



KAAP AGULHAS MUNISIPALITEIT
CAPE AGULHAS MUNICIPALITY
U MASIPALA WASECAPE AGULHAS

**NOTULE VAN 'N ALGEMENE RAADSVERGADERING VIRTUEEL GEHOU OM 10:00
OP WOENSDAG 30 JUNIE 2021**

***MINUTES OF A GENERAL COUNCIL MEETING HELD VIRTUALLY ON
WEDNESDAY, 30 JUNE 2021 AT 10:00***

RAADSLEDE TEENWOORDIG / COUNCILLORS PRESENT

MNR R J BAKER
ME K DONALD
MNR D J EUROPA (vanaf 10:26)
MNR D JANTJIES
MNR J G A NIEUWOUDT (Speaker)
ME M OCTOBER
ME E L SAULS
MNR P J SWART (Burgemeester)
ME Z TONISI (Onder-Burgemeester)

AMPTENARE TEENWOORDIG / OFFICIALS PRESENT

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

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1. **OPENING**

Die Speaker heet die teenwoordiges welkom en Raadslid Baker open die vergadering met gebed. Die Speaker rig ook 'n spesiale woord van welkom aan me Karin Donald wat Raadslid Burger vervang en lê sy daarna die Eed vir Raadslede af.

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

Raadslid	Z Jacobs
Raadsdame	E Marthinus
Mnr	H van Biljon

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:**

25 Mei 2021 (*Notule was onder lede versprei*)

BESLUIT 123/2021

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:**

Geen vir Mei 2021.

6. **NOTULES VAN KOMITEE VERGADERINGS VIR BESPREKING / KENNISNAME**

6.1 **VOORGELê VIR BESPREKING : WYKSKOMITEE VERGADERINGS GEHOU OP**

Geen Wykskomitee vergaderings was in Mei 2021 gehou nie.

6.2 **VOORGELê VIR KENNISNAME**

6.2.1 **ICT Steering Committee:** 17 Junie 2021 (*Notule was onder lede versprei*)

6.3 **VOORGELê VIR OORWEGING EN BESPREKING MET SPESIFIEKE VERWYSING NA PARAGRAAF 4.1 VAN DIE NOTULE**

6.3.1 **MPAC Meeting:** 28 Julie 2020 (*Notule was onder lede versprei*)

BESLUIT 124/2021

- (i) Die Raad neem kennis van bogenoemde Notules.
- (ii) Dat die MPAC 'n volledige verslag aan die Raad sal voorlê by die volgende Raadsvergadering vir bespreking en afhandeling.

7. SAKE VOORTSPRUITEND UIT NOTULES

Geen.

8. VERKLARINGS EN/OF MEDEDELINGS DEUR DIE VOORSITTER**8.1 BRIEWE VAN DANK**

Geen.

8.2 FUNKSIES VIR DIE MAAND

Geen.

8.3 AANWYS VAN AFGEVAARDIGDES

Geen.

8.4 DRINGENDE SAKE DEUR DIE SPEAKER VOORGELê

Die Speaker meld dat die Raad vanaf 5 Julie tot en met 19 Julie 2021 in reses sal gaan. Hy vra dat Raadslede nogsteeds tydens hierdie tydperk hulself beskikbaar sal stel.

9. TERUGVOERING VANAF RAADSLEDE OOR VERGADERINGS BYGEWOON

Geen.

10. VERKLARINGS EN/OF MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER

Die Burgemeester gee die volgende mededelings:

- (i) Hy wens Raadslid October geluk met haar verjaarsdag.
- (ii) Hy verwelkom en wens die nuwe Raadslid, me Karin Donald geluk met haar aanstelling in haar amp as Raadslid.
- (iii) Hy dra sy innige meegevoel oor aan inwoners binne KAM met die afsterwe van geliefdes tydens die 3de laag van Covid. Hy vra dat inwoners hulself sal beveilig en hou by die veiligheidsmaatreëls.
- (iv) Die munisipaliteit is tans op 60% mannekrag, maar word gepoog om dienslewering nogsteeds te laat voortgaan soos normaal.
- (v) Die munisipaliteit sal teen die einde van die maand 'n nuwe verbruikersvriendelike "app" bekendstel waarmee inwoners makliker met die munisipaliteit sal kan kommunikeer. Tesame hiermee sal ook die bekendstelling van die "Client Service Charter" wees en teen einde Augustus 2021 sal die 5 jaar siklus "IDP sukses boek" in konsep formaat bekendgestel word met harde kopieë sowel as op sosiale media.
- (vi) Die Burgemeester vra dat alhoewel die Raad in reses sal wees, Raadslede te alle tye beskikbaar sal wees wanneer inwoners hulle hulp benodig.
- (vii) Met die aanstelling en amptelike inhuldiging van Raadslid Donald wil die Burgemeester graag die volgende veranderinge aan die komitees struktuur aan die Raad en administrasie deurgee (hy sal op 'n latere stadium die Voorsitter van die Finansies- en IT Dienste Komitee deurgee):
 - Raadslid Donald sal dien as lid van die -
 1. Finans- en IT Dienste Komitee
 2. Infrastruktuurdienste Komitee
 3. Local Labour Forum

- Raadslid Tonisi sal dien as lid op die Employment Equity Committee en Training and Development Committee
- Raadslid Donald sal KAM verteenwoordig op Kaap Agulhas Toerisme
- Raadslid Donald sal dien as secundi op die volgende SALGA Werksgroepe:
 1. Working Group for Municipal Finance en Fiscal Policy
 2. Governance and Intergovernmental Relations
- Raadslid Donald sal KAM verteenwoordig op die volgende SALGA Werksgroepe:
 1. Municipal Innovations and Information Technology
 2. Capacity Building and Institutional Resilience

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

11.1 **CAM LOCAL INTEGRATED TRANSPORT PLAN: 2019 - 2024 (DIS)**

PURPOSE OF REPORT

For Council to approve the Cape Agulhas Municipality Local Integrated Transport Plan for 2019 - 2024.

BACKGROUND

The preparation of the CAM Local Integrated Transport Plan (LITP) is the responsibility of the Overberg District Municipality. The Western Cape Provincial Government covers the planning costs for the preparation of the LITP. This LITP is prepared in accordance with the "Minimum Requirements for the Preparation of Integrated Transport Plans, 2016" as stipulated in the Government Gazette of 29 July 2016. It has been prepared in concurrence with the Overberg District Integrated Transport Plan (DITP). This LITP is applicable for the 2019 - 2024 period. See document ***attached seperately*** to this Agenda.

The compilation of an Integrated Transport Plan forms part of the legislated development planning process. This allows for transport planning to be strategic in nature and focused on the desired outcomes as derived from national, provincial, and local transport policy. It takes into consideration all modes of transportation and infrastructure in the planning and aims to address concerns, gaps and areas of development for the period of implementation of the ITP.

LEGAL IMPLICATIONS

None.

FINANCIAL IMPLICATIONS

None.

PERSONNEL IMPLICATIONS

None.

MANAGEMENT RECOMMENDATION

Council approves the Cape Agulhas Municipality Local Integrated Transport Plan for 2019 - 2024.

RECOMMENDATION: INFRASTRUCTURE SERVICES COMMITTEE

That a workshop be held to discuss the Integrated Transport Plan and thereafter be submitted to Council for approval.

RESOLUTION 125/2021

That Council takes note of the Integrated Transport Plan and a workshop be held with all relevant role players after which it be submitted to Council for approval.

11.2 APPROVAL OF THE CAPE AGULHAS MUNICIPALITY STRATEGIC ASSET MANAGEMENT PLAN

PURPOSE OF REPORT

To table the Strategic Asset Management Plan to Council which intends to guide and standardise the management of physical assets, ensuring improved financial and operational sustainability.

BACKGROUND

As municipalities are asset intensive organisations comprising of road, water, storm water, electricity networks and waste management infrastructure, it relies on effective management of these assets to generate operational revenue. CAM has completed an independent Asset Management Maturity Assessment in October 2019 in line with the Global Forum for Maintenance and Asset Management (GFMAM) standard, conducted by Aurecon. The Maturity Assessment is an "AS IS analysis" and highlights the areas of Asset Care that needs attention to improve the management and maintenance of its infrastructure assets to align with international standard for Asset Management (ISO 55000). The Strategic Asset Management Plan was identified as a gap in the asset management journey to guide the municipality to achieving asset management excellence. The essence of the SAMP is summarized below.

Asset management is not the exclusive domain of any particular profession. Instead, asset management as a discipline draws on techniques from many fields, and as a set of processes within the system defined in this asset management strategic framework, it serves an integrating function within the municipality. Many departments and functions are involved in the management of assets, or otherwise have an interest in assets and the management thereof. Engineers design, operate, maintain engineering asset portfolios, these being the key asset portfolios in the municipality. How assets are funded, their lifecycle needs, and revenue potential directly determine the financial viability of the municipality, and hence asset management is also of great interest to finance practitioners.

The interdisciplinary nature of asset management requires an enterprise-wide, integrated systems approach.

This Strategic Asset Management Plan will ensure that:

1. All departments and disciplines coordinate their thinking, resources, processes and activities to deliver optimal value from assets in a systemic manner.
2. A properly designed and implemented asset management system establishes clear line of sight towards the strategic objectives of the municipality and ensures that all staff contribute towards meeting those objectives.

The CAM Strategic Asset Management Plan is attached on **page 1 to 36**.

LEGAL IMPLICATIONS

None.

FINANCIAL IMPLICATIONS

None.

PERSONNEL IMPLICATIONS

None.

MANAGEMENT RECOMMENDATION

- (i) Council approves the CAM Strategic Asset Management Plan as a guiding document in improving the financial and operational sustainability of the municipality through effective management of its assets.
- (ii) Council supports that the Strategic Asset Management Plan be reviewed every 5 years to ensure alignment with the Integrated Development Plan.

RESOLUTION 126/2021

- (i) That Council approves the CAM Strategic Asset Management Plan as a guiding document in improving the financial and operational sustainability of the municipality through effective management of its assets.
- (ii) That Council supports that the Strategic Asset Management Plan be reviewed every 5 years to ensure alignment with the Integrated Development Plan.

11.3 APPLICATION FOR APPROVAL FOR DISPOSAL OF PRIVATELY COLLECTED SEWAGE AT CAPE AGULHAS WASTEWATER TREATMENT WORKS: F KHAN, STRUISBAAI (DIS)**PURPOSE OF REPORT**

To request permission from Council for Mr F Khan to dispose of privately collected sewage to be disposed at wastewater treatment plants within Cape Agulhas Municipality.

BACKGROUND

Mr Faisal Khan from Struisbaai is a private contractor who wishes to procure a vacuum tanker for the purpose of privately emptying conservancy tanks within Cape Agulhas Municipality. The vacuum tanker will make use of rates either equal or higher than the municipal rates for emptying conservancy and septic tanks but never lower than the municipal rates. This will ensure the Municipality remains competitive in the market. A 12.5% of CAM's sewage pumping service rate (calculated by volume disposed at any given time) or R101,25 (excl. VAT) (for the 2020/2021 financial year) service charge per 8 000 liters disposed will be imposed to Mr Khan when disposing sewage at CAM's wastewater treatment plants.

This operation will aim to reduce the load on the municipality during the peak holiday periods when the request for emptying tanks increases significantly. It will also reduce the overtime hours for municipal staff working on the vacuum tankers during the holiday periods.

Mr Khan hereby requests permission from the Municipality to dispose of the collected sewage from his company at wastewater treatment works within Cape Agulhas Municipality.

DISCUSSION

None.

LEGAL IMPLICATIONS

None.

FINANCIAL IMPLICATIONS

1. Revenue generated from sewage disposal as per agreed tariffs.
2. Reduction in overtime costs for the municipality.

PERSONNEL IMPLICATIONS

None.

MANAGEMENT RECOMMENDATION

- (i) That Council authorizes the Water and Sanitation Department to permit vendors to dispose of sewage at the Cape Agulhas Municipality Waste Water Treatment Works.
- (ii) That Council approves the abovementioned tariffs for bulk sewage disposal.

RECOMMENDATION: INFRASTRUCTURE SERVICES COMMITTEE

That the management recommendation be accepted.

COMMENTS: WARD COMMITTEE

- (i) The Ward Committee supports the request.
- (ii) That the standard of service meets the requirements.

RESOLUTION 127/2021

- (i) That Council authorizes the Water and Sanitation Department to permit vendors to dispose of sewage at the Cape Agulhas Municipality Waste Water Treatment Works.
- (ii) That Council approves the abovementioned tariffs for bulk sewage disposal.

11.4 **VERVAL VAN BOUPLANNE: J JANTJIES, ELIM****VERSLAG VANAF DIE KANTOOR VAN DIE DIREKTEUR: INFRASTRUKTUUR (BOUBEHEER AFDELING)****DOEL VAN VERSLAG**

Om oorweging te skenk aan die versoek vir vrystelling van die betaling van bouplanfooië met die herindiening van bouplanne wat na 12 maande verval het waar daar nie met enige werk begin is en daar nie aansoek gedoen is vir uitstel, soos deur wetgewing bepaal.

AGTERGROND

'n Aansoek was ontvang vanaf mnr. Jonathan Jantjies van Elim vir die kwytstelling van die betaling van bouplanfooië vir herindiening van sy bouplan nadat sy planne verval het na 12 maande.

BESPREKING

Mnr. Jantjies se bouplanne was goedgekeur op 20 November 2018 en het dus op 20 November 2019 verval en geen aansoek vir uitstel of die verlening daarvan was ontvang nie. In November 2020, twee jaar na die bouplan goedgekeur was het die persoon met uitgrawings begin. Hy was ingelig dat sy bouplan goedkeuring verval het en dat hy nie meer oor goedgekeurde planne beskik, soos deur die Nasionale Bouregulasies (Artikel 7(4)) voorgeskryf word nie.

Mnr. Jantjies het ons kantore besoek en was ingelig dat sy planne verval het en dat dit in ooreenstemming is met wetgewing wat bepaal dat planne net vir 12 maande geldig is. Hy was meegedeel dat hy weer die volle planfooi moet betaal, aangesien dit geag word as 'n nuwe aansoek en dat die aansoek weer die volle goedkeuringsproses moet loop, aangesien wetgewing vinnig verander en die planne dus volgens gewysigde wetgewing geëvalueer sal word soos vereis.

