dienste Komitee (4)
4. Masakhane Werkgroep (6 Wyksraadslede)

##### C. VERTEENWOORDIGERS VIR DIE VOLGENDE

1. Overberg Distriksmunisipaliteit
2. Pensioenfonds vir Raadslede en Amptenare
3. Hospitaalraad
4. Trusteeraad van Skeepswrakmuseum
5. Toerisme
6. Bewaringskomitee
7. Heuningberg Natuurtuin
8. ACVV: Gesondheid- en Welsynskomitee
9. ACVV: Dienssentrum Beheerliggaam
10. Distriksgesondheidsraad
11. Kaap Agulhas Sportforum
12. Georganiseerde Landbou, Opkomende Boere en Vissermanne
13. SALGA Speakersforum
14. Bredasdorp Gesondheids- en Welsynsforum

**D. VERTEENWOORDIGERS VIR SALGA WERKSGROEPE**

1. Ekonomiese Ontwikkeling
2. Munisipale Finansies en Administratie
3. Sosiale Ontwikkeling, Gesondheid en
4. Veiligheid
5. Munisipale Dienste
6. Menslike Hulpbron Ontwikkeling
7. Regering, Inter-Regering en Internasionale Verhoudinge

**BESTUURSAANBEVELING**

- (i) Dat die Raad die lede/verteenwoordigers van die Komitees aanwys.
- (ii) Dat, indien die Raad besluit om artikel 80 Komitees in te stel, die uitvoerende burgemeester die voorsitters van die komitees aanwys.
- (iii) Dat, indien die Raad besluit om artikel 79 Komitees in te stel, die komitees self hul voorsitters aanwys op hul eerste vergadering.

**BESLUIT 251/2021**

- (i) Dat die lede/verteenwoordigers van die bogenoemde Komitees soos volg aangewys word:

**A. ARTIKEL 79 KOMITEES**

<b>Arbeidsforum (4)</b>	<ul style="list-style-type: none"> <li>• Rdl K Donald</li> <li>• Rdl R Ross</li> <li>• Rdl R Mokotwana</li> <li>• Rdl J August-Marthinus</li> </ul>
<b>Gelyke Indiensnemingskomitee (2)</b>	<ul style="list-style-type: none"> <li>• Rdl K Donald</li> <li>• Rdl J August-Marthinus</li> </ul>
<b>Opleiding- en Ontwikkelingskomitee (2)</b>	<ul style="list-style-type: none"> <li>• Rdl R Ross</li> <li>• Rdl M Matthysen</li> </ul>
<b>Beroepsgesondheid- en Veiligheidskomitee (2)</b>	<ul style="list-style-type: none"> <li>• Rdl G Olwage</li> <li>• Rdl R Louw</li> </ul>
<b>Behuisingskomitee (6 Wyksraadslede)</b>	<ul style="list-style-type: none"> <li>• Rdl R Ross</li> <li>• Rdl D Jantjies</li> <li>• Rdl R Louw</li> <li>• Rdl J Nieuwoudt</li> <li>• Rdl G Olwage</li> <li>• Rdl August-Marthinus</li> </ul>
<b>MPAC</b>	<ul style="list-style-type: none"> <li>• Rdl D Jantjies (Voorsitter)</li> <li>• Rdl R Louw</li> <li>• Rdl J Nieuwoudt</li> </ul>
<b>Oudit- en Prestasie-Oudit Komitee</b>	<b>Komitee is reeds aangewys - Geen Raadslede mag op Komitee dien nie.</b>

**B. ARTIKEL 80 KOMITEES**

<b>Bestuursdienste Komitee (4)</b>	<ul style="list-style-type: none"> <li>• Rdl R Ross (Voorsitter)</li> <li>• Rdl J August-Marthinus</li> <li>• Rdl D Jantjies</li> <li>• Rdl J Nieuwoudt</li> <li>• Rdl K Donald</li> </ul>
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<b>Infrastruktuurdienste Komitee (4)</b>	<ul style="list-style-type: none"> <li>• Rdl G Olwage <b>(Voorsitter)</b></li> <li>• Rdl R Louw</li> <li>• Rdh D Jantjies</li> <li>• Rdl R Ross</li> <li>• Rdl K Donald</li> </ul>
<b>Finans- en IT Dienste Komitee (4)</b>	<ul style="list-style-type: none"> <li>• Rdl K Donald <b>(Voorsitter)</b></li> <li>• Rdl R Louw</li> <li>• Rdl M Matthysen</li> <li>• Rdl D Burger</li> <li>• Rdl G Olwage</li> </ul>
<b>Masakhane Werkgroep (6 Wyksraadslede)</b>	<ul style="list-style-type: none"> <li>• Rdl R Ross <b>(Voorsitter)</b></li> <li>• Rdh D Jantjies</li> <li>• Rdl R Louw</li> <li>• Rdh J Nieuwoudt</li> <li>• Rdl G Olwage</li> <li>• Rdl August-Marthinus</li> </ul>

### C. VERTEENWOORDIGERS WORD SOOS VOLG AANGEWYS

<b>Overberg Distriksmunisipaliteit</b>	<ul style="list-style-type: none"> <li>• Rdh J Nieuwoudt</li> <li>• Rdl R Mokotwana</li> </ul>
<b>Pensioenfonds vir Raadslede en Amptenare</b>	Rdh J Nieuwoudt
<b>Hospitaalraad</b>	Rdl K Donald
<b>Trusteeraad van Skeepswrakmuseum</b>	Rdh J Nieuwoudt
<b>Toerisme</b>	Rdl K Donald
<b>Bewaringskomitee</b>	Rdl R Ross
<b>Heuningberg Natuurtuin</b>	Rdh J Nieuwoudt
<b>ACVV: Gesondheid- en Welsynskomitee</b>	Rdh J Nieuwoudt
<b>ACVV: Dienssentrum Beheerliggaam</b>	Rdl R Ross
<b>Distriksgesondheidsraad</b>	Rdh J Nieuwoudt
<b>Kaap Agulhas Sportforum</b>	Rdl R Ross
<b>Georganiseerde Landbou, Opkomende Boere en Vissermanne</b>	Rdl G Olwage
<b>SALGA Speakersforum</b>	Rdl D Burger
<b>Bredasdorp Gesondheids- en Welsynsforum</b>	Rdl K Donald

### D. VERTEENWOORDIGERS VIR SALGA WERKSGROEPE

<b>Ekonomiese Ontwikkeling</b>	Rdl P Swart <b>(Sekundi: Rdl K Donald)</b>
<b>Munisipale Finansies en Administratie</b>	Rdl K Donald <b>(Sekundi: Rdl G Olwage)</b>
<b>Sosiale Ontwikkeling, Gesondheid en Veiligheid</b>	Rdl R Ross <b>(Sekundi: Rdl J August-Marthinus)</b>
<b>Munisipale Dienste</b>	Rdl G Olwage <b>(Sekundi: Rdl D Burger)</b>
<b>Menslike Hulpbron Ontwikkeling</b>	Rdl R Ross <b>(Sekundi: Rdl K Donald)</b>
<b>Regering, Inter-Regering en Internasionale Verhoudinge</b>	Rdl P Swart <b>(Sekundi: R Ross)</b>

(ii) Dat die artikel 79 Komitees hul Voorsitters tydens die eerste vergadering sal aanwys.

