



KAAP AGULHAS MUNISIPALITEIT
CAPE AGULHAS MUNICIPALITY
U MASIPALA WASECAPE AGULHAS

**NOTULE VAN 'N ALGEMENE RAADSVERGADERING IN DIE MUNISIPALE
RAADSAAL GEHOU OM 09:00 OP DONDERDAG 14 OKTOBER 2021**

***MINUTES OF A GENERAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS
ON THURSDAY, 14 OCTOBER 2021 AT 09:00***

RAADSLEDE TEENWOORDIG / COUNCILLORS PRESENT

MNR	R BAKER	
ME	K DONALD	
MNR	C J JACOBS	<i>(verlaat die Raadsaal om 15:15)</i>
MNR	D JANTJIES	<i>(verlaat die Raadsaal om 17:10)</i>
ME	E C MARTHINUS	<i>(verlaat die Raadsaal om 15:45)</i>
ME	M OCTOBER	
ME	E L SAULS	
MNR	P SWART	(Burgemeester)
ME	Z TONISI	(Wvd. Speaker)

AMPTENARE TEENWOORDIG / OFFICIALS PRESENT

Mnr E Phillips	Munisipale Bestuurder
Mnr H van Biljon	Direkteur: Finansiële Dienste
Mnr A Jacobs	Direkteur: Infrastruktuurdienste
Mnr H Kröhn	Direkteur: Bestuursdienste
Mnr B Swart	Interne Ouditeur
Mnr G M Moelich	Bestuurder: Administrasie
Mnr M Dennis	Bestuurder: Behuising
Me S Nel	Stadsbeplanner <i>(verlaat die Raadsaal om 15:15)</i>
Me T Stone	Afdelingshoof: Strategiese Dienste
Me N Mhlali-Musewe	Divisional Head: HR and OD
Me A Jonker	Snr Admin Beampte: Komiteedienste

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1. **OPENING**

Die Munisipale Bestuurder verwelkom almal teenwoordig en Vader Lewis open die vergadering met skriflesing en gebed.

AANWYS VAN SPEAKER

In die afwesigheid van Raadsheer Nieuwoudt word Raadslid Tonisi verkies as Speaker.

Mnr Hendrik Abrahams wat na 40 jaar diens aftree ontvang 'n sertifikaat vanaf die Raad as blyk van waardering. Hy bedank die Raad vir die voorreg om deel te kon wees van 'n uitnemende organisasie.

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

Raadsheer J Nieuwoudt

3. **ONDERHOUDE MET AFGEVAARDIGDES EN/OF ANDER BESOEKE**

Geen.

4. **NOTULES VAN VORIGE VERGADERINGS VOORGELê VIR BEKRAGTING**

4.1 **NOTULE VAN ALGEMENE RAADSVERGADERING GEHOU OP:**

27 Julie 2021 *(Notule was onder lede versprei.)*

BESLUIT 183/2021

Die Notule word as korrek en volledig bekragtig.

4.2 **NOTULE VAN SPESIALE RAADSVERGADERING GEHOU OP:**

26 Augustus 2021 *(Notule was onder lede versprei.)*

BESLUIT 184/2021

Die Notule word as korrek en volledig bekragtig.

5. **NOTULES VAN DIE UITVOERENDE BURGEMEESTERSKOMITEE VERGADERINGS OOR BESLUIE DEUR HOM GENEEM SAAM MET DIE BURGEMEESTERSKOMITEE**

5.1 **NOTULE VAN UBK VERGADERING GEHOU OP:**

2 September 2021 *(Notule was onder lede versprei.)*

BESLUIT 185/2021

Die Raad neem kennis van bogenoemde UBK Notule.

6. NOTULES VAN KOMITEE VERGADERINGS VIR BESPREKING / KENNISNAME

6.1 VOORGELê VIR BESPREKING : WYKSKOMITEE VERGADERINGS GEHOU OP

- WYK 1 : 24 Augustus 2021
- WYK 2 : 26 Augustus 2021
- WYK 3 : 31 Augustus 2021
- WYK 4 : 24 Augustus 2021
- WYK 5 : 6 September 2021
- WYK 6 : 25 Augustus 2021

(Bogenoemde Notules was onder lede versprei.)

BESLUIT 186/2021

Die Raad neem kennis van bogenoemde Wykskomitee Notules.

6.2 VOORGELê VIR KENNISNAME

6.2.1 **ICT Steering Committee:** 19 Augustus 2021 (*Notule was onder lede versprei.*)

BESLUIT 187/2021

Die Raad neem kennis van bogenoemde ICT Steering Committee Notule.

7. SAKE VOORTSPRUITEND UIT NOTULES

7.1 27 JULIE 2021: AMENDMENT / EXTENTION OF CONTRACT: MUNICIPAL INFORMATION SYSTEMS

Raadsdame Marthinus versoek dat die werkwinkel aangaande die hernuwing van dienslewingskontrakte ten opsigte van rekenaarsstelsels steeds dringend aandag geniet (Raadsbesluit 170/2021).

'n Werkwinkel sal na die verkiesing met Raadslede gehou word.

7.2 VERVREEMDING VAN EIENDOM

Die Burgemeester versoek dat 'n regsmeening verkry word ten opsigte van die vervreemding van eiendom aan werknemers van die Staat.

8. VERKLARINGS EN/OF MEDEDELINGS DEUR DIE VOORSITTER

8.1 BRIEWE VAN DANK

- (i) Die Raad neem kennis van 'n skrywe ontvang, soos aangeheg op **bladsy 1** van die bylaes.
- (ii) Die Speaker maak melding van 'n toekenning wat die Raad ontvang het ten opsigte van "Green Economic" vir die straatlig projek.

8.2 FUNKSIES VIR DIE MAAND

- (i) Op 15 Oktober 2021 word die "Service Charter" aan die publiek bekendgestel asook die prosesplan van die GOP.

- (ii) Na die afhandeling van hierdie Raadsvergadering sal die Raad in reses gaan vanaf 15 Oktober 2021 tot en met die verkiesing op 1 November 2021.
- (iii) Die Burgemeester versoek dat hy steeds ingelig gehou word van alle sensitiewe aangeleenthede.

8.3 **AANWYS VAN AFGEVAARDIGDES**

Geen.

8.4 **ALGEMEEN**

- (i) Die Speaker bevestig dat sy 'n direkte belang by een van die agenda items het en dat sy haarself sal verskoon tydens die bespreking van die aangeleentheid.
- (ii) Die onderskeie politieke partye wens mekaar sterkte toe en wens vir 'n vreedsame en verteenwoordigende verkiesing wat op 1 November 2021 plaasvind.

9. **TERUGVOERING VANAF RAADSLADE OOR VERGADERINGS BYGEWOON**

Geen.

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

Die Burgemeester bedank alle Raadslede en personeel vir die onbaatsugtige diens wat die afgelope 5 jaar onder sy leierskap gelewer is. Hy bring ook eer aan die afgestorwe Raadslid Europa asook ander amptenare in die Raad se diens.

Die onder-Burgemeester bedank die Burgemeester vir die leierskap wat geopenbaar is gedurende sy ampstermyn.

11. **ITEMS NA DIE RAAD VERWYS VIR OORWEGING**

11.1 **DEFERRED OWNERSHIP PILOT HOUSING PROJECT: MILL PARK, BREDASDORP**

PURPOSE OF REPORT

A Project team consisting of senior officials of the Department Human Settlements and our Municipal Human Settlements team wants to make recommend the following housing typologies to council with the related cost per typology.

BACKGROUND

After various meetings of the project team, the following recommendations are made to council for approval. The recommendation is based on other similar projects rolled out by the Department in the Western Cape for the Flips/GAP market. The Department has in terms of the Western Cape Appropriation Act 2 of 2002 (read together with Provincial Gazette Extraordinary 8217, Provincial Notice 21 of 2020, 10 March 2020) allocated an amount of R10 000 000,00 (Ten Million Rand) to the Municipality for purposes of the development of housing in accordance with the deferred ownership model.

The Deferred Ownership Project in Bredasdorp, Cape Agulhas Municipality, is based on the concept of the Finance Linked Individual Subsidy Programme (FLISP).

Households with an income between R3 501 to R22 000 per month may qualify for the FLISP subsidy if they meet all the criteria.

In Bredasdorp, Cape Agulhas Municipality, a project proposal has been submitted for a pilot project with a number of up to 60 units that would be constructed and made available for qualifying beneficiaries.

On Site F in Bredasdorp, 60 units will be developed for the Deferred Ownership Project. 30 units will be sold within the FLISP programme, 30 units will be made available for rental for a maximum of three years, after which the tenant will have the first option to purchase, according to the Deferred Ownership concept. During the rental period, part of the rent can be reserved towards the payment of the bond.

In those years, the beneficiaries will have the opportunity to increase their creditworthiness status and have the opportunity to qualify for a bond from a financial institution.

Beneficiaries who already are considered credit worthy can apply for their bond immediately and receive the FLISP subsidy to buy their house.

The project team also wants to recommend to council to wave certain Municipal Cost that could have a direct impact of the selling price per unit.

LEGAL AND POLICY IMPLICATIONS

The mandate of the Department of Human Settlements (DHS) is set out in the Housing Act (No 107 of 1997). Section 2 of the Housing Act compels all three spheres of government to give priority to the needs of the poor in respect of housing development. In addition, all three spheres of government must ensure that housing development:

1. Provides as wide a choice of housing and tenure options as is reasonably possible.
2. Is economically, fiscally, socially, and financially affordable and sustainable.
3. Is based on integrated development planning.
4. Is administered in a transparent, accountable, and equitable manner.
5. Upholds the practice of good governance.

MFMA and MoA signed between the Municipality and Department Human Settlements.

FINANCIAL IMPLICATIONS

R10 000 000,00 (Ten Million Rand) already transferred

- Electrical connection cost R7 104,00
- Water connection cost R9 349,50
- Sewer connection cost R8 360,00
- Building fee cost per unit R2 615,00

Total Municipal cost per unit R27 428,50 x 60 Houses = R1 645 710,00

Total Municipal cost for 30 housing units = R822 855,00

Potential sustainable income to the Municipality, comparison made to that of a (Selfbou House):

HOUSEHOLD COMPARISONS:					
PROPERTY VALUE	500 000,00				
	- 15 000,00				
	485 000,00				
RATES	0,008622				
YEARLY PROPERTY RATES	4 181,67				
PROPERTY RATES PER MONTH	348,47				
WATER:					
BASIC	165,00	0 - 6	6	-	-
CONSUMPTION 25KL	174,00	7 - 20	14	9,00	126,00
	339,00		5	9,60	48,00
			25		174,00
ELECTRICITY:					
USAGE: 500kWh	856,85	0 - 50	50	1,25844	62,92
		51- 350	350	1,61775	566,21
		351 +	100	2,27721	227,72
			500		856,85
SEWERAGE	172,70				
REFUSE	195,50				
MONTHLY ACCOUNT	1 912,53				
YEARLY ACCOUNT	22 950,33				

The project will be done in phases, 1st phase 30 units, 2nd phase 30. The income of the 1st phase will be rolled over to construct the 2nd phase.

- The total cost of services per site must be part of the selling price and be paid into the revolving Human Settlements account of the Municipality R45985.00+ vat.
- The Municipality can use these funds on future projects on approval from the Department Human Settlements
- The Land Cost is not considered as the site was developed and serviced as part of Site F Bredasdorp low-cost housing development.

DEMAND REPORT

1.4 Basic Analysis of Overall Mortgage Approvals

Through partnerships with the Financial Institutions, all surveys were screened for mortgage pre-approval by FNB and SA Home Loans. FNB, however, only screened beneficiaries who had an existing account with them, and as such showed a very high refusal rate.

Financial Institution	Success Rate			Reasons for Decline			
	Total Decisions Taken	Total (Pre Approved)	Total (Declined)	Declined: Affordability	Declined: Creditworthiness	Declined: Affordability and Credit Worthiness	Declined: Other
Bank	281	10	271	4	33	0	234
Bank	281	89	192	37	32	53	70

Of the 94 households pre-approved, preliminary screening on the HSS indicates that 6 would not qualify for a FLISP subsidy (this data would be verified once full applications are submitted and results did not include a Title Deed search):

APPROVAL BREAKDOWN	FINANCIAL INSTITUTION EVALUATION: NO. OF HOUSEHOLDS	BOND APPROVED AND QUALIFY FOR A SUBSIDY	FLISP BUDGET REQUIRED
Total Applicants in Cape Agulhas	282		
Declined Overall	188		
Approved	94	88	
Approved (1 Financial Institution)	89	84	R4 371 026,60
Approved (2 Financial Institutions)	5	4	R254 561,00

House Typology (MV Type 4)				
50m2				
2 Bedrooms				
		Without optional extras		Municipal Costs removed
Cost of Service	R	45 985,00	R	45 985,00
Vibracrete	R	19 500,00	R	19 500,00
SubTotal	R	65 485,00	R	65 485,00
VAT	R	9 822,75	R	9 822,75
Total Erf Cost	R	75 307,75	R	75 307,75
House Cost (Average)	R	250 000,00	R	250 000,00
Stormwater on Erf	R	-	R	-
Kitchen BIC + Bedroom BIC	R	-	R	-
Driveway	R	-	R	-
Architect	R	2 500,00	R	2 500,00
QS	R	-	R	-
Structural Engineer	R	1 800,00	R	1 800,00
Valuation Certificate	R	-	R	-
Contingency	R	10 000,00	R	-
SubTotal	R	264 300,00	R	254 300,00
VAT	R	39 645,00	R	38 145,00
Total Topstructure Cost	R	303 945,00	R	292 445,00

FLOOR LAYOUT 1.100

AREAS -
 UNIT - 50sq.m
 CARPOT - 18 sq.m
 TOTAL - 68sq.m

GENERAL NOTES:
 1. All Contractor built housing to comply to the below standards.
 2. Contractor built houses are subjected to NHBRC regulations and enactment.
 3. All construction methods and workmanship to comply with relevant SANS Codes of Practice and SABS. The following specifications must be seen as the Department's requirement to the above.
 4. In the Southern Cape Coastal Conservation Area (SCCCA), windows and doors must be fire (where applicable) according to SANS 1014 (SANS 1014-2:2010). All second hand materials (second hand electrical items are allowed) shall be of an acceptable standard and approved by the Department/Local Authority.
 5. Painted building systems to have Agreement South Africa approval and accepted by the NHBRC.
 6. All other relevant standards in this document shall apply.
 7. Provision should be made for special housing needs for physical disabled.

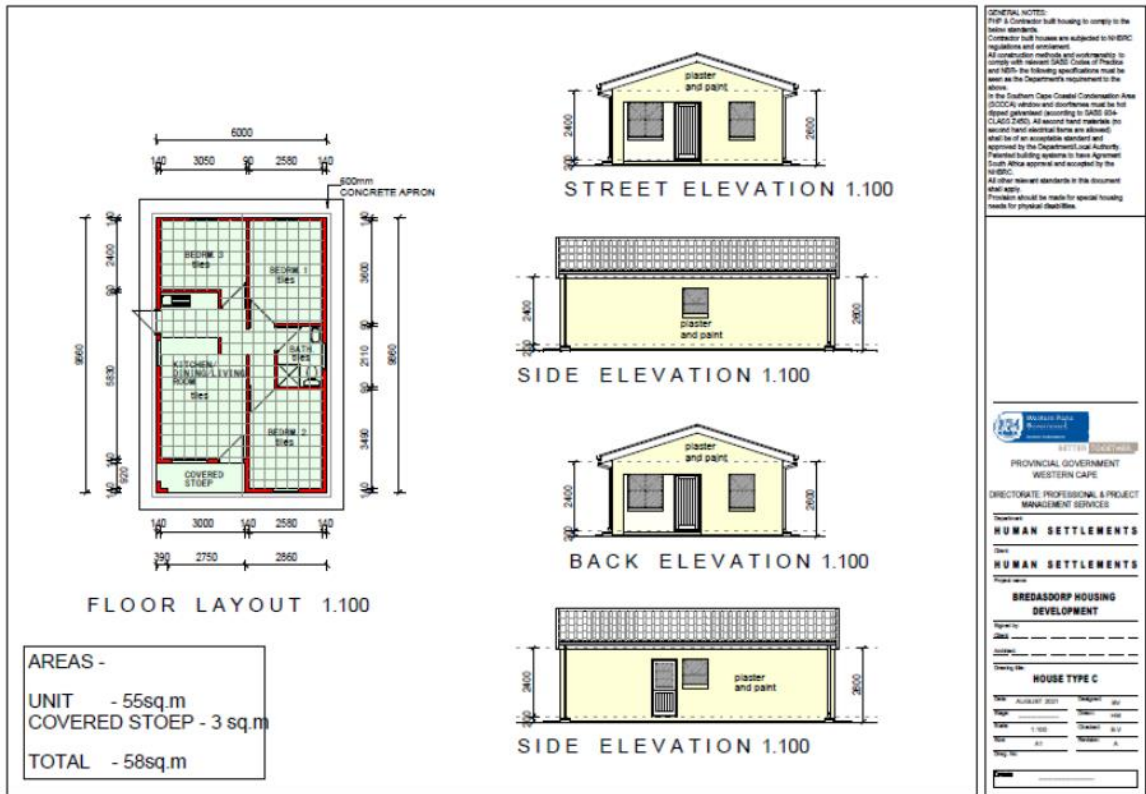
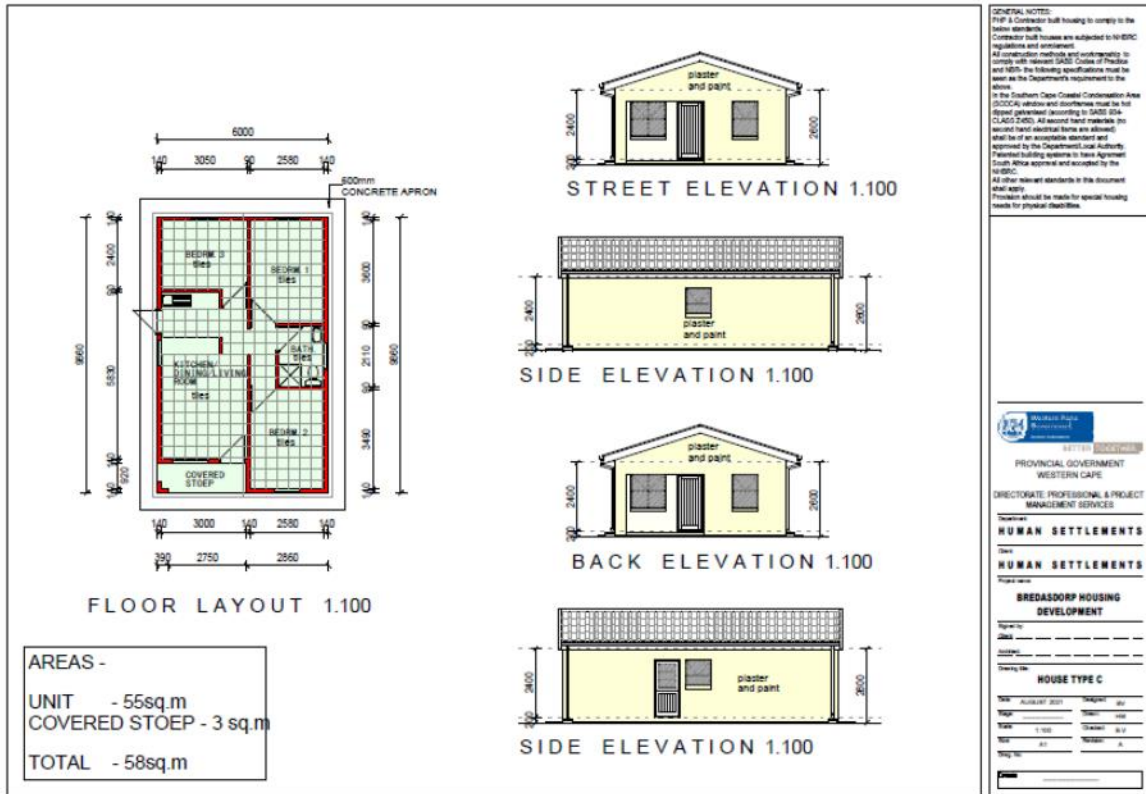
PROVINCIAL GOVERNMENT
 WESTERN CAPE
 DIRECTORATE: PROFESSIONAL & PROJECT MANAGEMENT SERVICES




HUMAN SETTLEMENTS

HUMAN SETTLEMENTS

BREDASDORP HOUSING DEVELOPMENT

Project Name: _____
 House Type: **HOUSE TYPE 8**
 Date: 14 OCT 2021
 Scale: 1:100
 Drawing No: _____



-  40.14 m²
-  2 BEDROOMS
-  1 BATHROOM



3D VIEW



FLOOR PLAN
SCALE 1:100

PROJECTNAME:

NOVEMBER 2018

DRAWINGTITLE:

UNIT TYPE 5 - SINGLE RESIDENTIAL



Base price				R145 000	R145 000
Ekstras				List	Proposed
1350mm Kitchen cupboard				R2 250	R2 250
Chrome plated taps				R1 200	R1 200
Elec plug & light fittings - higher spec				R2 800	R2 800
Extra m ²	m ²	2	R3 000	R6 000	R6 000
Front setback				R2 050	R2 050
Geyser 100ℓ				R6 000	R6 000
Grass				R50	
Inside paint and ceiling				R6 750	R6 750
Post box				R400	
Rainwater goods				R2 500	R2 500
Rooftiles				R8 500	R8 500
Teëls				m ² 40 R275	R11 000
Vibracrete 1.5m (shared walls)				m 40 R450	R18 000
EXTRAS				R67 450	R56 050
				R212 450	R201 050

MANAGEMENT RECOMMENDATION

- (i) That Council approves the approach that the beneficiaries decide on a typology linked the affordability of beneficiaries as pre-screened by financial institutions as per the demand report.
- (ii) That Council wave the following municipal cost that could have an impact on the final price per unit:

• Electrical connection cost	R 7 104,00
• Water connection cost	R 9 349,50
• Sewer connection cost	R 8 360,00
• Building fee cost per unit	<u>R 2 615,00</u>

TOTAL **R27 428,50**

RESOLUTION 188/2021

- (i) That Council approves the approach that the beneficiaries decide on a typology linked the affordability of beneficiaries as pre-screened by financial institutions as per the demand report.
- (ii) That Council wave the following municipal cost that could have an impact on the final price per unit:

• Electrical connection cost	R 7 104,00
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• Building fee cost per unit	<u>R 2 615,00</u>

TOTAL **R27 428,50**

11.1 **STRATEGIC RISK REGISTER 2021/22**

REPORT BY THE DIVISION HEAD: STRATEGIC PLANNING AND ADMINISTRATION

PURPOSE OF REPORT

During February 2021, risk identification meetings were facilitated with the departmental and line managers. The directorate risk registers were presented to the Municipal Manager and Directors for approval in March.

The Risk registers were then submitted to FARMCO in April, which included the proposed strategic risks of the municipality for 2021/2022. The 2021/2022 action formulation sessions were done in May 2021.

All Strategic risks and actions were closed off for 2020/2021 at the end of May 2021, but most risks and actions were carried over to the following financial year with some additional risks and risk actions.

LEGAL FRAMEWORK

Section 62(1) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) stipulates that the "Accounting Officer must take all reasonable steps to ensure that the municipality has and maintains an effective, efficient and transparent system of financial and risk management and internal control"

DISCUSSION

The Council's strategic risks for 2021/22 are as follows:

RISK ITEM	RISK DESCRIPTION	RESIDUAL RISK EXPOSURE	RESIDUAL RISK
R543	Preparedness to respond to disease outbreaks / pandemics	67.5	High
R542	Non- adherence to Restrictive Permit Conditions (Landfill Sites)	48	High
R544	Changes associated with Municipal Elections	48	High
R540	Financial viability of the municipality	47.25	High
R541	Illegal Erection of Informal Structures and Land invasions	47.25	High
R546	Inadequate Provision of water supply - source and water quality	36.75	Medium
R545	Protest action / Civil unrest	33.75	Medium

The risks as well as actions to address the risks are captured on the Risk Assist Module of the Ignite System. Some risks have multiple actions. Each action is assigned a risk owner, who is responsible for updating the system. Strategic risks are generally updated monthly. The update must include a percentage progress and a response.

The following tables show each strategic risk with its actions, deliverables, and deadlines:

Directorate	Risk	Risk Action	Deliverable	Deadline
Office of the Municipal Manager	Preparedness to respond to disease outbreaks / pandemics	1. Include new functions (administrative) that need to be in CAM essential agreement for pandemics	Essential service compact/agreement in place and continuation of services	31 May 2022
Infrastructure	Non- adherence to Restrictive Permit Conditions (Landfill Sites)	1. Upgrading of the P&B lime work weighbridge 2. Upgrading of offload area in Struisbaai. 3. Implement external audit (DEADP) action plan and reporting thereof	Improved Basic Service Delivery (Waste Management)	31 May 2022
Office of the Municipal Manager	Changes associated with Municipal Elections	1. Compiling internal orientation program 2. Declarations of interest	Smooth transition of Council	31 December 2021

Directorate	Risk	Risk Action	Deliverable	Deadline
Finance	Financial viability of the municipality	<ol style="list-style-type: none"> 1. (a) Execution of the revenue enhancement framework (execution of targets within planned periods) 1.2 (b) Cleansing and updating of indigents 1.3 (b) Cleansing and updating of informal settlements 2. Monthly report to finance portfolio committee of long-term financial plan and revenue enhancement framework 3. Updating of revenue enhancement framework. 	Financially Viable	31 May 2022
Management Services	Illegal Erection of Informal Structures and Land invasions	<ol style="list-style-type: none"> 1. Monitor activities and incident reporting of squatter control (law enforcement). 2. Workshop Land invasion Policy with Council 3. Implementation of Land invasion Policy 	Decrease in illegal land invasions	31 May 2022
Infrastructure	Inadequate Provision of water supply - source and water quality	<ol style="list-style-type: none"> 1. Draft Groundwater management plan for Bredasdorp, Napier and Arniston 2. Development of a new 5-year water services development plan. 3. Complete the equipping of new pump and electricity for boreholes in Suiderstrand and Napier (2 year roll-over budget). 4. Verification and licensing of all ground water sources and drafting of a groundwater management plan 	To ensure water demand is met	31 May 2022
Management Services	Protest action / Civil unrest	<ol style="list-style-type: none"> 1. Traffic and Law Enforcement Units to respond to protest actions and civil unrest. 2. Collaboration with the SAPS to plan for and deal with protests and riots 3. Develop a safety plan for Cape Agulhas Municipality 	Continuous awareness, integration between CAM, ODM, other municipalities (if needed), military backup (if needed), and SAPS to act within an acceptable response time.	31 May 2022

MANAGEMENT RECOMMENDATION

- (i) That the 2021/2022 strategic risks be approved and that the risk actions be noted.
- (ii) That quarterly reports be submitted to the relevant Portfolio Committees on progress with implementation of the actions.