Dit was onaanvaarbaar vir die eienaar. Hy het toe die Uitvoerende Burgemeester besoek, wie versoek het dat ondersoek ingestel word of die persoon en sulke gevalle gehelp kan word. Die Burgemeester is ingelig dat dit nie moontlik is, binne huidige beleidsraamwerke nie en daar is versoek dat daar 'n item aan die Raad voorgelê word in dié verband.

WETLIKE IMPLIKASIES**Nasionale Bou Regulasies en Bou Standaard Wet**

“4(1)(a) Niemand mag `n gebou ten opsigte waarvan planne en spesifikasies ingevolge hierdie Wet opgestel en voorgele moet word sonder die voorafgaande skriftelike goedkeuring van die betrokke plaaslike bestuur oprig nie.

7(4) Goedkeuring wat deur `n plaaslike bestuur ooreenkomstig subartikel (1)(a) ten opsigte van `n aansoek verleen is, verval na verloop van 12 maande vanaf die datum waarop dit verleen is tensy daar binne daardie tydperk met die oprigting van die die betrokke gebou begin of voortgegaan word of tensy daardie plaaslike bestuur daardie tydperk op skriftelike versoek van die betrokke aansoeker verleng het.”

Dit is dus duidelik dat die persoon se planne verval het, omrede hy nie aan die voorskrifte van die toepaslike wetgewing voldoen het nie.

FINANSIËLE IMPLIKASIES

Die betaling van bouplanfoeie is deel van KAM se begrote inkomste wat deur die Raad goedgekeur is. Indien die Raad wel vrystelling verleen, sal dit tot 'n verlies aan inkomste lei en die verwagte inkomste sal nie realiseer nie. Dit sal ook beteken dat soortgelyke versoeke in die toekoms ook so hanteer moet word. Die Direkteur: Finansiële Dienste is in ooreenstemming hiermee.

Begroting 2020/21: Tariewe soos gehef in die goedgekeurde begroting.

PERSONEEL IMPLIKASIES

Geen.

BESTUURSAANBEVELING

Dat vrystelling van bouplanfoeie vir die herindiening van vervalde bouplanne, nie goedgekeur word nie.

AANBEVELING: INFRASTRUKTUURDIENSTE KOMITEE

Dat die Bestuursaanbeveling aanvaar word.

BESLUIT 128/2021

Dat die aangeleentheid terugverwys word na die portfolio komitee vir verdere bespreking en moontlike alternatiewe opsies oorweeg word vir hulpverlening.

11.5 **GOEDKEURING VAN BOUPLANNE SONDER DIE NODIGE TITELAKTE: PARKVIEW EN MILLPARK, BREDASDORP**

VERSLAG VANAF DIE KANTOOR VAN DIE DIREKTEUR: INFRASTRUKTUURDIENSTE (BOUBEHEER AFDELING)**DOEL VAN VERSLAG**

Dat die Raad oorweging skenk aan die goedkeuring van bouplanne vir aanbouings, motorafdakke en grensmure in Parkview en Millpark, Bredasdorp sonder die indiening van titelaktes tot tyd en wyl hulle beskikbaar is.

AGTERGROND

Bewoners van Parkview en Millpark wil graag aanbou en grensmure opsit, maar sulke planne kan nie oorweeg word op hierdie stadium nie, aangesien hulle nie oor titelaktes beskik om in te dien saam met die planne, soos vereis nie. Dit gaan nog 'n geruime tyd neem om titelaktes te bekom en inwoners word benadeel deurdat hulle nie verbeteringe kan aanbring nie.

BESPREKING

Die versoek is dat die Raad goedkeuring verleen dat aansoeke vir verbeterings aan wonings in Parkview en Millpark oorweeg word sonder die indiening van titelaktes.

WETLIKE IMPLIKASIES

Daar sal verseker word dat daar wel aan die titelvoorwaardes en boulyne voldoen word soos voorgeskryf.

FINANSIËLE IMPLIKASIES

Die Raad gaan baat vind daarby met bouplanfoeie.

PERSONEEL IMPLIKASIES

Geen.

COMMENTS FROM THE DIVISION HEAD STRATEGIC PLANNING AND ADMINISTRATION

The title deed in this case is not that critical but approving plans for improvements prior to registration of the property in the name of the beneficiary can pose a risk to the Municipality as all properties are still registered in the name of the Municipality at this time.

If for some reason the house cannot be registered in the beneficiary's name, the beneficiary could have a claim against the Municipality as he or she improved Municipal property. Should a beneficiary die or disappear that house may have to be reallocated and it could then fall to the Municipality to take responsibility for any improvements which will have a financial implication, more so if improvements are substandard or incomplete or the main structure has been damaged in the process.

In order to register the properties, the process of concluding purchase agreements between the beneficiary and the municipality needs to be finalized by Human Settlement Department. Signed purchase agreements are then submitted to the registering attorneys and clearance certificates issued by the Finance Department. Only then can documents be lodged in the Deeds office for registration. Registration usually takes place within 10 days of submission, but the actual title deeds may take another 2 - 3 months to be issued and provided to the beneficiaries. This means it could easily be up to six months before beneficiaries are in possession of a title deed.

It is agreed that residents of Millpark and Parkview should not be denied the right to improve their structures due to the lack of title deeds, which is beyond their control, but if Council approves this, controls need to be put in place to mitigate the municipality's risk prior to registration of the property in their name.

It is therefore proposed that the requirement of submitting a title deed with building plans be waived for Mill Park and Parkview but that the following conditions apply to safeguard the Municipality:

- Approved beneficiaries must submit a purchase agreement signed by both the beneficiary and the Municipality or confirmation of registration from the transferring attorney with their building plan.
- Where the property is not yet registered in the name of the beneficiary, the applicant must also conclude a written indemnity whereby they indemnify the Municipality against any claims for improvements (the format of this can be provided and this only applies until registration).

KOMENTAAR VAN DIE DIREKTEUR: BESTUURSDIENSTE

120 of 158 Title deeds completed for Park View. Last Handovers for Mill Park will be completed by the end of June 2021. The Housing Department will then start with the deed of sales for Mill Park and the outstanding deeds of sale for Park View. All the title deeds will be completed and with the transfer attorney by the end of July 2021. Due processes must then be followed which could take up to six months before beneficiaries are in possession of a title deed.

BESTUURSAANBEVELING

Dat goedkeuring verleen word dat planne vir verbeterings in Millpark en Parkview, Bredasdorp oorweeg word sonder indiening van die titelaktes, maar dat die volgende voorwaardes van toepassing sal wees:

1. 'n Voltooide kooporeenkoms tussen die goedgekeurde begunstigde en die Munisipaliteit of bevestiging van die oordrag prokureur dat die erf geregistreer is in die naam van die begunstigde moet die aansoek vergesel.
2. Waar die eiendom nog nie in die naam van die begunstigde geregistreer is nie, moet die aansoeker ook 'n skriftelike vrywaring indien wat die Munisipaliteit vrywaar teen enige eise vir verbeterings op munisipale grond
3. Alle titel voorwaardes moet nagekom word.
4. Dat 'n skrywe vanaf Departement Menslike Nedersettings bevestig dat die aansoeker van die bouplan wel 'n goedgekeurde, toekomstige eienaar van die genoemde perseel gaan word.

AANBEVELING: INFRASTRUKTUURDIENSTE KOMITEE

Dat die Bestuursaanbeveling aanvaar word.

BESLUIT 129/2021

Dat goedkeuring verleen word dat planne vir verbeterings in Millpark en Parkview, Bredasdorp oorweeg word sonder indiening van die titelaktes, maar dat die volgende voorwaardes van toepassing sal wees:

1. 'n Voltooide kooporeenkoms tussen die goedgekeurde begunstigde en die Munisipaliteit of bevestiging van die oordrag prokureur dat die erf geregistreer is in die naam van die begunstigde moet die aansoek vergesel.
2. Waar die eiendom nog nie in die naam van die begunstigde geregistreer is nie, moet die aansoeker ook 'n skriftelike vrywaring indien wat die Munisipaliteit vrywaar teen enige eise vir verbeterings op munisipale grond
3. Alle titel voorwaardes moet nagekom word.
4. Dat 'n skrywe vanaf Departement Menslike Nedersettings bevestig dat die aansoeker van die bouplan wel 'n goedgekeurde, toekomstige eienaar van die genoemde perseel gaan word.

11.6 **BELEID: OORWEGING VAN 'N "BOOMBESTUURSBELEID" VIR KAM****DOEL VAN VERSLAG**

Om herooring te skenk aan die "Boombestuursbeleid" vir KAM.

AGTERGROND

Huidiglik is daar nie 'n beleid ten opsigte van die bestuur en beskerming van bome in KAM nie en word bome net voor die voet afgekap en/of verwyder sonder dat daar veel beheer is.

Besluite word op 'n ad-hoc basis geneem met geen eenvormigheid of standaard waarvolgens gehandel en toegepas word nie. Weens verskeie uitbreidings in die dorp en hele KAM area word bome eenvoudig net verwyder, dus sal dit bevorderlik wees vir die vergroening van ons area. In die verlede was baie uitheemse bome geplant in plaas van inheemse bome, omrede dit nie reg bestuur is nie.

Bome het ook 'n historiese waarde en word deur die Wet beskerm. Dit sal veral van toepassing wees op Napier en L'Agulhas waar daar nog moontlike historiese bome is. Die beleid word aangeheg op **bladsy 37 tot 51**.

FINANSIELE IMPLIKASIE

Geen.

REGSIMPLIKASIE

Gering.

PERSONEEL IMPLIKASIE

Geen.

BESTUURSAANBEVELING

- (i) Dat die "Tree Management Policy" deur die Raad oorweeg word.
- (ii) Dat daar 'n publieke deelname proses gevolg word.
- (iii) Dat die Raad dan die beleid aanvaar en toepas.

AANBEVELING: INFRASTRUKTUURDIENSTE KOMITEE

- (i) Die Komitee ondersteun die Bestuursaanbeveling.
- (ii) Dat, na die afhandeling van 'n werkwinkel die finale beleid aan die Raad voorgelê word vir oorweging.

BESLUIT 130/2021

- (i) Dat die Raad die "Tree Management Policy" aanvaar.
- (ii) Dat daar 'n publieke deelname proses gevolg word waarna dit as Verordening afgekondig en toegepas kan word.

11.7 **IMPLEMENTATION OF FEEDING SCHEMES: ADDITIONAL FUNDING (DMS)**

PURPOSE OF REPORT

To request Council to approve additional funding for the feeding schemes in Struisbaai and Bredasdorp.

BACKGROUND

R165 900,00 was allocated for feeding schemes in Bredasdorp, Struisbaai, Napier, Elim, Waenhuiskrans, Klipdale and Protem for the 2020/2021 financial year.

The following organizations were funded:

ORGANIZATION	Funding
Bredasdorp Nutrition and Development Centre	R22 500
Liefdesnessie	R22 500
Concern Mothers	R22 500
Nuwerus Nasorg, Napier	R20 000
Struisbaai Meals on Wheels	R20 000

ORGANIZATION	Funding
Arniston Vissersunie	R20 000
Geluksoord	R20 000
Protem (Administered by Bredasdorp Nutrition Centre)	R9 200
Klipdale (Administered by Bredasdorp Nutrition Centre)	R9 200
TOTAL	R165 900

A special meeting was held on 8 June 2021 where the Mayor, deputy Mayor, Councillors, Director: Management Services and the Manager: Human Development had to identify additional organizations in Bredasdorp and Struisbaai to extend the soup kitchen programme in the respective towns.

An additional request of R30 000,00 was tabled in support of soup kitchens. R20 000,00 Will be allocated to the Bredasdorp Christian Leadership (BCLF). It was decided that the R10 000,00 allocated for Struisbaai will be made available after the Mayor had a meeting with the leadership of Suiderstêr, Ons Hoop and the Omgee Groep to determine which organization must implement the soup kitchen project.

FEEDING SCHEME EXPENDITURE

1. SUIDERSTÊR

ITEM	EXPENSES FOR 3 MONTHS
Food Products	R 5 200,00
Transport	R 1 500,00
Electricity	R 300,00
Stipends for 2 cooks	R 3 000,00
Total	R10 000,00

2. BCLF

ITEM	EXPENSES FOR 3 MONTHS
Food Products	R11 300,00
Transport	R 1 800,00
Electricity	R 900,00
Gas	R 3 000,00
Stipends for 2 cooks	R 3 000,00
Total	R20 000,00

FINANCIAL IMPLICATIONS

The Speaker will source funding for the additional R30 000,00 needed for the implementation of the soup kitchens.

STAFF IMPLICATION

Staff is only involved with the facilitation and monitoring process of the project.

MANAGEMENT RECOMMENDATION

- (i) That the Speaker identify a funding source for the additional R30 000,00.
- (ii) That a Memorandum of Understanding be signed between CAM and the NGO's for the implementation of the feeding schemes.
- (iii) That monthly reports regarding the operations and financial management of the project be submitted to the Human Development Manager.

RECOMMENDATION: MANAGEMENT SERVICES COMMITTEE

- (i) That the Director: Financial Services identify a funding source for the additional R30 000,00.
- (ii) That a Memorandum of Understanding be signed between CAM and the NGO's for the implementation of the feeding schemes.
- (iii) That monthly reports regarding the operations and financial management of the project be submitted to the Human Development Manager.

RESOLUTION 131/2021

- (i) That the Director: Financial Services identify a funding source for the additional R30 000,00.
- (ii) That a Memorandum of Understanding be signed between CAM and the NGO's for the implementation of the feeding schemes.
- (iii) That monthly reports regarding the operations and financial management of the project be submitted to the Human Development Manager.

11.8 **YOUTH DEVELOPMENT POLICY: MAY 2021 (DMS)****PURPOSE OF REPORT**

To request Council to approve the reviewed Cape Agulhas Youth Development Policy, attached on **page 52 to 62**.

BACKGROUND

The Youth Development Policy is a practical guiding framework through which the municipality will assist and enable young people to meet their own needs. The document also strives to stimulate the young people's creativity which will be beneficial to the socio-economic development of Cape Agulhas.

DISCUSSION

The Cape Agulhas Municipality implemented a Virtual Youth Summit on 13 March 2021 and a new Youth Council was elected for a term of two years. The youth council members attended a capacity building camp on 9 - 11 April 2021 where the Youth Development Policy was reviewed for amendments. This document replaces the previous Youth Development Policy. Apart from a few semantics, the scope of the document stays the same. Nothing was changed regarding the purpose and content of the document.

FINANCIAL IMPLICATIONS

The Human Development social budget will be utilized for youth development activities.

PERSONNEL IMPLICATIONS

The Human Development Department staff is responsible for youth development.