## 6.4 REMUNERATION OF THE CHAIRPERSON OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

### COUNCIL SUPPORT AND ADMINISTRATIVE SERVICES

#### PURPOSE OF REPORT

To consider the increase in the total remuneration package of the newly elected Chairperson of the Council's Municipal Public Accounts Committee (MPAC) in terms of section 8 of the Government Notice on the Determination of Upper Limits of Salaries, Allowances, and Benefits of different Members of Municipal Councils as published in the Government Gazette No. 43246 published on 24 April 2020 (Notice) and which took effect 1 July 2019 (document attached on **page 10 to 23**).

#### BACKGROUND

The new Chairperson of the Council's MPAC was elected and appointed in the aforementioned position during the Council's inaugural meeting held on 22 November 2021. The Chairperson indicated that he should be remunerated as the Chairperson of MPAC which is set by the said Notice.

Paragraph 8 of the notice indicates that Part-time Members of Council receives a total remuneration package of R272 430 (grade three) and makes provision for a total package for the Chairperson of a section 79 Committee, i.e. MPAC, of R349 618, an additional R72 267. The notice, therefore, makes provision for higher package for such Chairpersons.

#### **The preamble states that:**

*"The salary and allowances of a Councillor is determined by that municipal council by resolution of a supporting vote of the majority of its members, in consultation with the member of the Executive Council responsible for Local Government in each province, having regard to the upper limits as set out hereunder, the financial year of a municipality and affordability of municipality to pay within the different grades..."*

It is clear that the Council can decide on the different remuneration level for the Chairperson of MPAC. However, emphasis must be placed on the requirement of "...in consultation with..." the MEC for Local Government. The preamble clarifies this consultation as follows:

*"For purpose of implementation of the Government Notice, "in consultation with" means that the municipal council must obtain concurrence of the MEC for local government prior to the implementation of the provisions of this Notice."*

The above is clear that, should the Council approve the payment of the remuneration for s79 Committee Chairpersons, the Council still need the approval of the MEC.

#### **A similar matter was raised in Council in the past during their special meeting of 30 January 2018. The following is an extract of the applicable Council agenda item:**

*"The government gazette notice section 5 and Section 8 does make provision, among other, for the remuneration of a chairperson of a Section 79 Committee with specific reference to the Chairperson of MPAC which is a part time councillor to the additional cost of R71 365 per annum at R323 2425. However, since the establishment of the MPAC at Cape Agulhas Municipality, council never applied the additional remuneration allowed for the Chairperson of a Section 79 Committee and should therefore resolved on the matter if so considered for implementation based on the criteria in terms of Section 33 of the Municipal Structures Act, 117 of 1998 as no provision was made in the 2017/18 budget year to carry this additional cost. (Council might resolve to apply the same principle and keep the Status Quo)."*

The matter was taken up with the MEC at a previous occasion but was declined. Due to this the CFO confirmed that there is no provision on the current budget for this increase and will have to be re-considered with the adjustment budget if approved by the MEC.

**STAFF IMPLICATIONS**

None.

**FINANCIAL IMPLICATIONS**

Additional R72 276,00 Council/Salary expenditure (currently not budgeted for).

**LEGISLATIVE IMPLICATIONS**

Consideration of section 8 of the Government Notice on the Determination of Upper Limits of Salaries, Allowances, and Benefits of different Members of Municipal Councils as published in the Government Gazette No. 43246 published on 24 April 2020 in respect of section 79 Chairpersons.

**MANAGEMENT RECOMMENDATION**

- (i) That Council considers the application of the increased remuneration package of the MPAC Chairperson.
- (ii) If approved, that the matter be referred to the MEC for Local Government for concurrence.

**NA BESPREKING VAN DIE AANGELEENTHEID, WORD DIE VOLGENDE VOORSTELLE GEMAAK:**1. **VOORSTEL 1 - Rdl P Swart (Sekondant: Rdl R Ross):**

Dat die Bestuursaanbeveling nie aanvaar word nie.

2. **VOORSTEL 2 - Rdl R Mokotwana (Sekondant: R Louw):**

Dat die Bestuursaanbeveling aanvaar word.

**Na die uitbring van stemme word die volgende besluit geneem:**

**RESOLUTION 252/2021**

That the application of the increased remuneration package of the MPAC Chairperson be referred back for investigation and budget consideration and resubmitted to Council for consideration.

6.5 **KWARTAALVERSLAG OOR DIE OUDITKOMITEE SE WERKSAAMHEDE VIR DIE KWARTAAL GEËINDIG 30 SEPTEMBER 2021 (MB)****DOEL VAN VERSLAG**

Verslagdoening aan die Raad oor die Ouditkomitee se werksaamhede, die uitvoering van sy pligte en aanbevelings gemaak vir die kwartaal geëindig 30 September 2021.

**AGTERGROND**

In terme van Nasionale Tesourie se Omsendskrywe 65 van 2003 moet die Komitee op 'n kwartaallikse basis verslag aan die Raad doen oor die uitvoering van hulle funksies en werksaamhede asook werksaamhede van die interne oudit aktiwiteit. Hierdie omsendskrywe is in 2012 aangepas om by die jongste verwickelinge en verwagtinge rondom die Komitee, interne oudit en risikobestuur aan te pas.

Op grond van hierdie skrywe het die Komitee sy kwartaalverslag, soos aangeheg op **bladsy 24 tot 27** opgestel vir bogemelde kwartaal en wat nou aan die Raad voorgelê word vir bespreking en oorweging.

**Die Raad se aandag word graag op die volgende pertinente punte in die verslag gevestig:**

1. Par. 5 (a) : Areas waarmee die komitee hulle tevredenheid uitspreek.
2. Par. 5 (b) : Areas van bekommernisse met pertinente aandag op item (b)(ii).
3. Par. 5 (c) : Ouditverslae wat deur die Komitee oorweeg is.

**PERSONEEL IMPLIKASIES**

Geen.

**FINANSIËLE IMPLIKASIE**

Geen.

**WETLIKE IMPLIKASIE**

Voldoening aan die Munisipale Beplannings- en Prestasiebestuursregulasies, 2001 en Tesourie Omsendskrywe 65 van 2003.

**AANBEVELING: OUDIT- EN PRESTASIE-OUDIT KOMITEE**

Dat die Raad die inhoud van die Komitee se kwartaalverslag vir die kwartaal geëindig 30 September 2021 oorweeg en aanvaar.

**BESLUIT 253/2021**

Dat die Raad die inhoud van die Komitee se kwartaalverslag vir die kwartaal geëindig 30 September 2021 aanvaar.

6.6 **OUDITEUR-GENERAAL OUDIT BEVINDINGE 2020/21 - OUDIT AKSIEPLAN (OPCAR) (DFD)****DOEL VAN VERSLAG**

Om die voorgestelde OPCAR vir die Ouditeur-Generaal se 2020/21 ouditbevindinge aan die Raad voor te lê vir oorweging en goedkeuring.