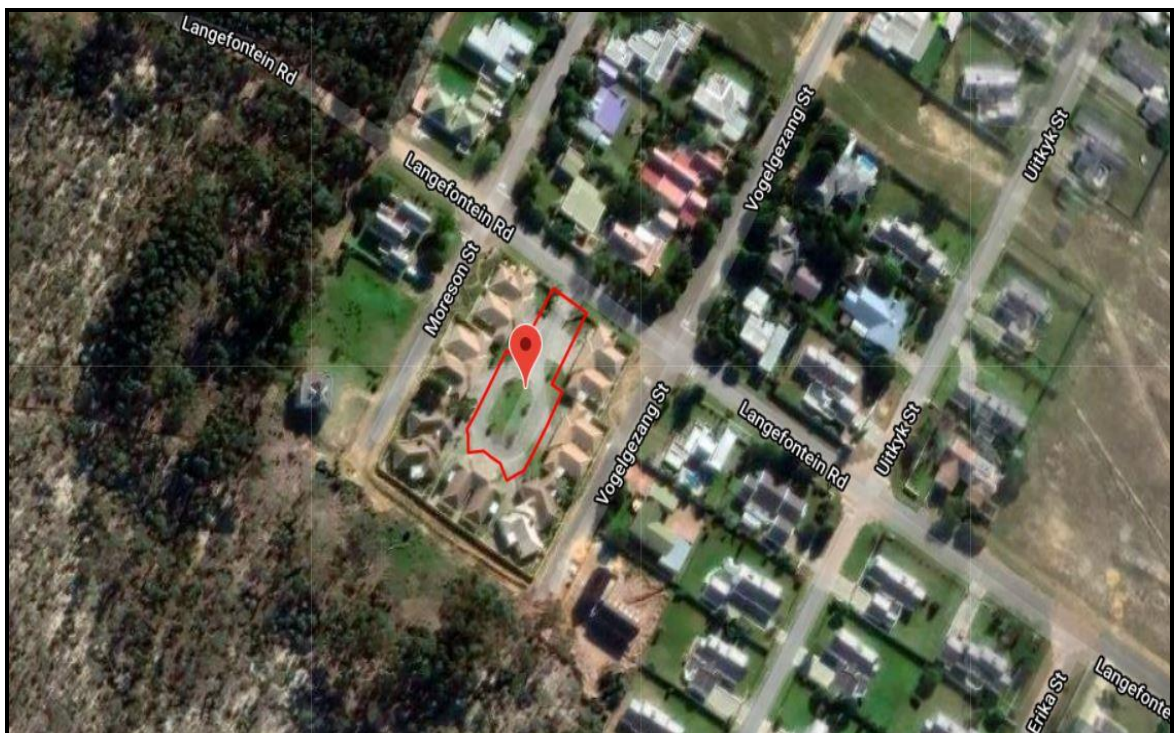
RESOLUTION 189/2021

- (i) That the 2021/2022 strategic risks and actions be noted.
- (ii) That quarterly reports be submitted to the relevant Portfolio Committees on progress with implementation of the actions.
- (iii) That a workshop be held with the new Council in order to inform them about the strategic risks.

11.2 **GEWYSIGDE GRONDWET: FYNBOS HUISEIENAARSVERENIGING, BREDASDORP (15/4/14 - SSB)****DOEL VAN VERSLAG**

Vir die Raad om oorweging te skenk aan die gewysigde grondwet riglyne vir Fynboskompleks Huiseienaarsvereniging Grondwet, alvorens enige bouplanne goedgekeur kan word.

Die ligging van die betrokke eiendom word hieronder aangetoon:

**AGTERGROND**

Alvorens bouplanne deur die Boubeheerbeampte van Kaap Agulhas Munisipaliteit oorweeg kan word, moet die Raad die gewysigde grondwet soos aangeheg op **bladsy 2 tot 11** ondersteun en goedkeur. Die Senior Boubeheerbeampte en Senior Stadsbeplanner het alreeds kommentaar gelewer op die vorige riglyne en die gewysigde riglyne word nou aan die Raad voorgelê vir oorweging.

KOMMENTAAR: WYK 4

Die Komitee ondersteun die Bestuursaanbeveling.

BOUBEHEER BEAMPT

Geen beswaar teen voorgestelde riglyne nie.

BESTUURSAANBEVELING

Dat die Raad die gewysigde grondwet van Fynbos Huseienaarsvereniging ten opsigte van die Fynbos Huseienaarsvereniging aanvaar en goedkeur.

BESLUIT 190/2021

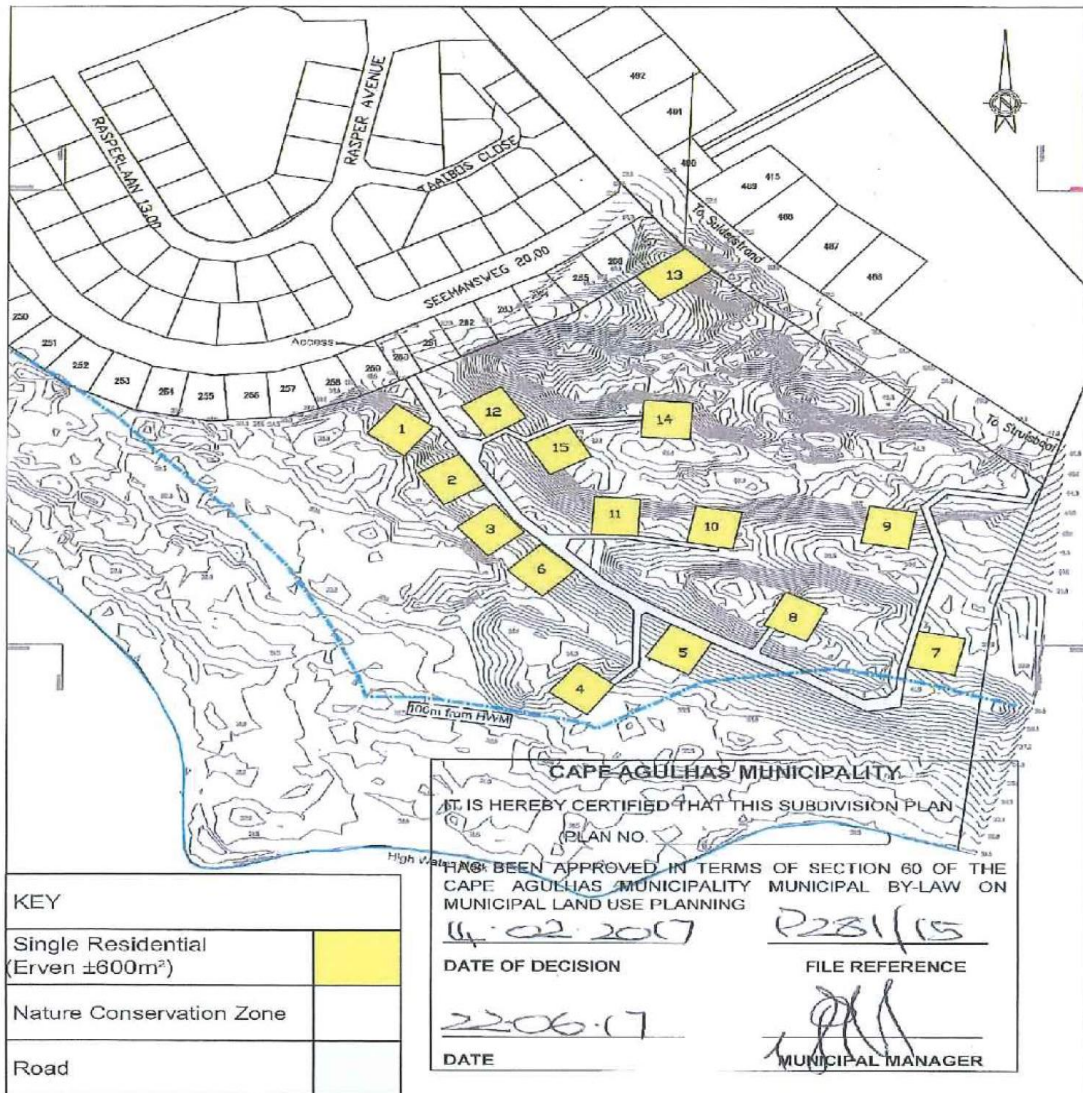
Dat die Raad die gewysigde grondwet van Fynbos Huseienaarsvereniging ten opsigte van die Fynbos Huseienaarsvereniging aanvaar en goedkeur.

11.3 **KONSEP ARGITEKTONIESE RIGLYNE: GEDEELTE 15 VAN PLAAS 281, SUIDERSTRAND (S927 - BSSB) (WYK 5)**

DOEL VAN VERSLAG

Die konsep Argitektoniese Riglyne, soos aangeheg op **bladsy 12 tot 41** vir Gedeelte 15 van Plaas 281, Suiderstrand word aan die Raad voorgelê vir oorweging.

Die ligging van die gedeelte is soos hieronder aangedui:



ALGEMENE INLIGTING

Bestaande Sonering	:	Landbou Sone I
Bestaande Grondgebruik	:	Vakant
Oppervlakte van Erf	:	58.6393Ha
Titelakte	:	T55500/2010

AGTERGROND

Op 14 Februarie 2017 neem die Uitvoerende Burgemeesterskomitee die volgende besluit:

“Dat die Raad goedkeuring ingevolge die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) verleen vir die volgende:

1. *Sluiting van Publieke Oopruimte: Erf 260, Suiderstrand ten einde dit te gebruik vir 'n pad.*
2. *Hersonering van Gedeelte 15 van Plaas 281, Bredasdorp LD vanaf Landbou Sone I na Onderverdelingsgebied.*
3. *Die onderverdeling van Gedeelte 15 van Plaas 281, Bredasdorp LD in Gedeeltes 1 – 16 en Restant.*
4. *Die sonering van die onderverdelingsgebied as volg:*
 - *Gedeeltes 1 - 15: Residensiële Sone I.*
 - *Gedeelte 16: Vervoersone II.*
 - *Restant: Oop Ruimte Sone III (Privaat Natuurreservaat).*
5. *Die stigting van 'n Huiseienaarsvereniging.”*

Bogenoemde goedkeuring is onderhewig aan *inter alia* die volgende voorwaarde:

Argitektoniese riglyne saamgestel word vir oorweging deur die Raad. Alle residensiële geboue moet voldoen aan die Kaap Agulhas: Geïntegreerde Soneringskema se boubeperinge.

BESTUURSAANBEVELING

- (i) Dat die Raad in-beginsel goedkeuring verleen vir die Konsep: Argitektoniese Riglyne vir die voorgestelde Behuisingsontwikkeling op Gedeelte 15 van Plaas 281, Suiderstrand.
- (ii) Dat die eienaar / ontwikkelaar dienooreenkomstig ingelig word.

BESLUIT 191/2021

- (i) Dat die Raad goedkeuring verleen vir die Konsep: Argitektoniese Riglyne vir die voorgestelde Behuisingsontwikkeling op Gedeelte 15 van Plaas 281, Suiderstrand.
- (ii) Dat die eienaar / ontwikkelaar dienooreenkomstig ingelig word.

11.4 **MILL PARK SAKEPERSELE - VERVREEMDING VAN GROND: ERWE 6449 EN 6690, BREDASDORP (BAO)**

DOEL VAN VERSLAG

Om die Raad in te lig oor die vordering van die bestaande twee sakepersele, erwe 6690 en 6449, Bredasdorp, geleë te Mill Park, om dit te vervreem, asook potensiële wysigings in die uitleg van die persele.

AGTERGROND

Die vervreemding van die genoemde twee erwe is vervat in die “Strategiese 10 Maande-plan” van die Burgemeester. Die Raad besit twee sakepersele in Mill Park, Bredasdorp wat vervreem kan word (***sien onderstaande erfkaart***). Die erwe is reeds in die Algemene plan van die dorp ingesluit, maar is nog nie getranspoteer en in die naam van Kaap Agulhas Munisipaliteit geregistreer nie.

7. **SPREKER 7:** Die klein winkels moet nie kompetisie vir die groot supermark wees nie. Daar moet toesig by die gyms en parkies wees.
8. **SPREKER 8:** Speelparkies moet toegesluit kan word (soos in die ou dae). Daar moet 'n muurtjie om die speelparkies gebou word om dit af te sonder ($\pm 600\text{m}$ hoog).
9. **SPREKER 9:** Die nuwe sakeperseel op erf 6448 is te groot ($2\,255\text{m}^2$). Dit sal 'n ontwikkelaar bykans R6m kos om die perseel te ontwikkel. Hy hou van die "L-Shape" ontwikkeling wat moontlik voorgestel kan word. Die buite winkeltjies **MAG GEEN KOMPETISIE VIR DIE SUPERMARK WEES NIE, WANT DAN SAL ONTWIKKELAAR DIT NIE KAN BEKOSTIG NIE.** Hy stel voor die klein winkeltjies word aan die oostekant van die "nuwe sakeperseel" gebou om te verhoed dat hulle die kanaal bemors. Daar kan "spesialisbesighede in die klein winkels wees, wat insluit soos bo genoem asook 'n slaghuis en 'n vrugte-/groente winkel.

OPSOMMING

1. Voorgestelde wysigings word ondersteun (hersonering, onderverdeling van al 4 erwe + vestiging van nuwe sakepersele, maar wel aan die oostekant van erf 6448).
2. 'n Taxi staanplek op erf 6691, asook speelplek vir die kinders en 'n omheinde buite gym.

KOMMENTAAR: STADSBEPLANNING

1. Erf 6449 tans Plaaslike Sake gesoneer. Erf 6448 tans "Civic & Social" gesoneer. Konsolidasie van erwe 6449 en 6448 en hersonering na "Civic & Social". Die volgende word voorgestel:
 - a. Die buurtweg moet op die erf gehuisves word.
 - b. 'n Kombinasie van Vaardigheids- en Tegnologie sentrum.
 - c. Kleuterskool.
 - d. Oop park en landskapering insluitende gym en speelpark.
2. Erf 6690 tans Plaaslike Sake gesoneer. Erf 6691 tans "Civic & Social" gesoneer. Konsolidasie van Erwe 6690 en 6691 en hersonering na "Local Business". Die volgende word voorgestel:
 - a. Besigheidspark
 - b. Supermark
 - c. Ses kleiner besighede
3. Voorsiening vir parkering en op- en aflaai sones aan beide kante van Windmeulstraat.
4. Geen vervreemding van grond word voorgestel nie, wel die opsie om te huur word ondersteun.

Tydens 'n vorige sessie van die Raad is besluit dat Stadsbeplanning die her-uitleg van die genoemde persele moet ondersoek om aan die publieke behoeftes te voorsien. Aangeheg vind u voorlopige sketse in dié verband op **bladsy 42 tot 44**.

BESTUURSAANBEVELING

- (i) Dat die Raad kennis neem van alle insette wat aan stadsbeplanning voorsien is.
- (ii) Dat die Raad kennis neem van die voorlopige her-uitlegte van die genoemde vier (4) erwe te Mill Park.
- (iii) Dat die "10 maande Strategiese plan" van die Bestuurder Admin Ondersteuning nou afgehandel is.
- (iv) Dat Stadsbeplanning kan voortgaan met die onderverdeling, konsolidasie en hersonering van erwe 6448, 6449, 6690, 6691, Bredasdorp.
- (v) Dat die Stadsbeplanning se kommentaar ook as Raadsbesluit bevestig word.

BESLUIT 192/2021

- (i) Dat die Raad kennis neem van alle insette wat aan stadsbeplanning voorsien is.
- (ii) Dat die Raad kennis neem van die voorlopige her-uitlegte van die genoemde vier (4) erwe te Mill Park.
- (iii) Dat die "10 maande Strategiese plan" van die Bestuurder Admin Ondersteuning nou afgehandel is.
- (iv) Dat Stadsbeplanning kan voortgaan met die onderverdeling, konsolidasie en hersonering van erwe 6448, 6449, 6690, 6691, Bredasdorp.
- (v) Dat die 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).

11.5 **VERVREEMDING (HUUR): GEDEELTE ERF 1148, BREDASDORP (COLLAB: 390563 (WYK 4))****DOEL VAN VERSLAG**

Dat oorweging geskenk word aan die versoek van mnr J Dyers namens Overberg Landbou ten einde 'n gedeelte van Erf 1148, Bredasdorp te huur om perde te skou (liggingsplan aangeheg op **bladsy 45**).

ALGEMENE INLIGTING

Eienaars	:	KAM
Ligging	:	Gedeelte Erf 1148, Bredasdorp
Huidige sonering	:	Meentgrond
Voorgestelde Grootte	:	3ha

AGTERGROND

'n Skriftelike versoek, soos aangeheg op **bladsy 46** is van mnr Dyers ontvang om 'n gedeelte van erf 1148, Bredasdorp by die Raad te huur.

MARKWAARDASIE

R

FINANSIËLE IMPLIKASIES

Vervreemdingsinkomste vir KAM.

WETLIKE IMPLIKASIES

1. MFMA
2. MATR
3. SCM Regulations / SCM Policy
4. Systems Act (public participation)
5. Town Planning Legislation

DEPARTEMENTELE KOMMENTAAR**DIREKTEUR: BESTUURSDIENSTE**

Moet teen markwaarde vervreem word, per opebare tender, of projek voorstelle kan ingedien word in terme van wat met die ROR beoog word vir daardie gedeelte grond.

DIREKTEUR: FINANSIËLE DIENSTE

Die wetlike voorskrifte met hantering moet nagekom word

DIREKTEUR: INFRASTRUKTUURDIENSTE

Town Planning should posit a view on all requests for suitability of the alienation based on the SDF. The application is supported. There are no services in close proximity. All costs are for the lessors account.

ELEKTRISITEIT

Any electrical installation will be the responsibility of the tenant, there is no Municipal LV power close to that area.

AFDELINGSHOOF: STRATEGIESE, BEPLANNING EN ADMINISTRATIEWE DIENSTE

No objection provided all legal processes in respect of the alienation and town planning processes are followed.

BESTUURDER: STADSBEPLANNING

No objection. If approved for rental, the portion of land is subject to a Consent use application to allow for a riding school as defined in our Town Planning Scheme

BESTUURDER: ADMINISTRATIEWE DIENSTE

Aansoek word nie ondersteun nie. Daar bestaan reeds perdekampies oppad na die SAAME saal en die aansoeker kan soontoe verwys word. Daar is verskeie aansoeke vir dieselfde grond.

BESTUURDER: STRATE EN STORMWATER

Toegang na die hoofpaaie moet met die distrikspadingenieur uitgeklaar word.

BOUBEHEER

Alle wetlike vereistes moet nagekom word.

KOMMENTAAR: WYKSKOMITEE

Geen beswaar.

TERREIN INSPEKSIE IS OP 20 AUGUSTUS 2021 UITGEVOER

Dat die sonering van die erf nie geskik is vir die doel van die gebruik van die erf nie.

BESTUURSAANBEVELING

- (i) Dat die aansoek nie goedgekeur word, aangesien die sonering van die erf nie geskik is vir die doel van die gebruik van die erf nie.
- (ii) Dat alternatiewe grond ondersoek word (aangrensend aan die Nootgedacht pad).
- (iii) Dat die Raad moet besin oor die gebruik van genoemde perseel, aangesien verskeie ontwikkelaars ook belangstel om die grond te ontwikkel.

BESLUIT 193/2021

- (i) Dat die aansoek nie goedgekeur word, aangesien die sonering van die erf nie geskik is vir die doel van die gebruik van die erf nie.
- (ii) Dat alternatiewe grond ondersoek word (aangrensend aan die Nootgedacht pad).
- (iii) Dat die Raad moet besin oor die gebruik van genoemde perseel, aangesien verskeie ontwikkelaars ook belangstel om die grond te ontwikkel.

11.6 **VERVREEMDING (HUUR): GEDEELTE ERF 1148, BREDASDORP (COLLAB: 365990) (WYK 3)****DOEL VAN VERSLAG**

Dat finale goedkeuring verleen word aan die versoek van me N Phanyana namens Concern Mothers ten einde 'n gedeelte van Erf 1148, Bredasdorp te huur om 'n geborgde vraghouer (container) op te rig.

ALGEMENE INLIGTING

Eienaars	:	KAM
Ligging	:	Gedeelte Erf 1148, Bredasdorp
Huidige sonering	:	Meentgrond

AGTERGROND

'n Skriftelike versoek is van me Phanyana namens Concern Mothers ontvang om 'n gedeelte van erf 1148, Bredasdorp by die Raad te huur.

MARKWAARDASIE

R1 241,10 per jaar óf R103,42 per maand (aangeheg op *bladsy 47 tot 51*)

DEPARTEMENTELE KOMMENTAAR**MUNISIPALE BESTUURDER**

Noted.

DIREKTEUR: FINANSIËLE DIENSTE

Neem kennis en sou sodanige versoek goedgeunstig oorweeg word moet dit onderhewig wees aan die toepaslike bou regulasie vir die opstel van tydelike strukture.

DIREKTEUR: INFRASTRUKTUURDIENSTE

It must be established that the application falls outside the 500m Landfill Buffer Zone. The Land Use needs to be facilitated and supported by Town Planning to ensure optimal municipal land use.

DIREKTEUR: BESTUURSDIENSTE

Noted.

ELEKTRISITEIT

All costs for electricity supply for the tenant's account.

AFDELINGSHOOF: STRATEGIESE, BEPLANNING EN ADMINISTRATIEWE DIENSTE

I don't support the application as they will have no access to ablution facilities.

BESTUURDER: ADMINISTRATIEWE DIENSTE

Application cannot be supported. This will leave a perception that anybody/organization could erase temporary structures.

BESTUURDER: STRATE EN STORMWATER

Daar is toegang na die betrokke grond vanaf 'n formele straatreserwe.

BESTUURDER: WATER EN RIOOL

All water and sanitation cost of tenants/owner.

BOUBEHEER

Indien enige strukture opgerig gaan word moet die nodige goedkeuring daarvoor verkry word.

NA 'N TERREIN INSPEKSIE OP 20 AUGUSTUS 2021, WORD DIE VOLGENDE AANBEVEEL

"Dat 'n drie jaar huurkontrak met Concern Mothers aangegaan word."

RAADSBESLUIT 22/2021: 30 MAART 2021

Dat 'n gedeelte van erf 1148, Bredasdorp wel aan Concern Mothers verhuur word en wel op die volgende voorwaardes: 1. 'n Markverwante huur; 2. Die huurder betaal vir die installering van munisipale dienste; 3. Dat verhuring deur 'n publieke deelname proses geadverteer word.

'n Advertensie met die Raad se voorneme is op 13 Augustus 2021 in die plaaslike pers geplaas. Geen kommentare of besware is ontvang nie.

BESTUURSAANBEVELING

- (i) Dat goedkeuring verleen word vir die huur van gedeelte Erf 1148, Bredasdorp, ongeveer 197m² in grootte aan Concern Mothers vir 'n termyn van 3 jaar.
- (ii) Alle wetlike vereistes vir langtermyn verhuring nagekom word.
- (iii) Dat 'n jaarlikse huur van R1 241.10 gehef word, met 'n eskalاسie van 5% per jaar.
- (iv) Dat die Huurder verantwoordelik is vir die installering van munisipale dienste.
- (v) Dat die standaard terugvalklausule ook duidelik in die kontrak vervat word.

BESLUIT 194/2021

- (i) Dat goedkeuring verleen word vir die huur van gedeelte Erf 1148, Bredasdorp, ongeveer 197m² in grootte aan Cornern Mothers vir 'n termyn van 3 jaar.
- (ii) Alle wetlike vereistes vir langtermyn verhuring nagekom word.
- (iii) Dat 'n jaarlikse huur van R500,00 gehef word, met 'n eskalاسie van 5% per jaar, aangesien die fasiliteit binne gemeenskapsbelang aangewend sal word.
- (iv) Dat die huurder verantwoordelik is vir die installing van munisipale dienste.
- (v) Dat die standaard terugvalklausule ook duidelik in die kontrak vervat word.
- (vi) Dat die fasiliteit slegs aangewend mag word vir die gebruik soos goedgekeur.

11.7 **VERVREEMDING (HUUR): GEDEELTE ERF 1748, NAPIER (COLLAB: 400391) (WYK 1)****DOEL VAN VERSLAG**

Dat oorweging geskenk word aan die versoek van Mnr J Hahn ten einde 'n gedeelte van Erf 1748, Napier by die Raad te huur (liggingsplan aangeheg op **bladsy 52**).

ALGEMENE INLIGTING

Eienaars	:	KAM
Ligging	:	Gedeelte Erf 1748, Napier
Huidige sonering	:	Straat
Erf Grootte	:	599.05m ²
Voorgestelde Grootte	:	Ongeveer 25m ²

AGTERGROND

'n Skriftelike versoek, soos aangeheg op **bladsy 53** is van mnr Hahn ontvang om 'n gedeelte van erf 1748, Napier by die Raad te huur.

MARKWAARDASIE

R4 015,00 per jaar (volgens tariewe van oorskredingsooreenkoms)

FINANSIËLE IMPLIKASIES

Vervreemdingsinkomste vir KAM.

WETLIKE IMPLIKASIES

1. MFMA
2. MATR
3. SCM Regulations / SCM Policy
4. Systems Act (public participation)
5. Town Planning Legislation

DEPARTEMENTELE KOMMENTAAR**DIREKTEUR: BESTUURSDIENSTE**

Dat markverwante huur per vierkante meter bepaal word en die oppervlakte gemeet word om huurtarief te bepaal. Dat die opsie om te verkoop teen markverwante prys ook oorweeg word en dat die applikant dan die twee gedeeltes konsolideer en die opmetingskoste betaal.

DIREKTEUR: FINANSIËLE DIENSTE

Oorweging moet geskenk word aan al die wetlike vereistes van toepassing, onderhewig aan Stadsbeplanning se professionele advies in die verband.

DIREKTEUR: INFRASTRUKTUURDIENSTE

No objection. All regulatory processes need to be followed.

ELEKTRISITEIT

No impact on electrical services.

BESTUURDER: STADSBEPLANNING

Geen probleem indien die eienaar die beoogde stuk grond huur en instand hou nie.

BESTUURDER: ADMINISTRATIEWE DIENSTE

Aansoek kan ondersteun word indien die bure die aansoek steun en geen munisipale dienste in die "steeg" afloop nie.

BESTUURDER: STRATE EN STORMWATER

Strate- en stormwater infrastruktuur word nie wesenlik beïnvloed nie.

BOUBEHEER

Aansoek word ondersteun.

KOMMENTAAR NA TERREIN INSPEKSIE OP 6 SEPTEMBER 2021

Teenwoordige Raadslede: Swart, Marthinus, Tonisi, Nieuwoudt, October, Donald en Sauls asook me Nel (Stadsbeplanning) en mnre Phillips (Munisipale Bestuurder) en Moelich (Administrasie) sowel as me Jantjies, mnre Ross, Spandiel, Kies en January.

- (i) *Dat die aansoek goedgekeur word.*
- (ii) *Dat 'n oorskreidingsfooï van R4 015,00 per jaar vooruitbetaalbaar sal wees.*
- (iii) *Dat 'n oorskreidingsooreenkoms met die aansoeker aangegaan word vir 3 jaar, met ingang 1 November 2021 tot 31 Oktober 2024.*

BESTUURSAANBEVELING

- (i) Dat die aansoek goedgekeur word.
- (ii) Dat 'n oorskreidingsfooï van R4 015,00 per jaar vooruitbetaalbaar sal wees.
- (iii) Dat 'n oorskreidingsooreenkoms met die aansoeker aangegaan word vir 3 jaar, met ingang 1 November 2021 tot 31 Oktober 2024.

BESLUIT 195/2021

- (i) Dat die aansoek goedgekeur word.
- (ii) Dat 'n oorskreidingsfooï van R4 015,00 per jaar vooruitbetaalbaar sal wees.
- (iii) Dat 'n oorskreidingsooreenkoms met die aansoeker aangegaan word vir 3 jaar, met ingang 1 November 2021 tot 31 Oktober 2024.
- (iv) Dat 'n terugvalklousule in die ooreenkoms ingeskryf word.
- (v) Dat verdere ondersoek gedoen word ten opsigte van aanliggende persele in Jubileumstraat.

11.8 **VERVREEMDING (HUUR): GEDEELTE ERF 1794, NAPIER (COLLAB: 402652) (WYK 1)****DOEL VAN VERSLAG**

Dat oorweging geskenk word aan die versoek van Mnr en Mev Bezuidenhout ten einde 'n gedeelte van Erf 1794, Napier by die Raad te huur (liggingsplan aangeheg op **bladsy 54**).

ALGEMENE INLIGTING

Eienaars	:	KAM
Ligging	:	Gedeelte Erf 1794, Napier
Huidige sonering	:	Straat
Erf Grootte	:	593m ²
Voorgestelde Grootte	:	25.19m ²

AGTERGROND

'n Skriftelike versoek, soos aangeheg op **bladsy 55 tot 59** is van Mnr en Mev Bezuidenhout ontvang om 'n gedeelte van erf 1794, Napier by die Raad te huur.