MANAGEMENT RECOMMENDATION

That Council approves the reviewed Youth Development Policy.

RECOMMENDATION: MANAGEMENT SERVICES COMMITTEE

That the management recommendation be accepted.

RESOLUTION 132/2021

That Council approves the reviewed Youth Development Policy.

11.9 APPROVAL OF REVIEWED CAPE AGULHAS YOUTH DEVELOPMENT STRATEGY (DMS)**PURPOSE OF REPORT**

To request council to approve the reviewed Youth Development Strategy.

BACKGROUND

The Cape Agulhas Youth Development Strategy is a communicating tool of the municipality's goals and actions for youth development. This document gives a more focused and systematic approach in the coordination of youth programmes.

The execution of the strategic plan requires the assistance of various stakeholders which include CAM internal-, Provincial-, National departments, the business-, religious-, NPO sector and other community based organizations to ensure optimal service to the youth.

This document, attached on **page 63 to 86** replaces the previous Youth Development Strategy and was reviewed in collaboration with the Cape Agulhas Youth Council. There is no changes in the Strategy, except for a few additional programmes that was added.

FINANCIAL IMPLICATIONS

Utilization of the Human Development Social budget for youth development activities.

STAFF IMPLICATION

The Human Development Department staff is responsible for youth development.

LEGAL FRAMEWORK

1. The Constitution of the Republic of South Africa, 1996
2. National Youth Commission Act, No 19 of 2006
3. Municipal Financial Management Act

MANAGEMENT RECOMMENDATION

That Council approves the reviewed Youth Development Strategy.

RECOMMENDATION: MANAGEMENT SERVICES COMMITTEE

That the management recommendation be accepted.

RESOLUTION 133/2021

That Council approves the reviewed Youth Development Strategy.

11.10 APPROVAL OF REVIEWED CAPE AGULHAS YOUTH COUNCIL CONSTITUTION**PURPOSE OF REPORT**

To request Council to approve the reviewed Cape Agulhas Youth Council Constitution.

BACKGROUND

The Cape Agulhas Youth Council was elected on 13 March 2021. This document, attached on **page 87 to 94** replaces the previous Youth Council Constitution.

The content of the document constitutes the combined voices of the elected youth council members who attended the youth capacity building camp which was held on 9 to 11 April 2021 at Uilenkraalsmond. The Youth Council Constitution contains the fundamental principles in which the structure should operate.

Apart from a few semantics, the scope of the document stays the same. Nothing was changed regarding the purpose and content of the document.

FINANCIAL IMPLICATIONS

Utilization of the Human Development Social budget for youth council activities.

STAFF IMPLICATION

The Human Development Department staff is responsible for youth development.

LEGAL FRAMEWORK

1. The Constitution of the Republic of South Africa, 1996
2. National Youth Commission Act, No 19 of 2006
3. Municipal Financial Management Act

MANAGEMENT RECOMMENDATION

That Council approves the reviewed Youth Council Constitution.

RECOMMENDATION: MANAGEMENT SERVICES COMMITTEE

That the management recommendation be accepted.

RESOLUTION 134/2021

That Council approves the reviewed Youth Council Constitution.

11.11 **BUDGET ALLOCATION FOR THE CAPE AGULHAS YOUTH COUNCIL MEMBERS**

PURPOSE OF REPORT

To request Council to allocate a budget for the telephone and transport expenses for official activities of the Cape Agulhas Youth Council.

BACKGROUND

The Cape Agulhas Youth Council is still functional and the members were elected in March this year for a term of two years. The youth council is having monthly meetings and has to attend other youth programmes within the Cape Agulhas area.

At this moment the youth council members have to use their private funds to purchase internet data and air time to be in contact with our office and the broader Cape Agulhas youth. The expenses for internet data and air time is sometimes unaffordable because some of the youth council members are unemployed and are students.

Youth council members are attending between 2 - 4 activities a month which include the monthly youth council virtual meetings, virtual training/ webinars and other youth related activities. In case of a virtual meeting an estimate of 200 - 800 mb per session is being used depending on the duration of the meeting which is normally between one to two hours.

Youth Council members are on at least 5 - 10 different community WhatsApp groups, they post daily and share relevant youth related information to the public and on the Cape Agulhas Code bridge Facebook page.

CAM Public Wi-Fi

The CAM / Public Wi-Fi in Struisbaai and Napier are currently being utilized and the network is sometimes very unstable when members attend virtual meetings. The youth council meetings were postponed on a few occasions due to unstable Wi-Fi connections. The safety of youth council members who have to utilize the CAM Wi-Fi hotspots are also compromised during the winter season because their meeting starts at 18h00 to accommodate the youth who are working.

Monthly internet data and airtime expenses

The youth council members are utilizing 3 - 4 Gig internet data per month at the cost of R300,00.

Transportation

Youth council members are required to attend youth council activities across the towns and need to travel. The R200,00 will be utilized for transportation.

General

Some of the members are students and unemployed, the stipend will keep the group motivated and being incentivised will encourage the group to work harder and feel compensated for the service they render as youth council members.

Based on the above I would like to table two options to address the communication and transport challenges which the youth council members are currently facing.

Option 1

Remuneration for out of pocket transport expenses to youth council members for participating in official activities. Remuneration for out of pocket expenses for airtime and internet data to ensure effective communication between CAM and youth council members.

Option 2

Stipends: Where council resolves to pay a monthly amount decided upon during their annual budget to youth council members for communication and transport needs.

FINANCIAL IMPLICATIONS

Option 1: Can vary and is difficult to managed. Some of the youth council members are students and some are unemployed and will not have cash available to purchase internet data or pay for a taxi to attend official youth activities. It can also vary between two people and is difficult to calculate a fixed amount.

Option 2: Estimated at R500,00 per person per month (11 Youth Council members). The total amount to R5 500,00 per month. The annual cost will be R60 500,00.

The Human Development Social budget vote: 012 540 207 000 will be utilized for the above expenses.

STAFF IMPLICATION

The Human Development Department staff is responsible for youth development.

LEGAL FRAMEWORK

1. The Constitution of the Republic of South Africa, 1996
2. National Youth Commission Act, No 19 of 2006
3. Municipal Financial Management Act
4. CAM Youth Council Constitution

MANAGEMENT RECOMMENDATION

That Council determines option 2, because it's a known fixed amount and is administratively more manageable.

RESOLUTION 135/2021

That Council approves option 2, because it's a known fixed amount and is administratively more manageable.

11.12 **DRAFT POLICY: CLEARING AND MAINTENANCE OF VACANT ERVEN**

REPORT FROM THE OFFICE OF THE DIRECTOR: MANAGEMENT SERVICES (PUBLIC SERVICES)

PURPOSE OF REPORT

To present a draft policy on the Clearing of Erven to the Committee for input.

BACKGROUND

The cutting of erven has sparked a lot of criticism from concerned citizens recently and this led to an initiative whereby the Departments of Public Services and Strategic Services jointly solicited the assistance of the National Department of Environmental Affairs Support Office and ODM Environmental Unit to assist with developing a new policy.

DISCUSSION

The draft policy, attached on **page 95 to 114** addresses the 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.

One of the bullet points under 7.5 is still being finalized with ODM and we will report any amendments at the meeting. Given the sensitive nature of this it is suggested that the policy be accepted as a draft, and that it be advertised for public input before finalizing.

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**DIVISION HEAD: STRATEGIC PLANNING AND ADMINISTRATION**

Cape Agulhas Municipality does not have an environmental policy at this stage, which results in much criticism from the public. The process of developing such a policy has commenced but has become quite complex as an environmental policy would need to address at least the following components:

- 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.

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.

RECOMMENDATION: MANAGEMENT SERVICES COMMITTEE

That the draft policy be workshopped and advertised for public input and thereafter be submitted to Council for approval.

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.

11.13 **VERHURING - GEDEELTE VAN GROND: ERF 601, L'AGULHAS (BAO) (WYK 5)****DOEL VAN VERSLAG**

Om oorweging te skenk om 'n vergunning aan die huurder van erf 601, L'Agulhas toe te staan.

AGTERGROND

Erf 601, L'Agulhas bestaan uit L'Agulhas se meentgronde. 'n Gedeelte van die die grond (nagenoeg 2 000m²) is aangrensend aan die erf van mnr Aggenbach (erf 865).

Mnr Aggenbach het tans 'n oorskreidingsooreenkoms met die Raad. 'n Skrywe, soos aangeheg op **bladsy 115** is van mnr Aggenbach ontvang waarin hy die Raad versoek om 'n wendyuis van 6 x 3 meter aangrensend aan sy erf op die Raad se grond op te rig.

Die wendyhuis sal gedurende vakansietye as woonkwartiere vir sy huishulp dien, asook 'n pakkamer/stoorplek. Aangeheg op **bladsy 120** is ook die oorskreidingsooreenkoms wat bepaal dat "geen permanente strukture sonder die Raad se toestemming op die perseel opgerig mag word nie."

FINANSIËLE IMPLIKASIE

Geen.

REGSIMPLIKASIE

Soos vervat in die oorskreidingsooreenkoms.

PERSONEEL IMPLIKASIE

Geen.

DEPARTEMENTELE INSETTE

Eiendomsadministrasie

Om hierdie vergunning toe te laat mag ook die verwagting by ander huurders laat ontstaan om verblyfsreg op gehuurde Raadsgrond te skep. Die monitering en polisiëring van die situasie is nie uitvoerbaar nie, veral gedurende vakansietye.

BESTUURSAANBEVELING

Dat die vergunning om 'n wendyhuis van 6 x 3 m op die oorskreidingserf 601, L'Agulhas aan mnr H Aggenbach, nie toegestaan word nie, aangesien verblyfsreg geskep word wat baie moeilik gekontroleer en gemonitor kan word.

AANBEVELING: FINANSIES- EN IT DIENSTE KOMITEE

- (i) Die Komitee ondersteun die Bestuursaanbeveling.
- (ii) Dat die aangeleentheid na die Wykskomitee verwys word vir insette en daarna weer aan die Raad voorgelê word vir oorweging.

KOMMENTAAR: WYKSKOMITEE

Die Wykskomitee ondersteun die Bestuursaanbeveling.

BESLUIT 137/2021

Dat die vergunning om 'n wendyhuis van 6 x 3 m op die oorskreidingserf 601, L'Agulhas aan mnr H Aggenbach, nie toegestaan word nie, aangesien verblyfsreg geskep word wat baie moeilik gekontroleer en gemonitor kan word.

11.14 **REGISTRASIE VAN SERWITUUT VIR "REG VAN WEG": ERF 85, SUIDERSTRAND (BAO) (WYK 5)**

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 250,00 (BTW uitgesluit). Intussen het 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 Boubeheer 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 aangehegte planne en foto's op **bladsy 121 tot 125**. Op die serwituut wat vir munisipale doeleindes geregistreer is, is dienste geïnstalleer wat onder andere 'n elektrisiteitskabel insluit. Slegs 'n gedeelte van die serwituut kan in beginsel oorweeg word, nadat mnr Van der Merwe die koste vir die herbelyning van die elektrisiteitskabel betaal het.

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, ens.).

REGSIMPLIKASIE

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

PERSONEEL IMPLIKASIE

Geen.

DEPARTEMENTELE INSETTE**Eiendomsadministrasie**

Die perseel is besoek en foto's word beskikbaar gestel. Die mees suidelik gedeelte van die "steeg" is ontoeganklik en sal uitgesluit moet word by die serwituut. Die noodsaaklikheid van 'n publieke deelname proses is van kardinale belang.

Stadsbeplanning

1. Daar sal 'n reg van weg serwituut geregistreer moet word op die gedeelte soos aangedui op die foto, in terme van Artikel 15(2)(d) van die Kaap Agulhas Verordeninge op Munisipale Grondgebruikbeplanning, 2015 om toegang tot sy motorhuis te verleen.
2. Indien mnr Van der Merwe nog die boonste gedeelte wil koop, sal dit by sy erf gekonsolideer moet word, dit kan ook 'n hersonering behels.

Boubeheer

Die vorige aansoek was vir die serwituut van die pad en die skuif van die kragboks. Die aangeleentheid is uitgevoer deur die vorige Stadsbeplanner. Departement Infrastruktuur was ook betrokke by die moontlike vestiging van 'n rybare oppervlakte sowel as die verskuiwing van die kragboks. Daar was kommer uitgespreek oor die veiligheid van voetgangers wat dieselfde stegie gebruik.

BESTUURSAANBEVELING

- (i) Dat die Raad in-beginsel-goedkeuring gee dat 'n gedeelte van 'n steeg in Suiderstrand as 'n "reg van weg" geregistreer word vir toegang vir die eienaar van erf 85, Suiderstrand.
- (ii) Dat 'n volledige publieke deelname proses gevolg word en omliggende bure in kennis gestel word.

- (iii) Dat 'n volledige kosteberaming van die herbelyning van die munisipale dienste wat in die steeg bestaan, gedoen word en na die publieke deelname, met alle insette, weer aan die Raad voorgelê word vir oorweging.
- (iv) Dat die eienaar van erf 85, Suiderstrand aanspreeklik sal wees vir alle koste.
- (v) Dat Raadsbesluit 153/2020, gedateer 29 September 2020 volledig herroep word.

AANBEVELING: FINANSIES- EN IT DIENSTE KOMITEE

- (i) Die Komitee ondersteun die Bestuursaanbeveling.
- (ii) Dat die aangeleentheid na die Wykskomitee verwys word vir insette en daarna weer aan die Raad voorgelê word vir oorweging.

KOMMENTAAR: WYKSKOMITEE

- (i) Die Wykskomitee ondersteun die aansoek in-beginsel.
- (ii) Dat aan alle wetlike vereistes voldoen word.

BESLUIT 138/2021

- (i) Dat die Raad in-beginsel-goedkeuring gee dat 'n gedeelte van 'n steeg in Suiderstrand as 'n "reg van weg" geregistreer word vir toegang vir die eienaar van erf 85, Suiderstrand.
- (ii) Dat 'n volledige publieke deelname proses gevolg word en omliggende bure in kennis gestel word.
- (iii) Dat 'n volledige kosteberaming van die herbelyning van die munisipale dienste wat in die steeg bestaan, gedoen word en na die publieke deelname, met alle insette, weer aan die Raad voorgelê word vir oorweging.
- (iv) Dat die eienaar van erf 85, Suiderstrand aanspreeklik sal wees vir alle koste.
- (v) Dat Raadsbesluit 153/2020, gedateer 29 September 2020 volledig herroep word.