**AGTERGROND**

Na aanleiding van die Ouditeur-Generaal (OG) se audit van die 2020/21 finansiële jaar is daar sekere leemtes uitgewys wat aangespreek moet word. Hierdie bevindinge is in die Ouditeur-Generaal se finale bestuursbrief opgeneem en word nou saamgevat in die munisipaliteit se audit bevindinge aksieplan (OPCAR), soos aangeheg op **bladsy 28 tot 31**. Hierdie plan bevat 'n kort opsomming van die bevinding, die OG se siening rakende die oorsaak van die bevinding en die voorgestelde regstellende stappe om die gebreke aan te spreek. Die voorgestelde aksieplan word ook aan die Provinsiale Tesourie en die munisipaliteit se Ouditkomitee voorgelê. Die vordering met die implementering van die aksieplan word ook op 'n maandelikse basis aan die Raad voorgelê asook aan die Ouditkomitee tydens hulle kwartaallike vergaderings.

**PERSONEEL IMPLIKASIES**

Geen.

**FINANSIËLE IMPLIKASIES**

Geen.

**WETLIKE IMPLIKASIES**

Nakoming van toepaslike wetgewing wat deur die bevindinge geraak word.

**BESTUURSAANBEVELING**

Dat die Raad die 2020/21 Ouditaksieplan oorweeg en aanvaar vir implementering.

**BESLUIT 254/2021**

Dat die Raad die 2020/21 Ouditaksieplan aanvaar vir implementering.

## 6.7 **PANDEMIC: CONTINUATION OF SERVICES FRAMEWORK**

### **PURPOSE OF REPORT**

To present to Council the Pandemic: Continuation of Services Framework for Cape Agulhas Municipality.

### **BACKGROUND**

The attached document on **page 32 to 41** is to ensure the safety and health, also continued service to our customers, partners and employees. This is our primary focus as we continue to monitor the global spread of the Coronavirus (COVID-19) in our country, province, region and our municipal area.

Cape Agulhas Municipality initiated the drafting of the extended business continuity plans to ensure that the organisation is able to continue with operations with regards to municipal services, at all lockdown levels.

### **FINANCIAL IMPLICATIONS**

Unknown.

### **LEGAL IMPLICATIONS**

1. National Disaster Management Act 57 Regulations, as amended
2. Cape Agulhas Covid-19 Policy
3. Emergency Response Plan

### **ROLE PLAYERS**

1. All Municipal Directorates and Council Members.
2. Risk Management Services.

### **MANAGEMENT RECOMMENDATION**

That Council approves the Pandemic: Continuation of Services Framework.

### **RESOLUTION 255/2021**

That Council approves the Pandemic: Continuation of Services Framework.

## 6.8 **KONSEP-STRATEGIE: BEMAGTIGING VAN PLAASLIKE ENTREPRENEURS**

### **DOEL VAN VERSLAG**

Om die aangehegte strategie op **bladsy 42 tot 48**, wat ten doel het om plaaslike entrepreneurs te bemagtig, te oorweeg vir goedkeuring.

### **AGTERGROND**

Die ontwikkeling van die plaaslike ekonomie is aangewese op die bemagtiging van plaaslike entrepreneurs om sodoende werk te kan skep. Kaap Agulhas beskik oor 'n groot verskeidenheid van entrepreneurs in verskeie velde wat graag 'n verskil wil maak deur te belê in munisipale dienslewering in terme van menslike kapitaal, en om sodoende ons plaaslike ekonomie te versterk.

Die gevolge van die Covid-pandemie het dit vir baie mense moeilik gemaak om hul merk in hul onderskeie vakgebiede te maak, en het die nasionale werkloosheidsyfer laat groei.

Ten einde plaaslike entrepreneurs in staat te stel om hul merk te maak, benodig hulle die nodige bystand in terme van opleiding en geleenthede.

Die munisipaliteit behoort as plaaslike regering 'n belangrike rol te speel in die fasilitering van sulke geleenthede. As leier in die samelewing moet die munisipaliteit ook sy eie bydrae maak ten opsigte van ontwikkeling.

Die munisipaliteit beskik oor 'n weselike kapitale begroting, en behoort die voortou te neem om hierdie begroting so te struktureer dat plaaslike entrepreneurs wie hiervoor kwalifiseer, hul regmatige rol in die ontwikkeling van die plaaslike ekonomie op te kan eis. Hierdie aangehegte beleid is 'n positiewe begin om ons plaaslike entrepreneurs te kan posisioneer in hierdie verband.

### **FINANSIËLE IMPLIKASIE**

Die toedeling van 'n persentasie van die munisipale begroting om die toepassing van die beleid moontlik te kan maak.

### **WETLIKE RAAMWERK**

1. Grondwet van die Republiek van Suid-Afrika
2. Wet op die Ontwikkelingsraad vir die Konstruksiebedryf (CIDP)
3. Voorkeur Verkrygingsbeleidsraamwerk Wet (PPPFA)
4. Die Wet op Breë Swart Ekonomiese Bemagtiging (BBBEE)
5. Kaap Agulhas Ekonomiese Herstelplan

### **BESTUURSAANBEVELING**

Dat die aangehegte dokument, na bespreking deur die Raad aanvaar word.

### **BESLUIT 256/2021**

Dat die konsep Strategie: Bemagtiging van Plaaslike Entrepreneurs deur die Raad gewerkswinkel word alvorens finale oorweging deur die Raad.

## 6.9 **MINIMUM SERVICES COLLECTIVE AGREEMENT (HR)**

### **PURPOSE OF REPORT**

To present to Council the Minimum Service Collective Agreement for Cape Agulhas Municipality, attached on **page 49 to 58**.

### **BACKGROUND**

Essential services are defined as those services that, if interrupted, would endanger the life, personal safety or health of the whole or any part of the population. The Labour Relations Act (LRA), the enabling legislation requires that minimum services collective agreements be concluded in services designated or classified as essential services.

All municipalities are required to conclude new agreements or revise existing agreements to comply with the new legal requirements. As per the level of collective bargaining in the Main Collective Agreement, the conclusion of a minimum services collective agreement falls to the parties at a municipal level.

### **FINANCIAL IMPLICATIONS**

None.

### **ROLE PLAYERS**

Discussed by SAMWU, IMATU and Management.



**MANAGEMENT RECOMMENDATION**

That Council approves the Minimum Services Collective Agreement.

**RESOLUTION 257/2021**

That Council approves the Minimum Services Collective Agreement.

6.10 **INTERNATIONAL CENTRE FOR LOCAL DEMOCRACY (ICLD) MUNICIPAL PARTNERSHIP: PROJECT TEAM**

**REPORT FROM THE OFFICE OF THE MUNICIPAL MANAGER****PURPOSE OF REPORT**

To inform Council on progress in respect of the establishment of a partnership with Ekerö Municipality in Sweden and obtain new representation from the opposition party on the project team following the municipal election.

**BACKGROUND**

Cape Agulhas Municipality successfully applied to be part of the Swedish ICLD Municipal Partnership Programme in 2019 and was partnered with Ekerö Municipality in Sweden. The Municipal Partnership Programme is aimed at politicians and officials from local governments.

**DISCUSSION**

We are now in the inception phase of the programme which aims to investigate how to develop dialogue and cooperation between civil society (non-governmental organisations, institutions and networks and citizens) and the two municipalities, involved. We will choose one focus area, such as developing methods for citizen dialogue, youth involvement or social inclusion. A project plan must be produced during the Inception Phase that focuses on one of these areas for the two Municipalities to work on jointly.