MARKWAARDASIE

R4 015,00 per jaar (volgens tariewe van oorskreidingsooreenkoms)

FINANSIËLE IMPLIKASIES

Vervreemdingsinkomste vir KAM.

WETLIKE IMPLIKASIES

1. MFMA
2. MATR
3. SCM Regulations / SCM Policy
4. Systems Act (public participation)
5. Town Planning Legislation

DEPARTEMENTELE KOMMENTAAR**DIREKTEUR: BESTUURSDIENSTE**

Die gevolge vir soortgelyke en konsekwente optrede moet in gedagte gehou word. 'n Opsie sou ook wees om die gedeelte te verkoop en eienaar dan die twee gedeeltes moet konsolideer sou daar nie toekomstige munisipale dienste benodig in die toekoms nie, of deur die munisipaliteit vir enige ander gebruik in die toekoms benodig word nie.

DIREKTEUR: FINANSIËLE DIENSTE

Neem kennis.

DIREKTEUR: INFRASTRUKTUURDIENSTE

Town Planning needs to give a professional view on the alienation of municipal land for the reasons provided, taking into account ownership and SG lines.

ELEKTRISITEIT

No impact on municipal electrical infrastructure, there are already such fences in Jubileum street.

BESTUURDER: STADSBEPLANNING

Ons was op terrein saam met die Raadslede. Eienaar het reeds tuin op die voorgestelde gedeelte gemaak. My voorstel sal wees indien die Raad die voorstel oorweeg, om die gedeelte eerder te verhuur as te verkoop.

BESTUURDER: ADMINISTRATIEWE DIENSTE

Aansoek word ondersteun. Die terugvallingsklousule sal voorsiening maak dat die fasiliteit nie vir enige ander doel aangewend kan word nie, en sodra daar wesenlike wysigings in die Instituut plaasvind, die Raad die ooreenkoms moet kan opsê.

BESTUURDER: STRATE EN STORMWATER

Genoegsame sypaadjie moet beskikbaar gestel word vir veilige voetgangerverkeer.

BOUBEHEER

Alle wetlike aspekte moet gevolg word. Town Planning moet ook geken word, dit kan baie probleme in die toekoms veroorsaak as almal tot teen die pad hulle grond wil vergroot.

KOMMENTAAR NA 'N TERREIN INSPEKSIE OP 6 SEPTEMBER 2021

Teenwoordige Raadslede: Swart, Marthinus, Tonisi, Nieuwoudt, October, Donald en Sauls asook me Nel (Stadsbeplanning) en mnre Phillips (Munisipale Bestuurder) en Moelich (Administrasie) sowel as me Jantjies, mnre Ross, Spandiel, Kies en January.

- (i) Dat die aansoek goedgekeur word.
- (ii) Dat 'n oorskreidingsfooï van R4 015,00 per jaar vooruitbetaalbaar sal wees.
- (iii) Dat 'n oorskreidingsooreenkoms met die aansoeker aangegaan word vir 3 jaar, met ingang 1 November 2021 tot 31 Oktober 2024.

BESTUURSAANBEVELING

- (i) Dat die aansoek goedgekeur word.
- (ii) Dat 'n oorskreidingsfooï van R4 015,00 per jaar vooruitbetaalbaar sal wees.
- (iii) Dat 'n oorskreidingsooreenkoms met die aansoeker aangegaan word vir 3 jaar, met ingang 1 November 2021 tot 31 Oktober 2024.

BESLUIT 196/2021

- (i) Dat die aansoek goedgekeur word.
- (ii) Dat 'n oorskreidingsfooï van R4 015,00 per jaar vooruitbetaalbaar sal wees.
- (iii) Dat 'n oorskreidingsooreenkoms met die aansoeker aangegaan word vir 3 jaar, met ingang 1 November 2021 tot 31 Oktober 2024.
- (iv) Dat 'n terugvalklousule in die ooreenkoms ingeskryf word.
- (v) Dat verdere ondersoek gedoen word ten opsigte van aanliggende persele in Jubileumstraat.

11.9 **VERVREEMDING (HUUR/OORSKREIDING): GEDEELTE ERF 574, L'AGULHAS (COLLAB: 396811) (WYK 5)**

DOEL VAN VERSLAG

Dat oorweging geskenk word aan die versoek van mnr M J Steyn ten einde 'n gedeelte van Erf 574, L'Agulhas te huur (liggingsplan aangeheg op **bladsy 60**).

ALGEMENE INLIGTING

Eienaars	:	KAM
Ligging	:	Gedeelte Erf 574, L'Agulhas
Huidige sonering	:	Publieke Oopruimte
Voorgestelde Grootte	:	±200m ²

AGTERGROND

Die Raad ontvang die volgende skrywe vanaf mnr Steyn (sien ook **bladsy 61 tot 64**):

AANSOEK OM OORSKREIDING ERF 269

Graag wil ek hiermee aansoek doen vir oorskreiding van erf 269, George straat, Agulhas.

Die oorskreiding sal wees vir 10 meter op die Publieke oopruimte langs die huis, dus erf 574.

Vind aangeheg die skematiese voorstelling van my versoek.

Ek wil hiermee versoek dat dit asseblief julle dringende aandag geniet om hierdie proses so gou moontlik aan die gang te sit. Ek het verneem dat dit geadverteer moet word, wat in orde is. Ek het reeds die bure in kennis gestel, en almal keur dit goed.

Ek het egter nie met Mev Viljoen hieroor gepraat nie, want ek dink dit is onnodig.

Sal julle my asseblief laat weet indien daar verdere papierwerk benodig word vir hierdie aansoek en ook wat die jaarlikse koste sal beloop.

Ek hoor graag van julle

MARKWAARDASIE

R

FINANSIËLE IMPLIKASIES

Vervreemdingsinkomste vir KAM.

WETLIKE IMPLIKASIES

1. MFMA
2. MATR
3. SCM Regulations / SCM Policy
4. Systems Act (public participation)
5. Town Planning Legislation

DEPARTEMENTELE KOMMENTAAR**DIREKTEUR: INFRASTRUKTUURDIENSTE**

Not supported, due to electrical reticulation confirmed by the Electrical Manager

DIREKTEUR: BESTUURSDIENSTE

Stel voor dat prys per markwaarde bepaal word en verkoop word aan aansoeker, sou daar nie munisipale dienste op wees of benodig sou word in die toekoms nie. Aansoeker moet landmeter kostes betaal.

DIREKTEUR: FINANSIËLE DIENSTE

Noted and no objection

ELEKTRISITEIT

There are electrical cables buried there which feed the houses further on.

AFDELINGSHOOF: STRATEGIESE, BEPLANNING EN ADMINISTRATIEWE DIENSTE

Unless there is a compelling reason, I do not support the fragmenting of a public space for purely recreational purposes as it will create a precedent, especially such a large area.

It should also be noted that the applicant has indicated that they obtained the consent of the direct neighbours but not the consent of the owner of ERF 262, who's consent they deemed unnecessary. Erf 262 will however be affected if approved as the land applied for abuts on this property.

The owner of ERF 262 is vehemently opposed to the application even though it has not been considered or made public in any way, to the extent that they submitted a PAIA request to obtain the details of the application. It is highly probable that they will institute legal action if approved, even in principle which raises the question of whether the Council should knowingly proceed with a transaction that will have legal and financial implications.

BESTUURDER: ADMINISTRATIEWE DIENSTE

Sien elektrisiteit se kommentaar. Daar is elektrisiteitskabels in die genoemde gebied. Kan daarom nie die aansoek ondersteun nie.

BESTUURDER: STRATE EN STORMWATER

Strate- en stormwater infrastruktuur word nie beïnvloed nie.

BESTUURDER: WATER & RIOOL

Geen beswaar. Eienaar sal self dienste moet skuif indien nodig.

BOUBEHEER

Aansoek word ondersteun.

Alle Wetlike aspekte moet nagekom word en daar moet seker gemaak word dat daar genoegsame draai ruimte is.

STADSBEPANNING

Indien ons hierdie aansoek gaan goedkeur, maak ons 'n deur oop vir soortgelyke aansoeke. 10m Is egter buitensporig vir die gedeelte wat die strek-tent oorskrei. Ongeveer 2m sou voldoende en verstaanbaar wees. Die buurvrou, mev Viljoen het reeds beswaar gemaak oor haar see uitsig wat beïnvloed word.

KOMMENTAAR NA 'N TERREIN INSPEKSIE OP 9 SEPTEMBER 2021

Teenwoordige Raadslede: Swart, Marthinus, Tonisi, Nieuwoudt, October, Donald en Sauls asook me Nel (Stadsbeplanning) en mnre Phillips (Munisipale Bestuurder) en Moelich (Administrasie) sowel as me Jantjies, mnre Spandiel en Kies.

"Dat die aansoek nie aanbeveel word nie, aangesien daar elektriese kabels op die genoemde erf is."

BESTUURSAANBEVELING

Dat die aansoek nie aanbeveel word nie, aangesien daar ondergrondse munisipale dienste op die genoemde erf geïnstalleer is en die versnippering van die oop ruimte 'n presedent sal skep en sterk weerstand is reeds uitgespreek teenoor die vervreemding van die genoemde terrein.

BESLUIT 197/2021

Dat die aansoek nie toegestaan word nie, aangesien daar ondergrondse munisipale dienste op die genoemde erf geïnstalleer is en die versnippering van die oop ruimte 'n presedent sal skep en sterk weerstand is reeds uitgespreek teenoor die vervreemding van die genoemde terrein.

11.10 **VERVREEMDING (HUUR): GEDEELTE ERF 1837, STRUISBAAI (COLLAB: 392904) (WYK 5)**

DOEL VAN VERSLAG

Dat oorweging geskenk word aan die versoek van Mnr T Oberholster ten einde 'n gedeelte van Erf 1837, Struisbaai by die Raad te huur (liggingsplan aangeheg op **bladsy 65**).

ALGEMENE INLIGTING

Eienaars	:	KAM
Ligging	:	Gedeelte Erf 1837, Struisbaai
Erf Grootte	:	9553m ²
Voorgestelde Grootte	:	43m ²

AGTERGROND

'n Skriftelike versoek, soos aangeheg op **bladsy 66 tot 70** is van mnr Oberholster ontvang om 'n gedeelte van erf 1837, Struisbaai by die Raad te huur.

MARKWAARDASIE

R4 015,00 per jaar (volgens tariewe van oorskreidingsooreenkoms)

FINANSIËLE IMPLIKASIES

Vervreemdingsinkomste vir KAM.

WETLIKE IMPLIKASIES

1. MFMA
2. MATR
3. SCM Regulations / SCM Policy
4. Systems Act (public participation)
5. Town Planning Legislation

DEPARTEMENTELE KOMMENTAAR**DIREKTEUR: BESTUURSDIENSTE**

Eienaar moet verkeersimpakstudie laat doen om te verseker dat daar nie verkeersprobleme sou ontstaan nie.

DIREKTEUR: INFRASTRUKTUURDIENSTE

The agreement needs to be tabled in order to support or decline the application.

DIREKTEUR: FINANSIËLE DIENSTE

Noted the application with no objection.

ELEKTRISITEIT

Any impact on electrical infrastructure for owners account.

AFDELINGSHOOF: STRATEGIESE, BEPLANNING EN ADMINISTRATIEWE DIENSTE

No objection provided public input is obtained and all necessary town planning processes followed.

BESTUURDER: STADSBEPLANNING

Indien die Raad die oorskreiding sal toestaan behels dit 'n onderverdeling, konsolidasie en hersonering wat die applikant sal moet betaal vir goedkeuring.

BESTUURDER: ADMINISTRATIEWE DIENSTE

Omliggende bure se insette moet verkry word. Die beginsel van die "muur per ongeluk op die verkeerde plek gebou", is onaanvaarbaar. Eienaar moet ook versoek word om 'n verkeersimpakstudie te laat doen om toe te sien dat verkeer nie nadelig geraak word nie.

BESTUURDER: STRATE EN STORMWATER

Sigafstande vir verkeer word nie wesenlik beïnvloed nie.

BOUBEHEER

Die aansoek word ondersteun. Alle Wetlike prosese moet gevolg word.

BESTUURSAANBEVELING

- (i) Dat die aansoek goedgekeur word.
- (ii) Dat 'n oorskreidingsfooi van R4 015,00 per jaar vooruitbetaalbaar sal wees.
- (iii) Dat 'n oorskreidingsooreenkoms met die aansoeker aangegaan word vir 3 jaar, met ingang 1 November 2021 tot 31 Oktober 2024.
- (iv) 'n Terugvalklousule sal in werking wees.
- (v) Geen permanente strukture mag oor ondergrondse munisipale dienste opgerig word nie.

BESLUIT 198/2021

Dat die aangeleentheid terugverwys word, aangesien die betrokke muur reeds opgerig is en verdere ondersoek dienooreenkomstig moet plaasvind.

11.11 **VERHURING: ERF 538, NAPIER: NUWERUS NAPIER NASORG (BAO)****DOEL VAN VERSLAG**

Om oorweging te skenk om erf 538, Napier plus verbeteringe te verhuur aan Nuwerus Napier Nasorg om as 'n "Safe House" te dien.

ALGEMENE INLIGTING

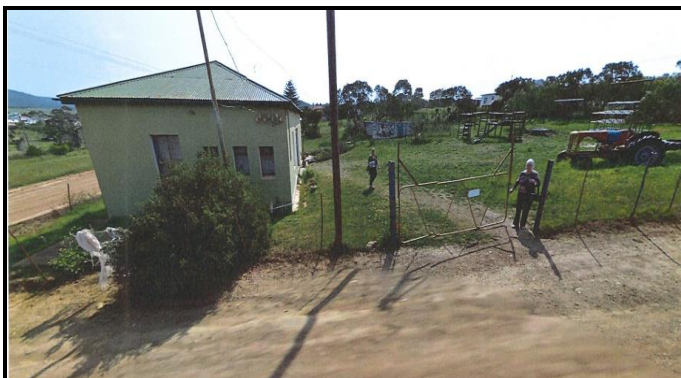
Eienaars	:	KAM
Eiendom	:	Erf 538, Napier
Huidige sonering	:	Civic & Social
Erf Grootte	:	1 723m ²
Ligging	:	h/v Van Der Byl- en Kragstraat, Napier
Liggingsadres	:	27 Kragstraat

AGTERGROND

Verskeie versoeke en aansoeke word gereeld ontvang om die genoemde eiendom te huur / te gebruik. Daar het 'n huurooreenkoms met me J C Jansen van Rensburg wat handel as "Saplings & Seedlings Nursery School" vanaf 1 Februarie 2019 tot 31 Desember 2021 (3 jaar ooreenkoms) bestaan. Die gebou was verhuur teen R500,00/m met 'n eskalاسie van 5% per jaar. Die Huurooreenkoms is per Raadsbesluit 156/2020 beëindig.

'n Volgende huurder (NADS - Napier Amateur Dramatic Society) het die gebou gehuur tot 31 Januarie 2021. Die Raad neem op 28 Oktober 2020 'n besluit (RB 182/2020) om die gebou per tender te verkoop. Die Raadsbesluit word herroep.

Sedert 31 Januarie 2021 staan die gebou steeds leeg.





NA 'N TERREIN INSPEKSIE OP 20 AUGUSTUS 2021, WORD DIE VOLGENDE AANBEVEEL

Die partye teenwoordig tydens die genoemde inspeksie, was dit eens dat die gebou beskikbaar gestel word aan Nuwerus Napier Nasorg om as 'n "Safe House" te gebruik.

BESTUURSAANBEVELING

- (i) Dat erf 538, Napier aan Nuwerus Napier Nasorg beskikbaar gestel word om as "Safe House" te gebruik vir 'n termyn van 3 jaar, beginnende **1 Januarie 2022 tot en met 31 Desember 2024**.
- (ii) Die huurbedrag sal R500,00 per jaar beloop, vooruit betaalbaar.
- (iii) Dat die munisipale dienste deur die huurder betaal sal word.
- (iv) Dat, indien die fasiliteit vir 'n ander doel aangewend word as die oorspronklike goedkeuring, die terugvalklousule in werking sal tree waarin die ooreenkoms beëindig kan word.
- (v) Dat die Raad se voorneme per publieke deelname bekend gemaak word.

BESLUIT 199/2021

- (i) Dat erf 538, Napier aan Nuwerus Napier Nasorg beskikbaar gestel word om as "Safe House" te gebruik vir 'n termyn van 3 jaar, beginnende **1 Januarie 2022 tot en met 31 Desember 2024**.
- (ii) Dat die Safe House op dieselfde beginsels as Bredasdorp Safe House hanteer moet word ten opsigte van befondsing, munisipale dienste asook die huurooreenkoms en toepaslike tariewe.
- (iii) Dat, indien die fasiliteit vir 'n ander doel aangewend word as die oorspronklike goedkeuring, die terugvalklousule in werking sal tree waarin die ooreenkoms beëindig kan word.
- (iv) Dat die Raad se voorneme per publieke deelname bekend gemaak word.

11.12 **VERHUURING VAN GEDEELTE VAN GROND: ERF 601, L'AGULHAS (BAO)**

DOEL VAN VERSLAG

Om te oorweeg om gedeelte van erf 601, L'Agulhas (bestaande woonkwartiere) aan Agulhas Erfnis-Vereniging (AEV) te verhuur vir 9 jaar en 11 maande vir die daarstelling van 'n dorpsmuseum.

AGTERGROND

Erf 601, L'Agulhas bestaan uit L'Agulhas se meentgronde wat ook insluit 'n woonkwartiere van KAM wat tans leegstaan. Op die perseel is wel 'n gebou opgerig, asook 'n stoorspasie vir oortollige materiaal en 'n boorgat. Daar is in 2020 deur Zoetendal Akademie aansoek gedoen wat die fasiliteit vir uitgebreide klaskamers wou gebruik. Zoetendal Akademie het die Raad in kennis gestel dat hul nie meer belangstel om die gebou by die Raad te huur nie.

'n Aansoek, soos hieronder is van Agulhas Erfenis Vereniging (AEV) ontvang wat die Raad versoek om die fasiliteit te gebruik vir 'n uitstalspasie vir artefakte/boeke/stories van die Suidpunt.

INSAKE: ERF 601, L'AGULHAS

Die Agulhas Erfenis Vereniging is twee jaar gelede gestig met die uitsluitlike oogmerk om ons kultuurerfenis aan die Suidpunt op te teken, te promoveer ter wille van bewaring en soveel moontlik artefakte/boeke/stories te bekom en in pag te hou vir die nageslag. Die komitee word jaarliks herkies vanuit inwoner geleedere en is aktief besig om bogenoemde oogmerke na te kom.

Die Vereniging is nou begerig om die twee woonstelle van die gebou op Erf 601 van KAM te huur op 'n 9 jaar en 11 maande basis om te omskep in 'n dorpsmuseum/heemhuis waarin die huidige en toekomstige versameling artefakte uitgestal en aan die publiek oopgestel sou kon word ter geleger tyd. Die Vereniging het gewis ook 'n behoefte aan 'n permanente kantoor/vergaderlokaal - wat uiteraard ook hiervoor benut sal word indien ons aansoek suksesvol is.

Hiermee dan die versoek dat u die verhuring van die genoemde lokale van die betrokke gebou aan die Agulhas Erfenis Vereniging sal oorweeg.

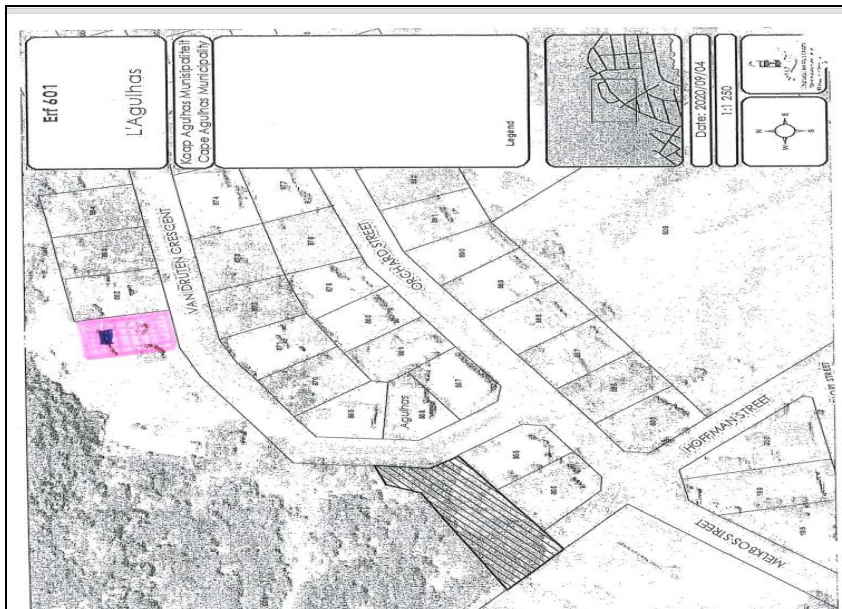
Ons hoor graag van u.



Die uwe
DERICK BURGER
VOORSITTER

Die hoofdoel is om die geskiedenis te bewaar, asook soveel as moontlik besonderhede vir die nageslag te bewaar. Die AEV het geen ander gebou in L'Agulhas waar hul die dokumente kan stoor en uitstal nie. AEV wil die gebou omskep in 'n dorpsmuseum/heemhuis asook moontlike kantoorspasie en 'n vergaderlokaal geheel en al vir die publieke belang. **AEV versoek net dat die twee woonstelle aan hulle beskikbaar gestel word, en nie die hele gebou nie.**

Die spesifieke gedeelte word hieronder aangedui:



FINANSIËLE IMPLIKASIE

Potensiële inkomste - Voorgestelde huurgeld is R500,00 per jaar, aangesien die gebruik uitsluitlik vir die publiek en toerisme sal wees en dat die Agulhas Erfenis-Vereniging 'n nie-winsgewende organisasie is.

REGSIMPLIKASIE

This asset of the Council is not required for the provision of the minimum level of basic services. However, the following legal requirements and community participation processes will have to be followed:

Council policy	Alienation of land
MFMA	1.Sect 14(2)(a): asset not required for minimum level of basic services. 2.Sect 14(2)(b): consider fair market value and economic and community value to be received in exchange for the asset. 3.Items in 1 and 2 only to be complied with if the asset to be transferred is a high value asset (see definition of MATR below). 4.Sect 33: Contracts having long term financial implications.
MATR	1. Definition of "high value asset": "fair market value of the capital asset exceeds any of the following amounts: a) R50 million; b) One percent of the total value of the capital assets of the municipality... c) An amount determined by resolution of the council of the municipality which is less than (a) or (b). 2. Definition of "realisable value": fair market value less estimated costs of completion. 3. Definition of "right to use, control or manage": when granting such rights do not amount to permanent transfer or disposal. 4. Regulation 5 (decision-making). 5. Regulation 6 (public participation)
SCM Regulations SCM Policy	Regulation 40: (Disposal Management) Project for job creation, skills development, poverty alleviation and economic growth
Systems Act (public participation)	Section 21A: (1) All documents that must be made public by a municipality in terms of a requirement of this Act, the Municipal finance Management Act or other applicable legislation, must be conveyed to the local community: (a) by displaying the documents at the municipality's head and satellite offices and libraries; (b) by displaying the documents on the municipality's official website, if the municipality has a website as envisaged by section 21 B; and (c) by notifying the local community, in accordance with section 21, of the place, including website address, where detailed particulars concerning the documents can be obtained.

PERSONEEL IMPLIKASIE

Geen.

DEPARTEMENTELE INSETTE**BESTUURDER: WATER**

Die perseel word wel deur KAM se waterafdeling gebruik. 2 Boorgate pompe, chlorine dosing equipment, Pomp MCC's en generator is alles in daai gebou. Om die gebou te verhuur sal al die gereedskap moet verwyder en geskuif word. Toe ons laas op site was met prokureur Martin Kruger het hy ook aangewys dat daar ook wetlike stappe ook moet gedoen word voordat 3rde party besetting kan neem. Ek dink ons sal weer op site moet bymekaar kom. ***AEV is nie van voorneme om die hele gebou te huur nie, maar net die 2 woonstelle.***

STADSBEPANNING

Moontlike sonerings sal moet plaasvind indien die gebou gedeeltelik as "museum" gebruik sal word.

TERREIN BESOEK: 9 SEPTEMBER 2021

Teenwoordig: Rdle Swart, Tonisi, Sauls, October, Nieuwoudt, Donald en amptenare me S Nel (Stadsbeplanning), me Jantjies (eiendomsadministrasie) en mnre Phillips (Munisipale Bestuurder), Moelich (Administrasie), Shane Roach (Bestuurder: Water) en Spandiel. Drie lede van die Erfeniskomitee word op die perseel ontmoet.

Die lede verduidelik hul behoefte en 'n volledige inspeksie word uitgevoer. Die potensiaal van die fasaliteit word bespreek en mnr Roach gee sy insette spesifiek ten opsigte van bestaande toerusting wat in die gebou gehuisves word. Die Erfeniskomitee wil net die woonstelle gebruik asook die toilet fasiliteite.

Na die besoek, word die volgende aanbeveling gemaak:

BESTUURSAANBEVELING

- (i) Dat die Raad in-beginsel goedkeuring gee vir die verhuring van gedeelte van erf 601, L'Agulhas aan Agulhas Erfenis-Vereniging (AEV) vir 'n termyn van drie jaar.
- (ii) Dat jaarlikse huurgeld R500,00 (BTW uitgesluit) sal beloop vir die huur van die twee woonstelle op erf 601, L'Agulhas.
- (iii) Dat die opgestelde ooreenkoms 'n terugvalklousule sal insluit waarmee die gebou terugval na die Raad of indien die Raad die gebou vir munisipale dienste moet aanwend (60 dae kennisgewing).
- (iv) Dat alle verbeterings aan die fasaliteit vir die AEV se rekening sal wees.
- (v) Die versekering van die struktuur sal wel vir die Raad se rekening wees, alhoewel die inhoud van die AEV deur AEV verseker moet word.
- (vi) Dat die Raad kennis neem dat Zoetendal Akademie nie meer belangstel om die fasaliteit te huur nie, en dat die betrokke Raadsbesluit teruggetrek word.
- (vii) Dat die Raad se voorneme vir verhuring geadverteer word vir publieke kommentaar.

BESLUIT 200/2021

- (i) Dat die Raad in-beginsel goedkeuring gee vir die verhuring van gedeelte van erf 601, L'Agulhas aan Agulhas Erfenis-Vereniging (AEV) vir 'n termyn van drie jaar, met die opsie om ooreenkoms te verleng.
- (ii) Dat jaarlikse huurgeld R500,00 (BTW uitgesluit) plus 5% eskalاسie sal beloop vir die huur van die twee woonstelle op erf 601, L'Agulhas.
- (iii) Dat die opgestelde ooreenkoms 'n terugvalklousule sal insluit waarmee die gebou terugval na die Raad of indien die Raad die gebou vir munisipale dienste moet aanwend (60 dae kennisgewing).
- (iv) Dat alle verbeterings aan die fasaliteit vir die AEV se rekening sal wees.
- (v) Die versekering van die struktuur sal wel vir die Raad se rekening wees, alhoewel die inhoud van die AEV deur AEV verseker moet word.
- (vi) Dat die Raad kennis neem dat Zoetendal Akademie nie meer belangstel om die fasaliteit te huur nie, en dat die betrokke Raadsbesluit teruggetrek word.
- (vii) Dat die Raad se voorneme vir verhuring geadverteer word vir publieke kommentaar.
- (viii) Dat die Raad te alle tye toegang tot die genoemde perseel sal hê.

11.13 **VERVREEMDING (KOOP): GEDEELTE ERF 1148, BREDASDORP (COLLAB: 375924 (WYK 6)**

DOEL VAN VERSLAG

Dat oorweging geskenk word aan die versoek van mnr J Prins ten einde 'n gedeelte (15m x 20m) van Erf 1148, Bredasdorp te koop en te konsilideer met erf 2210, Bredasdorp (liggingsplan aangeheg op **blad**sy 71).