11.15 **OORWEGING: SLOOP VAN OU RADIO- EN TV SUBSTASIE - ERF 574, L'AGULHAS (WYK 5)**

DOEL VAN VERSLAG

Om oorweging te skenk om voort te gaan met die sloping van die struktuur op erf 574, L'Agulhas wat reeds baie jare in onbruik verval het, soos versoek deur die inwoners.

AGTERGROND

Die klein geboutjie op erf 574, L'Agulhas is blykbaar gebruik as radio- en TV substasie in die verlede en het later in onbruik verval met die koms van nuwe tegnologie. Die geboutjie is verskeie kere gevandaliseer en met graffiti geverf en die munisipaliteit het dit telekemale herstel. Die gebou blyk ouer as 60 jaar te wees, soos op die area plan, aangeheg op **bladsy 126** aangetoon word. Die Agulhas Bewaringskomitee het ook hulle steun gegee aan die versoek van die aanliggende gemeenskap om die gebou te sloop.

Soos uit die foto, aangeheg op **bladsy 127** gesien kan word is dit letterlik 1m x 1m en kan vir niks sinvol aangewend word nie en die inwoners voel dit is onooglik. Dit is ook binne die 100m hoogwatermerk wat toekomstige ontwikkeling sal bemoeilik.

PERSONEEL IMPLIKASIE

Geen.

FINANSIËLE IMPLIKASIE

Slopings- en verwyderingskoste: R1 500,00

BESTUURSAANBEVELING

Dat die Raad die versoek ondersteun om die gebou te sloop.

AANBEVELING: FINANSIES- EN IT DIENSTE KOMITEE

- (i) Die Komitee ondersteun die Bestuursaanbeveling.
- (ii) Dat die aangeleentheid na die Wykskomitee verwys word vir insette en daarna weer aan die Raad voorgelê word vir oorweging.

KOMMENTAAR: WYKSKOMITEE

Die Wykskomitee ondersteun nie die Bestuursaanbeveling nie.

BESLUIT 139/2021

Dat die Raad die versoek ondersteun om die gebou te sloop.

11.16 **ONDERVERDELING: LEBOMBOKAMP, BREDASDORP (BAO / LED)****DOEL VAN VERSLAG**

Om oorweging te skenk om die Lebombokamp in verdere informele kampe te onderverdeel.

AGTERGROND

Die Lebombokamp is geleë op die Arnistonpad suid van Bredasdorp rioolplaas. Die kamp vorm deel van erf 1148, Bredasdorp wat ook as die "meent" bekend staan. Tans is Lebombokamp verdeel in sewe (7) kleiner kampe (sien uitlegplan aangeheg op **blad sy 128**). Drie (3) van die kampies is reeds met huurkontrakte verbind. Twee (2) kampe word beoog vir die moontlike gebruik deur Beskermingsdienste vir die akkommodasie van die wetstoepassingsafdeling, asook 'n skut, aangesien Kaap Agulhas nie 'n skut het wat aan die behoefte voldoen nie.

Daar bestaan 'n geweldige behoefte aan kleinskaalse boerdery en die her-uitleg van die Lebombokamp kan van die behoeftes aanspreek. 'n Werksessie is gehou met rolspelers waarin die heruitleg bespreek is. Daar is 'n bestaande waglys vir aansoekers wat beskikbaar is.

Die beoogte informele "onderverdeling" word soos volg voorgestel - sien aangeheg op **blad sy 129**.

Die bestaande kampe is soos volg toegeken:

1. Beoog vir Wetstoepassing
2. Beoog vir 'n skut
3. Kontrak : Gemengde Boerderye
4. Onderverdeling (in 4 nuwe kampe)
5. Onderverdeling (in 4 nuwe kampe)
6. Kontrak : Mintoor
7. Kontrak : Prins

FINANSIËLE IMPLIKASIE

1. Die installering van waterpunte: R8 000 per kamp (8 x 11)
2. Die skraap van 'n toegangspad: R60 000
3. Omheinings van kampe: R500 000 (moontlike hulp van Departement van Landbou)

REGSIMPLIKASIE

“Onderverdeelde kampe” sal per wetlike kontrakte toegeken word.

PERSONEEL IMPLIKASIE

Geen.

DEPARTEMENTELE INSETTE

Departemente betrokke sluit in: Eiendomsadministrasie (kontraktering), LED (aanwys van opkomende boere en onderhandelings met Departement Landbou) en Infrastruktuurdienste (daarstelling van dienste wat insluit water en paaie).

Direkteur: Bestuursdienste

As gevolg van die toenemende impak van verkeer op die pad wat aansluit by die Arniston pad, hoofsaaklik as gevolg van die voltooide behuisingsprojek en die verdere impak wat die voorgestelde onderverdeling kan hê, moet die Provinsiale Ingenieur: Paaie geraadpleeg word en mag dit lei dat daar 'n verkeersimpakstudie gedoen moet word. Kampe 1 en 2 kan vir Wetstoepassing en 'n skut aangewend word en kampe 4 en 5 vir toekomstige varkboerdery geormerk word. Sodra die Raad dan die besluit so goedkeur kan daar dan deur die Departement van Landbou aansoek gedoen word vir befondsing. Die 60 en 80 km/h borde kan verskuif word as een van die verkeerskalmering opsies wat uitgeoefen kan word.

BESTUURSAANBEVELING

- (i) Dat die Raad kennis neem van die verdere “onderverdeling” van die Lebombokamp.
- (ii) Dat die 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).

AANBEVELING: FINANSIES- EN IT DIENSTE KOMITEE

- (i) Dat die Bestuursaanbeveling nie ondersteun word nie.
- (ii) Dat alternatiewe grond ondersoek word en die aangeleentheid gewerkswinkel word met rolspelers, waarna dit weer aan die Raad voorgelê word vir oorweging.

BESLUIT 140/2021

- (i) Dat die Raad kennis neem van die verdere “onderverdeling” van die Lebombokamp.
- (ii) Dat die 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.

(Raadsheer Jantjies teken sy teenstem aan.)

11.17 **KANSELLASIE VAN OOREENKOMSTE: MEENTGROND (BAO)****DOEL VAN VERSLAG**

Om die Raad in te lig dat die huurooreenkomste tussen KAM en drie individue gekanselleer word.

AGTERGROND

Ooreenkomste is tussen KAM en mnr U Simons, me L Hendricks en mnr H Oerson aangegaan vir die verhuring van munisipale meentgrond (***Ooreenkomste aangeheg op bladsy 130 tot 140***). Die drie (3) huurders is oorlede en daarom word die ooreenkomste gekanselleer.

FINANSIËLE IMPLIKASIE

Geen.

BESTUURSAANBEVELING

- (i) Dat die Raad kennis neem dat die huurooreenkomste met mnr U Simons, me L Hendricks en mnr H Oerson gekanselleer word.
- (ii) Dat die genoemde gedeeltes grond geadverteer word vir verhuring.

AANBEVELING: FINANSIES- EN IT DIENSTE KOMITEE

- (i) Dat die Raad kennis neem dat die huurooreenkomste met mnr U Simons, me L Hendricks en mnr H Oerson gekanselleer word.
- (ii) Dat die verhuring van meentgronde, aanliggend aan hoofroetes, tydens 'n werkswinkel bespreek en voorstelle aan die Raad voorgelê word.

BESLUIT 141/2021

- (i) Dat die Raad kennis neem dat die huurooreenkomste met mnr U Simons, me L Hendricks en mnr H Oerson gekanselleer word.
- (ii) Dat die verhuring van meentgronde, aanliggend aan hoofroetes, tydens 'n werkswinkel bespreek en voorstelle aan die Raad voorgelê word.

11.18 **VERVREEMDING VAN MUNISIPALE EIENDOMME: PER TENDER****DOEL VAN VERSLAG**

Om die Raad in te lig oor die vervreemding van munisipale eiendomme per tender, soos goedgekeur per Raadsbesluite.

ALGEMENE INLIGTING

EIENDOM	LIGGING	SONERING	ERF GROOTTE	WAARDASIE	RAADSBESLUIT
Erf 538, Napier	h/v Van Der Byl- en Kragstraat, Napier	Civic & Social	1 723m ²	R530 000.00	182/2020
Erf 1557, Bredasdorp	Jeremystraat	Enkel Residensieel	1 456m ²	R300 000.00	199/2020
Erf 3604, Bredasdorp	Golfstraat	Enkel Residensieel	588m ²	R 35 000.00	27/2021
Erf 3619, Bredasdorp	Kalkoentjiesingel	Enkel Residensieel	643m ²	R 35 000.00	27/2021
Erf 4175, Bredasdorp	Agter Polisiestasie	Enkel Residensieel	592m ²	R100 000.00	27/2021
Erf 4176, Bredasdorp	Agter Polisiestasie	Enkel Residensieel	686m ²	R120 000.00	112/2021
Erf 4177, Bredasdorp	Agter Polisiestasie	Enkel Residensieel	662m ²	R110 000.00	112/2021
Erf 4178, Bredasdorp	Agter Polisiestasie	Enkel Residensieel	599m ²	R100 000.00	112/2021
Erf 4179, Bredasdorp	Agter Polisiestasie	Enkel Residensieel	599m ²	R100 000.00	112/2021
Erf 4180, Bredasdorp	Agter Polisiestasie	Enkel Residensieel	599m ²	R100 000.00	112/2021

EIENDOM	LIGGING	SONERING	ERF GROOTTE	WAARDASIE	RAADSBSLUIT
Erf 4181, Bredasdorp	Agter Polisiestatie	Enkel Residensieel	599m ²	R100 000.00	112/2021
Erf 4182, Bredasdorp	Agter Polisiestatie	Enkel Residensieel	599m ²	R100 000.00	112/2021
Erf 4183, Bredasdorp	Agter Polisiestatie	Enkel Residensieel	599m ²	R100 000.00	112/2021
Erf 4184, Bredasdorp	Agter Polisiestatie	Enkel Residensieel	599m ²	R100 000.00	112/2021
Erf 4185, Bredasdorp	Agter Polisiestatie	Enkel Residensieel	599m ²	R100 000.00	112/2021
Erf 4186, Bredasdorp	Agter Polisiestatie	Enkel Residensieel	599m ²	R100 000.00	112/2021
Erf 4187, Bredasdorp	Agter Polisiestatie	Enkel Residensieel	599m ²	R100 000.00	112/2021
Erf 4188, Bredasdorp	Agter Polisiestatie	Enkel Residensieel	599m ²	R100 000.00	112/2021
Erf 4189, Bredasdorp	Agter Polisiestatie	Enkel Residensieel	599m ²	R100 000.00	112/2021
Erf 4190, Bredasdorp	Agter Polisiestatie	Enkel Residensieel	599m ²	R100 000.00	112/2021

FINANSIËLE IMPLIKASIES

Vervreemdingsinkomste vir KAM.

WETLIKE IMPLIKASIE

Alle tenderdokumente sal deur die Voorsieningkanaal Bestuursbeleid hanteer word.

BESTUURSAANBEVELING

- (i) Dat die Raad kennis neem van bogenoemde vervreemding van munisipale eiendomme.
- (ii) Die proses van vervreemding sal soos volg wees:
 - a. Eiendomme is klaar geïdentifiseer.
 - b. Tender spesifikasies sal opgestel word (SCM-Prosesse).
 - c. Tenders sal geadverteer word (SCM-Prosesse).
 - d. Sluiting van tenders (SCM-Prosesse).
 - e. Tenderevaluering sal plaasvind deur die "Toekenningskomitee" (SCM-Prosesse).
 - f. Tender sal aan die hoogste tenderaar toegeken word.
 - g. Ooreenkomste sal opgestel word.
 - h. Oordragte sal plaasvind.
- (iii) Die Raad kan enige tendervoorwaardes voor die tyd byvoeg, en kan insluit:
 - a. Koper mag geen ander eiendom besit nie.
 - b. Munisipale waardasie dien as die reserwe prys.
 - c. Eiendom word voetstoots verkoop.
 - d. 'n Bouklousule van R100 000 op elke erf indien eiendom nie binne 5 jaar opgerig word nie.

AANBEVELING: FINANSIES- EN IT DIENSTE KOMITEE

- (i) Dat die Bestuursaanbeveling aanvaar word.
- (i) Dat 'n verdere tendervoorwaarde bygevoeg word, naamlik "Dat kopers 'n bestaande inwoner van KAM MOET wees" (bewys moet gelewer word van 'n werknemer of residensiële adres binne die regsgebied).

BESLUIT 142/2021

- (i) Dat die Raad kennis neem van bogenoemde vervreemding van munisipale eiendomme.
- (ii) Die proses van vervreemding sal soos volg wees:
 - a. Eiendomme is klaar geïdentifiseer.
 - b. Tender spesifikasies sal opgestel word (SCM-Prosesse).
 - c. Tenders sal geadverteer word (SCM-Prosesse).
 - d. Sluiting van tenders (SCM-Prosesse).
 - e. Tenderevaluering sal plaasvind deur die "Toekenningskomitee" (SCM-Prosesse).
 - f. Tender sal aan die hoogste tenderaar toegeken word.
 - g. Ooreenkomste sal opgestel word.
 - h. Oordragte sal plaasvind.
- (iii) Die Raad kan enige tendervoorwaardes voor die tyd byvoeg, en kan insluit:
 - a. Koper mag geen ander eiendom besit nie.
 - b. Munisipale waardasie dien as die reserwe prys.
 - c. Eiendom word voetstoots verkoop.
 - d. 'n Bouklousule van R100 000 op elke erf indien eiendom nie binne 5 jaar opgerig word nie.
 - e. Dat kopers 'n bestaande inwoner van KAM MOET wees (bewys moet gelewer word van 'n werknemer of residensiële adres binne die regsgebied).
 - f. Dat slegs EEN erf per tenderaar toegelaat word.
- (iv) Dat erf 538, Napier vanaf die lys van erwe verwyder word.

11.19 **ALIENATION AND DEVELOPMENT OF PORTIONS OF ERVEN 852 AND 857, STRUISBAAI TO LTN PROPERTIES (PTY) LTD**

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

PURPOSE OF REPORT

To finalise the purchase agreement in respect of the sale of portions of Erven 852 and 857 Struisbaai to LTN PROPERTIES PTY Ltd, specifically the deadline determined previously.