ICLD provide training and support as well as reciprocal visits. Although the programme began in 2019, it was delayed due to Covid 19. It is now scheduled to recommence in the new year with the first virtual training workshop in January 2022. The partnership will ideally last for at least 3-4 years and possibly even longer depending on the nature of the project.

The project team comprises two officials and two politicians from each Municipality. One of the politicians should represent the opposition party. Cape Agulhas is represented by the Municipal Manager and Division Head Strategic Planning and Administration from the administration and Cllr P Swart and Cllr R Baker from the political side. Cllr Baker now needs to be replaced another member of the opposition as he is no longer a Councillor.

**LEGAL IMPLICATIONS**

None specifically.

**FINANCIAL IMPLICATIONS**

ICLD funds all training sessions as well as the reciprocal visits.

**PERSONNEL IMPLICATIONS**

None specifically.

**MANAGEMENT RECOMMENDATION**

- (i) That Council notes the progress made with the inception of a municipal partnership with Ekerö Municipality in Sweden.
- (ii) That Cllr \_\_\_\_\_ be nominated to represent the opposition party on the project team.

**RESOLUTION 258/2021**

- (i) That Council notes the progress made with the inception of a municipal partnership with Ekerö Municipality in Sweden.
- (ii) That Cllr Renier Louw be nominated to represent the opposition party on the project team.

6.11 **HUUROOREENKOMS: CHANGE AGRI - TOESTEMMING VIR OPRIGTING VAN INFRASTRUKTUUR****DOEL VAN VERSLAG**

Om te oorweeg om ingevolge artikel 13 van die ooreenkoms, toestemming aan Change Agri (Pty) Ltd te gee vir die oprigting van 'n skuur, asook 'n gronddam (sien e-pos aangeheg op **bladsy 59**).

**AGTERGROND**

Daar bestaan 'n huurooreenkoms, soos aangeheg op **bladsy 60 tot 70** tussen Kaap Agulhas Munisipaliteit en Change Agri (Pty) Ltd vir die huur van 'n gedeelte van erf 1148, Bredasdorp met 'n grootte van ongeveer 294Ha. Die grond bestaan uit kampe 12, kampe 14 - 17 en kampe 19 - 20 (sien aangehegte skets op **bladsy 71**). Die ooreenkoms is vir 'n huurtermyn van 9 jaar en 11 maande, beginnende op 1 November 2020 tot 30 Oktober 2030.

Change Agri (Pty) Ltd het die Raad versoek om oorweging te skenk om 'n skuur, asook 'n gronddam op die terrein op te rig. Artikel 13 van die ooreenkoms is van toepassing. Alle infrastruktuur sal vir die huurder se rekening wees.

Die Raad het reeds vir Change Agri (Pty) Ltd toegelaat om op erf 1148, soos na konsultasie met die Raad, toestemming gegee om 'n nuwe waterbron te ontwikkel wat direk met die verbouing binne kamp 17 kan help, op hul eie koste.

Die huurder is reeds ingelig oor die vereistes wat benodig word, onder andere die indiening van bouplanne, wat ook deur 'n ingenieurstekening vergesel is, asook 'n volledige terreinplan van die plasing van die struktuur en dam. Die huurder dra kennis dat geen van die verbeterings verwyder mag word met die beëindiging van die ooreenkoms nie.

**FINANSIËLE IMPLIKASIE**

Geen vir die Raad.

**REGSIMPLIKASIE**

Die bepaling van die ooreenkoms is duidelik (art 13).

**PERSONEEL IMPLIKASIE**

Geen.

**BESTUURSAANBEVELING**

- (i) Dat die Raad goedkeuring verleen vir die uitbreiding aan die bestaande ooreenkoms tussen KAM en Change Agri om voorsiening te maak vir die oprigting van 'n skuur asook die bou van 'n gronddam.
- (ii) Dat die goedkeuring onderhewing is aan die indiening en goedkeuring van wettige bouplanne.

**BESLUIT 259/2021**

- (i) Dat die Raad goedkeuring verleen vir die uitbreiding aan die bestaande ooreenkoms tussen KAM en Change Agri om voorsiening te maak vir die oprigting van 'n skuur asook die bou van 'n gronddam.
- (ii) Dat die goedkeuring onderhewing is aan die indiening en goedkeuring van wettige bouplanne.

6.12 **CAPE AGULHAS MUNICIPALITY: SUMMER SEASON READINESS PLAN DEC 2021 - FEB 2022****REPORT BY THE MANAGER PROTECTION SERVICES****PURPOSE OF REPORT**

To present Council with the Summer Season Readiness Plan which include relevant services applicable for its municipal area.

**LEGAL FRAMEWORK**

Disaster Management Act, 57 of 2002.

**BACKGROUND**

In order for the Municipality to comply with its legislative requirements in terms of Disaster Management to ensure summer readiness, coordination of line functions and general preparedness, a summer readiness plan has been prepared. This practice ensures that communication takes place between Disaster Management and the line functions to minimize or avoid the effect of natural disasters, incidents, and accidents within the municipal area.

**DISCUSSION**

Cape Agulhas Municipality normally declare their readiness by completing the template on summer readiness issued by the Western Cape Provincial Disaster Management Centre (WCDMC) and return it through the District channel which is the Overberg District Municipality Disaster Management Centre on an annual basis. In addition this year, management requested the summer readiness plan which lays out the preparations, alertness and action planning prior and during the summer/holiday season.

**FINANCIAL IMPLICATIONS**

None.

**ANNEXURES**

Draft Summer Season Readiness Plan for the period Dec 2021 till Feb 2022 (***attached as seperate document***)

**MANAGEMENT RECOMMENDATION**

That the Summer Season Readiness Plan for Dec 2021 - Feb 2022 be approved and implemented.

**RESOLUTION 260/2021**

- (i) That the Summer Season Readiness Plan for Dec 2021 - Feb 2022 be approved and implemented.
- (ii) That thorough communication be done on all platforms to inform the public that no fireworks will be allowed.

6.13 **CONFIRMATION OF TIME SCHEDULE FOR THE 2022/23 IDP REVIEW / BUDGET PROCESS****REPORT FROM THE OFFICE OF THE MUNICIPAL MANAGER: STRATEGIC PLANNING AND ADMINISTRATIVE DIVISION****PURPOSE OF REPORT**

For the new Municipal Council to confirm Council Resolution 180/2021 that was adopted on 26 August 2021 which reads as follows:

- (i) *That the Time Schedule of Key Deadlines for the 2022/23, 2023/24 and 2024/2025 Budget and 2022/23 Integrated Development Plan (IDP) review be approved in terms of Sections 21(1)(b) and 53(1)(b) of the Municipal Finance Management Act (Act 56 of 2003) read together with Sections 28 and 34 of the Local Government Municipal Systems Act (Act 32 of 2000) which proposes the adoption of the existing IDP by the new council (after elections) in terms of section 25(3) of the MSA.*
- (ii) *That the proposed adoption of the existing IDP by the new council (after elections) in terms of section 25(3) of the MSA be presented to the incoming Council for approval*
- (iii) *That the Time Schedule of Key Deadlines be made public in terms of Section 21 of the Local Government Municipal Systems Act (Act 32 of 2000).*
- (iv) *That the current Process Plan be amended to accommodate the extension of the plan for 2022/2023 Financial Year.*

The report and Time Schedule of key deadlines is attached as Annexure on **page 72 to 88**.