ALGEMENE INLIGTING

Eienaars	:	KAM
Ligging	:	Gedeelte Erf 1148, Bredasdorp
Huidige sonering	:	Meentgrond
Voorgestelde Grootte	:	15m x 20m

AGTERGROND

'n Skriftelike versoek, soos aangeheg op **blad**sy 72 is van mnr Prins ontvang om 'n gedeelte (15m x 20m) van erf 1148, Bredasdorp by die Raad te koop.

MARKWAARDASIE

R26 250,00 (BTW uitg.) - Aangeheg op *bladsy 73 tot 76*

FINANSIËLE IMPLIKASIES

Vervreemdingsinkomste vir KAM.

WETLIKE IMPLIKASIES

1. MFMA
2. MATR
3. SCM Regulations / SCM Policy
4. Systems Act (public participation)
5. Town Planning Legislation

DEPARTEMENTELE KOMMENTAAR**DIREKTEUR: GEMEENSKAPSDIENSTE**

Noted.

DIREKTEUR: FINANSIËLE DIENSTE

Neem kennis van die vesoek, inaggenome die insette van die onderskeie ondersteuning van departemente/afdelings.

DIREKTEUR: INFRASTRUKTUURDIENSTE

Ad-Hoc request of this nature is not supported as the land use needs to be reviewed by Town Planning for future use.

ELEKTRISITEIT

Is this not part of the whole greater Ou Meule corridor. Any changes/upgrades to electrical infrastructure for the owner's account.

AFDELINGSHOOF: STRATEGIESE, BEPLANNING EN ADMINISTRATIEWE DIENSTE

This is a sizeable portion and could create a precedent that will result in fragmented destruction of this area.

BESTUURDER: STADSBEPLANNING

Nie aanbeveel nie. Versnippering van Openbare Oop Ruimtes.

BESTUURDER: ADMINISTRATIEWE DIENSTE

Die aansoek word NIE ONDERSTEUN deur Administratiewe Ondersteuning nie, die rede is soos per vorige besluite, dat die Raad nie openbare areas verder versnipper nie. Die Raad het ook nog nie besluit wat met die hele "oop area" moet gebeur nie.

BESTUURDER: STRATE EN STORMWATER

Volgens die lugfoto's lyk dit of daar reeds 'n struktuur op die betrokke grond opgerig is. Strate- en stormwaterinfrastruktuur word nie beïnvloed nie.

BESTUURDER: WATER EN RIOOL

No objection.

BOUBEHEER

Die aansoek word ondersteun, dit moet geen invloed op toekomstige uitbreidings in daardie area hê nie. Huidiglik word dit as werkwinkel, garage aangewend die voorwaardes moet duidelik wees enkel residensieel of daar moet hersonerings aansoek wees wat moontlik nie wenslik in woonbuurt sal wees nie.

BESTUURDER: VERKEER EN WETSTOEPASSING

Not recommended.

TERREIN INSPEKSIE IS OP 20 AUGUSTUS 2021 UITGEVOER:

- (i) Dat in-beginsel-goedkeuring verleen word vir die verkoop van gedeelte Erf 1148, Bredasdorp ongeveer ±182m in grootte aan Mnr J Prins.
- (ii) Dat die Raad 'n Landmeter aanwys wat genoemde gedeelte sal registreer, onderverdeel, hersoneer en konsolideer met die koper se bestaande erf, vir die koste van die koper.
- (iii) Dat die markwaarde soos bepaal, as koopprys van toepassing sal wees.
- (iv) Dat alle wetlike prosesse gevolg sal word, soos onder andere die voorneme van vervreemding aan die publiek bekend gemaak moet word.

BESTUURSAANBEVELING

- (i) Dat in-beginsel-goedkeuring verleen word vir die verkoop van gedeelte Erf 1148, Bredasdorp ongeveer ±182m in grootte aan Mnr J Prins.
- (ii) Dat die Raad 'n Landmeter aanwys wat genoemde gedeelte sal registreer, onderverdeel, hersoneer en konsolideer met die koper se bestaande erf, vir die koste van die koper.
- (iii) Dat die markwaarde soos bepaal, as koopprys van toepassing sal wees.
- (iv) Dat alle wetlike prosesse gevolg sal word, soos onder andere die voorneme van vervreemding aan die publiek bekend gemaak moet word.

BESLUIT 201/2021

- (i) Dat in-beginsel-goedkeuring verleen word vir die verkoop van gedeelte Erf 1148, Bredasdorp ongeveer ±182m in grootte aan Mnr J Prins.
- (ii) Dat die Raad 'n Landmeter aanwys wat genoemde gedeelte sal registreer, onderverdeel, hersoneer en konsolideer met die koper se bestaande erf, vir die koste van die koper.
- (iii) Dat die markwaarde soos bepaal, as koopprys van toepassing sal wees.
- (iv) Dat alle wetlike prosesse gevolg sal word, soos onder andere die voorneme van vervreemding aan die publiek bekend gemaak moet word.

11.14 VERVREEMDING (KOOP): GEDEELTE ERF 5585, BREDASDORP (COLLAB: 365049) (WYK 3)**DOEL VAN VERSLAG**

Om oorweging te skenk aan die versoek van Me Z Tonisi ten einde 'n gedeelte (4m) van erf 5585, Bredasdorp te koop (liggingsplan aangeheg op **bladsy 77**).

ALGEMENE INLIGTING

Eienaars	:	KAM
Eiendom	:	Gedeelte Erf 5585, Bredasdorp
Erf Grootte	:	2224m ²
Voorgestelde Grootte	:	4m

AGTERGROND

Op 18 Oktober 2020 ontvang die Raad die volgende skrywe vanaf me Tonisi:

I trust that this email finds you well, I hereby wish to apply for a portion of erf 5586 that is rezoned as an open space adjacent to my erf that is 5487. I would like to apply for 4meters of erf 5586.

I trust that my application will be considered

Kind Regards

Zukiswa Tonisi

MARKWAARDASIE

R5 000,00 (BTW uitg.) - Aangeheg op **bladsy 78 tot 81**

FINANSIële IMPLIKASIES

Vervreemdingsinkomste vir KAM.

WETLIKE IMPLIKASIES

1. MFMA
2. MATR
3. SCM Regulations / SCM Policy
4. Systems Act (public participation)
5. Town Planning Legislation

DEPARTEMENTELE KOMMENTAAR

MUNISIPALE BESTUURDER

Noted.

DIREKTEUR: FINANSIELE DIENSTE

Have to deal in terms of appropriate legislation in a fair and transparent manner which be market related and whereby the property not needed for any services.

DIREKTEUR: GEMEENSKAPSDIENSTE

Noted.

DIREKTEUR: INFRASTRUKTUURDIENSTE

Not supported, as a subdivision process has to take place reducing a public open space. Inadequate reasons are provided for the request.

ELEKTRISITEIT

Any upgrades to electrical capacity or infrastructure for owners account.

BESTUURDER: ADMINISTRATIEWE DIENSTE

DIE AANSOEK WORD NIE ONDERSTEUN nie, aangesien dis nie duidelik watter 4m die eienaar versoek nie. 'n Meer volledige skets moet voorgelê word.

BESTUURDER: STRATE EN STORMWATER

Stormwater infrastruktuur op die betrokke grond moet toeganklik bly vir onderhoudsdoeleindes.

BESTUURDER: WATER EN RIOOL

Any water and sanitation capacity increase for owners account. Wayleave inspection required.

BOUBEHEER

Noted.

STADSBEPLANNING

Eiendom sal moet onderverdeel, gesluit, hersoneer en konsolideer word.

KOMMENTAAR: WYKSKOMITEE (4 DESEMBER 2020)

Voorheen was daar alreeds aansoek gedoen vir grond op bogenoemde erf wat afgekeur was as gevolg van stormwaterpype wat daar loop en daar moet 'n oop spasie wees. Wykskomitee ondersteun nie die aansoek nie.

RAADSBESLUIT 25/2021: 30 MAART 2021

“Dat die aangeleentheid terugverwys word sodat uitklaring verkry kan word ten opsigte van die spesifieke gedeelte aangevra, bestaande infrastruktuur en terugrapportering aan die Wykskomitee.”

NA 'N TERREIN INSPEKSIE OP 20 AUGUSTUS 2021, WORD DIE VOLGENDE AANBEVEEL

- (i) Dat in-beginsel-goedkeuring verleen word vir die verkoop van gedeelte Erf 5585, Bredasdorp ongeveer 4m in grootte aan die Me Z Tonisi.
- (ii) Dat die Raad 'n Landmeter aanwys wat genoemde gedeelte sal registreer en konsolideer met die koper se bestaande erf, vir die koste van die koper.
- (iii) Dat die markwaarde soos bepaal, as koopprys van toepassing sal wees.
- (iv) Dat alle wetlike prosesse gevolg sal word, soos onder andere die voorneme van vervreemding aan die publiek bekend gemaak moet word.

BESTUURSAANBEVELING

- (i) Dat in-beginsel-goedkeuring verleen word vir die verkoop van gedeelte Erf 5585, Bredasdorp ongeveer 4m in grootte aan die Me Z Tonisi.
- (ii) Dat die Raad 'n Landmeter aanwys wat genoemde gedeelte sal registreer en konsolideer met die koper se bestaande erf, vir die koste van die koper.
- (iii) Dat die markwaarde soos bepaal, as koopprys van toepassing sal wees.
- (iv) Dat alle wetlike prosesse gevolg sal word, soos onder andere die voorneme van vervreemding aan die publiek bekend gemaak moet word.

BESLUIT 202/2021

- (i) Dat in-beginsel-goedkeuring verleen word vir die verkoop van gedeelte Erf 5585, Bredasdorp ongeveer 4m in grootte aan die Me Z Tonisi.
- (ii) Dat die Raad 'n Landmeter aanwys wat genoemde gedeelte sal registreer en konsolideer met die koper se bestaande erf, vir die koste van die koper.
- (iii) Dat die markwaarde soos bepaal, as koopprys van toepassing sal wees.
- (iv) Dat alle wetlike prosesse gevolg sal word, soos onder andere die voorneme van vervreemding aan die publiek bekend gemaak moet word.

(Raadslid Tonisi nie teenwoordig tydens bespreking van die aangeleentheid nie. Raadslid October neem waar as Speaker in die afwesigheid van Raadslid Tonisi.)

11.15 **VERVREEMDING (KOOP): ERF 1576, BREDASDORP (COLLAB: 384575) (WYK 4)****DOEL VAN VERSLAG**

Om oorweging te skenk aan die versoek van Mnr en Mev Wolhuter ten einde erf 1576, Bredasdorp te koop (liggingsplan aangeheg op **bladsy 82**).

ALGEMENE INLIGTING

Eienaars	:	KAM
Eiendom	:	Erf 1576, Bredasdorp
Ligging	:	Disalaan
Huidige sonering	:	Enkel Residensieel
Erf Grootte	:	717m ²

AGTERGROND

Op 16 April 2021 ontvang die Raad die volgende skrywe vanaf Mnr en Mev Wolhuter:

"Aanbod om erf 1576 te koop (Disalaan, Bredasdorp)

Goeie dag

Ek wil graag 'n dringende aanbod ten bedrae van R110 000,00 uitsl BTW vir die koop van die erf maak. Ek en my vrou het 'n jaar gelede ook 'n aanbod te koop op 'n ander erf gemaak, sonder enige formele terugvoer.

Ons het dringend behuising nodig en vra dat u die aanbod so gou moontlik oorweeg. Ek hoop u sal ons aanbod goedgunstig vind.

Henry Wolhuter"

MARKWAARDASIE

R150 000,00 (Munisipale Waardasie)

FINANSIËLE IMPLIKASIES

Vervreemdingsinkomste vir KAM.

WETLIKE IMPLIKASIES

1. MFMA
2. MATR
3. SCM Regulations / SCM Policy
4. Systems Act (public participation)
5. Town Planning Legislation

DEPARTEMENTELE KOMMENTAAR**DIREKTEUR: FINANSIELE DIENSTE**

Geen beswaar en die wetlike vereiste t.o.v vervreemding moet nagekom word.

DIREKTEUR: BESTUURSDIENSTE

Should be collectively placed on open tender or on public auction to get the highest value for the sale of the assets as per the MFMA.

DIREKTEUR: INFRASTRUKTUURDIENSTE

No objection for alienation of land for residential purposes. However all land parcels that are to be sold, should be collectively placed on open tender or on public auction to get the highest value for the sale of the assets as per the MFMA. Hence the out of hand sale application is not supported.

AFDELINGSHOOF: STRATEGIESE, BEPLANNING EN ADMINISTRATIEWE DIENSTE

Serviced residential properties should be sold via public process

ELEKTRISITEIT

Any electrical connection or upgrade will be for owners account.

BESTUURDER: ADMINISTRATIEWE DIENSTE

Aansoek word ondersteun. Erf kan per Tender aangebied word.

BESTUURDER: STRATE EN STORMWATER

Die betrokke erf het toegang na 'n formele straat.

BESTUURDER: WATER & RIOOL

Geen beswaar.

BESTUURDER: STADSBEPLANNING

No objection for alienation of land for residential purposes. This application should be placed on open tender or on public auction to get the highest value for the sale of the assets as per the MFMA. The proposed use of land should be in accordance with the current zoning.

BOUBEHEER

Die aansoek word ondersteun. Alle Wetlike vereistes moet nagekom word.

KOMMENTAAR: WYKSKOMITEE

Geen beswaar.

NA 'N TERREIN INSPEKSIE OP 20 AUGUSTUS 2021, WORD DIE VOLGENDE AANBEVEEL

Dat erf 1576, Bredasdorp per publieke tender verkoop word met waardasie as die insetprys.

BESTUURSAANBEVELING

Dat erf 1576, Bredasdorp per publieke tender verkoop word met die waardasie as insetprys.

BESLUIT 203/2021

Dat erf 1576, Bredasdorp per publieke tender verkoop word met die waardasie as insetprys.

11.16 VERVREEMDING (KOOP): ERF 1268, NAPIER (COLLAB: 384578) (WYK 1)**DOEL VAN VERSLAG**

Om oorweging te skenk aan die versoek van mnr A A Mahamed ten einde erf 1268, Napier te koop. (liggingsplan aangeheg op **bladsy 83**).

ALGEMENE INLIGTING

Eienaars	:	KAM
Eiendom	:	Erf 1268, Napier
Ligging	:	Tolbosstraat 22
Huidige sonering	:	Enkel Residensieel
Erf Grootte	:	200m ²

AGTERGROND

Op 15 April 2021 ontvang die Raad die volgende skrywe vanaf mnr Mahamed:

REQUEST OF BUYING A PLOT IN NAPIER

I, Ali Abdule Mahamed with Id no: 8505057745267 have a request to the municipality I want to buy a plot. The plot erf number is 1268, NAPIER, 7270.

Please approve my request. I am looking forward to hear from you soon.

Thank you

Your sincerely

ALI ABDOULE MAHAMED


MARKWAARDASIE

R6 000,00 (Munisipale Waardasie)

FINANSIËLE IMPLIKASIES

Vervreemdingsinkomste vir KAM.

WETLIKE IMPLIKASIES

1. MFMA
2. MATR
3. SCM Regulations / SCM Policy
4. Systems Act (public participation)
5. Town Planning Legislation

DEPARTEMENTELE KOMMENTAAR**DIREKTEUR: FINANSIELE DIENSTE**

Geen beswaar en word voorgestel dat die erf per openbare tender verkoop word.

DIREKTEUR: BESTUURSDIENSTE

Should be placed on open tender or on public auction to get the highest value for the sale of the assets.

DIREKTEUR: INFRASTRUKTUURDIENSTE

No objection for alienation of land for residential purposes. However all land parcels that are to be sold, should be collectively placed on open tender or on public auction to get the highest value for the sale of the assets as per the MFMA. Hence the out of hand sale application is not supported.

AFDELINGSHOOF: STRATEGIESE, BEPLANNING EN ADMINISTRATIEWE DIENSTE

All serviced residential stands should be sold via public process

ELEKTRISITEIT

Any possible electrical infrastructure on the property cannot be removed as it would be critical for the integrity of the supply. New connection cost will be for the owners account

BESTUURDER: ADMINISTRATIEWE DIENSTE

Aansoek word ondersteun. Erf kan per TENDER aangebied word.

BESTUURDER: STRATE EN STORMWATER

Die betrokke erf het toegang na 'n formele straat.

BESTUURDER: STADSBEPLANNING

No objection for alienation of land for residential purposes. However this should be placed on open tender or on public auction to get the highest value for the sale of the assets as per the MFMA. We should make sure that the applicant or buyer will use the land in accordance with the current zoning.

BESTUURDER: WATER & RIOOL

Geen beswaar.

BOUBEHEER

Die aansoek word ondersteun solank die perseel as enkel residensieel aangewend word. Alle wetlike vereistes moet nagekom word.

KOMMENTAAR NA 'N TERREIN INSPEKSIE OP 6 SEPTEMBER 2021

Teenwoordige Raadslede: Swart, Marthinus, Tonisi, Nieuwoudt, October, Donald en Sauls asook me Nel (Stadsbeplanning) en mnre Phillips (Munisipale Bestuurder) en Moelich (Administrasie) sowel as me Jantjies, mnre Ross, Spandiel, Kies en January.

"Dat erwe 1268 en 1269, Napier per publieke tender verkoop word met waardasie as die insetprys."

BESTUURSAANBEVELING

- (i) Dat die erwe nie vir munisipale doeleindes benodig word nie.
- (i) Dat erwe 1268 en 1269, Napier per publieke tender verkoop word met waardasie as die insetprys.

BESLUIT 204/2021

- (i) Dat die Raad kennis neem dat die erwe nie vir munisipale doeleindes benodig word nie.
- (ii) Dat erwe 1268 en 1269, Napier per publieke tender verkoop word met die waardasie as insetprys.

11.17 VERVREEMDING (KOOP): GEDEELTE ERF 574, L 'AGULHAS (COLLAB: 390564) (WYK 5)**DOEL VAN VERSLAG**

Dat oorweging geskenk word aan die versoek van mnr De Wet ten einde 'n gedeelte van Erf 574, L'Agulhas te koop bestaande stoep te vergroot (liggingsplan aangeheg op **bladsy 84**).

ALGEMENE INLIGTING

Eienaars	:	KAM
Ligging	:	Gedeelte Erf 574, L'Agulhas
Huidige sonering	:	Publieke Oopruimte
Voorgestelde Grootte	:	±230m ²

AGTERGROND

'n Skriftelike versoek, soos aangeheg op **bladsy 85 tot 89** is van mnr De Wet ontvang om 'n gedeelte van erf 574, L'Agulhas by die Raad te koop.

MARKWAARDASIE

R

FINANSIËLE IMPLIKASIES

Vervreemdingsinkomste vir KAM.

WETLIKE IMPLIKASIES

1. MFMA
2. MATR
3. SCM Regulations / SCM Policy
4. Systems Act (public participation)
5. Town Planning Legislation

DEPARTEMENTELE KOMMENTAAR**DIREKTEUR: INFRASTRUKTUURDIENSTE**

Application not supported due to the environmental sensitivity and also the opportunity to create a precedent to procure exclusive coastal abutting land.

DIREKTEUR: BESTUURSDIENSTE

EIA implikasies moet ingedagte gehou word, asook die korrekte prosesse in terme van MFMA.

DIREKTEUR: FINANSIELE DIENSTE

Wetlike prosesse moet nagekom word soos o.a "EIA".

ELEKTRISITEIT

The house connections for the other properties are just in front of the existing veranda, the cables would possibly have to be moved as well.

AFDELINGSHOOF: STRATEGIESE, BEPLANNING EN ADMINISTRATIEWE DIENSTE

There are now multiple applications for portions of Erf 574 in the same vicinity. The Municipality has also received strong objection to the other one prior to it even being considered to a point where a PAIA application was lodged for details. One can understand that there is a little bit of inconvenience having your house right on the boundary but acceding to this request will create a precedent and it is recommended that Erf 574 remain intact.

BESTUURDER: ADMINISTRATIEWE DIENSTE

Aansoek word nie ondersteun nie. Daar bestaan voldoende spasie na die agterkant van die huis.

BESTUURDER: STRATE EN STORMWATER

Strate- en stormwaterinfrastruktuur word nie beïnvloed nie.

BOUBEHEER

They must first complete and do an Environmental checklist before we will look at the application. The must contact Town Planning in this regard.

STADSBEPLANNING

Daar is reeds 'n aansoek van mnr Steyn ook ingedien so paar erwe van hierdie een af (Erf 269) wat 'n gedeelte wil huur/koop by die Raad. Dan ook ADV Rosie se reg van weg aansoek van Erf (262) oor dieselfde erf (groen strook).

Bogenoemde Erf 269 sal in ag geneem moet word om nie 'n presedent te skep vir die toekoms nie. Hierdie aansoek van Erf 257 behels 'n stuk grond kleiner as 50vkm, dus is geen EIA nodig nie. As ons dit toelaat kan al die bure vir dieselfde aansoek doen.

KOMMENTAAR NA 'N TERREIN INSPEKSIE OP 9 SEPTEMBER 2021

Teenwoordige Raadslede: Swart, Marthinus, Tonisi, Nieuwoudt, October, Donald en Sauls asook me Nel (Stadsbeplanning) en mnre Phillips (Munisipale Bestuurder) en Moelich (Administrasie) sowel as me Jantjies, mnre Spandiel en Kies.

"Dat die aansoek nie aanbeveel word nie, aangesien daar elektriese kables op die genoemde erf is."

BESTUURSAANBEVELING

Dat die aansoek nie goed word nie, aangesien daar ondergrondse munisipale dienste op die genoemde erf geïnstalleer is.

BESLUIT 205/2021

Dat die aansoek nie goed word nie, aangesien daar ondergrondse munisipale dienste op die genoemde erf geïnstalleer is.

11.18 **VERVREEMDING (SKENKING): GEDEELTE VAN ERF 609, L'AGULHAS (COLLAB: 390557) (WYK 5)****DOEL VAN VERSLAG**

Om oorweging te skenk aan die versoek van Carol Ziman namens Chas Everitt Cape Agulhas om 'n gedeelte van erf 609, L'Agulhas te vervreem (liggingsplan aangeheg op **bladsy 90**).

ALGEMENE INLIGTING

Bestaande sonering	:	Publiek en Sosiaal
Totale Terrein	:	5.4028 ha
Voorgestelde grondgebruik	:	Muurbalbaan
Grootte versoek	:	Ongeveer 300m ²

AGTERGROND

Die Raad ontvang die volgende skrywe vanaf die Chas Everitt Cape Agulhas:

Dear Mayor Paul Swart

Thank you for meeting with us to discuss the possibility of the improvement of Agulhas' sport and recreation facilities.

As per our discussion. We have been approached by two community members (who are property owners in Agulhas) to help facilitate the process of a donation in the form of a squash court. We would appreciate the positive consideration of Ward 5's council for the generous offer of a donation from Pomona Fruit. The intent is to plan and build a single squash court for community use. We at Chas Everitt Cape Agulhas undertake to help with the day-to-day maintenance of the facility in exchange for first right to available branded space. We will also be available to be key holders and to manage the key register for the squash court.

The donor is ready to proceed with the donation should it be accepted by the council, and an agreed site allocated, so that the necessary plans can be draught for approval. The current land allocated for sport and recreation is erf 609.

We appreciate your time in the matter and hope that by collaborating this could be speedily expedited.

Yours Sincerely



Carol Ziman

FINANSIËLE IMPLIKASIES

Erfbelasting en diensterekening kan inkomste vir die Raad verseker.

WETLIKE IMPLIKASIES

1. MFMA
2. MATR
3. SCM Regulations / SCM Policy
4. Systems Act (public participation)
5. Town Planning Legislation

DEPARTEMENTELE KOMMENTAAR**DIREKTEUR: INFRASTRUKTUURDIENSTE**

The erf should be rented out to a legal body representing the sport code. The site seems inaccessible for most people. Suitability of site should be investigated.

DIREKTEUR: BESTUURSDIENSTE

Geen beswaar solank alle prosesse en prosedure nagekom word.

DIREKTEUR: FINANSIELE DIENSTE

Geen beswaar en die nodige prosesse / prosedures moet nagekom word asook 'n ooreenkoms in die verband indien nodig.

ELEKTRISITEIT

All upgrades to electrical infrastructure required are for the owners account.

AFDELINGSHOOF: STRATEGIESE, BEPLANNING EN ADMINISTRATIEWE DIENSTE

No objection, assuming it will be a lease (it is not entirely clear from the application) the terms and conditions need to be specified, but the principle of treating it the same as other sport clubs is supported. The lease will need to be advertised for public comment. Of concern is that there is no size mentioned and can surely not be for the full 5Ha. The size and locality within the property need to be specified and demarcated prior to submission to Council.

BESTUURDER: ADMINISTRATIEWE DIENSTE

Aansoek word ondersteun. Die Bane moet net dieselfde hanteer word as die ander sportklubs, soos tennis- en Bredasdorp muurbalklub waar huurooreenkomste in plek is. Die Raad sal die onderhoud van die gebou en ommiddellike omgewing in sy begroting moet inbou.

BESTUURDER: STRATE EN STORMWATER

Strate- en stormwater infrastruktuur word nie beïnvloed nie.

BESTUURDER: WATER & RIOOL

Geen beswaar.

BOUBEHEER

Die aansoek word ondersteun. Alle Wetlike vereistes moet net nagekom word.

STADSBEPLANNING

No objection.

KOMMENTAAR: WYKSKOMITEE (15 APRIL 2021)

Die Wykskomitee ondersteun die aansoek.

BESTUURSAANBEVELING

- (i) Dat 'n gedeelte van erf 609, L'Agulhas ingevolge Art 14(2)(a) van die Plaaslike Regering: Munisipale Finansiële Bestuurswet nie benodig word vir die lewering van die minimum vlak van basiese dienste nie.
- (ii) Dat die Raad in-beginsel die gedeelte grond, genoem erf 609, L'Agulhas gratis aan Chas Everitt Cape Agulhas beskikbaar stel vir die oprigting van 'n muurbalbaar tot voordeel en gebruik deur die gemeenskap.
- (iii) Dat daar aan alle goedkeurings soos vereis deur die relevante wetgewing voldoen moet word, voordat enige voorgestelde gebruik en aktiwiteite in aanvang neem.
- (iv) Die muurbalbaar (die gebou) sal as 'n skenking ontvang word en per skenkingsooreenkoms hanteer word.
- (v) Die bestuur van die bane sal deur 'n wetlike organisasie bestuur word en is nie die owerheid se verantwoordelikheid nie.
- (vi) Daar sal 'n huuroorekoms met die sportklub aangegaan word wat o.a die volgende aanspreek:
 - a) Betaling van munisipale dienste.
 - b) Onderhoud deur munisipaliteit sal slegs aan die buitekant van die gebou wees.
 - c) Die sportklub sal ook inskakel by L'Agulhas se sportliggaam, ook t.o.v die bestuur van die terrein, en affilieer by CAM Sportliggaam.
 - d) Die huurooreenkoms sal geadverteer word vir publiek se insette.
 - e) Die jaarlikse huurbedrag sal dieselfde wees as Bredasdorp Muurbalklub.
 - f) 'n Terugvalklousule sal in plek gestel wees waarin die gebou terugval na die Raad indien die fasiliteit nie meer vir die oorspronklike doel waarvoor goedgekeur, aangewend word nie.