BACKGROUND

The Council has been negotiating the sale of the aforementioned portions of land to LTN Properties PTY LTD since 2018 and has taken multiple resolutions in this regard the last being 30 March 2021 where it was resolved as follows:

BESLUIT 29/2021

"Aangesien die Raad reeds in-beginsel goedkeuring vir die vervreemding van gedeeltes van erwe 852 en 857 gegee het en die wetlike prosesse gevolg is, word die volgende aanbeveling gemaak:

- (i) Dat die Raad, ingevolge Art 14 van die MFMA nie gedeeltes van erf 852 en 857, Struisbaai vir munisipale doeleindes benodig nie.
- (ii) Dat die vorige Raadsbesluit (RB 119/2020) bekragtig word waardeur die vervreemding van erwe 852 en gedeeltes van erf 857, Struisbaai aan LTN Properties Edms (Bpk), in-beginsel goedgekeur word.
- (iii) Dat die Raad kennis neem dat die geormerkte grond vir die polisiestatie op Struisbaai, nie meer benodig word nie.

- (iv) Dat die verkoopprijs van R7 960 000 (BTW uitgesluit) vir die uitgewysde 2.4905Ha aanvaar word.
- (v) Dat die Munisipale Bestuurder gemagtig word om die ooreenkoms namens die Raad te onderteken.
- (vi) Dat die ooreenkoms opskortende voorwaardes sal bevat waardeur die ontwikkelaar alle ontwikkelingsregte binne 'n periode van 18 maande vanaf ondertekening van die ooreenkoms in plek sal stel, mits die Raad 'n verlenging toestaan op die basis van aanvaarbare vordering gemaak.
- (vii) Dat die ooreenkoms voorsiening maak vir die registrasie van 'n serwituut vir die lewering van grootmaat water en riooldienste.
- (viii) Dat die koper die goedkeuring van die verkoper sal kry alvorens die finale installering van infrastruktuur, ingesluit die grootmaatsdienste bydrae deur die koper gefinaliseer word.
- (ix) Dat daar met LTN Properties onderhandel word oor die gemeenskapsbydrae.
- (x) Dat volledige planne aan die Raad voorgelê word indien enige opgraderings sou plaasvind.
- (xi) Dat die Raad kennis neem van die bestaande huurooreenkoms met Struisbaai Funpark wat op die grond bestaan tot 31 Januarie 2022 en dat die ooreenkoms nie verleng sal word nie.
- (xii) Dat Raadsbesluit 119/2020 (8 Desember 2020) gewysig word met die sperdatum **30 April 2021.**"

The full report submitted under this item is attached as **ANNEXURE A** on **page 141 to 145**.

DISCUSSION

Following the above resolution, further discussions were held with the developer who was satisfied with resolution of Council and the proposed agreement in all respects, but required more clarity on the location of existing services which would require the registration of servitudes or relocation. The necessary information was provided, and the developer is now satisfied with the provisions of the purchase agreement attached as **ANNEXURE B** on **page 146 to 157** to this report.

Unfortunately, these discussions could only be concluded after the due date of 30 April 2021 as specified in resolution 29/2021. The request is therefore to once again extend the deadline on this transaction as the delay was not attributable to any fault on the side of the purchaser.

The Councils attention is specifically drawn to paragraph 13.2 of the proposed agreement which reads as follows:

"13.2 In order to comply with the requirements of Section 14(5) of the MFMA, that prescribes that the sale of a capital asset must be fair, equitable, transparent and competitive, the parties record that the seller, at its costs, have advertised the sale in a public newspaper circulating in the area, in order for the general public to comment on the sale, which comments, if any, have been incorporated in this agreement."

In terms of the above, it is required that sale be advertised prior to signature to ensure that any comments by the public that may need to be incorporated into the agreement are addressed. It is suggested that a revised date for finalisation be linked to 30 days after the finalisation of public input by the Council following the advertisement. Practically this should mean that if Council approves this extension at the end of June, the sale will be advertised after the Council meeting and the public input considered by Council at the end of July.

LEGAL IMPLICATIONS

MFMA

FINANCIAL IMPLICATIONS

Income for Council.

PERSONNEL IMPLICATIONS

None.

MANAGEMENT RECOMMENDATION

- (i) That Council note the proposed purchase agreement to be concluded between the Municipality and LTN Properties PTY LTD subject to possible amendment based on public comment.
- (ii) That the proposed sale be advertised, and that the agreement referred to above be made available to the public where required.
- (iii) That the finalisation date contained in Paragraph 1(xi) of Council Resolution 29/2021 be amended to thirty days after finalisation of the public comment process by Council.

RECOMMENDATION: FINANCE- AND IT SERVICES COMMITTEE

That the management recommendation be accepted.

RESOLUTION 143/2021

- (i) That Council note the proposed purchase agreement to be concluded between the Municipality and LTN Properties PTY LTD subject to possible amendment based on public comment.
- (ii) That the proposed sale be advertised and that the agreement referred to above be made available to the public where required.
- (iii) That the finalisation date contained in Paragraph 1(xi) of Council Resolution 29/2021 be amended to **thirty days**, which will take effect after the finalisation of the public comment process and resubmission to Council in July 2021.

11.20 **NAAMSVERANDERING: KERKSTRAAT NA WILMA STOCKENSTRÖMSTRAAT, NAPIER (SSB)****DOEL VAN VERSLAG**

Om oorweging te skenk om 'n straatnaam in Napier te verander.

AGTERGROND

'n Aansoek is van me Linda Botha (verteenwoordig Napier Woordespedisie) ontvang om Kerkstraat in Napier te verander na "**Wilma Stockenströmstraat**". Die straat is 158.m lank (sien aangehegte skets/kaart/foto op **bladsy 158 tot 163**). Die Woordespedisie is verskuif na volgende jaar (datums nog nie bekend nie).

Wilma Johanna Kirsipuu Stockenström is gebore op 7 Augustus 1933 in Napier, waar sy ook skool gegaan het en later 'n BA Drama graad ontvang het by Stellenbosch Universiteit in 1952.

Haar werk as digter was ook in Duits, Frans, Hebreeus, Italiaans en Sweeds vertaal. Sy is een van 'n paar digters wat die Hertzog prys gewen het vir Poësie in 1977 en vir Roman skrywer in 1991.

Die visie van die Napier Woordespedisie is:

1. Om die lewe en buitengewone talent van Wilma Kirsipuu Stockenström te eer en te vier as aktrise, skrywer, dramaturg, digter en gewaardeerde dogter van Napier.
2. Om die kulturele lewe van Napier en omgewing sowel as die groter Suid-Afrikaanse kultuurgemeenskap te bevorder, te ontwikkel en te verbeter.
3. Om Nasionale Vrouedag op 'n unieke betekenisvolle manier te vier.
4. Om die fasiliteite van Kinderwelsyn in Napier te verbeter.
5. Om die uniek geleë natuurskoon van ons Renosterveld-landskap te bevorder.
6. Om besighede in Napier en omgewing te stimuleer.

FINANSIËLE IMPLIKASIE

2 Straatname en die advertensiekoste.

REGSIMPLIKASIE

Konsultasie deur die publieke deelname proses vir 45 dae asook wykskomitee insette.

PERSONEEL IMPLIKASIE

Geen.

DEPARTEMENTELE INSETTE

Die aangeleentheid is op die Bestuursvergadering van 23 April 2021 bespreek.

KOMMENTAAR: WYKSKOMITEE

Die Wykskomitee ondersteun die aansoek.

BESTUURSAANBEVELING

- (i) Dat die aangeleentheid na die staande komitee verwys word.
- (ii) Dat die wykskomitee die geleentheid gegun word om die aangeleentheid te bespreek.
- (iii) Dat die publieke deelname proses gevolg moet word.

AANBEVELING: FINANSIES- EN IT DIENSTE KOMITEE

Dat die publieke deelname proses vir die naamsverandering gevolg word en daarna weer aan die Raad voorgelê word vir finale oorweging.

BESLUIT 144/2021

Dat die Raad in-beginsel goedkeuring verleen vir die naamsverandering en dat 'n publieke deelname proses gevolg en daarna weer aan die Raad voorgelê word vir finale oorweging.

11.21 INTERNAL HEALTH AND SAFETY RISK AUDIT REPORT (HR)**REPORT COMPILED BY: HEALTH AND SAFETY OFFICER****PURPOSE OF REPORT**

Council sought a legal compliance opinion from the Health and Safety Officer on the reasonably practicable adherence to and compliance with the requirements of the Occupational Health and Safety Act 85 of 1993 (as amended and hereinafter referred to as "the Act"). This service was delivered on May 2021.

BACKGROUND

The OHS Officer conducted an internal health and safety risk audit report for Cape Agulhas Municipality for May 2021 on the following areas: **L'Agulhas, Arniston, Bredasdorp, Napier and Struisbaai** (attached on **page 164 to 183**).

LEGAL IMPLICATIONS

1. Health and Safety Act of 85 of 1993
2. Health and Safety Policy of Council

PERSONNEL IMPLICATIONS

None.

FINANCIAL IMPLICATIONS

None.

MANAGEMENT RECOMMENDATION

That Council takes note of the Internal Health and Safety Audit Report for May 2021.

RECOMMENDATION: FINANCE- AND IT SERVICES COMMITTEE

- (i) That the management recommendation be accepted.
- (ii) That the matter be a standing item on future portfolio committee meetings.

RESOLUTION 145/2021

- (i) That Council takes note of the Internal Health and Safety Audit Report for May 2021.
- (ii) That the matter be a standing item on future portfolio committee meetings.

11.22 **AFSKRYWING VAN UITSTAANDE REKENING: 200 065 7563 (HAASBEKKIE SPEELSKOOL) (DFD)****DOEL VAN VERSLAG**

Om oorweging te skenk aan die afskrywing van die uitstaande skuld van R37 009,28 soos op 31 Januarie 2021 van Haasbekkie Speelskool op Napier.

AGTERGROND

Kinder- en Gesinsorg het 'n skrywe, soos aangeheg op **bladsy 184 tot 186** gerig wat onder meer versoek dat Haasbekkie Speelskool se uitstaande skulde afgeskryf moet word waarna hulle dan die maandelikse rekening op datum sal betaal.

Die betaal geskiedenis van hierdie rekening wys egter dat daar die afgelope aantal jare geen poging aangewend is om hierdie rekening te betaal nie (sien aangeheg op **bladsy 187 tot 190**).

Die volgende inligting ten opsigte van die betalings vanaf Julie 2017 (Neem kennis dat die rekening met 'n balans van R7 030,68 oorgekom het vanaf die ou SAMRAS stelsel):

2017/2018	Gehef: R8 435,57	Betaal: R625,00
2018/2019	Gehef: R8 386,91	Betaal: R715,00
2019/2020	Gehef: R9 383,56	Betaal: R100,00
2020/2021	Gehef: R5 112,01	Betaal: R 0,00
<u>TOTAAL</u>	Gehef: R31 318,05	Betaal: R1 440,00

Uit bogenoemde blyk dit duidelik dat daar geen erns is om hierdie rekening te betaal nie.

FINANSIËLE IMPLIKASIE

R37 009,28

BESTUURSAANBEVELING

Dat die Raad besluit of die uitstaande skuld van Haasbekkie Speelskool afgeskryf moet word, al dan nie.

AANBEVELING: FINANSIES- EN IT DIENSTE KOMITEE

- (i) Dat die uitstaande skuld van Haasbekkie Speelskool volledig afgeskryf word.
- (ii) Dat 'n onderneming van Haasbekkie Speelskool verkry word waarin die lopende rekening voortaan op datum gehou sal word.

BESLUIT 146/2021

- (i) Dat die uitstaande skuld van Haasbekkie Speelskool volledig afgeskryf word.
- (ii) Dat 'n onderneming van Haasbekkie Speelskool verkry word waarin die lopende rekening voortaan op datum gehou sal word.

(Raadslid Donald nie teenwoordig tydens bespreking van die aangeleentheid nie.)

11.23 **HERSIENING VAN DIE EIENDOMSBELASTING BELEID****DOEL VAN VERSLAG**

Om goedkeuring te verleen aan die hersiene Eiendomsbelasting Beleid.

AGTERGROND

Die Raad se Eiendomsbelasting Beleid word op 'n jaarlikse basis hersien ten einde in lyn te bly met Nasionale Wetgewing en voorskrifte (sien Beleid aangeheg op **bladsy 191 tot 214**).

FINANSIËLE IMPLIKASIE

Geen.

BESTUURSAANBEVELING

Vir goedkeuring.

AANBEVELING: FINANSIES- EN IT DIENSTE KOMITEE

- (i) Dat in-beginsel goedkeuring deur die Komitee ondersteun word.
- (ii) Dat 'n volledige werkwinkel aangebied en indien nodig, weer aan die Raad voorgelê word vir goedkeuring.

BESLUIT 147/2021

- (i) Dat die Raad in-beginsel goedkeuring verleen aan die hersiene Eiendomsbelasting Beleid.
- (ii) Dat 'n volledige werkwinkel aangebied en indien nodig, weer aan die Raad voorgelê word vir goedkeuring.

11.24 **PROPERTY MANAGEMENT POLICY AND SOP****REPORT COMPILED BY - MANAGER: ADMIN SUPPORT****PURPOSE OF THE REPORT**

To request Council to consider the Property Management Policy and the SOP that determent how the management of property will be handled in future.

BACKGROUND

Cape Agulhas Municipality had a Land Disposal Policy (in terms of Section 14 of the Local Government Municipal Financial Management Act, 2003 (Act 56/2003)).

A new Policy, as attached on **page 215 tot 238** was developed and now submitted to Council for consideration. The policy dealt with the selling and letting of municipal property, as well as the management thereof.

FINANCIAL IMPLICATION

None.

LEGAL IMPLICATION.

This policy will determine the way all property in Cape Agulhas will be handled in the future.

STAFF IMPLICATION

None.

MANAGEMENT RECOMMENDATION

- (i) That Council approves in principle the Property Management Policy as well as the SOP.
- (ii) That the policy and the SOP be advertised for public inputs.
- (iii) That all inputs received, be taken into account for the reviewing of the new Property Management Policy.
- (iv) That a workshop be held to finalize the policy and the SOP.

RECOMMENDATION: FINANCE- AND IT SERVICES COMMITTEE

That the management recommendation be accepted.

RESOLUTION 148/2021

- (i) That Council approves in principle the Property Management Policy as well as the SOP.
- (ii) That the policy and the SOP be advertised for public inputs.
- (iii) That all inputs received, be taken into account for the reviewing of the new Property Management Policy.
- (iv) That a workshop be held to finalize the policy and the SOP.