**BACKGROUND**

The Time Schedule which outlines the key deadlines for the preparation, tabling and approval of the annual budget as well as any amendments to the IDP, had to be adopted by **31 August 2021**.

The term of the current IDP (2017-2022) comes to an end on 30 June 2022. The 2021 elections took place on 1 November 2021, meaning that if the new Council wish to develop a new five year IDP they would have to adopt a new Process Plan post election which will mean that public participation processes for this very important document would need to take place over December. These limited time frames / time of year make it questionable as to what the quality of input would be. The aforementioned resolution therefore proposed the adoption of the 2017-2022 IDP by the new council for another year (subject to amendments) up the end of June 2023. The new Council can then commence with the compilation of its own IDP process in July 2022 to be tabled end of March 2023 and adopted end of May 2023. This will then be a four- year IDP.

This approach is promoted by National and Provincial Government and was alluded to in MFMA circular 108 of 2021 which addressed transitional processes for the development and adoption of IDPs during the 2021 election year.

*"The 2020/21 municipal financial year represents the last year of the current municipal councils' electoral term. Therefore, the next municipal election to usher in new councils is expected to take place between August and November 2021 in terms of the Section 24 (2) of the Municipal Structures Act, 2000 (Act No. 32 of 2000) (MSA).*

*It is acknowledged that the period within which the coming election's date is expected takes place after the start of a new financial year. This particular scenario poses a latent challenge in so far as adherence to legislated timeframes with regard to the adoption of the 5-year Integrated Development Plan (IDP) and the subsequent implementation.*

*Given the fact that the IDP and budget would need to be reviewed and adopted by 30 June 2021, the current council has an obligation to ensure that these stipulations are complied with.*

*In this regard, the current council will be expected to continue reviewing the IDP and ensuring that it is adopted within the legislated timeframe.*

*Section 25 (3) of the MSA does allow the municipal council to adopt the IDP of the preceding council. However, should the incoming councils be unhappy with the priorities set out by the current council, in this case, municipal councils are advised to consider the existing adopted IDP and resolve to initiate or not to initiate an amendment procedure as guided by the MSA and the Municipal Performance and Planning Regulations (2001)”*

**At the time that this Time Schedule was adopted there was uncertainty relating to the election date and dates were compiled in accordance with information available at the time. It has since been necessary to make some amendments namely:**

- Council Strategy workshop – moved between to 17-21 January 2022
- Establishment of ward committees – moved to between 24 Jan – 04 Feb 2022
- Public participation (virtual meeting) – changed to 21 October 2021
- Local Government Elections – moved to 01 November 2021
- Newly elected council considers and confirms following the section 25(3) option and condoning this Time schedule approved by previous council – moved to 14 December 2021

### **LEGISLATION**

- Municipal Finance Management Act: Section 21
- Municipal Systems Act: Sections 25, 28 and 29

Details of these sections are contained in the previous report.

### **FINANCIAL IMPLICATIONS**

The Budget is based on the IDP and the credibility of the IDP informs the budget.

### **PERSONNEL IMPLICATIONS**

None.

### **COMMENTS BY THE DIRECTOR FINANCE AND IT**

The Director Finance and IT and BTO Office were consulted during the compilation of this Time Schedule and are satisfied with it.

### **MANAGEMENT RECOMMENDATION**

- (i) That Council confirm the decision of the previous Municipal Council to approve the Time Schedule of Key Deadlines for the 2022/23, 2023/24 and 2024/2025 Budget and 2022/23 Integrated Development Plan (IDP), subject to the following amendments:
  - Council Strategy workshop: Moved between to 17 - 21 January 2022.
  - Establishment of ward committees: Moved to between 24 Jan - 4 Feb 2022.
  - Public participation (virtual meeting): Changed to 21 October 2021.
  - Local Government Elections: Moved to 1 November 2021.
  - Newly elected council considers and confirms following the section 25(3) option and condoning this Time schedule approved by previous Council: Moved to 14 December 2021.
- (ii) That Council confirm the adoption of the IDP of the previous Municipal Council subject to possible amendments in terms of section 25(3) of the MSA.

**RESOLUTION 261/2021**

- (i) That Council confirm the decision of the previous Municipal Council to approve the Time Schedule of Key Deadlines for the 2022/23, 2023/24 and 2024/2025 Budget and 2022/23 Integrated Development Plan (IDP), subject to the following amendments:
- Council Strategy workshop: Moved between to 17 - 21 January 2022.
  - Establishment of ward committees: Moved to between 24 Jan - 4 Feb 2022.
  - Public participation (virtual meeting): Changed to 21 October 2021.
  - Local Government Elections: Moved to 1 November 2021.
  - Newly elected council considers and confirms following the section 25(3) option and con-  
doning this Time schedule approved by previous Council: Moved to 14 December 2021.
- (ii) That Council confirm the adoption of the IDP of the previous Municipal Council subject to possible amendments in terms of section 25(3) of the MSA.

6.14 **APPROVAL OF THE WARD COMMITTEE POLICY AND ESTABLISHMENT PLAN****REPORT FROM THE OFFICE OF THE MUNICIPAL MANAGER STRATEGIC PLANNING AND ADMINISTRATIVE DIVISION****PURPOSE OF REPORT**

To present the revised Ward Committee Policy and Ward Committee Establishment Plan to Council for approval. The policy and Process Plan are attached on **page 89 to 100**.

**BACKGROUND**

The establishment of Ward Committees is regulated by Chapter 4 of the Local Government Municipal Structures Act, No 117 of 1998 and Regulations. The Municipal Elections took place on 1 November 2021 and in terms of the Municipal Structures Act as amended, new Ward Committees must be established within 120 days after local municipal elections.

**DISCUSSION**

The planning for the establishment of the ward committees commenced during May / June 2021.

An advertisement was placed on the Municipal Website, Municipal Facebook page and also in the local newspaper, to invite interest groups to register on the Ward Committee database and to participate in the Ward Committee elections.

**Further meetings and discussions already took place and included the following:**

- Inter-Departmental planning meetings
- Meeting with all newly elected Ward Councillors
- Meeting with the different sectors that registered on the Ward Committee database

**LEGISLATION**

In terms of Local Government Municipal Structures Act, No 117 of 1998 and Regulations:  
Section 73 (1) - if a metropolitan or local council establishes ward committees, it must establish a ward committee for each ward in the municipality

Section 73 (2) – a ward committee consists of -

- (a) The councillor representing that ward in the council, who must also be the chairperson of the committee; and
- (b) Not more than 10 other persons

**FINANCIAL IMPLICATIONS**

Payment of out-of-pocket expenses monthly to the amount of R700,00 per ward committee member which is provided for on the current budget as indicated in section 73 (3) (c) of Local Government Municipal Structures Act, No 117 of 1998 and Regulations.

**PERSONNEL IMPLICATIONS**

None.

**MANAGEMENT RECOMMENDATION**

- (i) That Council adopts the revised Ward Committee Policy.
- (ii) That Council adopts the Ward Committee Establishment Plan (2021/2026).

**RESOLUTION 262/2021**

- (i) That Council adopts the revised Ward Committee Policy.
- (ii) That Council adopts the Ward Committee Establishment Plan (2021/2026).
- (iii) That the registration of Ward Committee members be extended till the end of December 2021 and that the Ward Committee Establishment Plan dates be amended to accommodate this.