BESLUIT 206/2021

- (i) Dat 'n gedeelte van erf 609, L'Agulhas ingevolge Art 14(2)(a) van die Plaaslike Regering: Munisipale Finansiële Bestuurswet nie benodig word vir die lewering van die minimum vlak van basiese dienste nie.
- (ii) Dat die Raad in-beginsel die gedeelte grond, genoem erf 609, L'Agulhas gratis aan Chas Everitt Cape Agulhas beskikbaar stel vir die oprigting van 'n muurbalbaar tot voordeel en gebruik deur die gemeenskap.
- (iii) Dat daar aan alle goedkeurings soos vereis deur die relevante wetgewing voldoen moet word, voordat enige voorgestelde gebruik en aktiwiteite in aanvang neem.
- (iv) Die muurbalbaar (die gebou) sal as 'n skenking ontvang word en per skenkingsooreenkoms hanteer word.
- (v) Die bestuur van die bane sal deur 'n wetlike organisasie bestuur word en is nie die owerheid se verantwoordelikheid nie.
- (vi) Daar sal 'n huuroorekoms met die sportklub aangegaan word wat o.a die volgende aanspreek:
 - a) Betaling van munisipale dienste.
 - b) Onderhoud deur munisipaliteit sal slegs aan die buitekant van die gebou wees.
 - c) Die sportklub sal ook inskakel by L'Agulhas se sportliggaam, ook t.o.v die bestuur van die terrein, en affilieer by CAM Sportliggaam.
 - d) Die huurooreenkoms sal geadverteer word vir publiek se insette.
 - e) Die jaarlikse huurbedrag sal dieselfde wees as Bredasdorp Muurbalklub.
 - f) 'n Terugvalklousule sal in plek gestel wees waarin die gebou terugval na die Raad indien die fasiliteit nie meer vir die oorspronklike doel waarvoor goedgekeur, aangewend word nie.

11.19 **VERLENGING VAN HUUROORENKOMS: HEAVENLY PROMISE 48, LANGSTRAAT, BREDASDORP****DOEL VAN VERSLAG**

Om oorweging te skenk aan die versoek van Heavenly Promise 48 vir die verlenging van die bestaande huuroorenkoms vir 'n verdere tydperk van 9 jaar en 11 maande (huuroorenkoms aangeheg op **bladsy 91 tot 105**).

AGTERGROND

Op 1 Julie 2021 ontvang die Raad die volgende skrywe vanaf mev C Prins namens Heavenly Promise:

Kaap Agulhas Munisipaliteit

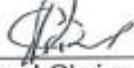
Vir Aandag:
Die Munisipale Bestuurder
Die Munisipale Raad

Is: Verlenging van ons Huur Ooreenkoms 'Safe Haven' vir Tydperk 9 Jaar en
11 Maande

Verwysing: 15/9/5/1R Erf no: 2139 Lang Straat, Bredasdorp

Hiermee vra ons 'n verlenging van ons Huur ooreenkoms vir 'n Tydperk van 9 Jjaar
en 11 Maande vanaf Junie 2024 soos in verlenging vn 30 Junie 2021.

Byvoorbaat dank



Mev. Carol Chrisna Prins
Geteken namens Mev. Lana O'Neill

FINANSIËLE IMPLIKASIE

Huurinkomste vir die Raad.

WETLIKE IMPLIKASIES

1. MFMA
2. MATR
3. SCM Regulations / SCM Policy
4. Systems Act (public participation)
5. Town Planning Legislation

DEPARTEMENTELE KOMMENTAAR**DIREKTEUR: FINANSIËLE DIENSTE**

Geen beswaar en die inisiatief deur verlenging word ondersteun.

DIREKTEUR: BESTUURSDIENSTE

Noted.

DIREKTEUR: INFRASTRUKTUURDIENSTE

No objection.

ELEKTRISITEIT

No impact on electrical infrastructure.

BESTUURDER: ADMINISTRATIEWE DIENSTE

Aansoek vir die verlening van ooreenkoms word ondersteun. Die terugvallingsklousule sal voorsiening maak dat die fasaliteit nie vir enige ander doel aangewend kan word nie en sodra daar wesenlike wysigings in die Instituut plaasvind, die Raad die ooreenkoms moet kan opsê. Die Raad kan maar die verlenging toestaan.

BESTUURDER: STRATE EN STORMWATER

Strate- en stormwaterinfrastruktuur word nie beïnvloed nie.

BESTUURDER: STADSBEPLANNING

Geen beswaar teen aansoek om verlenging van huurooreenkoms.

BOUBEHEER

Noted.

BESTUURSAANBEVELING

Dat die bestaande ooreenkoms met Heavenly Promise 48 vir die huur van erf 2139, Bredasdorp vir 'n verdere tydperk van 9 jaar en 11 maande verleng word, onder die bestaande voorwaardes soos in aangehegde ooreenkoms.

BESLUIT 207/2021

Dat die aangeleentheid terugverwys word sodat daar eers bevestiging van die finansiële bydrae van die donateur verkry kan word.

11.20 **VERLENGING VAN HUURKONTRAK: INDUSTRIËLE GROND (ERWE 4202 EN 4203) , STRUISBAAI****DOEL VAN VERSLAG**

Om oorweging te skenk om bestaande huurooreenkoms te verleng vir 2 industriële erwe in Struisbaai.

AGTERGROND:

Die Raad het 'n huurooreenkoms met mnr Gert van Niekerk vir erwe 4202 en 4203, Struisbaai wat vir die tydperk van 1 Maart 2019 tot 28 Februarie 2022 van toepassing is.

Die erwe wat mnr Van Niekerk tans huur, is aan hom toegeken nadat die vorige erwe wat hy gehuur het per openbare veiling verkoop is. Mnr Van Niekerk het reeds baie geld geïnvesteer in die twee vakante erwe om dit meer toeganklik te maak vir sy eie gebruik. Hy gebruik die erwe as bergingsplek vir boumateriaal soos sand en klip, asook opvul materiaal (sien mnr Van Niekerk se skrywe op **bladsy 106**).



Mnr Van Niekerk vra om sy bestaande huurooreenkoms te verleng met 'n verdere 3 jaar. Hy wil ook graag tydelike mure oprig waarin sy verskillende materiale kan lê.

FINANSIËLE IMPLIKASIE

Huurinkomste van R2 000,00 per maand.

TERREINBESOEK OP 9 SEPTEMBER 2021

Teenwoordig: Rdl Swart, Tonisi, Sauls, October, Nieuwoudt, Donald en amptenare me S Nel (Stadsbeplanning), Me Jantjies (eiendomadministrasie) en mnre Phillips (Munisipale Bestuurder), Moelich (Administrasie) en Spandiel.

BESTUURSAANBEVELING

- (i) Dat die Raad goedkeuring gee dat die bestaande huurooreenkoms met mnr Van Niekerk vir erwe 4202 en 4203, Struisbaai op dieselfde voorwaardes verleng mag word vir 'n tydperk van 3 jaar beginnende 1 Maart 2022 tot 28 Februarie 2025.
- (ii) Dat die terugvalklousule steeds in plek bly vir in geval die owerheid die grond benodig vir munisipale doeleindes.
- (iii) Dat die huurder en verhuurder mekaar wedersyds drie (3) maande kennis kan gee vir die opskorting van die ooreenkoms.
- (iv) Dat die Raad se voorneme geadverteer word.

BESLUIT 208/2021

- (i) Dat die Raad goedkeuring gee dat die bestaande huurooreenkoms met mnr Van Niekerk vir erwe 4202 en 4203, Struisbaai op dieselfde voorwaardes verleng mag word vir 'n tydperk van 3 jaar beginnende 1 Maart 2022 tot 28 Februarie 2025.
- (ii) Dat die terugvalklousule steeds in plek bly vir in geval die owerheid die grond benodig vir munisipale doeleindes.
- (iii) Dat die huurder en verhuurder mekaar wedersyds drie (3) maande kennis kan gee vir die opskorting van die ooreenkoms.
- (iv) Dat die Raad se voorneme geadverteer word.
- (v) Dat erf 4202 en 4203, Struisbaai oor drie jaar op 'n veiling vervreem sal word.

11.21 **REGISTRASIE VAN SERWITUUT VIR "REG VAN WEG": ERF 85, SUIDERSTRAND (BAO)****DOEL VAN VERSLAG**

Om oorweging te skenk om 'n vergunning aan die eienaar van erf 85, Suiderstrand in beginsel toe te staan, om 'n serwituut vir die "Reg van Weg" te registreer om toegang tot sy eiendom te bekom.

AGTERGROND

Die eienaar van erf 85, Suiderstrand het die Raad versoek om 'n serwituut te registreer sodat hy toegang tot sy erf vanaf 'n aanliggende serwituut kan kry. Mnr Van Der Merwe het in 2020 by die Raad aansoek gedoen om 'n stukkie grond te koop waarop hy sy motorhuis op die Raad se grond wou bou. Die 17m² is aan mnr Van der Merwe toegeken vir R11 250 (BTW Uitgesluit). Intussen met mnr Van der Merwe sy motorhuis op 'n ander deel van die erf gebou en nie voortgegaan met die kooptransaksie van die eersgenoemde gedeelte nie. Die motorhuis is deur boubesker goedgekeur, sonder 'n wetlike toegang.

Mnr Van der Merwe kan slegs toegang tot sy nuwe motorhuis verkry, deur 'n serwituut aanliggend aan sy erf te gebruik. Sien onderstaande kaart en foto. In die serwituut wat vir Munisipale doeleindes geregistreer is, is dienste geïnstalleer, wat o.a. 'n elektrisiteitskabel en 'n waterpyp insluit. Slegs 'n gedeelte van die serwituut kan in beginsel oorweeg word.



FINANSIËLE IMPLIKASIE

Alle koste sal vanaf die aansoeker verhaal word (dit mag insluit, en nie beperk wees tot: Advertensiekoste, herbelyning van elektrisiteitskabel en ander munisipale dienste, die opgradering van die "steeg", regs-koste, landmeterkoste, ens.).

REGSIMPLIKASIE

'n Wetlike serwitut vir die "Reg van Weg" sal geregistreer moet word.

PERSONEEL IMPLIKASIE

Geen.

DEPARTEMENTELE INSETTE**Eiendomsadministrasie**

Die perseel is besoek en fotos word beskikbaar gestel. Die mees suidelik gedeelte van die "steeg" is ontoeganklik en sal uitgesluit moet word by die servituut.

Stadsbeplanning (Senior Stadsbeplanner : Me S Nel)

Daar sal 'n reg van weg servituut geregistreer moet word op die gedeelte soos aangedui op jou foto, in terme van Artikel 15(2)(d) van die Kaap Agulhas Verordeninge op Munisipale Grondgebruikbeplanning, 2015, om toegang tot sy motorhuis te verleen.

Departement : Elektrisiteitsdienste

The servitude as currently registered is for municipal services and a cable to feed the kiosk which feeds all the residences in Uitkyk Street as well as the streetlight cables for future should streetlights be required in Suiderstrand.

Access to the cables is important for fault finding purposes as well as connections for future streetlighting. To relay the cables around the block will cost in excess of R100 000 without the repair of roads and driveways. Glashout Close just above has the same servitude serving the same purpose. This has always been a municipal servitude and the garage should not have been allowed to be built there. We could easily set a precedent for all our other services servitudes in future.

If as suggested below those services need not be rerouted, then the owner of the property must be responsible for all damages caused if the servitude needs to be excavated for future upgrading of supply or fault finding. Unfortunately, I was never invited to any of the site inspections so could not provide any feedback.

Departement : Strate en Stormwater (Bestuurder: Deon Wasserman)

Ek twyfel of dit nodig is om enige bestaande dienste te herlê as die steeg slegs as toegang gebruik word, soos dit huidiglik die geval is. Die toegang moet deur die aansoeker onderhou word. Die eienaar moet die steeg ten alle tye toeganklik hou vir KAM vir enige onderhoudswerk op infrastruktuur.

Inputs: Division Head: Strategic planning:

After a lot of thinking and a confirmation with Mr Martin Kruger -

- If we just give permission it will not be registered against the title deed which could be problematic going forward if Mr van der Merwe ceases to be the property owner for any reason in which case we would have to start again. We need to formalise it.
- We need to stick with the servitude but call it a "***right of way praedial servitude for vehicular access***" to be registered against the title deed of the property in perpetuum (see def.)
Praedial servitude: "A servitude is a registered right that a person has over the immovable property of another. It allows the holder of the servitude to do something with the other person's property, which may infringe upon the rights of the owner of that property. An example is the right of way to travel over a section of the other person's property in order to reach your own property."
- This gives him the right to too use our property but not exclusively - it can still remain open as a pedestrian throughfare which it is intended.
- Servitude will need to be surveyed. He will have to pay these costs as well as registration of servitude against title deed.
- Principle approval only subject to public input.

KOMMENTAAR NA TERREIN BESOEK OP 9 SEPTEMBER 2021

Teenwoordige Raadslede: Swart, Tonisi, Nieuwoudt, Sauls, October, asook me Nel (Stadsbeplanning) en mnre Phillips (Munisipale Bestuurder), Moelich (Administrasie) sowel as me Jantjies, mnre Ross, Spandiel, Kies en Januarie).

“Die komitee teenwoordig voel dat die steeg wel die enigste toegang tot mnr Van der Merwe se motorhuise is. Hul spreek hul mening uit dat die boonste gedeelte van die steeg uitgesluit moet word, en slegs die gedeelte tot na sy motorhuise beskikbaar gestel moet word. Wat munisipale dienste betref, voel die komitee dat dit nie nodig is dat dienste “herbelyn” hoef te word nie.”

BESTUURSAANBEVELING

- (i) Dat die Raad in-beginsel-goedkeuring gee dat ‘n gedeelte van ‘n steeg in Suiderstrand, as ‘n **“right of way praedial servitude for vehicular access”** geregistreer word vir toegang vir die eienaar van erf 85, Suiderstrand, slegs tot aan die einde van sy motorhuise, MAAR Kaap Agulhas Munisipaliteit bly aanspreeklik vir die geregistreerde “reg van weg” .
- (ii) Dat ‘n volledige publieke deelname proses gevolg moet word en omliggende bure in kennis gestel moet word.
- (iii) Die serwituut moet deur ‘n landmeter uitgemeet en geregistreer word. Dat die eienaar van erf 85, Suiderstrand aanspreeklik sal wees vir alle koste.
- (iv) Dat geen permanente strukture in die steeg aangebring mag word nie.
- (v) Dat Stadsbeplanning die **“right of way praedial servitude for vehicular access”** registreer ingevolge Art15(2)(d) van die Kaap Agulhas Verordeninge op Munisipale Grondgebruikbeplanning, 2015.

BESLUIT 209/2021

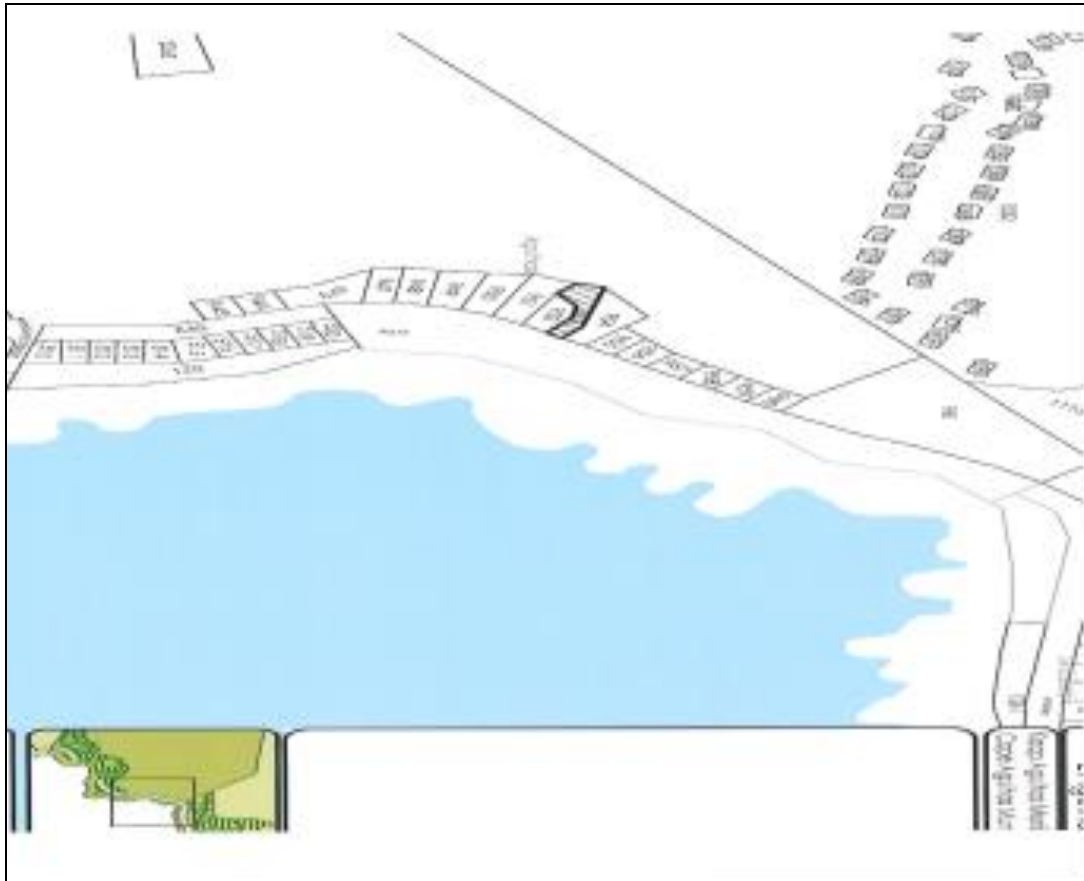
- (i) Dat die Raad in-beginsel-goedkeuring gee dat ‘n gedeelte van ‘n steeg in Suiderstrand, as ‘n **“right of way praedial servitude for vehicular access”** geregistreer word vir toegang vir die eienaar van erf 85, Suiderstrand, slegs tot aan die einde van sy motorhuise, MAAR Kaap Agulhas Munisipaliteit bly aanspreeklik vir die geregistreerde “reg van weg” .
- (ii) Dat ‘n volledige publieke deelname proses gevolg moet word en omliggende bure in kennis gestel moet word.
- (iii) Die serwituut moet deur ‘n landmeter uitgemeet en geregistreer word. Dat die eienaar van erf 85, Suiderstrand aanspreeklik sal wees vir alle koste.
- (iv) Dat geen permanente strukture in die steeg aangebring mag word nie.
- (v) Dat Stadsbeplanning die **“right of way praedial servitude for vehicular access”** registreer ingevolge Art15(2)(d) van die Kaap Agulhas Verordeninge op Munisipale Grondgebruikbeplanning, 2015.

11.22 **REGISTRASIE VAN SERWITUUT VIR “REG VAN WEG”: ERF 953, L’AGULHAS (BAO)****DOEL VAN VERSLAG**

Om oorweging te skenk om ‘n vergunning aan die eienaars van erwe 952 en 954, L’Agulhas, in beginsel toe te staan, om ‘n serwituut vir die “Reg van Weg” te registreer om toegang tot hul eiendomme te bekom.

AGTERGROND

Die eienaars van erf 952 en 954 L’Agulhas, het die raad versoek om ‘n serwituut te registreer sodat hulle toegang tot hul erwe vanaf ‘n aanliggende erf (953) kan kry (***sien liggingsplan hieronder***):



1. ERF 952, Die eienaar, Mnr Swart het die Raad versoek om toegang tot sy erf te kry, aangesien hy 'n boothuis gebou het en nie toegang vanaf Hoofweg kan kry nie (**sien skets hieronder**):



2. ERF 954, Die eienaar, Me Van der Walt het die raad versoek om toegang tot haar erf te kry, aangesien sy 'n ontwikkeling op erf 954 beplan en 'n draaisirkel (Nie parkeerplekke nie) op erf 953 (eiendom van KAM) wil maak (***sien skets hieronder***):



Erf 953, L'Agulhas is die eiendom van die Raad, en 1515m² groot en gesoneer as "Open Space". Die ontwerp van die erf is vir geen ander doel geskik nie en is aanvanklik daar gestel vir die installing van munisipale dienste. Daar is tans 'n elektrisiteit substasie gebou (***sien skets hieronder***):



Die eienaars van erwe 952 en 954 onderneem om erf 953 in stand te hou en GEEN permanente strukture sal op die perseel opgerig word nie. Hulle het reeds onderling ooreengekom tov die gebruik en instandhouding.

FINANSIËLE IMPLIKASIE

Alle koste sal vir die aansoekers se rekening wees.

REGSIMPLIKASIE

'n Wetlike serwitut vir die "Reg van Weg" sal geregistreer moet word.

PERSONEEL IMPLIKASIE

Geen.

DEPARTEMENTELE INSETTE**Eiendomsadministrasie**

Die perseel is besoek en fotos word beskikbaar gestel. Aansoeke word ondersteun.

Stadsbeplanning: (Senior Stadsbeplanner : Me S Nel)

Daar sal 'n reg van weg servituut geregistreer moet word op die gedeelte soos aangedui op foto, in terme van Artikel 15(2)(d) van die Kaap Agulhas Verordeninge op Munisipale Grondgebruikbeplanning, 2015, om toegang tot sy motorhuis te verleen, om toegang tot vir beide aanliggende eienaars te verleen.

Inputs: Division Head: Strategic planning (sieselfde as erf 85, Suiderstrand - Mnr Van der Merwe)

After a lot of thinking and a confirmation with Mr Martin Kruger -

- If we just give permission it will not be registered against the title deed which could be problematic going forward if the owners ceases to be the property owner for any reason in which case we would have to start again. We need to formalise it.
- We need to stick with the servitude but call it a **“right of way praedial servitude for vehicular access”** to be registered against the title deed of the property in perpetuum. (See def.)
- **Praedial servitude: “A servitude is a registered right that a person has over the immovable property of another. It allows the holder of the servitude to do something with the other person’s property, which may infringe upon the rights of the owner of that property. An example is the right of way to travel over a section of the other person’s property in order to reach your own property.”**
- This gives him the right to too use our property but not exclusively - it can still remain open as a pedestrian throughfare which it is intended.
- Servitude will need to be surveyed. He will have to pay these costs as well as registration of servitude against title deed.
- Principle approval only subject to public input

Manager Town Planning

I agree right of way- but liability will remain with CAM.

KOMMENTAAR NA TERREINBESOEK OP 9 SEPTEMBER 2021

Teenwoordige raadslede: Swart, Tonisi, Nieuwoudt, Sauls, October, asook me Nel (Stadsbeplanning) en mnre Phillips (Munisipale Bestuurder), Moelich (Administrasie) sowel as me Jantjies, mnre Ross, Spandiel, Kies en Januarie)

“Die komitee teenwoordig voel dat die aansoek soos verduidelik deur me Van der Walt en die aansoek van mnr Swart wel waarde tot die perseel (Erf 953) sal toevoeg. Buiten die elektrisiteitssubstasie, is daar geen ander munisiaple dienste op erf 953 nie.”

BESTUURSAANBEVELING

- (i) Dat die Raad in-beginsel-goedkeuring gee dat 'n gedeel van erf 953 in L'Agulhas, as 'n **“right of way praedial servitude for vehicular access”** geregistreer word vir toegang vir die eienaar van erf 952, L'Agulhas, MAAR Kaap Agulhas Munisipaliteit bly aanspreeklik vir die geregistreerde “reg van weg”.
- (ii) Dat 'n volledige publieke deelname proses gevolg moet word en omliggende bure in kennisgestel moet word.
- (iii) Dat geen permanente strukture op erf 953, L 'Agulhas aangebring mag word nie.
- (iv) Dat Stadsbeplanning die **“right of way praedial servitude for vehicular access”** registreer ingevolge Art15(2)(d) van die Kaap Agulhas Verordeninge op Munisipale Grondgebruikbeplanning, 2015.

BESLUIT 210/2021

Dat die aangeleentheid terugverwys word vir verdere ondersoek, wat moontlik mag insluit die vervreemding, onderverdeling, hersonering en konsolidasie.

11.23 **ONDERVERHURING: ERF 873, STRUISBAAI (HOT-AGTER-KLIP) (BAO)****DOEL VAN VERSLAG**

Om oorweging te skenk om goedkeuring te gee dat die huidige huurder van erf 873, Struisbaai die eiendom mag onderverhuur aan 'n tweede huurder.

AGTERGROND

Erf 873, Struisbaai, ook bekend as Hot-Agter-Klip word tans verhuur aan URSISTAX (PTY) LTD (vroeër bekend as Targetshelf 147 (Pty) Ltd) wat handel dryf as "Langezandt Fishermen's Village". Die bestaande huurooreenkoms is vir 'n tydperk van 9 jaar en 11 maande (1 Oktober 2014 tot 30 Augustus 2024).

In die bestaande ooreenkoms is in Paragraaf 3 sekere voorwaardes vir die bedryf van die perseel gestel. Die Raad het 'n aansoek van die huurder ontvang waarin hy die Raad se toestemming vra om die genoemde perseel te mag onderverhuur vir die oorblywende huurtermyn tot 30 Augustus 2024.

Die nuwe aansoeker is van voorneme om die bestaande ooreenkoms net so oor te neem op dieselfde voorwaardes, asook om dieselfde bedryf in plek te stel soos vervat in paragraaf 3, naamlik:

- (a) Winkel;
- (b) Restaurant;
- (c) Bed en Ontbyt verblyf;
- (d) Opleidingsentrum;
- (e) Kuns en Curios Sentrum; asook
- (f) Vaardigheidsopleiding

Die Raad word daarop gewys dat daar wel in die ooreenkoms voorsiening gemaak word vir 'n moniteringskomitee (Paragraaf 25) asook hul verpligtinge en samestelling. Die huidige huurder bedryf gegensins die fasiliteite soos ooreengekom in die huidige ooreenkoms nie.

FINANSIËLE IMPLIKASIE

Bestaande huurbedrag sal steeds gevorder word.
(Aanvanklike huurbedrag was R12 000,00 per jaar vooruitbetaalbaar +10% eskalاسie per jaar)

AANBEVELING: FINANS- EN IT DIENSTE KOMITEE (24 AUGUSTUS 2021)

Dat die Raad nie die onderverhuring van erf 873, Struisbaai (bekend as Hot-Agterklip) deur Ursistax (pty) Ltd toestaan nie.

BESTUURSAANBEVELING

Dat die Raad nie die onderverhuring van erf 873, Struisbaai (bekend as Hot-Agterklip) deur Ursistax (pty) Ltd toestaan nie.

NA DIE UITBRING VAN STEMME, WORD DIE VOLGENDE BESLUIT GENEEM:**BESLUIT 211/2021**

- (i) Dat die Raad die onderverhuring van erf 873, Struisbaai (bekend as Hot-Agterklip) deur Ursistax (pty) Ltd aan mnr en mev Van Wyk toestaan.

- (ii) Die volgende voorwaardes sal geld: 1. Dat die termyn slegs sal geld tot 30 Augustus 2024; 2. Geen outomatiese hernuwing van die ooreenkoms sal oorweeg word nie; 3. Bewyse moet gelewer word waarin aangetoon word hoe die gemeenskap van Struisbaai-Noord ekonomies bemagtig is; 4. Die onderverhuringsooreenkoms tussen die twee partye moet aan die Munisipale Bestuurder voorgelê word; 5. Die onderverhuringsooreenkoms sal op dieselfde voorwaardes aangegaan word as die huidige ooreenkoms; 6. Voor die finalisering van die onderverhuringsooreenkoms moet alle munisipale dienste en huur vereffen wees.

(Die volgende Raadslede teken hulle teenstem aan: Rdd Marthinus - Die geleentheid word nie aan Struisbaai-Noord se mense gebied om ekonomies te ontwikkel en geen opheffingswerk word gebied nie en 2. Rdl Baker - Die belange van die breë gemeenskap van Struisbaai is nie in ag geneem met genoemde besluit nie.)

11.24 WATERAANSLUITING OP MEENTGRONDE (STRUISBAAI PAD): B SUMMERS

DOEL VAN VERSLAG

Om oorweging daaraan te skenk om mnr Summers behulpsaam te wees met 'n wateraansluiting op 'n gedeelte van die meentgronde wat hy by die Raad huur.

AGTERGROND

Mnr Summers huur 'n gedeelte van die Raad se grond op die Struisbaai pad langs Mnr Blits Odendal.

Hy het al die tyd tot nou toe water gekry vanaf Diepkloof, maar die nuwe eienaar wil nie verder aan hom water voorsien nie. Departement Landbou is glo bereid om hom te help om die eiendom verder te ontwikkel en te benut indien hy toegang het tot water.