11.25 APPROVAL OF REVIEWED ACTING POLICY (HR)**PURPOSE OF REPORT**

To present to Council the reviewed Acting Policy for approval (see policy attached on **page 239 to 243**).

BACKGROUND

As determined during the recent municipal risk management exercise, the adoption and regular review of policies has been identified as a risk. The identification of new policy and policy amendments and review, has been brought about the outcome of certain disciplinary cases and legislative amendments.

To ensure that risks identified are mitigated and fully addressed also in order to avoid Auditor-General findings in the future. The amended Acting Policy has been taken through an internal policy review with SAMWU on the 10 June 2021 and served at the LLF Committee on 17 June 2021 for discussion and input.

COUNCIL POLICY

1. Risk Management Policy
2. Risk Register

PERSONNEL IMPLICATIONS

None.

FINANCIAL IMPLICATIONS

Unknown.

MANAGEMENT RECOMMENDATION

That Council approves the following revisions in the Acting Policy:

- (i) Clause 4 (c) will read as follows: *An acting allowance is only payable when an employee acts as Municipal Manager for a minimum of ten (10) uninterrupted consecutive working days.*
- (ii) Clause 5 (c) will read as follows: *An acting allowance is only payable when an employee acts as Director of a department for a minimum of ten (10) uninterrupted consecutive working days.*
- (iii) Clause 6 (c) will now read as follows: *The acting allowance is only payable when an official act in other posts for a minimum of ten (10) uninterrupted consecutive working days.*
- (iv) Clause 8 (g) will now read as follows: *All acting allowance will be based on working days.*

RECOMMENDATION: FINANCE- AND IT SERVICES COMMITTEE

That the management recommendation be accepted.

RESOLUTION 149/2021

That Council approves the following revisions in the Acting Policy:

- (i) Clause 4 (c) will read as follows: *An acting allowance is only payable when an employee acts as Municipal Manager for a minimum of ten (10) uninterrupted consecutive working days.*
- (ii) Clause 5 (c) will read as follows: *An acting allowance is only payable when an employee acts as Director of a department for a minimum of ten (10) uninterrupted consecutive working days.*
- (iii) Clause 6 (c) will now read as follows: *The acting allowance is only payable when an official act in other posts for a minimum of ten (10) uninterrupted consecutive working days.*
- (iv) Clause 8 (g) will now read as follows: *All acting allowance will be based on working days.*

11.26 **MFMA CIRCULAR 88: RATIONALISATION OF PLANNING, BUDGETING AND REPORTING REQUIREMENTS FOR THE 2021/22 MTREF: ADDENDUM 2**

REPORT FROM THE OFFICE OF THE MUNICIPAL MANAGER (DIVISION HEAD: STRATEGIC PLANNING AND ADMINISTRATION)

PURPOSE OF REPORT

To inform Council about the implementation of MFMA Circular No. 88, Rationalization of Planning and Reporting Requirements, Addendum 2 (December 2020) issued by the Department Cooperative Governance (**Annexure A on page 244 to 265**).

BACKGROUND

The Municipal Finance Management Act (MFMA) Circular No. 88 of November 2017 focused on the introduction of a set of performance indicators across all metropolitan municipalities.

Addendum 2 of December 2020, attached on **page 266 to 278** outlines the roll out of this reform to other categories of municipalities.

DISCUSSION

The objective of Circular No. 88 is to bring greater coherence and alignment between the planning, budgeting and reporting of municipalities. The outcome of the process is to set a singular, differentially applied set of indicators for all of local government.

Indicators were set for intermediate cities, districts and local municipalities. These indicators are set in respect of the following functions and include outcome and output indicators:

- Water and sanitation
- Electricity and energy
- Housing and community facilities
- Roads and transport
- Environment and waste management
- Fire and disaster
- Governance
- Putting people first
- LED
- Compliance

The implementation of Circular No 88 is a pilot for district and local municipalities at this stage and will be phased in from 1 July 2021 for 2021/2022. The pilot is aimed at revising the Local Government: Planning and Performance Management Regulation of 2001 in 2022/2023 for possible promulgation in 2023/2024.

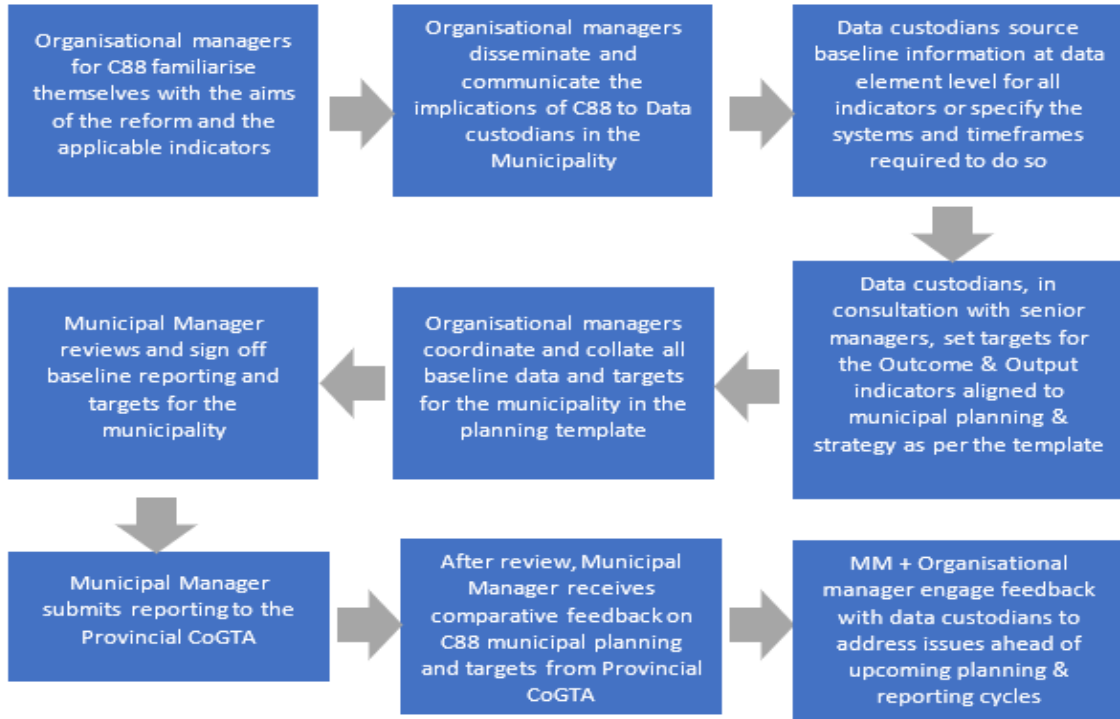
The set of indicators will eventually become an Annexure to the IDP and the SDBIP. Municipalities will continue to report on the KPI's contained in the IDP and SDBIP in terms of Section 46 of the Local Government: Municipal Systems Act for purposes of the Annual Performance Report for 2021/2022, but will in addition report on the indicators provided for in the Circular, quarterly and annually to the National and Provincial Departments responsible for Local Government.

This "parallel" pilot process will allow and encourage municipalities to plan, implement and report on the MFMA Circular No. 88 indicators, without limiting their statutory performance planning and reporting in fear of audit findings before they have not adequately institutionalized the process.

This process will eventually replace the monthly Back-2-Basic reporting with quarterly and annual reporting.

The following illustrations briefly sets out the municipal planning process as it relates to the preparation and submission of planning templates as well as the reporting process:

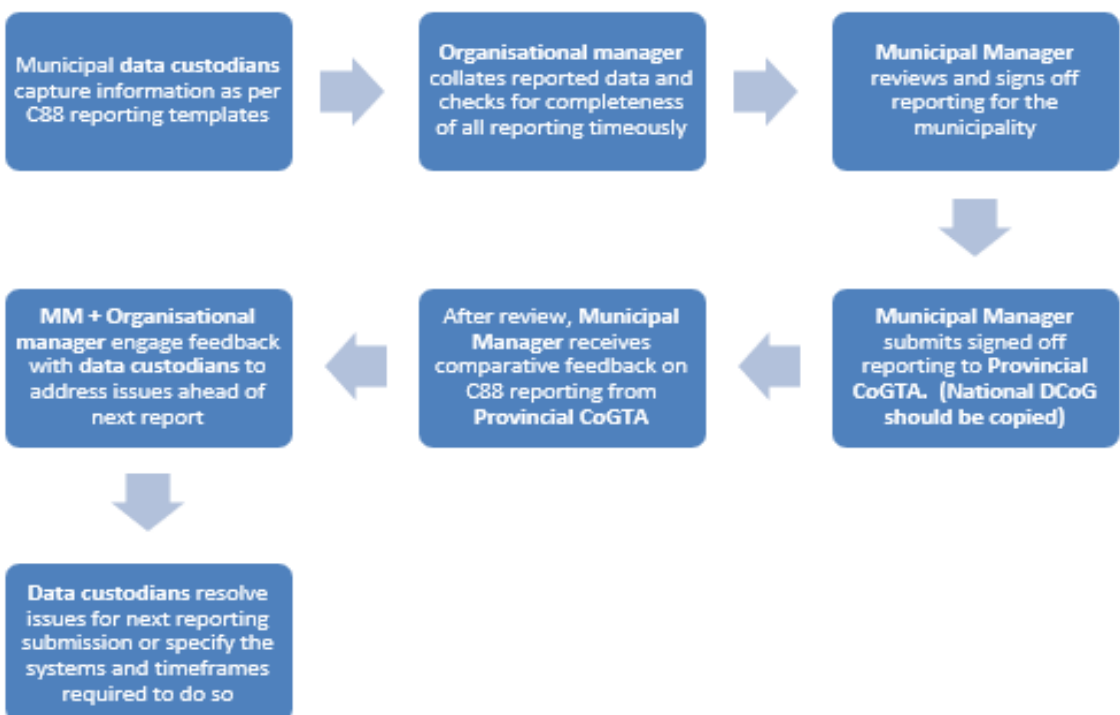
PLANNING PROCESS



Submission date of the planning templates with baseline information is 31 July 2021.

If data is not available for required indicators the municipality must give reasons for no data and provide steps undertaken to provide data with a target date. If the indicator is not applicable to the municipality it must indicate who will be responsible for reporting on the indicator.

REPORTING PROCESS



Reporting due dates for indicators

Report Title	Due Date for C88 Reporting
Q1 C88 Report (July 2021 – September 2021)	31 October 2021
Q2 C88 Report (October 2021 – December 2021)	31 January 2022
Q3 C88 Report (January 2022 – March 2022)	30 April 2022
Q4 C88 Report (April 2022 – June 2022)	31 August 2022
Annual C88 Report (July 2021 – June 2022)	31 Augusts 2022

This circular also guides the municipalities in setting targets on different indicator results levels. This is intended to afford more appropriate accountability and reporting cycles for the specific indicators. The figure below illustrates the distinction between the three different type of indicators as it relates to target-setting and reporting frequencies.



A Consolidated indicator overview for Circular No. 88 (2020) is contained in Addendum 2, attached on **page** Circular 88 provides for 253 municipal indicators and differentially applied across four categories of municipality: metro; intermediate city; district and local municipality. Each indicator is introduced on a readiness scale of Tier 1 (T1) - Tier 4 (T4) per municipal category. Only Tier 1 - Tier 2 indicators apply in the 2021/22 period.

Technical Indicator Descriptions (TID) are also provided for each of these indicators setting out the indicator rationale, definition, calculation details, data elements and more.

LEGAL IMPLICATIONS

MFMA Circular 88 : Addendum 2

FINANCIAL IMPLICATIONS

None.

PERSONNEL IMPLICATIONS

None.

MANAGEMENT RECOMMENDATION

That Council notes MFMA Circular No. 88, Rationalization of Planning and Reporting Requirements, Addendum 2 (December 2020) issued by the Department Cooperative Governance.

RESOLUTION 150/2021

That Council notes MFMA Circular No. 88, Rationalization of Planning and Reporting Requirements, Addendum 2 (December 2020) issued by the Department Cooperative Governance.

11.27 **STRATEGIC RISK ANALYSIS: QUARTER 4 - 2020/21****REPORT BY THE MANAGER STRATEGIC SERVICES****INTRODUCTION**

On the 25th of June 2020, a FARMCO meeting was held where Cape Agulhas Municipality's Strategic Risk Register for 2020/2021 was reviewed and recommended for approval by FARMCO. The Strategic Risk Register was then submitted to Council for approval on 28 July 2020, where it was resolved as follows:

MANAGEMENT RECOMMENDATION

- (i) That Council approve and accept the strategic risks for 2020/21.
- (ii) That reports on progress made with the actions be submitted to the Portfolio Committees on a quarterly basis.

RESOLUTION 109/2020

- (i) That management recommendation (i) be accepted as a resolution of Council.
- (ii) That reports on progress made with the actions be submitted to the Portfolio Committees on a monthly basis.

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 2020/21 are as follows:

RISK ITEM	RISK DESCRIPTION	RESIDUAL RISK EXPOSURE	RESIDUAL RISK
R489	Inability to respond to disease outbreaks / pandemics	67.5	High
R487	Non- adherence to Restrictive Permit Conditions (Landfill Sites)	48	High
R484	Financial viability of the municipality	47.5	High
R485	Illegal Erection of Informal Structures and Land invasions	47.5	High
R488	Inadequate Provision of water supply – source	36.75	Medium
R486	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 on a quarterly basis. The update must include a percentage progress and a response.