6.15 **JAARBEPLANNER 2022 (BAO)****DOEL VAN VERSLAG**

Om die Raad se jaarbeplanner vir vergaderings vir 2022 te oorweeg.

**AGTERGROND**

Die jaarbeplanner van die Raad word jaarliks deur Komiteedienste opgestel om die beplanning van vergaderings te koördineer.

'n Voorlopige beplanner is na rolspelers gesirkuleer en nadat insette in berekening gebring is, word die volledige dokument aan die Raad voorgelê vir oorweging (*sien bylaag as aparte dokument aangeheg*).

**FINANSIËLE IMPLIKASIE**

Geen.

**ANDER ROLSPELERS GENADER**

Alle Raadslede, Munisipale Bestuurder, Direkteure en Departementshoofde.

**BESTUURSAANBEVELING**

- (i) Dat die aangehegte skedule as beleidsraamwerk van die Raad aanvaar word.
- (ii) Dat die skedules op strategiese plekke binne die Raad se lokale vertoon en versprei sal word.

**BESLUIT 263/2021**

- (i) Dat die aangehegte skedule, met die nodige wysigings as beleidsraamwerk van die Raad aanvaar word.
- (ii) Dat die skedules op strategiese plekke binne die Raad se lokale vertoon en versprei sal word.

## 7. AANVULLENDE ITEM DEUR DIE RAAD HANTEER

### 7.1 RECOVERING OF AND/OR WRITING OFF UNAUTHORISED AND IRREGULAR EXPENDITURE FOR 2020/21 FINANCIAL YEAR

#### PURPOSE OF REPORT

For Council to consider the unauthorised and irregular expenditure incurred by the municipality and to investigate the irregular expenditure identified by the Auditor-General during the 2020/21 financial year audit for approval and / or to be written off.

#### BACKGROUND

**In terms of section 32(1) of the MFMA any political office-bearer or official of a municipality is liable for unauthorized expenditure if -**

- An office-bearer knowingly or after having been advised by the accounting officer that the expenditure is likely to result in unauthorized expenditure, instructed an official of the municipality to incur the expenditure;
- The accounting officer deliberately or negligently incurred unauthorized expenditure, subject to subsection (3) whereby the accounting officer has informed the Council in writing that the expenditure is likely to be unauthorized, irregular or fruitless and wasteful expenditure;
- Any political office-bearer or official deliberately or negligently committed, made or authorized an irregular expenditure; or
- Any political office-bearer or official deliberately or negligently made or authorized a fruitless and wasteful expenditure.

**Furthermore section 32(2) of the MFMA prescribes that a municipality must recover unauthorized, irregular or fruitless and wasteful expenditure from the person liable for that expenditure unless the expenditure -**

- (a) in the case of unauthorized expenditure, is -
  - (i) authorized in an adjustment budget; or
  - (ii) certified by the municipal council, after investigation by a council committee, as irrecoverable and written off by the council; and
- (b) in the case of irregular or fruitless and wasteful expenditure, is, after investigation by a council committee, certified by the council as irrecoverable and written off by the council.

**Additional irregular expenditure to the total value of R554 thousand was identified by the Auditor General mainly with reference to the following non-compliance in terms of the prescribed Supply Chain Management Regulations:**

1.	Non-compliance relating to CIDB requirements	:	R150 585,00
2.	Non-compliance relating to Local Content requirements	:	R289 274,00
3.	Non-compliance relating to composition of BAC/BEC	:	R114 540,00

Attached as **Annexure A** the updated and amended register in respect of unauthorized, irregular, fruitless and wasteful expenditure for the period July 2020 to June 2021 for Council's investigation and / or verification if so required.

#### LEGAL IMPLICATION

Non-compliance if not adhere to the prescripts as stipulated per above mentioned legislation.

#### FINANCIAL IMPLICATION

In terms of the prescribed legislation a Council must recover any unauthorized, irregular or fruitless and wasteful expenditure deliberately or negligently incurred by a political office-bearer or official of the municipality for which he / she will be held liable after a thorough investigation been completed.



The Municipal Manager, in consultation with the Director: Finance, recommends as follows:

**MANAGEMENT RECOMMENDATION**

- (i) Council considers the additional irregular expenditure as identified by the Auditor General during the execution of the 2020/21 financial year audit to the total value of R554,399 (Updated and Amended register - *Annexure "A"*) for recovery or certification as irrecoverable and written off.
- (ii) Council promptly informs the MEC for local government and Auditor-General in writing of the unauthorized, irregular, fruitless and wasteful expenditure incurred by the municipality for the periods under review inclusive of the council resolution on the outcome of finding.

**RESOLUTION 264/2021**

That the matter be referred to the MPAC for further investigation and thereafter resubmitted to Council for consideration.

8. **DRINGENDE SAKE DEUR DIE MUNISIPALE BESTUURDER**

Geen.

9. **OORWEGING VAN KENNISGEWING VAN MOSIES**

9.1 **Ongemagtigde, Onreëlmatige, Vrugtelose en Verkwiste Uitgawes van die 2018/19 Finansiële Jaar: Verslag van MPAC aan die Raad**

Die aangeleentheid word "In Komitee" hanteer.

10. **OORWEGING VAN KENNISGEWING VAN VRAE**

Geen.

11. **OORWEGING VAN DRINGENDE MOSIES**

Geen.

12. **VERSLAG DEUR MUNISIPALE BESTUURDER OOR DIE UITVOERING VAN RAADSBESLUIE**

'n Lys van onafgehandelde Raadsbesluite word aangeheg op **bladsy 26** van hierdie Notule.

13. **IN KOMITEE VERSLAE**

In Komitee items word vertroulik hanteer.

14. **SLUITING**

Die Speaker meld dat die Raad in reses sal gaan vanaf 15 Desember 2021 tot en met 7 Januarie 2022. Hy versoek dat Wyksraadslede te alle tye beskikbaar sal wees vir dringende aangeleenthede.