Mnr Summers nader die Raad hiermee om te hoor of die Raad hom dalk op 'n wyse kan help om aansluiting te kan kry by die grootmaat watertoevoer wat tans by die eiendom verby loop.

DEPARTEMENT INFRASTRUKTUUR DIENSTE

Ons kan Diepkloof van rou ongesuiwerde water voorsien. Indien hulle dit so wil hê sal die eienaar n water tenk op die gronde moet installer. Dit is vir stoor kapasiteit indien daar fout gaan op ons pyp.

FINANSIËLE IMPLIKASIE

- Ingevolge die tarief soos bepaal deur die Raad se begroting van 2021/22.
- 15mm aansluiting = R9 085,00 of 22mm aansluiting = R9 349,50.

BESTUURSAANBEVELING

Dat op grond van die inset van die Infrastruktuurdienste asook die finansiële implikasies vir die kliënt, die Raad dit moet oorweeg om toestemming te verleen vir die wateraansluiting, soos versoek.

BESLUIT 212/2021

Dat die aangeleentheid terugverwys word sodat 'n volledige kosteberaming deur die Infrastruktuur departement gedoen kan word asook insette van Departement Landbou verkry word.

11.25 STRUISBAAI EVENTS TO HOST "STRUISBAAI MUSIEK FEES" IN STRUISBAAI

PURPOSE OF REPORT

To consider the application from Struisbaai Events to make use of Municipal property (ex "Sea shack" location), a Portion of Erf 854 Struisbaai, to host the "Struisbaai Music Festival".

BACKGROUND

The main purpose of the event is to bring entertainment to the local community and visitors of Struisbaai town and surrounding areas and to support the local economy.

Name of Event:	Struisbaai Events presents "Struisbaai music festival".
Nature of Event:	Various artists performing over a period of 17 days. Local food trucks will be used to provide customers with treats while sitting and enjoying the entertainment of various performances for young and old.
Dates:	17 December 2021 - Clean up and evacuate on January 3, 2022. It is proposed to setup the event from the 3rd of December 2021.
Premises:	Struisbaai Main Beach / ex- "Sea shack" grounds. Holidaymakers want to be by the sea. That's why they come to vacation at the coast. They want to enjoy the sea, sand, and sunshine as a family on the beach. In their hometowns they can go to festivals in the woods or on farms.
Safety:	This event will strictly adhere to the Covid-19 regulations that will apply to the 17 day period. The premises will be fenced, to adhere to Covid regulations, liquor authority requirements and security purposes. Maximum accommodating visitors at a time = 500 (see "Event Risk Assessment and Action Plan Guide" on page 107 to 120).
Guards:	South Point Security will be on duty, as well as an arrangement with the 911 ambulance service.
Alcohol sales:	There will be an on-premises liquor license in place for the period. Legislation regarding liquor consumption and the liquor license will be strictly enforced and only allowed within the fenced premises, in a tent. The liquor temporary licence will take 40 days to obtain.
Presentation:	Various mobile "Food trucks" that give many entrepreneurs the opportunity to sell their food / products. Antoinette Events will provide the mobile toilets and service, as well as the temporary tent, stage, and lighting .

Food sales from 10:00 and performances from 12:00 to 21:00.

December 25 - closed and January 1 (Only market stalls and food truck will be operating).

Services required:

- Power and water point of CAM for the 17-day period.
- Own waste/ rubbish will be removed every day.
- CAM's public parking.

Neighbourhood:

A sound engineer is used to completely control the sound.

Performing Artists:

Gian Groen, Jan Blohm, Chris Chameleon, Saartjie, Elandre Schwartz, Louw, Watershed and many more for a wonderful family holiday atmosphere.

(All performances will occur in the tent area.)





COMMENTS FROM INTERNAL DEPARTMENTS

MANAGER SOLID WASTE

It is proposed that Sruisbaai Events recycle during the 17-day period. Most of the waste generated at these events is recyclables. Normally we collect the waste, and we will be able to collect it separately.

MANAGER WATER AND SANITATION

No objection. There is a public ablution facility located in the parking area near this location. A water connection (from the old Sea Shack) can be done if needed for this event.

LOCAL ECONOMIC DEVELOPMENT AND TOURISM

No objections against the application, as long as due consideration is given to possible concerns from the residents. The availing of free trading space/or at a reasonable fee to local upcoming entrepreneurs to sell products to revellers, should form part of possible conditional approval.

MANAGER ELECTRO-TECHNICAL SERVICES

There is no electricity there as the previous supply cable was the property of Sea Shack and has been removed, it will have to be a long cable from the old hotel transformer if they require electricity at that site. Electricity from the campsite is not an option at year end as that infrastructure is fully loaded for the holiday period.

MANAGER PROTECTION SERVICES

Sruisbaai Events must comply with all Risk and Safety requirements as per attached Risk Assessment and Safety Plan of Cape Agulhas Municipality. Prior to the event a triangle meeting is needed with Law Enforcement and Disaster Management officials to ensure proper compliance.

MANAGER BUILDING CONTROL

They must put in an application for this event, providing a detailed site plan showing all structures. A competent person (Eng.) must approve these structures and or tents to be erected for safety. They must get permission from the Fire Chief also in this regard, and from the health department of the ODM. They must provide us with a sound assessment of the sound levels for the event.

MANAGER PUBLIC SERVICES

Must have a temporary valid temporary liquor license, temporary valid health certificate and must adhere to covid regulations, legislation, and protocols applicable during applicable period.

FINANCIAL IMPLICATION

Struisbaai Events would like to make use of the Cape Agulhas Municipality's electrical- and water infrastructure and public parking.

COMMENTS FROM WARD COMMITTEE

1. CAPE AGULHAS BUSINESS ASSOCIATION

- That the land is not made available for free, Struisbaai Events should pay rent for the period.
- Law enforcers must be paid for overtime.
- The costs related to water and electricity must be covered by Struisbaai Events.
- That the hours during which music is made, be a reasonable period, e.g. from 18h00 to 21h00 (period of 3 hours). It is unreasonable to expect residents to listen to music makers from 12pm to 21h00 in the evening.

2. STRUISBAAI CHURCH

- An age limit should strictly be enforced regarding liquor sales.
- The music concert is supported- there must be something in Sea Shack's place.
- Closing times should also be adhered to.

DISCUSSION AND CONCLUSION

The main purpose of Struisbaai Events is to improve community development, and to promote tourism to the area. This event will not only stimulate the economy, it will also provide temporary employment of our local community. If we look at the Diaz Festival during December holidays in Mossel Bay, the Oyster Festival in Knysna, the Seafront Summer Fiesta in Hartenbos, the following is clear; -Festivals and events serve as an important attraction for destination and provide unique experiences for visitors. It also creates participation platforms for involvement of the local community and boosts civic pride. During the Public Information meeting held by the mayor on the 16th of September 2021, a strong view was expressed by members of the community that there needs to be some form of entertainment over the holidays.

In keeping with the municipality's policy of being a participatory local government, the community's opinion on the proposed Struisbaai Events running from 17 December 2021- 3 January 2022, is important and should be considered before any final decision is taken. This item has been referred to the Ward Committee for input which will be presented at the Council Meeting by the Mayor.

This application is therefore recommended for approval, subject to positive support from the Ward Committee.

Should Council approve the application by Struisbaai Events to host a music festival from 17 December 2021 - 3 January 2022 it is suggested that the following apply:

1. That they be allowed to utilise a portion of Erf 854 Struisbaai (Former Sea Shack Premises) not free of charge, a renting amount for the period will be determined at R4 000,00 for the mentioned period.
2. Food sales may only take place from 10:00 and performances from 18:00 to 21:00.
3. That they implement recycling for the disposal of refuse.
4. That water and electricity be provided at their cost.
5. That all Covid -19 protocols as well as other Health and Safety requirements be complied with.
6. That a detailed application for the event be submitted and approved by the Municipal Manager that includes all relevant details such as structures, health and safety issues etc.
7. That all necessary approvals be obtained from the Overberg District Municipality and any other organs of state that must be required.
8. That permission be given to apply for a temporary liquor licence for the period and that an age limit strictly be enforced regarding liquor sales.

MANAGEMENT RECOMMENDATION

For consideration by Council.

RESOLUTION 213/2021

- (i) That Council approves the application by Struisbaai Events to host a music festival from 17 December 2021 - 3 January 2022.
- (ii) That the following conditions will apply:
1. That they be allowed to utilise a portion of Erf 854, Struisbaai (Former Sea Shack Premises) at a tariff to be negotiated with the Municipal Manager which must be more appropriate than the proposed R4 000,00 for the mentioned period.
 2. Food sales may only take place from 10:00 and performances from 15:00 to 21:00.
 3. That they implement recycling for the disposal of refuse.
 4. That water and electricity be provided at their cost.
 5. That all Covid-19 protocols as well as other Health and Safety requirements be complied with.
 6. That a detailed application for the event be submitted and approved by the Municipal Manager that includes all relevant details such as structures, health and safety issues etc.
 7. That all necessary approvals be obtained from the Overberg District Municipality and any other organs of state that must be required.
 8. That permission be given to apply for a temporary liquor licence for the period and that an age limit strictly be enforced regarding liquor sales.

(The following Councillors record their dissentient vote: Ald Marthinus, Ald Jantjies, Clr Jacobs and Clr Baker - That due to noise pollution Council should consider an alternative site.)

RAADSLID JACOBS EN ME SUNEL NEL VERLAAT DIE VERGADERING OM 15:1511.26 **DRAFT POLICY: CLEARING AND MAINTENANCE OF VACANT ERVEN****REPORT FROM THE OFFICE OF THE MUNICIPAL MANAGER****PURPOSE OF REPORT**

To table a draft policy on the clearing and maintenance of vacant erven for principle approval and publication for comment. This is a joint initiative of Public Services and Strategic Services who solicited the assistance of the National Department of Environmental Affairs Support Office and ODM Environmental Unit to assist.

BACKGROUND

The lack of a CAM environmental policy, and in particular the cutting of vacant erven has sparked a lot of criticism from concerned citizens recently.

A full environmental policy is quite complex, requiring specialist inputs and would need to cover at least the following themes:

- Air quality and management
- Biodiversity and conservation
- Waste management
- Coastal management
- Climate change
- Water
- Environmental governance

Given the complexity of this, it was decided to deal with components individually and draw them into the bigger policy at a later stage. This policy will begin to address biodiversity and conservation.

DISCUSSION

The draft policy, attached on **page 121 to 142** addresses the public concerns and sets out a clear approach to the management of vacant erven which are overgrown.

It clearly outlines the responsibilities of all parties which are required to ensure that the risks associated with such properties are adequately addressed, as well as procedures and processes which are required to manage and control the clearing of overgrown private and municipal owned erven which in the discretion of the municipality, pose fire, health and environmental risks, owing to the excessive vegetation and combustible material.

The policy was submitted in June 2021, where it was resolved as follows:

RESOLUTION 136/2021

That Council takes note of the draft policy for the Clearing and Maintenance of Vacant Erven and that a workshop be held after which it be advertised for public input and thereafter be submitted to Council for approval.

An interactive workshop took place on 26 August 2021 and some amendments were made based on the inputs. The only issue not addressed is the administrative fee, but that is a fee determined in terms of the budget and can be addressed there.

LEGAL IMPLICATIONS

National Environmental Management: Biodiversity Act No. 10 of 2004, and the Alien and Invasive Species Regulations, promulgated under NEM:BA (1 August 2014) for the management of invasive species.

FINANCIAL IMPLICATIONS

No additional implications.

PERSONNEL IMPLICATIONS

None.

COMMENTS BY RELEVANT DEPARTMENTS

The Draft Policy has been developed in cooperation with the Management Services Department

MANAGEMENT RECOMMENDATION

- (i) That the draft policy for the Clearing and Maintenance of Vacant Erven be approved.
- (ii) That the draft policy be advertised for public input.

RESOLUTION 214/2021

- (i) That the draft policy for the Clearing and Maintenance of Vacant Erven be approved in-principle.
- (ii) That the draft policy be advertised for public input.

11.27 **DRAFT INTEGRATED WASTE MANAGEMENT (IWM) BY-LAW, 2021 - REVISION 1**

PURPOSE OF REPORT

For Council to note the draft CAM Integrated Waste Management By-Law, 2021 Revision 1.

BACKGROUND

The Western Cape Provincial Government: Department of Environmental Affairs & Development Planning (DEADP) developed a model Integrated Waste Management (IWM) By-Law in order to standardize municipal solid waste management. The by-law is aligned to the National Waste Management Strategy and focusses on increased waste diversion from landfills.

The draft Integrated Waste Management By-Law has been finalized by the Solid Waste Division of Cape Agulhas Municipality. It has as its goal to safeguard the municipality and manage waste with regards to collection and disposal, sustainable practices for waste avoidance and environmental sustainability as well as the implementation of the Integrated Waste Management Plan.

The draft Integrated Waste Management By-Law, 2021 Revision 1, attached on **page 143 to 165** is hereby tabled to Council for acceptance. The by-law will be advertised for public participation.

Comments from the Department of Environmental Affairs & Development Planning and the Overberg District Municipality will also be obtained before the IWM By-Law will be tabled to Council, for final approval. The final IWM By-Law will then be published in the Government Gazette, and the existing by-law be repealed.

FINANCIAL IMPLICATIONS

None.

PERSONNEL IMPLICATIONS

None.

MANAGEMENT RECOMMENDATION

- (i) That Council accepts the Draft Integrated Waste Management By-Law, 2021 Revision 1.
- (ii) That the Integrated Waste Management By-Law, 2021 Revision 1 be published for public participation/comments.
- (iii) That comments from affected stakeholders be obtained regarding the Integrated Waste Management By-Law, 2021 Revision 1.
- (iv) That the final Integrated Waste Management By-Law, 2021 be brought back to Council before published in the Government Gazette.
- (v) That the draft Integrated Waste Management By-Law be workshopped with the new Council.

RESOLUTION 215/2021

- (i) That Council accepts the Draft Integrated Waste Management By-Law, 2021 Revision 1.
- (ii) That the Integrated Waste Management By-Law, 2021 Revision 1 be published for public participation/comments.
- (iii) That comments from affected stakeholders be obtained regarding the Integrated Waste Management By-Law, 2021 Revision 1.
- (iv) That the final Integrated Waste Management By-Law, 2021 be brought back to Council before published in the Government Gazette.
- (v) That the draft Integrated Waste Management By-Law be workshopped with the new Council.

11.28 AMENDMENT / EXTENTION OF CONTRACT: MUNICIPAL INFORMATION SYSTEMS

REPORT COMPILED BY: IT DEPARTMENT

PURPOSE OF REPORT

To obtain approval in terms of Part 20.14 of the Municipal Supply Chain Management Policy and System [SCMP] issued in terms of section 111 of the Municipal Finance Management Act, 2003 (Act 56 of 2003) – [MFMA] and adopted by the Council in 2020 and section 33 and 116 (3) (a) of the Municipal Finance Management Act that the municipality intends to amend the existing contract with various Service Providers.

BACKGROUND

The purpose of this item is to give top Management, the Municipal Manager, members of the ICT steering Committee of Cape Agulhas Municipality and members of Council, should they require it, a summary of all ICT related systems of the Municipality. In this item all systems will be listed, and a full report is available as an addendum to this item.

This information provided is to help Management better understand these systems and what their functional value for the Municipality are and to assist in decision making regarding the renewal of these systems. This portfolio should also assist Management in development of strategic decision making regarding the Business processes, new system implementation, budgeting and the IDP.

Financial information will be provided in this report because of the variation in cost of these systems due to support and possible program changes. The intend is also to provide Management with insights to these systems, their current use and monetary value, measured against replacing these systems or to invoke Sections 33 and 116 of the Municipal Financial Management Act (MFMA).

Section 116 (3) (b) of the Municipal Finance Management Act No 56 of 2003 further states that a contract or agreement procured through the Supply Chain Management policy of the municipality may be amended by the parties, but only after the local community has been given reasonable notice of the intention to amend the contract or agreement and has been invited to submit representations to the municipality.

ICT SYSTEMS PORTFOLIO

Summary of ICT Systems:

This summary is partially extracted from the approved ICT Disaster Recovery Policy of Cape Agulhas Municipality and only relevant systems to this.

No	Main System(s)	Service Provider	Service Contracted (Summary)	Contract renewal date	Tender Nr
1	COLLABORATOR	Business Engineering	DOCUMENT MANAGEMENT SYSTEM	1 July 2022	RT25/2016
2	CAT	Consolidated African Technologies	METER READING SYSTEM	1 July 2022	T106/2009 & T2/2014
3	OVVIO	Setplan	GIS SYSTEM	1 July 2022	SCM23/2012/13
4	METVALUE / METGOVIS	Metgovis	RATES MANAGEMENT SYSTEM	1 July 2022	RT25/2016
5	VESTA	PhoenixErp	FINANCIAL MANAGEMENT SYSTEM	1 July 2022	RT25/2016
6	PAYDAY	PhoenixErp	PAYROLL SYSTEM	1 July 2022	RT25/2016
7	CASEWARE	PhoenixErp	FINANCIAL STATEMENTS / REPORTING	1 July 2022	RT25/2016
8	IOT	Matter Industries	SMART CITY PLATFORM	1 July 2022	SCM34/2018/19
9	IGNITE	Ignite Advisory Services	SDBIP MANAGEMENT AND REPORTING AND PERFORMANCE EVALUTATION	1 June 2022	MOU Dept Local Government / CAM 2013
10	KRONOS	Alton TMT	TIME AND ATTENDANCE	1 July 2022	T44/2016
11	IMQS	Nextec	ASSET MANAGEMENT AND MAINTENANCE	1 October 2021	MOU Dept Local Government / CAM 2011

INVESTMENT TILL DATE

Over the past years, Cape Agulhas Municipality, implemented various ICT Information systems. Most of these systems are specifically tailored to address service delivery issues or support service delivery functions within the Municipality.

These systems supporting this function, and which is customized specifically for the Cape Agulhas Municipal environment is usually referred to as Municipal Information Systems (MIS).

One of the key considerations of these systems is that over time, money, effort, and time has been invested into fine tuning them to address the needs of this Municipality. In most of these cases a lot of funds was appropriated to ensure they are compliant and speak to the needs of the User Departments.

In terms of the MFMA, Supply Chain processes needs to be followed when a contract or service term comes to an end, but the concern relating to a MIS is that the cost for replacing and implementing a new system, may very well incur unnecessary expenditure, which could have been avoided by just renewing existing agreements.

Considerations for replacing a MIS are as follows:

- Financial – Renewal vs new implementation
- Human Capital implications
- Overtime
- Risk
- Compliance
- Change Management
- Project Management
- Technology stack
- Hardware linked to system
- Integration
- Other

As previously mentioned, in these cases, a lot has been invested in the getting these systems operational and subsequently we would like Management to consider and discuss a workplan as to ensuring the sustainability of these systems and the functionality they provide to Municipal operations.

Till date the following investments in these systems was made - Ending 2019/2020:

SYSTEM	INVESTMENT TILL DATE	ANNUL MAINTENANCE / SUPPORT	ANNUAL LICENSING
COLLABORATOR	R4 140 000	R554 000	R34 000
CAT	R1 040 000	R0	R141 100
OVVIO	R800 000	R0	R62 000
METVALUE / METGOVIS	R1 950 000	R240 000	R44 000
VESTA	R3 600 000	R550 000	R885 000
PAYDAY	R1 380 000	R110 000	R0
CASEWARE	R280 000	R0	R110 000
IOT	R2 133 000	R246 000	R0
IGNITE	R1 800 000	R150 000	R210 000
KRONOS	R1 850 000	R0	R80 000
IMQS	R750 000	R37 500	R30 000
	R19 723 000	R1 887 500	R1 596 100

OVERTIME AND OPERATIONAL IMPLICATIONS

During the implementation of any system, change control plays a fundamental role in ensuring that it does what it is intended to, it talks to the business requirements of the organization and address the compliances and role it was intended for. During this process there is a lot of planning, setup, integrations, and controls that need to be implemented and tested before a system can go live. In this period, existing- or the system that needs to be replace, also need to stay live, till the Change Control process has run its course.

One of the key considerations is that while the implementation of a new system is underway, the Officials that utilized the system, still need to complete their daily tasks, but also need to address issues related to the new system implementation. Because of this, it happens that a lot of work need to happen after hours. Firstly because of the time it takes to implement a new system, but secondly because most changes that happens on a system, can have an adverse effect on the daily operations of an organization such as the Municipality and therefore certain changes and test can only occur after hours.

With the implementation of the Vesta Financial system during the 2017/2018 financial book year, 22 Officials played a part in after hour activities related to the implementation of the system. This varied from different units in the Financial Department, with various roles each played and subsequently, depended on their involvement, also varied in terms of time spend during the implementation.

As there is no other point of reference other than the implementation of Vesta, we will use this as a basis of our analysis on overtime spent.

Changing only the one System will have an immense impact on the Municipality and one need to consider what the implication of such a change will have on other systems and what the impact will be on the Officials of the Municipality. Only systems we deemed likely to be impacted by overtime was considered.

By considering section the above, we noted the following:

- Actual overtime for replacement of the Financial and Payroll system in terms of RT25 was **R855 377** in 2017/2018, should it have been encashed.
- Should we change all these systems projected overtime encashment value could equate to **R3 944 037**.
- Other considerations are that should we decide to change form Financial System, all these related systems will probably need to be replaced with the systems provided by the new Bidder.

PROJECTED IMPLEMENTATION COST OF NEW SYSTEMS

As presented in section 3 of this documents the investment till date is **R19 723 000**. Taking this into account one need to consider what the financial implication will be should we wish to replace the systems that is part of the report. When this consideration is underway, we also need to determine or project the expenditure we will most likely incur when appointing a new Service Provider and the cost related to implementation.

As we are aware, the only way to be exactly sure what such new implementation will cost is to go out on tender. Should we choose not to do this, we need to predict what the expected expenditure will be. In this section we will use the same baseline and percentile increase of 4.5% as in the case of overtime to calculate the projections. This once again is only the methodology we follow as other factors such as change in legislation; user needs etc. could also affect these figures.

Financial year	Overtime value
Baed on investment ending 2019/2020	R19 723 000
2020/2021 plus 4,5%	R20 610 535
2021/2022 plus 4,5%	R21 538 009
2022/2023 plus 4,5%	R22 507 219

Although these are conservative figures since a lot of these implementations happened over a term of between 2 to 10 years, this is only an indication of projected cost and will most like be more than anticipated. One can therefore note that should these projections realize, and the implementation of new systems takes place in the 2022/2023 financial year, it will cost the Municipality around **R22 507 219** in implementation cost related to Service Providers.

COMPARISON

Scenario	Est. Cost
New Systems	R37 871 163
Status Quo	R11 419 907
	<u>R26 451 256</u>

The above comparison shows that when one considers cost relating to implementing new systems vs the Status Quo, the projected additional expenditure will most likely be **R26 451 256**.

A full report related to these systems (Portfolio of ICT Systems) is attached on **page 166 to 175**.

PERFORMANCE EVALUATIONS

The systems utilized is under administration of various Departments of the Municipality and the system owners work daily with the systems and related Service Providers. As concerns were raised at numerous occasions by various Stakeholders, we requested each System Owner to provide us with surety relating to the systems and the service of the Service Providers. Although we acknowledge that no system will ever be 100% functional in the manner one wish it to be, there will always be the need for enhancements and changes. After consultation with the various System Owners, we hereby wish to bring it under Council's attention that each Owner indicated a favourable evaluation in the functionality and use of the systems.

Performance evaluations will continue monthly as per die MFMA and should any changes be identified; it will be handled in terms of the contract of each System. The Financial and related systems was appointed after they were successful in their response to the RT25 Tender of National Treasury. During the appointment process due diligence was done and tested against MSCOA conformance. These companies are still active players in the market as they service numerous Municipalities in South Africa.

PROVINCIAL AND NATIONAL TREASURY INPUTS

In terms of Section 33 of the MFMA, the Supply Chain Manager submitted on the 30th of July our intent to extend these agreements for a term of 5 years. Included in this submission was the full report as submitted to Council. Subsequently Treasury responded in writing on the 27th of August 2021 with their favourable response, inclusive of some views and recommendations.

Recommendation 6.4 states the following:

"The Provincial Treasury has, in principle, no objections against the Municipality's intention to follow the Section 33 process, subject to the required Supply Chain Management processes being followed, the requirements of the MFMA (especially Section 33 and Section 116) being adhered to."

PT Response to Cape Agulhas Municipality on Section 33 Process (1) is attached on **page 176 to 179**.

PUBLIC COMMENTS / NOTIFICATION

The Municipality advertised its intent to extend these agreements on the 5th of August 2021 that closed for comments on the 14th of September 2021. The Municipality received no objections for the extension of these agreement.

LEGAL REQUIREMENTS

When considering extension of contracts such as this, there are two sections in the MFMA we need to consider:

MFMA Section 116(3)

"A contract or agreement procured through the supply chain management policy of the municipality or municipal entity may be amended by the parties, but only after -

- (a) *the reasons for the proposed amendment have been tabled in the council of the municipality or, in the case of a municipal entity, in the council of its parent municipality; and*
- (b) *the local community -*
 - (i) *has been given reasonable notice of the intention to amend the contract or agreement; and*
 - (ii) *has been invited to submit representations to the municipality or municipal entity.”*

MFMA Section 33

“Contracts having future budgetary implications

- (1) *A municipality may enter into a contract which will impose financial obligations on the municipality beyond a financial year, but if the contract will impose financial obligations on the municipality beyond the three years covered in the annual budget for that financial year, it may do so only if-*
 - (a) *the municipal manager, at least 60 days before the meeting of the municipal council at which the contract is to be approved -*
 - (i) *has, in accordance with section 21A of the Municipal Systems Act -*
 - (aa) *made public the draft contract and an information statement summarising the municipality’s obligations in terms of the proposed contract; and*
 - (bb) *invited the local community and other interested persons to submit to the municipality comments or representations in respect of the proposed contract; and*
 - (ii) *has solicited the views and recommendations of -*
 - (aa) *the National Treasury and the relevant provincial treasury;*
 - (bb) *the national department responsible for local government; and*
 - (cc) *if the contract involves the provision of water, sanitation, electricity, or any other service as may be prescribed, the responsible national department;*
 - (b) *the municipal council has taken into account -*
 - (i) *the municipality’s projected financial obligations in terms of the proposed contract for each financial year covered by the contract;*
 - (ii) *the impact of those financial obligations on the municipality’s future municipal tariffs and revenue;*
 - (iii) *any comments or representations on the proposed contract received from the local community and other interested persons; and*
 - (iv) *any written views and recommendations on the proposed contract by the National Treasury, the relevant provincial treasury, the national department responsible for local government and any national department referred to in paragraph (a)(ii)(cc); and*
 - (c) *the municipal council has adopted a resolution in which -*
 - (i) *it determines that the municipality will secure a significant capital investment or will derive a significant financial economic or financial benefit from the contract;*
 - (ii) *it approves the entire contract exactly as it is to be executed; and*
 - (iii) *it authorises the municipal manager to sign the contract on behalf of the municipality.*
- (2) *The process set out in subsection (1) does not apply to -*
 - (a) *contracts for long-term debt regulated in terms of section 46(3);*
 - (b) *employment contracts; or*
 - (c) *contracts -*
 - (i) *for categories of goods as may be prescribed; or*
 - (ii) *in terms of which the financial obligation on the municipality is below -*
 - (aa) *a prescribed value; or*
 - (bb) *a prescribed percentage of the municipality’s approved budget for the year in which the contract is concluded.*
- (3) (a) *All contracts referred to in subsection (1) and all other contracts that impose a financial obligation on a municipality.”*

When considering the 2 above sections it becomes quite clear than following Section 33 of the MFMA can be cumbersome and unnecessary. It is also clear that by following Section 116(3) only, it will be a sufficient to ensure the functionality and continuation of the named systems.