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

Directorate	Risk	Risk Action	Risk Action Response	Deliverable	Deadline
Finance	Financial viability of the municipality [R484]	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	- Ongoing process - Report to finance committee - Risk action to continue in 2021-22	Financially Viable Municipality	31-May-21
Management Services	Illegal Erection of Informal Structures and Land invasions [R485]	1. Monitor activities and incident reporting of squatter control (law enforcement).	- Activies monitored regularly ,had a few evictions with illegal shacks with the assistants of Red Ants - Risk action to continue in 2021-22	Decrease in illegal land invasions	31-May-21
Management Services	Illegal Erection of Informal Structures and Land invasions [R485]	2. Workshop Land invasion Policy with Council	- Policy implemented and situation monitored regularly - Risk action to continue in 2021-22	Policy approved by Council. Decrease in illegal land invasions	31-May-21
Management Services	Illegal Erection of Informal Structures and Land invasions [R485]	3.Implementation of Land invasion Policy	- Implementation of policy, land invasions to get reported ,when reported we act immediately - Risk action to continue in 2021-22	Policy approved by Council. Decrease in illegal land invasions	
Management Services	Protest action / Civil unrest [R486]	Traffic and Law Enforcement Units to respond to protest actions and civil unrest. Collaboration with the SAPS to plan for and deal with protests and riots.	- Continuous awareness currently in-place integration between CAM, ODM, other municipalities, SAPS and Military assistance agreements is activated to act on request when needed. - Risk action to continue in 2021-22	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-21

Directorate	Risk	Risk Action	Risk Action Response	Deliverable	Deadline
Infrastructure Services	Inadequate Provision of water supply - source [R488]	<p>1. Drafting of water services development plan. (Budgeting and Procurement).</p> <p>2. Complete the equipping of new pump and electricity for boreholes in Suiderstrand and Napier (2-year roll-over budget).</p> <p>3. Verification and licensing of all ground water sources and drafting of a groundwater management plan.</p>	<p>- December 2020 Struisbaai water demand was met. No water shortages. Planning and implementation of new bulk water system underway</p> <p>Tenders for electrical work has been awarded. Completion of installation by March 2021</p> <p>- New boreholes being investigated and drilled in town to determine to quality and yield of water. Carry over in 2021/22 FY</p> <p>- New boreholes being investigated and drilled in town to determine to quality and yield of water. Carry over in 2021/22 FY</p>	To ensure water demand in Struisbaai is met	31-May-21
Infrastructure Services	Non-adherence to Restrictive Permit Conditions (Landfill Sites) [R487]	1. Monitoring of the groundwater quality	<p>- Second sample was taken during</p> <p>- Results was send to DEA&DP</p> <p>- Results were received and send to DEA&DP and await their comments.</p> <p>- Samples were taken and the results was sent to DEADP for comments.</p> <p>- Use the Waste Calculator and data from access control for calculations.</p> <p>Risk Action Completed</p>	Improved Basic Service Delivery (Waste Management)	31-May-21
Infrastructure Services	Non-adherence to Restrictive Permit Conditions (Landfill Sites) [R487]	2. Maintaining the slope conditions	<p>- Maintaining as part of maintenance at Bredasdorp landfill.</p> <p>- Risk Action Completed</p>	Improved Basic Service Delivery (Waste Management)	31-May-21
Office of the Municipal Manager	Inability to respond to disease outbreaks / pandemics. [R489]	Explore the possibility of a compact (agreement) with labour in the event of a disaster/strike in the form of an essential services agreement.	<p>The essential services agreement was compiled and consultations with stakeholders , Labour & Council concluded, submitted to the Commission for Conciliation Mediation and Arbitration Council Nationally on the 30 March 2016</p> <p>- Risk action to continue in 2021-22</p>	Essential service compact/agreement in place and continuation of services	31-May-21

MANAGEMENT RECOMMENDATION

That the deliverables, actions, risk action responses and deadlines for the approved strategic risks for the 4th quarter be noted.

RECOMMENDATION: FINANCE- AND IT SERVICES COMMITTEE

That the management recommendation be accepted.

RESOLUTION 151/2021

That the deliverables, actions, risk action responses and deadlines for the approved strategic risks for the 4th quarter be noted.

11.28 **QUARTERLY SUPPLY CHAIN MANAGEMENT IMPLEMENTATION AND OVERSIGHT REPORT FOR THE PERIOD ENDED 31 MARCH 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 the first quarter from **1 January 2021 to 31 March 2021**, in order to strengthen Council's oversight role.

BACKGROUND

The Supply Chain Management Policy was revised and adopted by Council in December 2019 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 Report for the period ended 31 March 2021 see **document seperately attached to this agenda**.

MANAGEMENT RECOMMENDTION

That Council takes note of the Quarterly Supply Chain Management Implementation and Oversight Report for the period ended 31 March 2021.

RESOLUTION 152/2021

That Council takes note of the Quarterly Supply Chain Management Implementation and Oversight Report for the period ended 31 March 2021.

11.29 **SPECIAL ADJUSTMENTS BUDGET FOR 2020-2021 FINANCIAL YEAR (DFS)****PURPOSE OF REPORT**

To submit a special adjustment budget in respect of the 2020/21 financial year for consideration and approval by Council as per legislative requirement.

The Director: Finance reports as follows:

28. (1) *A municipality may revise an approved annual budget through an adjustments budget.*
 (3) *An adjustments budget must be in a prescribed form.*
 (4) *Only the mayor may table an adjustments budget in the municipal council, but an adjustments budget in terms of subsection (2) (b) to (g) may only be tabled within any prescribed limitations as to timing or frequency.*
 (5) *When an adjustments budget is tabled, it must be accompanied by -*
 (a) *an explanation how the adjustments budget affects the annual budget;*
 (b) *a motivation of any material changes to the annual budget;*
 (c) *an explanation of the impact of any increased spending on the annual budget and the annual budgets for the next two financial years; and*
 (d) *any other supporting documentation that may be prescribed.*
 (6) *Municipal tax and tariffs may not be increased during a financial year except when required in terms of a financial recovery plan.*
 (7) *Sections 22(b), 23(3) and 24(3) apply in respect of an adjustments budget, and in such application a reference in those sections to an annual budget must be read as a reference to an adjustments budget.*

Special Adjustment Budget 2020-21 MTREF**An adjustment budget -**

- (a) must adjust the revenue and expenditure estimates downwards if there is material under-collection of revenue during the current year;
 (b) may appropriate additional revenues that have become available over and above those anticipated in the annual budget, but only to revise or accelerate spending on programmes already budgeted for;
 (c) may within a prescribed framework, authorize unforeseeable and unavoidable expenditure recommended by the mayor of the municipality;
 (d) may authorize the utilization of projected savings in one vote towards spending under another vote;
 (e) may authorize the spending of funds that were unspent at the end of the past financial year where the under-spending could not reasonably have been foreseen at the time to include projected roll-overs when the annual budget for the current year was approved by the council;
 (f) may correct any errors in the annual budget; and
 (g) may provide for any other expenditure within a prescribed framework.

In order to reflect on the outcome of the adjustment budgets submitted by the various unit / section managers, the following concerns / challenges relating to the proposed budget changes, projected spending patterns, oversight and internal controls measures needs to be reported for council's notification:

- Poor planning during the budget process which relates to the approval of unrealistic budgets and / or unauthorised expenditure as a result;
- Lack of project management in terms of clear implementation strategies, cash flow projections and target dates;
- Slow spending and /or changes to DoRA funded and capital projects that might posed a risk of non completion by financial year end;
- Lack of responsibility by section / unit managers to take ownership of its approved budgets for implementation;

- Lack of hands-on monitoring and internal control measures with regard to the implementation of approved unit / section budgets which relate to unrealistic budget projections towards spending at financial year; and
- Amendment / Change of projects link to the SDBIP with the risk of not considering any adjustment on the performance management objectives.

The following corrective steps in terms of council's oversight responsibility are suggested:

- Apply strong leadership in terms of monthly oversight and monitoring role – Executive Management / Council;
- Account for poor and / or non performance;
- Arrange further internal awareness workshops for councillors / officials on financial management;
- Ensure an effective internal audit, audit committee and MPAC in order to identify and address gaps in consultation with management; and
- Reduce possible unauthorised, irregular, wasteful and fruitless expenditure.
- Apply strong cost containment measures in order to improve the financial viability aligned with the long term financial plan indicators.

The proposed adjustment is **bound separately** as **Annexure** for council's consideration and approval.

MANAGEMENT RECOMMENDATION

- (i) Council considers the approval of the Special Adjustment budget (*Adjustments Budget Report*) for the financial year **2020/2021**, and indicative for the projected outer years **2021/2022** and **2022/2023** attached as annexure.
- (ii) Council resolves that a hard and electronic copy of the complete adjustment budget be submitted to National and Provincial Treasury respectively for information.

RESOLUTION 153/2021

- (i) That Council approves the Special Adjustment budget (*Adjustments Budget Report*) for the financial year **2020/2021**, and indicative for the projected outer years **2021/2022** and **2022/2023** attached as annexure.
- (ii) That Council resolves that a hard and electronic copy of the complete adjustment budget be submitted to National and Provincial Treasury respectively for information.

11.30 **REQUEST FOR APPROVAL OF ANNUAL REPORT ON SECTION 50 OF THE DISASTER MANAGEMENT ACT**

REPORT BY THE MANAGER: PROTECTION SERVICES

PURPOSE OF REPORT

To present the annual report to Council for approval to comply with section 50 of the Disaster Management Act, 57 of 2002 which read as follows:

Section 50 of the Disaster Management Act requires that:

- (1) *A report must be submitted annually to the Municipal Council regarding the Disaster Management Centre, on -*
 - a) *Its activities during the year*
 - b) *The results of the Centre's monitoring of prevention and mitigation initiatives*
 - c) *Disasters that occurred during the year in the area of the Municipality*
 - d) *The classification, magnitude and severity of these disasters*

- e) *The effects they had*
- f) *Particular problems that were experienced -*
 - (i) *In dealing with these disasters, and*
 - (ii) *Generally, in implementing this Act, the national disaster management framework of the province concerned and the disaster management framework of its municipality*
- g) *The way in which these problems were addressed and any recommendations the Centre wishes to make in these regard*
- h) *Progress with the preparation and regular updating in terms of sections 52 and 53 of disaster management plans and strategies by municipal organs of state involved in disaster management in the municipal area, and*

(2)(a) *A Municipal Disaster Management Centre must, at the same time that its report is submitted to the municipal council in terms of subsection (1) submit a copy of the report to the National Centre and the Disaster Management Centre of the province concerned.*

LEGAL FRAMEWORK

Disaster Management Act, 57 of 2002.

BACKGROUND

Fire problems

The activities occurring during the 2019/20 financial year, was as follows:

A total of seventeen informal settlement structures was burned down during the 2019/20 financial year.

Most of the fires occurred in the Zwelitsha Informal Settlement area in Bredasdorp. All three Informal Settlement areas Struisbaai North (Ou Kamp), Napier Informal area and Bredasdorp (Zwelitsha / Polla Park) suffered the loss of their structures, household items, food, and clothing due to fires.

All the affected households were assisted through the Cape Agulhas Municipalities Disaster Management function where social assistance in the form of food and clothing to the amount of R1 000,00 was provided to them and where needed structure material as a starter kit to rebuild their structure again.

Table 1: House fires

HOUSE FIRES IN CAPE AGULHAS MUNICIPAL AREA			
DATE	TOWN	TYPE OF HOUSE	NUMBER AFFECTED
14/ 07/2020	STRUISBAAI NORTH	STRUCTURE	3
07/08/ 2020	BREDASDORP	Caravan	2
11/08/2020	STRUISBAAI NORTH	House	2
25/09/2020	ARNISTON	House	2
03/09/2020	BREDASDORP	House	8 households
28/11/2020	BREDASDORP	STRUCTURE	1
27/01/2021	BREDASDORP	STRUCTURE	2
02/02/2021	BREDASDORP	STRUCTURE	2
12/03/2021	NAPIER	STRUCTURE	3
15/03/2021	STRUISBAAI NORTH	STRUCTURE	2
12/03/2021	NAPIER	STRUCTURE	3
29/03/2021	BREDASDORP	STRUCTURE	1
07/06/2021	BREDASDORP	HOUSE	2
11/06/2021	BREDASDORP	HOUSE	3
TOTAL			36

Rain /Flooding problems

This report constitutes on the rain and flooding problems for the municipal area which started on the 5 May 2021 and aftereffects till the 10th of May and again heavy rainfall on 15 May 2021 as well as the impact thereof.

The primary cause of the flood disaster was the extreme climatic event that occurred in the Cape Agulhas Municipal Area on Wednesday 5 May 2021 that included cold, high volumes of rain, hail and strong winds. The heavy rains continued through to Friday 7 May 2021, which aggravated the situation and made mop up operations challenging.

The secondary cause is the inability of the existing stormwater infrastructure to handle the excessive rainfall. This was particularly the case in Struisbaai North which is extremely flat. Run off was too slow during the flash flood, and the wetland on the property of Langezandt became saturated, causing water to accumulate in the streets of Struisbaai-North and subsequent flooding of private property. The location of the Ou Kamp informal Settlement in Struisbaai also played a role.

The whole municipal area was affected by the flood. The following table provides a summary of how different towns were affected. This is followed by a social, infrastructural and economic impact assessment.

Table 2: Affected Towns

WARD	TOWN	DESCRIPTION AND EXTENT
1	Napier	Minor damage to gravel roads
1	Elim	Some houses were flooded and there was significant damage to gravel roads. This is private property.
2	Klipdale	The flood isolated the town and the whole of the informal settlement was flooded. Klipdale could only be accessed via the Napier Road.
2, 3, 4, 6	Bredasdorp	Damage to roads in and flooding of shacks in Zwelitsha informal settlement.
4	Protem	Access to Proteem was limited as the R317 was closed and access could only be obtained via the Napier Road.
5	Struisbaai, L'Agulhas and Suiderstrand	Private properties bore the brunt of the damage. Damage was reported as follows: <ul style="list-style-type: none"> • Struisbaai North: 6th Avenue and Iris Street • Struisbaai: Freesia Street, Malvern Drive and Oceanview Drive • L'Agulhas: Melkbos Street • Suiderstrand: Minor damage to gravel roads The caretakers house at the Agulhas Caravan Park and chalets at the Struisbaai Caravan Parks were flooded. Access ramps from the Caravan Park to the sea were damaged.
6	Arniston	Lower area of the Main Road and 5 th Avenue were flooded, but no damage occurred.

Table 3: Social Impact

WARD	TOWN	DESCRIPTION AND EXTENT
1	Napier	No households were displaced in Napier. Fifty gumplast black plastic sheets were distributed to affected households.
1	Elim	<ul style="list-style-type: none"> • No households were displaced or severely affected in Elim.
2	Klipdale	<ul style="list-style-type: none"> • Thirty-one households received blankets, mattresses and gumplast black plastic sheets.
2, 3, 4, 6	Bredasdorp	<ul style="list-style-type: none"> • Ward 2: Two houses were flooded, and 18 houses received gumplast black plastic sheets. • Ward 3: Twenty households were affected by the flood. The municipality arranged for alternative accommodation, but the families did not want to leave their houses, because they were afraid that they would be robbed.