***Die vergadering verdaag om 13h40***

**ONAFGEHANDELDE RAADSBESLUITTE**

Besluit Nr	Onderwerp	Verkorte Besluit	Vordering	Verantwoordelike persoon
118/2020	Vervreemding (Koop): Ged erf 955, Struisbaai	(i) In-beginsel-goedkeuring verleen word vir die verkoop van Ged van erf 955, Struisbaai per publieke veiling. (ii) Die munisipale waardasie sal as reserwe prys dien. (iii) Alle wetlike prosesse gevolg sal word, soos onder andere die voorneme van vervreemding aan die publiek bekend gemaak moet word.	<b>Erf word per veiling verkoop. Veiling sou saam met die vervreemding van Struisbaai industriële erwe plaasgevind het, maar is uitgestel tot 'n latere datum.</b>	Eiendoms-administrasie
126/2020	Community-Based Outpatient Treatment Centre For Substance Abuse Programme	That the matter be referred back for further public participation and presentation to Council.	<b>A fully fledged community participation could not take place in Ward 3 due to Covid. The ward committee rejected the proposal. The development of a drug rehabilitation centre (possibly a community out-based centre is part of the joint District Approach and is being driven by the Province . There is a presentation on this at the next DCF meeting of the District Municipal Managers.</b>	Stadsbeplanning / IDP
129/2020	Registrasie Serwituut, versoek vir kompensasie: Mnr Roderick Roberts	Dat die aangeleentheid terugverwys word vir verdere ondersoek.	<b>Direkteur: Finansies sal verslag voorberei vir Komitee Vergadering.</b>	Finansies / Masakhane
200/2020	Vervreemding (huur): Ged erf 513, Napier	Dat 'n terreinbesoek deur alle rolspelers so spoedig moontlik afgelê word.	<b>Terrein inspeksie vind op 6 Sept 2021 plaas. Tydens inspeksie is besluit dat grond nie vervreem sal word nie. Aangeleentheid afgehandel.</b>	Eiendoms-administrasie
201/2020	Vervreemding (koop): Erf 3957, Struisbaai	(i) Aangeleentheid terugverwys word. (ii) Stadsbeplanning 'n volledige ondersoek doen rakende die toekenning van geloofsones aan kerkorganisasies in alle dorpe binne die regsgebied.	<b>Me Nel het Wykskomitee bygewoon en voorgestel dat "Manne van God" eerder na die erf 4090 langsaan kyk wat reeds reg gesoneer is (Civic en Social) en ook effens groter is.</b>	Stadsbeplanning
202/2020	Vervreemding (koop): erf 2838, Struisbaai	(i) Aangeleentheid oortaan. (ii) Stadsbeplanning 'n ondersoek doen oor bestaande groensones/publieke oop areas en 'n volledige verslag aan die Raad voorlê ten opsigte van die voortbestaan van die genoemde gebiede.	<b>Erf is nie geskik nie - Daar is stormwater probleme.</b>	Stadsbeplanning
214/2020	Waardasie AppèlRaad: Aanwysiging van lede vir aanstelling	(i) Aangeleentheid oortaan. (ii) Dat die vakature weer geadverteer word.	<b>Staan oor - Nuwe aanstellings met ingang 1 Maart 2022. MEC sal versoek word om Raadslede se aanstelling met 'n jaar te verleng om in lyn te bring met die algemene waardasie.</b>	Bestuurder: Admin Ondersteuning
24/2021	Vervreemding (Koop): Ged Erf 4329, Bredasdorp (Ministry of Christ United)	Dat die aangeleentheid terugverwys word vir verdere ondersoek.	<b>Erf sal onderverdeel moet word, omrede daar reeds ander gebruike (sopkombuis en speelskool) op die erf is.</b>	Eiendoms-administrasie
63/2021	Vervreemding: Ged Erf 1148, Bredasdorp (Kalkwerke: Toegang)	(i) Raad kennis neem van die versoek van P & B Kalkwerke om 'n gedeelte van erf 1148, Bredasdorp te bekom om te gebruik as "pad". (ii) Raad in-beginsel goedkeuring gee vir die vervreemding van 'n gedeelte van	<b>Public participation process completed, deed of donation signed, rezoning in process, commend period closes on 6 Jan 2022.</b>	Eiendoms-administrasie

		<p>erf 1148, Bredasdorp aan P &amp; B Kalkwerke om as "pad" gesoneer te word.</p> <p>(iii) Dat 'n volledige ontwikkelingsplan en uitlegplan aan die Raad voorgelê word, voordat finale besluit geneem word.</p> <p>(iv) Dat, nadat die finale voorlegging aan die Raad plaasgevind het, die publieke deelname proses gevolg word, die ooreenkoms opgestel word met spesifieke voorwaardes van onderverdeling, konsolidasie asook die hersonering van die grond.</p>		
75/2021	Korting op Huurooreenkoms: Southern Whales Akkommodasie (R Europa)	Dat die aangeleentheid terugverwys word vir verdere ondersoek. Sodanige ondersoek sal insluit: Alle besigheidsaansoeke vir "Covid-korting" en maatskaplike aanpassings aan die Covid Ondersteuningsbeleid.	<b>Ondersoek steeds in proses.</b>	Finansies
77/2021	Clearlake Capital: Portion of Erf 1256, Struisbaai	That the matter be referred back for further investigation and that the Municipal Manager consults with Council's legal advisors and re-submitted to the Finance- and IT Services Committee.	<b>National Department of Environment assisted CAM with Terms of Reference to appoint a specialist in environment to do the amendment of the ROD. Purchase of portion of erf 1256 is on hold, subject to the finalization of the amendment of the ROD.</b>	MB
128/2021	Verval van Bouplanne: J Jantjies, Elim	Dat die aangeleentheid terugverwys word na die portfolio komitee vir verdere bespreking en maatskaplike alternatiewe opsies oorweeg word vir hulpverlening.	<b>Item moet by volgende portfolio komitee vergadering dien.</b>	Boubeheer
141/2021	Onderverdeling: Lebombokamp, Bredasdorp	<p>(i) Raad kennis neem van die verdere "onderverdeling" van die Lebombokamp.</p> <p>(ii) Raad kennis neem van die maatskaplike onderhandelings met die Departement van Landbou om gekontraakteerde opkomende boere finansieel by te staan.</p> <p>(iii) Dat die Raad in die 2022/23 begroting begin voorsiening maak vir die ontwikkeling van die twee persele vir die Wetstoepassers en die skut (of dat die Bestuursdienste Departement aansoek doen vir eksterne befondsing).</p> <p>(iv) Dat die maatskaplikheid vir ekstra grond vir aansoekers wat nie geakkommodeer kan word by die Lebombokamp nie, ondersoek en die aangeleentheid gewerkswinkel word met rolspelers, waarna dit weer aan die Raad voorgelê kan word vir oorweging.</p>	<p><b>Gesprekke met boere is in proses.</b></p> <p><b>1. Nuwe onderverdelings;</b>  <b>2. "Gemengde boerdery" is gevestig;</b>  <b>3. Nuwe varkkampe word uitgelê (voorlopig 6).</b></p> <p><b>'n EIA maatskaplik nie nodig, indien vir landbou doeleindes aangewend word nie. Die "verkeersdepartement" se gedeelte moet gehersoneer word.</b></p>	Eiendoms-administrasie / LED
147/2021	Hersiening: Eiendomsbelastingbeleid	<p>(i) Dat die Raad in-beginsel goedkeuring verleen aan die hersiene Eiendomsbelasting Beleid.</p> <p>(ii) Werkswinkel en indien nodig, aan Raad voorgelê word vir goedkeuring.</p>	<b>Werkswinkel - Soos vervat in Jaarbepanner van 2022 (25 Februarie).</b>	Finansies
148/2021	Property Management Policy and SOP	<p>(i) Approves in principle.</p> <p>(ii) That the policy and the SOP be advertized for public inputs.</p> <p>(iii) That all inputs received, be take into account for the reviewing of the new Property Management Policy.</p> <p>(iv) That a workshop be held to finalize the policy and the SOP.</p>	<b>Werkswinkel - Soos vervat in Jaarbepanner van 2022 (29 April).</b>	BAO
174/2021	Vervreemding (huur): Ged Erf 670, Waenhuis-krans (J Davids)	<p>(i) Aansoek nie ondersteun word nie.</p> <p>(ii) Stadsbeplanning nuwe uitleg aan Raad voorlê waar 3 NUWE aangrensende erwe uitgemeet word (aangrensend aan erf 732, 733 en 734).</p> <p>(iii) Dat Stadsbeplanning ook ondersoek instel na 'n verdere ontwikkeling van erf 670, Waenhuis-krans vir behuising.</p>	<b>Terrein inspeksie was uitgevoer op 17 Aug 2021 - Aansoek word nie ondersteun nie.</b> <b>Stadsbeplanning doen nuwe erf uitlegte.</b>	Stadsbeplanning
175/2021	Vervreemding (huur): Ged Erf 670, Waenhuis-krans (R Europa)	<p>(i) Aansoek nie ondersteun word nie.</p> <p>(ii) Stadsbeplanning nuwe uitleg aan Raad voorlê waar 3 NUWE aangrensende</p>	<b>Terrein inspeksie was uitgevoer op 17 Aug 2021 - Aansoek word nie ondersteun</b>	Stadsbeplanning