FINANCIAL IMPLICATIONS

- The extended contract will be funded from as per approved budget by Council.
- The cost for 5 years is estimated to be **R19 915 364** based on a 4.5% escalation over the 5-year period should the status quo be maintained.
- The implementation of new systems is projected to be **R46 366 620** over a term of 5 years.
- Therefore, the projected additional financial implication, should the Municipality decide not to extend these agreements, and go out to tender, could equate to an additional amount of **R26 451 256**.
- In addition, Council should also note that new business or legislative requirements may possibly incur additional cost, but this can only be established as the needs may occur.

MANAGEMENT RECOMMENDATION

- (i) That the proposed amendment / extension of the contract of the Companies listed: As per Parts 20.14 of the Municipal SCM Policy and System and section 33 and 116(3) of the Municipal Finance Management Act 2003 (Act 56 of 2003), be approved at the same terms and conditions.
- (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 in terms of the agreements is identified as per section 116 of the MFMA.

The rationale for the above conclusion is that the Companies listed in this item:

1. Confirmed in writing its willingness to render the services at the same terms and conditions.
2. Rendered adequate services till date.
3. Has initially been appointed after an open bidding process in terms of the abovementioned services.
4. Can ensure continuous functioning of the systems and provide sufficient support.
5. The performance evaluation of the Service provider of the MIS be up to date and favourable.
6. The intended extension of the agreements to be advertised for 30 days.
7. That the renewals be considered due to the legislative, compliance requirements these systems help the Municipality achieve.
8. Taking the investment and factors as detailed in this report It is therefore not practical or cost effective for Cape Agulhas Municipality to appoint a new service provider for what is merely a continuation of the current systems.
9. That the systems are still functional, purpose fit and still used by the Municipality.

RESOLUTION 216/2021

- (i) That the proposed amendment / extension of the contract of the Companies listed: As per Parts 20.14 of the Municipal SCM Policy and System and section 33 and 116(3) of the Municipal Finance Management Act 2003 (Act 56 of 2003), be approved at the same terms and conditions.
- (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 in terms of the agreements is identified as per section 116 of the MFMA.
- (iii) That the Companies listed in this item -
 1. Confirmed in writing its willingness to render the services at the same terms and conditions.
 2. Rendered adequate services till date.
 3. Has initially been appointed after an open bidding process in terms of the abovementioned services.
 4. Can ensure continuous functioning of the systems and provide sufficient support.
 5. The performance evaluation of the Service provider of the MIS be up to date and favourable.
 6. The intended extension of the agreements to be advertised for 30 days.
 7. That the renewals be considered due to the legislative, compliance requirements these systems help the Municipality achieve.

8. Taking the investment and factors as detailed in this report It is therefore not practical or cost effective for Cape Agulhas Municipality to appoint a new service provider for what is merely a continuation of the current systems.
9. That the systems are still functional, purpose fit and still used by the Municipality.

(iv) That a workshop be held with the new Council to inform them about all the existing systems.

RAADSDAME MARTHINUS VERLAAT DIE VERGADERING OM 15:45

11.29 **KWARTAALVERSLAG OOR DIE OUDITKOMITEE SE WERKSAAMHEDE VIR DIE KWARTAAL GEËINDIG 30 JUNIE 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 Junie 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 risiko bestuur aan te pas. Op grond van hierdie skrywe het die Komitee sy kwartaalverslag, soos aangeheg op **bladsy 180 tot 183** 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:

- Par 5(a) : Areas waarmee die komitee hulle tevredenheid uitspreek.
- Par 5(b) : Areas van bekommernisse met pertinente aandag op item (b)(ii).
- Par 5(c) : Ouditverslae wat deur die Komitee oorweeg is.
- Par 6 : Aanbevelings deur die Komitee gemaak.

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 Junie 2021 oorweeg en aanvaar.

BESLUIT 217/2021

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

11.30 **HALF-JAARLIKSE VERSLAG OOR PRESTASIEMETING EN DIE PRESTASIEMETING STELSEL VIR DIE TYDPERK GEËNDIG 30 JUNIE 2021**

DOEL VAN VERSLAG

Om die Raad in te lig oor die Prestasie-Oudit Komitee se half-jaarlikse verslag oor die munisipaliteit se prestasiebetalingstelsel en die bestuur daarvan.

AGTERGROND

In terme van artikel 14(4)(a)(iii) van die Plaaslike Regering: Munisipale Beplanning en Prestasiebestuur Regulasies, 2001 (Regulasie 796) moet die Komitee twee maal per jaar die munisipaliteit se prestasiebetalingstelsel (SDBIP) en die bestuur daarvan asook die personeel evalueringproses evalueer en daarvoor aan die Raad verslag doen.

Die Komitee het dan ook sodanige evaluering gedoen vir die tydperk 1 Januarie 2021 tot 30 Junie 2021 en die vereiste verslag opgestel, soos aangeheg op **bladsy 184 tot 187**. Die Raad se aandag word pertinent gevestig op par. 4(b) waar die Komitee bekommernisse oor sekere aspekte uitspreek.

PERSONEEL IMPLIKASIES

Geen.

FINANSIËLE IMPLIKASIE

Geen.

WETLIKE IMPLIKASIE

Voldoening aan die Munisipale Beplannings- en Prestasiebestuurs-regulasies, 2001.

AANBEVELING: OUDIT- EN PRESTASIE-OUDIT KOMITEE

Dat die Komitee se half-jaarlikse verslag vir die half-jaar geëindig 30 Junie 2021 oor die munisipaliteit se prestasiebetalingstelsel en die bestuur daarvan deur die Raad oorweeg en aanvaar word.

BESLUIT 218/2021

Dat die Komitee se half-jaarlikse verslag vir die half-jaar geëindig 30 Junie 2021 oor die munisipaliteit se prestasiebetalingstelsel en die bestuur daarvan deur die Raad aanvaar word.

11.31 **EXTERNAL AUDIT ACTION PLAN 2019/20 (OPCAR): MONTHLY PROGRESS REPORT - SEPTEMBER 2021 (DFS)**

PURPOSE OF REPORT

Consideration of the progress made with the implementation of the approved 2019/20 Auditor General Findings Action Plan (OPCAR) as at 30 September 2021.

AGTERGROND

The Auditor General's audit of the municipality's activities for the 2019/20 financial year revealed some shortcomings that needs to be addressed. These shortcomings has been taken up in the 2019/20 OPCAR where specific corrective measures has been determined for implementation. The action plan was approved by Council on 30 March 2021. The progress made with the implementation of the plan, as attached on **page 188 to 195** is submitted to Council and the Western Cape Treasury on a monthly basis as well as quarterly to the Cape Agulhas Audit Committee.

The agreed actions have now all been implemented and the 2019/20 OPCAR has been fully completed and finalised.

STAFF IMPLICATIONS

None.

FINANCIAL IMPLICATIONS

None.

LEGAL IMPLICATIONS

None.

MANAGEMENT RECOMMENDATION

That Council consider and approves the progress report on the 2019/20 OPCAR action plan as at 30 September 2021 and consider the action plan as fully implemented and finalised.

RESOLUTION 219/2021

That Council approves the progress report on the 2019/20 OPCAR action plan as at 30 September 2021 and consider the action plan as fully implemented and finalised.

11.32 **CAPITAL BUDGET ALLOCATION FOR THE INSTALLATION OF AN ALARM AT THE SHIELD FACILITY IN STRUISBAAI-NORTH**

REPORT COMPILED BY THE DIRECTOR: MANAGEMENT SERVICES

PURPOSE OF REPORT

To request Council to allocate a capital budget for the installation of an alarm system at the Shield facility in Struisbaai North.

BACKGROUND

The need for a resource centre and youth hub for Struisbaai North is captured in the IDP of CAM and the Shield facility was identified for that purpose.

The Human Development department and representatives from the Department of Social Development (Provincial) had a meeting on 30 June 2021 to discuss an integrated approach to youth development to address the above matter.

DISCUSSION

DSD decided that the equipment which was previously used for the BEANS project be transferred to CAM, on the condition that an alarm system be installed to secure the 5 laptops including the other items as indicated on the attached BEANS inventory list.

The installation of alarm systems is listed as a capital budget item and due to the nature of the current situation the normal budgeting procedure could not be followed. Should we wait until the adjustment budget in 2022, we will forfeit this opportunity.

Quotations were obtained from the following security companies:

Company	Alarm Installation Cost	Monthly Monitoring Fee	ICASA Fee
Top Coastal Security	R6 070,00	R239,00	R150,00
Suidpunt Security	R7 043,75	R293,00	R182,61
Overberg Security	R6 250,00	R352,00	R296,40

FINANCIAL IMPLICATIONS

1. The installation cost amounts to R6 070,00.
2. Monthly monitoring fee and ICASA fee amounts to R3 018,00 per year.

PERSONNEL IMPLICATIONS

The Human Development Department staff is responsible for the operations of the facility.

MANAGEMENT RECOMMENDATION

- (i) That Council approves the request for the installation of an alarm system at the Shield facility in Struisbaai North.
- (ii) That a capital budget vote be created for the installation of the alarm system.

RESOLUTION 220/2021

- (i) That Council approves the request for the installation of an alarm system at the Shield facility in Struisbaai North.
- (ii) That a capital budget vote be created for the installation of the alarm system.

11.33 **QUARTERLY SUPPLY CHAIN MANAGEMENT IMPLEMENTATION AND OVERSIGHT REPORTS FOR THE 4th QUARTER: 1 APRIL 2021 TO 30 JUNE 2021 AND THE 1st QUARTER: 1 JULY 2021 TO 30 SEPTEMBER 2021 (DFS)**

The accounting officer must, within 10 days of the end of each quarter, submit a report on the implementation of the Supply Chain Management Policy to the mayor. The purpose is to report to the Mayor in terms of section 6(3) of the Supply Chain Management Regulations on the implementation of the Supply Chain Management Policy for:

- (i) The fourth quarter from **1 April 2021 to 30 June 2021**; and
- (ii) The first quarter from **1 July 2021 to 30 September 2021** in order to strengthen Council's oversight role.

BACKGROUND

The Supply Chain Management Policy was revised and adopted by Council in December 2020 to fully comply with the SCM Regulations. The SCM Policy has been reviewed by incorporating the legislative amendments and recommendations by the Auditor-General and Provincial Treasury to give effect to the compliance aspect.

This will enable the Supply Chain Management Unit (SCMU) to further streamline procedures and processes to promote more efficient and effective service delivery to all internal and external stakeholders.

Committees

The bid committees are established and are fully functioning according to Council's SCM Policy and the SCM Regulations. The committees are listed below:

- Bid Specification Committee (BSC)
- Bid Evaluation Committee (BEC)
- Bid Adjudication Committee (BAC)

For detailed information on the Quarterly Supply Chain Management Implementation and Oversight Reports for the period ended 30 June 2021 and 30 September 2021 - See documents seperately attached to this agenda.

MANAGEMENT RECOMMENDTION

That Council takes note of the Quarterly Supply Chain Management Implementation and Oversight Reports for:

- (i) The fourth quarter from **1 April 2021 to 30 June 2021**; and
- (ii) The first quarter from **1 July 2021 to 30 September 2021**.

RESOLUTION 221/2021

That Council takes note of the Quarterly Supply Chain Management Implementation and Oversight Reports for:

- (i) The fourth quarter from **1 April 2021 to 30 June 2021**; and
- (ii) The first quarter from **1 July 2021 to 30 September 2021**.

11.34 **SUPPLY CHAIN MANAGEMENT DEVIATIONS REPORT FOR THE 1ST QUARTER: 1 JULY 2021 - 30 SEPTEMBER 2021**

PURPOSE OF REPORT

To report on deviations for the 1st quarter from 1 July 2021 - 30 September 2021.

BACKGROUND

The Act on Local Government: Municipal Finance Management Act, 2003, Chapter 11, the Municipal Supply Chain Management Regulations, as published in the Government Gazette on 30 May 2005 and the Council's Supply Chain Management Policy as adopted on 8 December 2020 states that the Accounting Officer must, record the reasons for any deviations in terms of section 36(1) (a) & (b) of the Supply Chain Management Regulations & paragraph 18.6.3 of the Council's Supply Chain Management Policy to the next meeting of Council.

The report for deviations from minor breaches of the Supply Chain Management Policy (SCM Regulations 36 (1) (a), (b) &(c)) - Deviations per Supplier: 1st Quarter (1 July - 30 September 2021) is attached on **page 196 to 197**.

MANAGEMENT RECOMMENDATION

That Council notes the deviation report for the 1st quarter of the 2021/22 financial year, 1 July 2021 - 30 September 2021.

RESOLUTION 222/2021

That Council notes the deviation report for the 1st quarter of the 2021/22 financial year, 1 July 2021 - 30 September 2021.

11.35 **REQUEST FOR EXEMPTION IN RESPECT OF THE GENERAL VALUATION ROLL IMPLEMENTATION TO BE EFFECTIVE 1 JULY 2022**

PURPOSE OF REPORT

For council to consider and provide principle approval for the request to responsible Minister of local government for exemption in respect of the prescribed implementation of the new general valuation roll to be effective from 1st July 2022.

BACKGROUND

A valuation roll in terms of section 32(1)(b) of the Property Rates Act is valid for a period not more than four years except in the case whereby the MEC for local government may extend the period for which a valuation roll remains valid up to a maximum of five years. The Cape Agulhas municipality's property valuation roll is valid for a period of five years of which the validity will expires on 30 June 2022.

Due to the legislative requirements applicable the municipality started the tender process well in advance in January 2021 with a tender request for the appointment of a suitable and qualified service provider to perform the functions of a municipal valuer inclusive the preparation of a new general valuation roll to be effective as from 1st July 2022. Six tenders were received of which only one be regarded as responsive per the Bid Adjudication Committee's minutes dated 12 May 2021. However, it should be noted that the award was subject to a 14-day objection or compliant period in terms of the Municipal Supply Chain Management Policy Part 11.15 and SCM Treasury Regulation 21(e) & 50 and noted that no rights will accrue until all objections or complaints (if any) have been finalized and the Acceptance/ Contract signed.

The municipality received one objection and immediately appointed an independent and impartial legal expert in local government SCM matters to investigate and provide advise based on the merits of the objection received. The appointed independent expert inter alia confirmed that the objection lodged against the evaluation and adjudication process of this specific tender, holds valid merit and therefore it appeared evident based on the legal opinion received to cancel the award and it requires the municipality to invoke the suspensive condition of the award.

With no responsive tender, the municipality as a result had to re-advertise the tender for the preparation of the general valuation roll due to unforeseen circumstances outside the control of the municipality.

As mentioned, the valuation roll should come into effect from the 1st July 2022 but due to time constraints and without compromising the quality output, the municipality had very little options available in terms of prescribe legislation. The only two options available for consideration will be to either consider condonation for non-compliance of the time frames or extension of the general valuation based on the following legislation applicable:

Section 80 – reads as follows -

“The MEC for Local Government in a province may on good cause shown, and on such conditions as the MEC may impose, condone any non-compliance by a municipality with a provision of this Act, requiring any act to be done within a specified period or permitting any act to be done only within a specified period.”

In this instance the municipality should apply to the responsible MEC for condonation to extend the period for the submission of the certified general valuation roll from 31st January 2022 to 30th March 2022.

OR

Section 32 - Extension of General Valuation.

Whereby the municipality applies to the responsible MEC for condonation to extend the validity of the existing valuation roll for a further financial year, section 32(2)(b)(ii) to 1st July 2023.

The municipality consulted with some of the prospective tenderers as well as the responsible provincial department to get a sense which option be the best considering the municipality's predicament and how to resolve the current challenge to the best interest of all the stakeholders involved in the process.

Although it was indicated by some of the prospective tenderers that section 80 of the Property Rates Act is still achievable within the tight time frames applicable, but the municipality's view is that the risk is just too high considering any possible delays that might occur as well as to compromise on the quality of the final general valuation roll requirements.

Based on the two scenarios submitted, the provincial department is also in support of the municipality's view to rather apply for extension of General Valuation Roll by another one additional financial year, with new implementation date of 1 July 2023.

LEGAL IMPLICATION

Non-compliance if not adhere to the prescripts as stipulated in the Property Rates Act.

FINANCIAL IMPLICATION

If the correct legislative processes and procedures not followed it might put the municipality at risk not to levy any property rates that might be applicable.

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

MANAGEMENT RECOMMENDATION

That Council, after consideration provides principle approval to continue with the process to apply for exemption to the responsible MEC for local government in terms of 32(2)(b)(ii) of the Property Rates Act to extend the validity period of the current valuation roll with another year until 1st July 2023.

RESOLUTION 223/2021

That Council gives principle approval to continue with the process to apply for exemption to the responsible MEC for local government in terms of 32(2)(b)(ii) of the Property Rates Act to extend the validity period of the current valuation roll with another year until 1st July 2023.

11.36 **RECOVERING OF AND/OR WRITING OFF IRREGULAR EXPENDITURE: 2020/21 FINANCIAL YEAR**

Purpose of the report

The purpose of this report is for council to consider and / or investigate the irregular expenditure incurred during the financial year under review which emanates from an audit finding by the Auditor-General during the 2018/19 financial year audit for approval and / or to be written off.

Background Information

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.

Irregular expenditure to the value of R3,595 million was identified during the financial year under review which emanates from an audit finding (2018/19) by the Auditor General as a result of the change in the interpretation of SCM regulation 32 through high court judgements in respect of the procurement of goods and services under contracts by other organs of state which is now regarded as non-compliance with the Supply Chain Management Regulations as a result of an additional requirement whereby the award of these contracts are now limited to the portion forfeited by the other organ of state applied retrospectively.

Due to contractual commits the municipality could not terminate the two existing contracts with Quantra Consulting Pty Ltd and WEC Consult Pty Ltd and had to honor the agreements accordingly till the end of June 2021 to the value of R2,268 million for the financial year under review.

An amount of R1,327 million was also identified by the Auditor General as irregular expenditure during the 2019/20 audit as uncorrected matters and which have reference to non-compliance relating to MBD 4 declarations not previously disclosed.

Furthermore, a total amount of R7,635 million has been identified as unauthorised expenditure in respect of operating expenditure per vote mainly due to non-cash expenditure where insufficient budget was allocated.

Attached on **page 198 to 199**, 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 irregular expenditure identified by the Auditor General to the value of R3 595 890 as well as the unauthorized expenditure identified during financial year under review to the value of R7 635 586 (Unauthorized & Irregular Expenditure 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 irregular expenditure incurred by the municipality for the period under review inclusive of the council resolution on the outcome of finding.

RESOLUTION 224/2021

- (i) That Council approves the irregular expenditure identified by the Auditor General to the value of R3 595 890 as well as the unauthorized expenditure identified during financial year under review to the value of R7 635 586 (Unauthorized & Irregular Expenditure Register - Annexure "A") for recovery or certification as irrecoverable and written off.
- (ii) That Council promptly informs the MEC for local government and Auditor-General in writing of the irregular expenditure incurred by the municipality for the period under review inclusive of the council resolution on the outcome of finding.

11.37 **VERIMENTS/ADJUSTMENTS: APPROVED BUDGET RECOMMENDATIONS**

The Director Finance reports as follows:

PURPOSE OF REPORT

To inform Council of the proposed **Veriments and Amendments made to the Approved budget** to ensure that the votes and project funding is available to enable administration to effectively execute the Operational and Capital mandates required in terms of the Integrated Development plan and approved legislation.

BACKGROUND

With reference to the Municipal Budget policy as updated by Council during the March 2021 council meeting the following:

Section 9 : Unspent / Roll over of budget

- (d) Adjustments to the rolled over budget shall be done during the 1st budget adjustment in the new financial year after taking into account expenditure up to the end of the previous financial year.

Section 10 : Budget transfers and veriments

- (a) Budget transfers within the same vote shall be recommended by the Head of Department (HOD's) and approved by the Chief Financial Officer, in consultation with the Municipal Manager.

Section 11 : Framework for unforeseen and unavoidable expenditures

- (a) The mayor of a municipality may authorize expenditure in terms of section 29 of the Act only if -
 - a. the expenditure could not have been foreseen at the time the annual budget of the municipality was passed; and
 - b. the delay that will be caused pending approval of an adjustments budget by the municipal council in terms of section 28(2)(c) of the Act to authorize the expenditure may -
 - ii. cause a disruption or suspension, or a serious threat to the continuation, of a basic municipal service.

INFORMATION**Section 9 : Unspent / Roll over of budget**

As part of the yearly budget process the municipality receive funding from National and Provincial governments to accelerate programs as part of the Integrated Development plan. These funds are included in the budget and per National Government budget circular, the municipality needs to apply to the National and Provincial treasuries for the roll-over of any unspent funds at the end of the financial year.

For the 2020/21 financial year the municipality apply for the Roll-over of the following Provincial grants and approval was received for the utilization of the unspent balance to effect completion of the projects.

Regional Social Economic Program:

A total of **R2,000,000** was received of which **R562,353** was applied for roll-over to the Provincial Treasury as unspent at the end of June 2021.

With the compilation of the **Annual Financial Statements 2020/21** for audit purposes a total of **R712,692** was reported as Unspent for the RSEP grant at the end of **30 June 2021**. Administration is in the process of applying for Roll-over of the additional amount as above. The project is being supported by Provincial department and approval in the process of being obtained.

Drought Relief Grant:

The municipality received **R3,050,000** of which **R2,353,000** was unspent and approval was received for the roll-over of the balance as at 30 June 2021.

The municipality received approval for the above unspent grants at the end of August 2021.

Section 10 : Budget transfers and veriments

Aerial Cherry picker:

The department Electricity is required to ensure compliance with the grant conditionals as well as other capital veriments needed. The following veriments is required for processing and correction of the Budgets will be processed with the Adjustment budget in January 2022.

CAPITAL PROJECTS

Project	Budget	Proposed Budget	Veriment required
Crane Truck	R2,052,000	R1,202,000	(R380,000)
Aerial Cherry picker	R850,000	R1,230,000	R380,000
Nett effect	R0	R0	R0

INEP (Integrated National Electrification Program) Grant:

The department require additional funds for the EPWP project required to be implemented. The municipality receive a grant from the National government. Based on the conditions of the grant the funds are allocated for interns as well as Electrification infrastructure projects.

The following veriments is require facilitate implementation of the grant projects:

Description	Vote	Budget	Proposed Budget	Veriment required
Capital – INEP project	07/5060/127/201	R2,243,500	R2,143,500	(R100,000)
Basic Salary - INEP	01/5060/000/800	R 381,500	R 481,500	R100,000
Nett effect		R2,625,000	R2,625,000	R0

SECTION 11 : FRAMEWORK FOR UNFORESEEN AND UNAVOIDABLE EXPENDITURES

Local Government Salary and Wage agreement:

The National Salary and Wage Agreement was concluded and signed on the 15th of September 2021. The basis of the agreement is as follows for the **2021/22** financial year:

Financial year 2021/2022

- “In respect of this financial year, all employees covered by this agreement shall receive an increase of **three and a half percent (3.5%)** with effect from **1 July 2021**.
- In addition, all employees covered by this agreement shall receive a once-off non pensionable cash allowance as follows:
 - 1) Employees earning a basic salary of R12,500 or less as at 1 July 2021, shall receive an amount of **R4000,00**
 - 2) Employees earning a basic salary of R12,501 or more as at 1 July 2021, shall receive an amount of **R3000,00**.
- Payment of the once-off non pensionable cash allowance shall be made on the 31 December 2021, and where not possible, by no longer than 31 March 2022.

Financial year 2022/2023

- In respect of this financial year, all employees covered by this agreement shall receive, with effect from 1 July 2022, an increase based on the projected average CPI percentage for 2022.

- The forecast of the Reserve Bank, in terms of the January 2022 Monetary Policy Committee Statement, shall be used to determine the projected average CPI in terms of clause.

Financial year 2023/2024

- In respect of this financial year, all employees covered by this agreement shall receive, with effect from 1 July 2023, an increase based on the projected average CPI percentage for 2023.
- The forecast of the Reserve Bank, in terms of the January 2022 Monetary Policy Committee Statement, shall be used to determine the projected average CPI in terms of clause.

Minimum wage

- With effect from 1 July 2021, the minimum wage payable in the sector shall increase by 3.5% to **R8,620.79** per month.
- With effect from 1 July 2022, the minimum wage payable in the sector shall increase by the same percentage as the salary and wage increase for the 2022/2023 financial year and
- With effect from 1 July 2022, the minimum wage payable in the sector shall increase by the same percentage as the salary and wage increase for the 2023/2024 financial year.

Effect of the Salary increases:

The municipality as part of the compilation and approval of the Approved budget for the 2021/22 financial year budgeted **four-point five percent (4.5%)** for the Salary and remuneration increases applicable from the **1 July 2021**. The **4.5%** was calculated as follows:

- **4%** for the normal yearly salary increases
- **0.5%** for the notch increases as per appointment contracts.

Calculating the impact of the signed agreement on the municipal salary budget result in the following:

Approved budget – May 2021 (Based on approved Organogram	R142,703,187
Final approved Salary and Wage agreement signed	R143,570,487
Difference (Increase)	R 867,300

Based on the Salary and wage agreement will **increase** with an additional amount of **R867,300**.

Context:

The new **SALARY AND WAGE AGREEMENT** signed result in a significant additional financial burden on the municipality. With the compilation of the Annual Budget 2021/22 approved by Council the Employee related cost recorded at **41.7%** of total expenditures (**Ref: Table SA8**).

The National norm prescribe by National Treasury is between **35% - 40%** (*Ref: National Treasury Circular 71*). The *Independent Financial Assessment* as prepared by **INCA Portfolio Managers** updated during November 2020 also identify the high Employee cost as a threat to the municipality due to the effect that the high cost will have on the available funds for service delivery related infrastructure and projects.

To ensure financial sustainability and curb / limit the high Employee related cost the proposal that Council support the **following remedial actions** to ensure the municipal Employee related cost remains within the Approved budgeted amounts:

- Reduction of temporary positions /vacancies (EPWP / Contract appointments) by the implementation of the Project-based expenditures where departments appoint **small-scale contractors** only for the periods when the services are required. This will be achieved by ensuring that the Local Economic Development (LED) unit support potential entrepreneurs to enable them to successfully apply for these business opportunities.
- Reduction in the total budget for **Overtime** by ensuring proper planning within departments.
- Reduction in the total budget for **Acting allowances** by ensuring proper succession planning within departments and compiling operational plans.
- Placement of a **moratorium** on all post that became vacant due to resignations, retirements and any other reason and only filling the post is critically required for service delivery.
- **Temporary vacancies** that come to an end, not being filled except in the circumstances where critical service delivery will be affected.

ICT Equipment : PC Screens

The administration is in the process of implementing the electronic invoicing system via Collaborator. This will enable officials to electronically submit invoices and submit this information to the Creditors section within finance. The officials in this department will therefore be able to complete the reconciliation of the requisitions and invoices electronically and the information will also be electronically available.

The above will result in the reduction of printing cost as well as other benefits (storing cost). In order to implement the above changes, the ICT unit was required to procure additional PC screens to the officials within the department. This could not have been foreseen at the time of compilation of the budget.

The cost associated with the procuring of the PC screens totals **R16,575** excluding VAT.

Alarm system : Shield facility

The Department of Social Development (Provincial) donated equipment that was previously used by the BEANS project and transfer the equipment to the municipality. The condition of the transfer was that the municipality needed to install an Alarm system at the Shield facility being used as a resource centre and youth hub.

The Executive Mayor approved a section 29 MFMA for the installation of the alarm equipment. The total of the cost is **R6,070** (Capital expenditure) as well as monthly monitoring fees following the SCM procurement process. These expenditures will be accounted for as part of the Adjustment budget in January 2022.

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

MANAGEMENT RECOMMENDATION

Council approves the veriments and adjustments as per above information and recommendations for inclusion into the municipal Budget 2021/22 MTREF. The items will be included in the adjustment budget to be tabled to Council during the Mid-year and performance assessment process in January 2022.

1. **Roll-over Grant funds included in the budget as follows:**
 - a. RSEP - R712,692 (as per AFS 2020/21 information).
 - b. DRG - R2,353,000.
2. **Veriments / Adjustments**
 - a. Aerial Cherry picker / Crane Truck - R380,000.
 - b. INEP grant (Capital / Operational) - R100,000.
3. **Framework for unforeseen and unavoidable expenditures:**
 - a. Signed Salary and Wage agreement (SALGBC) increases for implementation from the 1 July 2021.
 - b. PC Screens - R16,575.
 - c. Alarm system - Shield facility - R6,070.