		<p>Thirty- one gumplast black plastic sheets were distributed in the ward.</p> <ul style="list-style-type: none"> • Ward 4: No households were displaced. Two flats were flooded and sand-bags were provided to prevent further flooding. Forty gumplast black plastic sheets were distributed.
4	Protem	<ul style="list-style-type: none"> • No households were displaced.
5	Struisbaai, L'Agulhas and Suiderstrand	<ul style="list-style-type: none"> • Sixty- one (61) people were displaced in Struisbaai North due to the flood. This total also includes six (6) families from the Renosterkop farm. Seven (7) families were displaced and were accommodated at the Struisbaai North and Struisbaai South caravan parks. The families at the Struisbaai South caravan park were accommodated for six days. The two (2) families from the "Ou Kamp" informal settlement are still accommodated at the Struisbaai North caravan park. 298 affected households received blankets, mattresses, food and gumplast black plastic. • The Ou kamp Informal Settlement was totally flooded, shacks were full of water, the municipality was called in to pump out water within the Informal Settlement. • Private homes as well as furniture, bedding and appliances was damaged due to the floods. This mainly occurred in Struisbaai.
6	Arniston	<ul style="list-style-type: none"> • Arniston - No households were displaced. 55 gumplast plastic were distributed.

In addition, schools in Struisbaai and L'Agulhas were closed and learners from these areas could not attend schools in Bredasdorp due to road closures and busses that did not run because of dangerous road conditions.

HUMANITARIAN RELIEF

1. Assessments for humanitarian relief were done by the Municipality and incident reports submitted to the department of Social Development.
2. All humanitarian relief received to date was generously provided by the private sector. Gift of the Givers provided food parcels and groceries to the affected communities as well as food donations to two NPO's in Struisbaai. The South African Red Cross Society provided 110 blankets, 200 mattresses, tents, etc and Islamic Relief SA provided 400 food parcels.
3. A total of 588 pieces (6m x 3m in size) black plastic gumplast sails were provided by the Municipality and SANPARKS assisted with sealing of the houses.
4. Local businesses and individuals were very enthusiastic to assist and contributed blankets and food. Trolleys were placed at shopping centres where people could donate food and other supplies.
5. The soup kitchens in the respective towns provided food to the affected communities during the flood.
6. The Municipality established a flood disaster fund to which contributions could be made.
7. The Community Works Programme also assisted the Municipality.

COVID-19 LOCKDOWN

The municipality is actively involved with the prevention and mitigation of the Corona virus pandemic since it started in March 2020. COVID-19 Regulation is enforced by Law Enforcement to minimize the spread of the virus during the different levels.

Cape Agulhas Municipal Disaster Management had to improvise and play a coordinating role to the Declared National Disaster and put the necessary actions in place to ensure control and respond to the emergency.

1. The Disaster Management is participating weekly in the Overberg Disaster JOC (Joint Operations Centre) virtual meeting to proactively plan and report on operational and COVID 19 situation.
2. Activate relevant role players on a 24/7 shift system (call on all enforcement services (Security companies, SAPS, Provincial Traffic) to assist CAM Traffic and Law Enforcement)
3. Liaising with Human Development on feeding projects when needed - Issuing of food parcels to household in need continues and is provided by Social Services.
4. The Soup Kitchens sponsored by CAM in the different towns is daily open to assist with feeding needs.

5. 24/7 JOC Officers - Admin Staff (Record keeping, Radio control, monitor cameras and assisted with information from Natis System) continued from March 2020 until November 2020. Where after they convert back to normal hours.
6. Ensure that health standards are adhered to and that social problems are identified.
7. Avoid over-crowding within Hotspots (social distancing and wearing of masks)
8. Visit businesses regularly to ensure compliance with COVID Regulations and adjusted curfew.

The Lockdown is currently on Level 3 and CAM Disaster Manager report weekly on the Disaster Management Regulations and the virus situation at hand to the Overberg District Disaster Management Centre.

MANAGEMENT RECOMMENDATION

That the annual report presented on Section 50 of the Disaster Management Act, 57 of 2002 be approved.

RESOLUTION 154/2021

That Council approves the annual report presented on Section 50 of the Disaster Management Act, 57 of 2002.

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

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 June 2021.

BACKGROUND

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, as attached on **page 279 to 288**, 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 is submitted to Council and the Western Cape Treasury on a monthly basis as well as quarterly to the Cape Agulhas Audit Committee.

STAFF IMPLICATIONS

None.

FINANCIAL IMPLICATIONS

None.

LEGAL IMPLICATIONS

None.

MANAGEMENT RECOMMENDATION

That Council considers and approves the progress report on the 2019/20 OPCAR action plan as at 30 June 2021.

RESOLUTION 155/2021

That Council approves the progress report on the 2019/20 OPCAR action plan as at 30 June 2021.

12. **ADDISIONELE ITEM DEUR DIE RAAD HANTEER**

12.1 **REVIEW OF HUMAN SETTLEMENT PLAN**

PURPOSE OF REPORT

To submit the revised Human Settlement Plan to Council.

BACKGROUND

Cape Agulhas municipality has a Human Settlement Plan (HSP) which was approved. The HSP is reviewed annually to assess progress made on housing delivery as per pipeline deliverables and the business plan of the Western Cape Department of Human Settlements (WCDoHS).

A workshop will be held with the council to review the HSP

The HSP workshop looked at the following issues:

1. Review on whether CAM pipeline is still in line with the strategic objectives of WCDoHS.
2. Coordination and alignment between CAM and provincial strategies, policies, and delivery system.
3. Preparation of annual budgets for housing related expenditures.
4. Identification, prioritization and implementation of housing and land for housing projects on the pipeline.
5. Re-enforcement of planning and measuring housing delivery.

LEGAL AND POLICY IMPLICATIONS

1. The Constitution of South Africa
2. The Housing Act, 1997
3. The National Housing Code, 2009
4. Cape Agulhas Municipality Human Settlement Plan 2017-2021

FINANCIAL IMPLICATIONS

None.

MANAGEMENT RECOMMENDATION

- (i) For Council to take cognizance of the revised Draft Human Settlement Plan.
- (ii) That the draft Human Settlement Plan be workshopped by Council.
- (iii) That the draft Human Settlement Plan be advertised for public input.
- (iv) That the draft Human Settlement Plan then be finalized and submitted to Council for approval.

RESOLUTION 156/2021

- (i) That Council takes cognizance of the revised draft Human Settlement Plan.
- (ii) That the draft Human Settlement Plan be workshopped by Council.
- (iii) That the draft Human Settlement Plan be advertised for public input.
- (iv) That the draft Human Settlement Plan then be finalized and submitted to Council for approval.

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

Die Munisipale Bestuurder meld dat met die huidige vlak-4 inperkings daar sekere werksprotokols in plek gestel is om amptenare sowel as die publiek te beskerm. Hy meld ook dat slegs 60% van die werkerskorps op die oomblik aan diens is en alhoewel daar vertragings in diens kan ontstaan, die munisipaliteit steeds poog om dienslewering soos normaal te laat voortgaan. Hy meld ook dat daar tans geen aktiewe gevalle binne die munisipaliteit bestaan nie.

14. **OORWEGING VAN KENNISGEWING VAN MOSIES**

Geen.

15. **OORWEGING VAN KENNISGEWING VAN VRAE**

Geen.

16. **OORWEGING VAN DRINGENDE MOSIES**

Geen.

17. **VERSLAG DEUR MUNISIPALE BESTUURDER OOR DIE UITVOERING VAN RAADSBSLUIE**

Lys van onafgehandelde Raadsbesluite verskyn op **bladsy 51** van hierdie Notule.

18. **IN-KOMITEE VERSLAE**

In Komitee items word vertroulik hanteer.

19. **SLUITING**

ONAFGEHANDELDE RAADSBESLUIE

Besluit Nr	Onderwerp	Verkorte Besluit	Vordering	Verantwoordelike persoon
90/2020	Vervreemding (koop): Oopruimte langs erf 528, Waenhuiskrans	(i) Goedkeuring verleen vir die verkoop van gedeelte erf 403, Waenhuiskrans. (ii) Landmeter aanwys wat 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.	Markwaarde is aangevra - Steeds uitstaande. Wetlike prosesse volg.	Eiendoms-administrasie
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 is gelys vir veiling.	Eiendoms-administrasie
123/2020	Aansoek om vervreemding (koop): Erf 4176, Bredasdorp	Dat die aangeleentheid terug verwys word na die Finans- en IT Dienste Komitee asook Bestuursdienste Komitee vir verdere ondersoek ten opsigte van: (1) Die hoeveelheid erwe beskikbaar; (2) Area geormerk vir GAP-Behuising?; (3) Middelklas groepsbehuisingsprojek en volledige verslag aan die Raad voorgelê word.	Direkteur: Bestuursdienste sal verslag voorberei vir volgende Komitee Vergadering.	Behuising
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.	Direkteur: Bestuursdienste sal verslag voorberei vir volgende Komitee Vergadering.	Sosiale Ontwikkeling
129/2020	Registrasie Serwituut, versoek vir kompensasie: Mnr Roderick Roberts	Dat die aangeleentheid terugverwys word vir verdere ondersoek.	Direkteur: Finansies sal verslag voorberei vir volgende Komitee Vergadering.	Finansies / Masakhane
200/2020	Vervreemding (huur): Ged erf 513, Napier	Dat 'n terreinbesoek deur alle rolspelers so spoedig moontlik afgelê word.	Verslag by volgende Komitee Vergadering. Terrein inspeksie geskeduleer vir Jun 2021.	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.	Item sal aangespreek word in die ROR.	Stadsbeplanning
202/2020	Vervreemding (koop): erf 2838, Struisbaai	(i) Aangeleentheid ontstaan. (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.	Item sal aangespreek word in die ROR.	Stadsbeplanning
205/2020	Vierfontein Boerdery: Vervreemding van grond	(i) Bestuursaanbeveling, in-beginsel aanvaar word. (ii) Finale toekenning van die geskikste perseel ondersoek en weer aan die Raad voorgelê word.	Toekenning is gedoen - Pakstoor word op eie eiendom opgerig.	Eiendoms-administrasie
214/2020	Waardasie Appêlraad: Aanwysiging van lede vir aanstelling	(i) Aangeleentheid ontstaan. (ii) Dat die vakature weer geadverteer word.	Staan oor (loop saam met aanstelling van Ouditkomitee lid).	Bestuurder: Admin Ondersteuning

Besluit Nr	Onderwerp	Verkorte Besluit	Vordering	Verantwoordelike persoon
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 installing van munisipale dienste; 3. Dat verhuring deur 'n publieke deelname proses geadverteer word.	Markverwante huur word aangevra en daarna sal advertensieproses volg.	Eiendoms-administrasie
23/2021	Vervreemding (Huur): Ged Erf 1747, Bredasdorp (Metropolitan Kerk)	Dat die aangeleentheid terug verwys word sodat gesprekvoering met die aansoeker sowel as omliggende eienaars gevoer kan word.	Gesprekvoering sal in Junie 2021 plaasvind.	Eiendoms-administrasie
24/2021	Vervreemding (Koop): Ged Erf 4329, Bredasdorp (Ministry of Christ United)	Dat die aangeleentheid terugverwys word vir verdere ondersoek.	Aangeleentheid sal gedurende Junie 2021 aan die Raad voorgelê word.	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 terugrapportering aan die Wykskomitee.	Aangeleentheid sal gedurende Junie 2021 aan die Raad voorgelê word.	Eiendoms-administrasie
33/2021	Afskrywing Van Uitstaande Rekening: Haasbekkie Speelskool	Dat die aangeleentheid terug verwys word na die Menslike Ontwikkeling- en Finansies Afdelings ten einde die bestaande beleid moontlik aan te pas.	Aangeleentheid sal gedurende Junie 2021 aan die Raad voorgelê word.	Finansies / Menslike Ontwikkeling
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 sal in Junie 2021 plaasvind.	Eiendoms-administrasie
63/2021	Vervreemding: Ged Erf 1148, Bredasdorp (Kalkwerke: Toegang)	(i) Raad kennis neem van die versoek van P & B Kalkwerke om 'n gedeelte van erf 1148, Bredasdorp te bekom om te gebruik as "pad". (ii) Raad in-beginsel goedkeuring gee vir die vervreemding van 'n gedeelte van 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.	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.	Werkswinkel het plaasgevind met rolspelers. Wyksraadslid sal aangeleentheid met inwoners konsulteer.	Eiendoms-administrasie
67/2021	Vervreemding (huur): Ged Erf 773, Waenhuis-krans (L Leonard)	(i) Dat 'n terrein inspeksie gedoen word. (ii) Dat 'n finale verslag weer aan die Komitee voorgelê word vir oorweging.	Terrein inspeksie sal in Junie 2021 plaasvind.	Eiendoms-administrasie
68/2021	Vervreemding (huur): Ged Erf 670, Waenhuis-krans (R Europa)	(i) Dat 'n terrein inspeksie gedoen word. (ii) Dat 'n finale verslag weer aan die Komitee voorgelê word vir oorweging.	Terrein inspeksie sal in Junie 2021 plaasvind.	Eiendoms-administrasie

Besluit Nr	Onderwerp	Verkorte Besluit	Vordering	Verantwoordelike persoon
69/2021	Vervreemding (huur): Ged Erf 670, Waenhuis-krans (J Davids)	(i) Dat 'n terrein inspeksie gedoen word. (ii) Dat 'n finale verslag weer aan die Komitee voorgelê word vir oorweging.	<i>Terrein inspeksie sal in Junie 2021 plaasvind.</i>	Eiendoms-administrasie
71/2021	Vervreemding (huur): Ged Erf 1148 en 3474, Bredasdorp (G & D Hydroponics)	Dat daar eers 'n terreinbesoek afgelê word, alvorens 'n aanbeveling aan die Raad gedoen word.	<i>Terrein inspeksie sal in Junie 2021 plaasvind.</i>	Eiendoms-administrasie
74/2021	Vervreemding (koop): Erf 4176, Bredasdorp (D Oncke)	Dat die aangeleentheid terugverwys word sodat die verkoopsvoorwaardes deur die Munisipale Bestuurder gefinaliseer kan word en weer aan die Finansies- en IT Dienste Komitee voorgelê word vir oorweging om per tender te vervreem.	<i>Gedeeltelike terugvoering tydens Mei 2021 aan die Raad voorgelê.</i>	MB
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.	<i>Ondersoek steeds in proses.</i>	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.	<i>Steeds uitstaande.</i>	MB

BESTUURSAANBEVELING

Dat die Raad kennis neem van die onafgehandelde Raadsbesluite.

BESLUIT 157/2021

Dat die Raad kennis neem van die onafgehandelde Raadsbesluite.

Hierna gaan die Raad "In Komitee" om sake van vertroulike aard te bespreek.

BEKRAGTIG op hierdie

dag van

2021

SPEAKER