		erwe uitgemeet word (aangrensend aan erf 732, 733 en 734). (iii) Dat Stadsbeplanning ook ondersoek instel na 'n verdere ontwikkeling van erf 670, Waenhuiskrans vir behuising.	<i>nie.</i> <b>Stadsbeplanning doen nuwe erf uitlegte.</b>	
192/2021	Mill Park Sakepersele - Vervreemding van Grond: Erwe 6449 en 6690, Bredasdorp	(i) Raad kennis neem van alle insette wat aan stadsbeplanning voorsien is. (ii) Raad kennis neem van voorlopige her-uitlegte van die genoemde 4 erwe. (iii) "10 Maande Stategiese plan" van die Bestuurder Admin Ondersteuning afgehandel is. (iv) Stadsbeplanning kan voortgaan met die onderverdeling, konsolidasie en hersonering van erwe 6448, 6449, 6690, 6691, Bredasdorp. (v) Stadsbeplanning se kommentaar ook as Raadsbesluit bevestig word. (vi) Dat 'n werkwinkel met die nuwe Raad gehou word, wat onder andere die volgende kan insluit: 1. Die eienaarskap van besigheidpersele; 2. Tydsraamwerke asook die wyse van vervreemding (tender of veiling).	<b>Stadsbeplanning se nuwe uitleg na Portfolio Komitee in 2022.</b>	Eiendoms-administrasie
193/2021	Vervreemding (huur): Ged erf 1148, Bredasdorp	(i) Aansoek nie goedgekeur word, aangesien die sonering van die erf nie geskik is vir die doel van die gebruik van die erf nie. (ii) Alternatiewe grond ondersoek word (aangrensend aan die Nootgedacht pad). (iii) Raad moet besin oor die gebruik van genoemde perseel, aangesien verskeie ontwikkelaars ook belangstel om die grond te ontwikkel.	<b>Versoek is deurgegee aan die betrokke aansoeker.</b>	Eiendoms-administrasie
195/2021	Vervreemding (huur): Ged erf 1748, Napier	(i) Aansoek goedgekeur word. (ii) Oorskredingsfoo van R4 015,00 per jaar vooruitbetaalbaar sal wees. (iii) Oorskredingsooreenkoms met die aansoeker aangegaan word vir 3 jaar, met ingang 1 November 2021 tot 31 Oktober 2024. (iv) Terugvalklousule in die ooreenkoms ingeskryf word. (v) Verdere ondersoek gedoen word ten opsigte van aanliggende persele in Jubileumstraat.	<b>Oorskredingsooreenkoms is gefinaliseer.</b>	Eiendoms-administrasie
196/2021	Vervreemding (Huur): Gedeelte Erf 1794, Napier	(i) Aansoek goedgekeur word. (ii) Oorskredingsfoo van R4 015,00 per jaar vooruitbetaalbaar sal wees. (iii) Oorskredingsooreenkoms met die aansoeker aangegaan word vir 3 jaar, met ingang 1 November 2021 tot 31 Oktober 2024. (iv) Terugvalklousule in die ooreenkoms ingeskryf word. (v) Verdere ondersoek gedoen word ten opsigte van aanliggende persele in Jubileumstraat.	<b>Oorskredingsooreenkoms is gefinaliseer.</b>	Eiendoms-administrasie
198/2021	Vervreemding (huur): Ged erf 1837, Struisbaai	Dat die aangeleentheid terugverwys word, aangesien die betrokke muur reeds opperig is en verdere ondersoek dienooreenkomstig moet plaasvind.	<b>Verwys na volgende Portfolio Komitee vergadering.</b>	Eiendoms-administrasie
207/2021	Verlenging van Huurooreenkoms: Heavenly Promise 48, Langstraat, Bredasdorp	Dat die aangeleentheid terugverwys word sodat daar eers bevestiging van die finansiële bydrae van die donateur verkry kan word.	<b>Verwys na volgende Portfolio Komitee vergadering.</b>	Eiendoms-administrasie
210/2021	Registrasie van serwituut vir "Reg Van Weg": Erf 953, L'Agulhas	Dat die aangeleentheid terugverwys word vir verdere ondersoek, wat moontlik mag insluit die vervreemding, onderverdeling, hersonering en konsolidasie.	<b>Verwys na volgende Portfolio Komitee vergadering.</b>	Eiendoms-administrasie
212/2021	Wateraansluiting: Meentgronde (Struisbaai Pad): B Summers	Dat die aangeleentheid terugverwys word sodat 'n volledige kosteberaming deur die Infrastruktuur departement gedoen kan word asook insette van Departement Landbou verkry word.	<b>Volledige kosteberaming sal by volgende Portfolio Komitee voortgelê word.</b>	Eiendoms-administrasie

Besluit Nr	Onderwerp	Verkorte Besluit	Vordering	Verantwoordelike persoon
216/2021	Amendment / Extention of Contract: Municipal Information Systems	<p>(i) Amendment / extension of the contract of the Companies be approved at the same terms and conditions.</p> <p>(ii) The Municipality now wishes to invoke the aforementioned contractual conditions and further amend the service level agreement effectively from 1 July 2021 to 30 June 2024 or 1 July 2022 to 30 June 2025, or till the Municipality deem these agreements no longer a requirement, or if non-performance.</p> <p>(iii) That the Companies listed -</p> <ol style="list-style-type: none"> <li>1. Willingness to render the services at same terms and conditions.</li> <li>2. Rendered adequate services till date.</li> <li>3. Has initially been appointed after an open bidding process in terms of the abovementioned services.</li> <li>4. Continuous functioning of the systems and sufficient support.</li> <li>5. Performance evaluation of the Service provider of the MIS be up to date and favourable.</li> <li>6. Extension of the agreements to be advertised for 30 days.</li> <li>7. Renewals be considered due to the legislative, compliance requirements these systems help the Municipality achieve.</li> <li>8. It is therefore not practical or cost effective for CAM to appoint a new service provider for what is merely a continuation of current systems.</li> <li>9. Systems are still functional, purpose fit and still used.</li> </ol> <p>(iv) That a workshop be held with the new Council to inform them about all the existing systems.</p>	<b>Werkswinkel geskeduleer vir 14 Jan 2022.</b>	IT Department

**BESTUURSAANBEVELING**

Dat die Raad kennis neem van die onafgehandelde Raadsbesluite.

BEKRAGTIG op hierdie

dag van

2021

**BESLUIT 265/2021**

Dat die Raad kennis neem van die onafgehandelde Raadsbesluite.

\_\_\_\_\_  
SPEAKER

*Hierna verdaag die vergadering om*