RESOLUTION 225/2021

- (i) That Council approves the veriments and adjustments as per above information and recommendations for inclusion into the municipal Budget 2021/22 MTREF. The items will be included in the adjustment budget to be tabled to Council during the Mid-year and performance assessment process in January 2022.
 1. **Roll-over Grant funds included in the budget as follows:**
 - a. RSEP - R712,692 (as per AFS 2020/21 information).
 - b. DRG - R2,353,000.
 2. **Veriments / Adjustments:**
 - a. Aerial Cherry picker / Crane Truck - R380,000.
 - b. INEP grant (Capital / Operational) - R100,000.

3. Framework for unforeseen and unavoidable expenditures:

- a. Signed Salary and Wage agreement (SALGBC) increases for implementation from the 1 July 2021.
- b. PC Screens - R16,575.
- c. Alarm system - Shield facility - R6,070.

(ii) That the abovementioned funding be accommodated within the approved 2021/22 budget.

11.38 PENSIOENARIS KORTING OP EIENDOMSBELASTING: 2020/2021-BOEKJAAR**DOEL VAN VERSLAG**

Om ingevolge Artikel 15(3) van die Wet op Munisipale Eiendomsbelasting (Wet No 6 van 2004) kennis te gee van korting toegestaan op eiendomsbelasting vir die 2020/2021 finansiële jaar.

AGTERGROND

Ingevolge Artikel 15(3) van die Wet op Munisipale Eiendomsbelasting (Wet No 6 van 2004) moet daar aan die Raad kennis gegee word omtrent die korting wat toegestaan is op eiendomsbelasting.

Die Artikel lees as volg:

The municipal manager must annually table in the council of the municipality a -

- (a) *List of all exemptions, rebates and reductions granted by the municipality in terms of subsection (1) during the previous financial year; and*
- (b) *Statement reflecting the income for the municipality forgone during the previous financial year by way of such exemptions, rebates and reductions.*

FINANSIËLE IMPLIKASIE

Die bedrag korting toegestaan = R662 458,40 (02/3020/275000)

BESTUURSAANBEVELING

Dat die Raad kennis neem van die korting toegestaan op eiendomsbelasting vir die 2020/2021 finansiële jaar.

BESLUIT 226/2021

Dat die Raad kennis neem van die korting toegestaan op eiendomsbelasting vir die 2020/2021 finansiële jaar.

11.39 MFMA QUARTERLY SECTION 52(D) REPORT FOR FIRST QUARTER ENDING 30 SEPTEMBER 2021

The Director: Finance reports as follows:

PURPOSE OF REPORT

To present the Quarterly Financial performance report of the Municipality for the first quarter of the financial year ending 30 September 2021 (1 July 2021 - 30 September 2021).

BACKGROUND**52. The mayor of a municipality -**

- (c) must, within 30 days of the end of each quarter, submit a report to the council on the implementation of the budget and the financial state of affairs of the municipality;

Monthly budget statements

71. (1) The accounting officer of a municipality must by no later than 10 working days after the end of each month submit to the mayor of the municipality and the relevant provincial treasury a statement in the prescribed format on the state of the municipality's budget reflecting the following particulars for that month and for the financial year up to the end of that month:
- (a) Actual revenue, per revenue source;
 - (b) actual borrowings;
 - (c) actual expenditure, per vote;
 - (d) actual capital expenditure, per vote;
 - (e) the amount of any allocations received;
 - (f) actual expenditure on those allocations, excluding expenditure on -
 - (i) its share of the local government equitable share; and
 - (ii) allocations exempted by the annual Division of Revenue Act from compliance with this paragraph; and
 - (g) when necessary, an explanation of -
 - (i) any material variances from the municipality's projected revenue by source, and from the municipality's expenditure projections per vote;
 - (ii) any material variances from the service delivery and budget implementation plan; and
 - (iii) any remedial or corrective steps taken or to be taken to ensure that projected revenue and expenditure remain within the municipality's approved budget.
- (2) The statement must include -
- (a) a projection of the relevant municipality's revenue and expenditure for the rest of the financial year, and any revisions from initial projections;

EXECUTIVE OVERVIEW

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

MANAGEMENT RECOMMENDATION

- (i) That the quarterly performance report for the first quarter ending 30 September 2021 (1 July 2021 to 30 September 2021), as attached on **page 200 to 221** be noted.
- (ii) That this report be read in conjunction with the Quarterly Performance Report, attached on **page 222 to 233** which is submitted to Council in terms of Section 52(d) of the Municipal Finance Management Act, Act 56 of 2003.

RESOLUTION 227/2021

- (i) That the quarterly performance report for the first quarter ending 30 September 2021 (1 July 2021 to 30 September 2021), as attached on **page 200 to 221** be noted.
- (ii) That this report be read in conjunction with the Quarterly Performance Report, attached on **page 222 to 233** which is submitted to Council in terms of Section 52(d) of the Municipal Finance Management Act, Act 56 of 2003.

11.40 **VERSOEK OM KAAP AGULHAS MUNISIPALE KANTORE OP SEKERE DAE BINNE KERSSEISOEN TE SLUIT**

DOEL VAN VERSLAG

Om oorweging te skenk om Raadskantore op sekere dae binne die Kersseisoen te sluit.

AGTERGROND

Kaap Agulhas Munisipaliteit se kantore was die afgelope aantal jare slegs tot 13:00 op 24 Desember oop.

'n Versoek deur die Plaaslike Arbeidsforum word aan die Raad gerig om goedkeuring te verleen dat alle kantore binne Kaap Agulhas Munisipaliteit vanaf **Vrydag, 24 Desember 2021 om 13:00 tot Vrydag 31 Desember 2021** gesluit word.

Alle bystand personeel sal steeds op diens wees, asook alle nood-funksies. Telefoniese navrae sal steeds deur die Bystandpersoneel hanteer word. Voorafkenningsgewings en ander kommunikasie metodes (SMS, Facebook, Twitter, Webtuiste) sal gebruik word om die publiek dienooreenkomstig in te lig.

Daar is verskeie betaalpunte wat vir die publiek beskikbaar sal wees waar rekeninge betaal kan word, naamlik:

- Bredasdorp: Checkers, Poskantoor, Spar
- Napier: OK
- Struisbaai: Oord
- L'Agulhas: Oord
- Waenhuiskrans: Oord
- Klipdale: Poskantoor
- Protem: Poskantoor
- Internet en Direkte Bank Inbetalings

BESTUURSAANBEVELING

- (i) Dat alle kantore van Kaap Agulhas Munisipaliteit vanaf Vrydag 24 Desember 2021 om 13:00 tot Vrydag 31 Desember 2021 gesluit word (4 werksdae);
- (ii) Dat die Raad 2 dae as erkenning aan die personeel toestaan en dat die personeel 2 dae jaarlikse verlof insit.
- (iii) Dat alle kantore op Maandag 3 Januarie 2022 oop sal wees vir die publiek.
- (iv) Dat vooraf kennisgewings en ander kommunikasie metodes (SMS, Facebook, Twitter, Webtuiste) gebruik sal word om die publiek dienooreenkomstig in te lig.
- (v) Dat alle buitendienste sal voortgaan soos geskeduleer.
- (v) Dat telefoniese navrae steeds deur die Bystandpersoneel hanteer sal word.

BESLUIT 228/2021

- (i) Dat alle kantore van Kaap Agulhas Munisipaliteit vanaf Vrydag 24 Desember 2021 om 13:00 tot Vrydag 31 Desember 2021 gesluit word (4 werksdae);
- (ii) Dat die Raad 2 dae as erkenning aan die personeel toestaan en dat die personeel 2 dae jaarlikse verlof insit.
- (iii) Dat alle kantore op Maandag 3 Januarie 2022 oop sal wees vir die publiek.
- (iv) Dat vooraf kennisgewings en ander kommunikasie metodes (SMS, Facebook, Twitter, Webtuiste) gebruik sal word om die publiek dienooreenkomstig in te lig.
- (v) Dat alle buitendienste sal voortgaan soos geskeduleer.
- (v) Dat telefoniese navrae steeds deur die Bystandpersoneel hanteer sal word.

12. DRINGENDE SAKE DEUR DIE MUNISIPALE BESTUURDER

12.1 NAPIER INFORMAL SETTLEMENT: ALOCATION OF PLOTS

PURPOSE OF REPORT

Allocation of plots to residents of Napier Informal Settlements

BACKGROUND

After the recent illegal landgrabs in Napier Informal Settlements and a meeting between the Municipality represented by the Municipal Manager the community, and a mediator it was agreed that the Municipality will make plots available after the need was established.

The need was established with the assistants of the peace officers, human settlements officials and committee members. The survey that was conducted indicated a need for 100 plots at Napier Informal settlement.

LEGAL AND POLICY IMPLICATIONS

Land are currently being leased out to Agri Dwala.

FINANCIAL IMPLICATIONS

Unknown.

MANAGEMENT RECOMMENDATION

- (i) That a partial peace of the land as per the layout be approved for additional plots after the need was established.
- (ii) Only 50 plots be made available as a 1st phase, to give the Municipality time to plan for additional services linked to the Upgrade of Informal Settlements Programme
- (iii) That Property Management inform the Agri Dwala that the Municipality needs the land as per the layout for basic services and housing.
- (iv) That technical Services, Human Settlements and Town Planning assist with roads and other services .

RESOLUTION 229/2021

- (i) That a partial peace of the land as per the layout be approved for additional plots after the need was established.
- (ii) Only 50 plots be made available as a 1st phase, to give the Municipality time to plan for additional services linked to the Upgrade of Informal Settlements Programme
- (iii) That Property Management inform the Agri Dwala that the Municipality needs the land as per the layout for basic services and housing.
- (iv) That Infrastructure Services, Human Settlements and Town Planning assist with roads and other services (no funding in the existing budget for 2021/22 is available).

DEFERRED OWNERSHIP TYPOLOGIES AND MUNICIPAL COST

FLOOR LAYOUT 1.100

AREAS -
 UNIT - 44sq.m
 STOEP - 6 sq.m
 TOTAL - 50sq.m

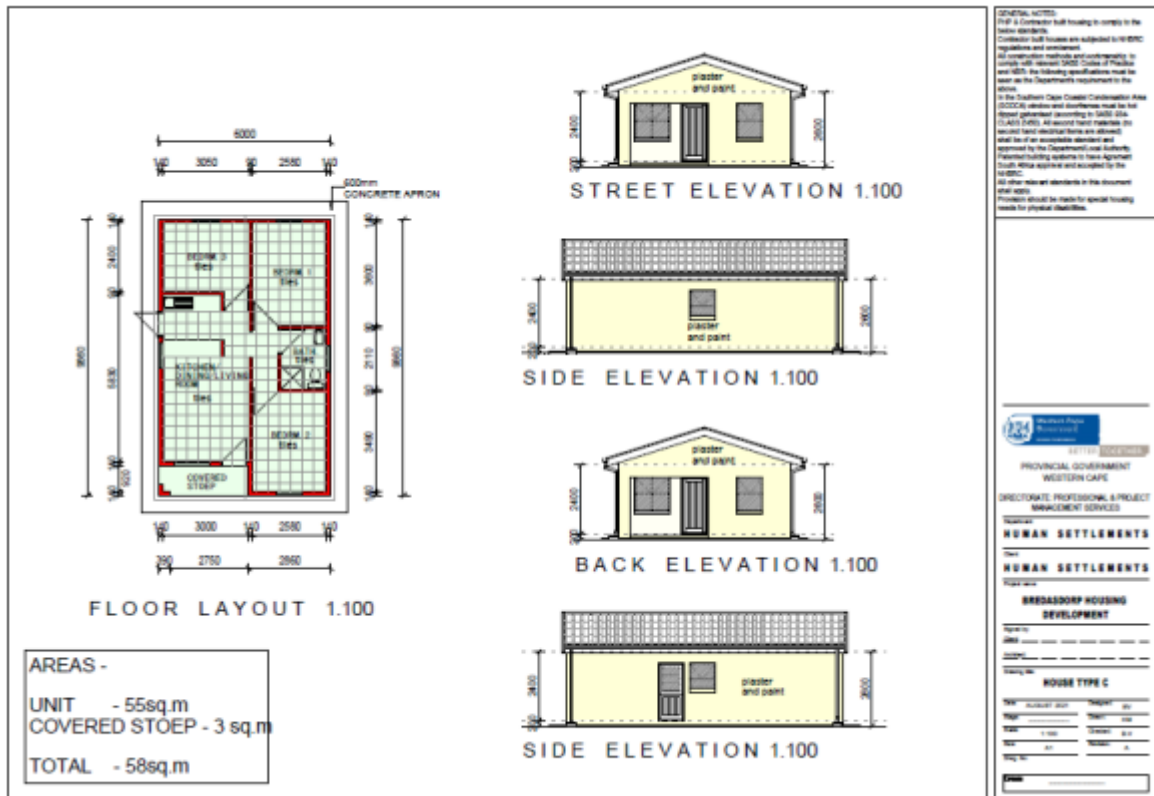
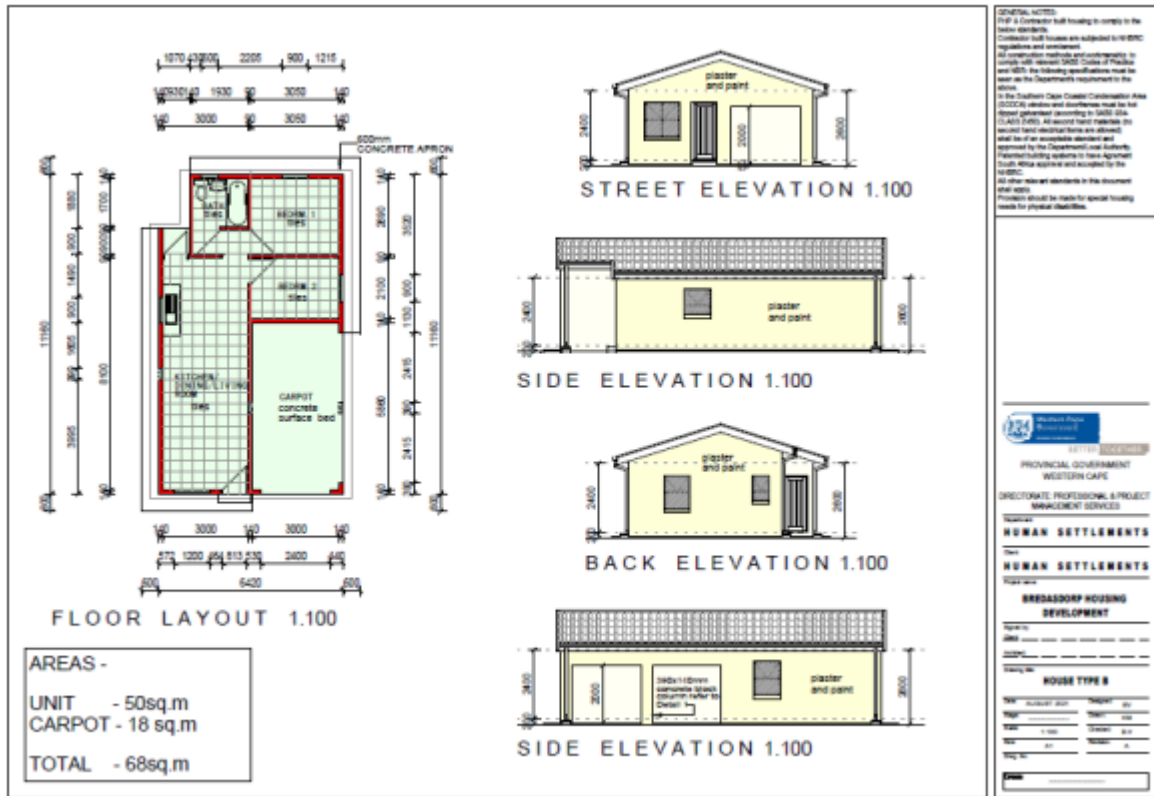
STREET ELEVATION 1.100

SIDE ELEVATION 1.100

BACK ELEVATION 1.100

GENERAL NOTES:
 PWP & Contractor shall comply to the below standards.
 Contractor shall comply to all applicable regulations and standards.
 All construction methods and workmanship to comply with relevant SANS Codes of Practice and NEDP. The following specifications must be used as the Department's requirement to the above.
 In the Southern Cape Coastal Catchment Area (SCCCA) window and doorframes must be full glazed aluminium (according to SANS 504-CLAS 240). All second hand materials (re-sourced hand electrical items are allowed) shall be of an acceptable standard and approved by the Department/Loc Authority. Permanent building systems to have Agreement South Africa approval and accepted by the NEDP.
 All other relevant standards in this document shall apply.
 Provision should be made for special housing needs for Physical Disabilities.

Project Name:	BREDASDORP HOUSING DEVELOPMENT
Client:	HUMAN SETTLEMENTS
Project No.:	
Drawn by:	
Checked by:	
Approved by:	
Date:	AUGUST 2021
Scale:	1:100
Sheet No.:	01



COST PER UNIT WITHOUT MUNICIPAL COST

VARIABLES					
			BIC kitchen and 1 bedroom	BIC 2nd and 3rd bedroom	Extra over for 100l Solar Geyser
HOUSE PRICES	Direct building cost excl VAT	Vibracrete			
42m2 Semi-detached	283 504,00	15910	19184	5200	874,25
50m2 Single	369 926,00	19374	23020	5200	874,25
55m2 Single	331 187,56	19374	23020	10400	874,25
Land cost	-				
Infrastructure cost	45 985,00	Subsidy amount			
DC's	-				
Electrical DC's	-				
Electrical network	-				
Electrical meter	-				
Electrical Connection	-				
Watermeter	-				
Sewer connection	-				
Fibre	-				
Cost of Service	45 985,00				

UNIT COST INCLUDING MUNICIPAL COST

VARIABLES					
			BIC kitchen and 1 bedroom	BIC 2nd and 3rd bedroom	Extra over for 100l Solar Geyser
HOUSE PRICES	Direct building cost excl VAT	Vibracrete			
42m2 Semi-detached	283 504,00	15910	19184	5200	874,25
50m2 Single	369 926,00	19374	23020	5200	874,25
55m2 Single	331 187,56	19374	23020	10400	874,25
Land cost	-				
Infrastructure cost	45 985,00	Subsidy amount			
DC's	-				
Electrical DC's	-				
Electrical network	7 104,00				
Electrical meter	-				
Electrical Connection	-				
Watermeter	9 349,50				
Sewer connection	8 360,00				
Building plan fees	2 615,00				
Cost of Service	73 413,50				

13. **OORWEGING VAN KENNISGEWING VAN MOSIES**

Geen.

14. **OORWEGING VAN KENNISGEWING VAN VRAE**

Geen.

15. **OORWEGING VAN DRINGENDE MOSIES**

Geen.

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

Lys van onafgehandelde Raadsbesluite verskyn op **bladsy 90** van hierdie Notule.

17. **IN-KOMITEE VERSLAE**

In Komitee items word as vertroulik hanteer.

18. **SLUITING**

- (i) Raadslede ontvang sertifikate van erkenning vir hul dienstermyn.
- (ii) Die Raad gaan in reses vanaf 15 Oktober 2021 tot en met 31 Oktober 2021.
- (iii) Raadslede word versoek om al hul elektroniese toerusting aan die Munisipale Bestuurder te oorhandig teen nie later as 3 November 2021, na afloop van die verkiesing nie.

Die vergadering verdaag om 17:45

ONAFGEHANDELDE RAADSBESLUIT

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.	Erf word per tender verkoop.	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.		Stadsbeplanning / IDP
129/2020	Registrasie Serwituut, versoek vir kompensasie: Mnr Roderick Roberts	Dat die aangeleentheid terugverwys word vir verdere ondersoek.	Direkteur: Finansies sal verslag voorberei vir Aug 2021 Komitee Vergadering.	Finansies / Masakhane
200/2020	Vervreemding (huur): Ged erf 513, Napier	Dat 'n terreinbesoek deur alle rolspelers so spoedig moontlik afgelê word.	Terrein inspeksie vind op 6 Sept 2021 plaas. Item vervat in 14 Okt 2021 agenda.	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.	Me Nel het Wykskomitee bygewoon en voorgestel dat "Manne van God" eerder na die erf 4090 langsaa kyk wat reeds reg gesoneer is (Civic en Social) en ook effens groter is.	Stadsbeplanning
202/2020	Vervreemding (koop): erf 2838, Struisbaai	(i) Aangeleentheid oorsaak. (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.	Erf is nie geskik nie - Daar is stormwater probleme.	Stadsbeplanning
214/2020	Waardasie AppèlRaad: Aanwysiging van lede vir aanstelling	(i) Aangeleentheid oorsaak. (ii) Dat die vakature weer geadverteer word.	Staan oor - Nuwe aanstellings met ingang 1 Maart 2022.	Bestuurder: Admin Ondersteuning
22/2021	Vervreemding (Huur): Ged Erf 1148, Bredasdorp (Concern Mothers)	Dat 'n gedeelte van erf 1148, Bredasdorp wel aan Concern Mothers verhuur word en wel op die volgende voorwaardes: 1. 'n Markverwante huur; 2. Die huurder betaal vir die installering van munisipale dienste; 3. Dat verhuring deur 'n publieke deelname proses geadverteer word.	Terrein inspeksie vind op 6 Sept 2021 plaas. Item vervat in 14 Okt 2021 agenda.	Eiendoms-administrasie
24/2021	Vervreemding (Koop): Ged Erf 4329, Bredasdorp (Ministry of Christ United)	Dat die aangeleentheid terugverwys word vir verdere ondersoek.	Erf sal onderverdeel moet word, omrede daar reeds ander gebruike (sopkombuis en speelskool) op die erf is.	Eiendoms-administrasie
25/2021	Vervreemding (Koop): Ged Erf 5585, Bredasdorp (Z Tonisi)	Dat die aangeleentheid terugverwys word sodat uitklaring verkry kan word ten opsigte van die spesifieke gedeelte aangevra, bestaande infrastruktuur en teruggaaf aan die Wykskomitee.	Terrein inspeksie vind op 6 Sept 2021 plaas. Item vervat in 14 Okt 2021 agenda.	Eiendoms-administrasie
62/2021	Verhuring: Ged Erf 601, L'Agulhas (Agulhas Erfnisvereniging)	Dat die aangeleentheid terugverwys word vir 'n terrein inspeksie en weer aan die Raad voorgelê word vir oorweging.	Terrein inspeksie vind op 9 Sept 2021 plaas. Item vervat in 14 Okt 2021 agenda.	Eiendoms-administrasie

Besluit Nr	Onderwerp	Verkorte Besluit	Vordering	Verantwoordelike persoon
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 erf 1148, Bredasdorp aan P & B Kalkwerke om as "pad" gesoneer te word. (iii) Dat 'n volledige ontwikkelingsplan en uitlegplan aan die Raad voorgelê word, voordat finale besluit geneem word. (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.	Terrein inspeksie het plaasgevind. Konstruksie in proses. Finale planne vanaf Provinsiale Padingenieur steeds uitstaande. Advertensie van Raad se voorneme sal teen 6 Aug 2021 geplaas word. Regstelling van erfnommer: Kennisgewing Plaas 159/0, Bred geadverteer.	Eiendoms-administrasie
65/2021	Mill Park Sakepersele: Vervreemding van grond (Erwe 6448 en 6691, Bredasdorp)	(i) Die Raad kennis neem van die sonering van erwe 6690, 6691, 6448 en 6449, Bredasdorp. (ii) Strategiese gesprek plaasvind aangaande die moontlike ontwikkeling van genoemde erwe.	Terrein inspeksie vind op 6 Sept 2021 plaas. Item vervat in 14 Okt 2021 agenda.	Eiendoms-administrasie
67/2021	Vervreemding (huur): Ged Erf 773, Waenhuis-kran (L Leonard)	(i) Dat 'n terrein inspeksie gedoen word. (ii) Dat 'n finale verslag weer aan die Komitee voorgelê word vir oorweging.	Terrein inspeksie vind op 17 Aug 2021 plaas. Item vervat in 14 Okt 2021 agenda.	Eiendoms-administrasie
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 moontlike aanpassings aan die Covid Ondersteuningsbeleid.	Ondersoek steeds in proses.	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.	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.	MB
128/2021	Verval van Bouplanne: J Jantjies, Elim	Dat die aangeleentheid terugverwys word na die portfolio komitee vir verdere bespreking en moontlike alternatiewe opsies oorweeg word vir hulpverlening.	Item moet by volgende portfolio komitee vergadering in Aug 2021 dien.	Boubeheer
141/2021	Onderverdeling: Lebombokamp, Bredasdorp	(i) Raad kennis neem van die verdere "onderverdeling" van die Lebombokamp. (ii) Raad kennis neem van die moontlike onderhandelings met die Departement van Landbou om gekontrakteerde opkomende boere finansiëel by te staan. (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). (iv) Dat die moontlikheid 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.	Gesprekke met boere is in proses. 1. Nuwe onderverdelings; 2. "Gemengde boerdery" is gevestig; 3. Nuwe varkkampe word uitgelê (voorlopig 6).	Eiendoms-administrasie / LED
147/2021	Hersiening: Eiendomsbelastingbeleid	(i) Dat die Raad in-beginsel goedkeuring verleen aan die hersiene Eiendomsbelasting Beleid. (ii) Werkswinkel en indien nodig, aan Raad voorgelê word vir goedkeuring.	Werkswinkel moet nog plaasvind.	Finansies

Besluit Nr	Onderwerp	Verkorte Besluit	Vordering	Verantwoordelike persoon
148/2021	Property Management Policy and SOP	(i) Approves in principle. (ii) That the policy and the SOP be advertized for public inputs. (iii) That all inputs received, be take into account for the reviewing of the new Property Management Policy. (iv) That a workshop be held to finalize the policy and the SOP.	<i>Werkswinkel het op 21 Sept 2021 met amptenare plaasgevind. Beleid sal weer met nuwe Raad gewerkswinkel word.</i>	BAO
174/2021	Vervreemding (huur): Ged Erf 670, Waenhuis-krans (J Davids)	(i) Aansoek nie ondersteun word nie. (ii) Stadsbeplanning nuwe uitleg aan Raad voorlê waar 3 NUWE aangrensende 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>Terrein inspeksie was uitgevoer op 17 Aug 2021 - Aansoek word nie ondersteun nie. Stadsbeplanning doen nuwe erf uitlegte.</i>	Stadsbeplanning
175/2021	Vervreemding (huur): Ged Erf 670, Waenhuis-krans (R Europa)	(i) Aansoek nie ondersteun word nie. (ii) Stadsbeplanning nuwe uitleg aan Raad voorlê waar 3 NUWE aangrensende 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>Terrein inspeksie was uitgevoer op 17 Aug 2021 - Aansoek word nie ondersteun nie. Stadsbeplanning doen nuwe erf uitlegte.</i>	Stadsbeplanning

BESTUURSAANBEVELING

Dat die Raad kennis neem van die onafgehandelde Raadsbesluite.

BESLUIT 230/2021

- (i) Dat die Raad kennis neem van die onafgehandelde Raadsbesluite.
- (ii) Raadsbesluit 63/2021: Erf 1148, Bredasdorp (Kalkwerke Toegang) – Dat erf 1148, Bredasdorp vervang word met Plaas 159/0, Bredasdorp en dat die Raad kennis neem dat die publieke deelname proses dienooreenkomstig reeds afgehandel is.
- (iii) Dat die Raad kennis neem dat die volgende besluite wat afgehandel is, naamlik: 200/2020, 201/2020, 22/2021, 24/2021, 25/2021, 62/2021, 65/2021, 67/2021, 174/2021 en 175/2021.

Hierna gaan die Raad "In Komitee" om vertroulike sake te hanteer.

BEKRAGTIG op hierdie

dag van

2021

SPEAKER