



KAAP AGULHAS MUNISIPALITEIT  
CAPE AGULHAS MUNICIPALITY  
U MASIPALA WASECAPE AGULHAS

**NOTULE VAN 'N ALGEMENE RAADSVERGADERING IN DIE  
MUNISIPALE RAADSAAL, BREDASDORP GEHOU OM  
10:00 OP DINSDAG 31 MEI 2022**

**MINUTES OF A GENERAL COUNCIL MEETING HELD ON TUESDAY,  
31 MAY 2022 AT 10:00 AT THE MUNICIPAL COUNCIL CHAMBERS,  
BREDASDORP**

**RAADSLEDE / COUNCILLORS**

Me	J August-Marthinus	
Mnr	D Burger	(Speaker)
Me	K Donald	
Mnr	D Jantjies	
Mnr	R Louw	
Me	M Matthysen	
Mnr	R Mokotwana	
Mnr	J Nieuwoudt	
Mnr	G Olwage	
Mnr	R Ross	(Onder-Burgemeester) ( <i>skakel virtueel in</i> )
Mnr	P Swart	(Burgemeester)

**AMPTENARE / OFFICIALS**

Mnr	E Phillips	Munisipale Bestuurder / Municipal Manager
Mnr	H Van Biljon	Direkteur: Finansiële Dienste
Mnr	A Jacobs	Direkteur: Infrastruktuurdienste
Mnr	H Kröhn	Direkteur: Bestuursdienste
Mnr	Z Baca	nms. Interne Ouditeur
Mnr	M Moelich	Bestuurder: Administrasie
Mnr	O January	Toerisme
Mnr	S Roach	Bestuurder: Water en Riool
Me	T Stone	Afdelingshoof: Strategiese Dienste
Me	S Nel	Stadsbeplanner
Me	A Jonker	Snr Admin Beampte: Komiteedienste

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1. **OPENING**

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

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

Geen.

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:**

28 April 2022 (*Notule was onder lede versprei.*)

**BESLUIT 95/2022**

Na die volgende regstelling word die Notule as korrek en volledig bekragtig:

**AANWYS VAN AFGEVAARDIGDES - SALGA WERKSGROEPE (BESLUIT 69/2022):**

Dat, na Raadslid Louw die nominasie as afgevaardigde op SALGA se "Municipal Capacity Committee" van die hand gewys het, Raadslid Donald as afgevaardigde aangewys word en Raadslid Ross as sekundi.

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

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

26 April 2022 (*Notule was onder lede versprei.*)

**BESLUIT 96/2022**

Die Raad neem kennis van bogenoemde UBK Notule.

6. **SAKE VOORTSPRUITEND UIT NOTULES**

Geen.

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

7.1 **BRIEWE VAN DANK**

Aangeheg op *bladsy 1 en 2* van die bylaes.

**7.2 FUNKSIES VIR DIE MAAND**

Geen.

**7.3 AANWYS VAN AFGEVAARDIGDES**

Geen.

**7.4 DRINGENDE SAKE DEUR DIE SPEAKER VOORGELê**

- (i) Die Speaker wens mnr Deon Wasserman geluk met sy verjaarsdag.
- (ii) Die Speaker meld dat mnr Dean O'Neill se moeder oorlede is en dra sy medelye oor.
- (iii) Die Speaker meld dat die Raad in reses sal wees vanaf 29 Junie 2022 tot en met 8 Julie 2022.

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

Raadshere Nieuwoudt gee terugvoer aangaande die Jeugraad van Overberg Distriksmunisipaliteit.

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

- (i) An entrepreneurs summit will take place on the 1<sup>st</sup> of June 2022, organised by die LED department.
- (ii) An engagement with various tourism vloggers and -guides will take place at "The Dunes" during June 2022.
- (iii) The Provincial Parlement oversight visit will take place from 20 to 24 June 2022.
- (iv) A LDAC (Local Drug Action Committee) programme will be launched during June 2022.
- (v) The Mayor and local businesses will meet regarding poverty relief.

**10. ITEMS NA DIE RAAD VERWYS VIR OORWEGING****10.1 ADOPTION OF FINAL IDP (2022/23 - 2026/27) OF THE PRECEDING MUNICIPAL COUNCIL WITH AMENDMENTS**

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

**PURPOSE OF REPORT**

To table the final IDP of the preceding Municipal Council with amendments for approval.

**BACKGROUND**

The Integrated Development Plan (IDP) has a lifespan of five years that is directly linked to the council's elected term of office. After every local government election, the new council has to decide on the future of the IDP.

Each municipal council must, within a prescribed period after the start of its elected term, adopt an Integrated Development Plan (IDP) as per section 25 (1) of the Local Government: Municipal System Act (MSA). To be noted that no time frame is specified at this point.

In terms of Section 25 (3) (a) a newly elected municipal council may adopt the integrated development plan (IDP) of its predecessor with or with amendments, but the required process outlined in section 29 must be followed.

The term of the current IDP (2017-2022) comes to an end on 30 June 2022. The 2021 elections took place on 1 November 2021, meaning that if the new Council wanted to develop a new five-year IDP they would only have been able to adopt a new Process Plan post-election which would have meant that public participation processes for this very important document would need to take place over December.

These limited time frames / time of year made it questionable as to what the quality of input would be. The resolution 180/2021 (The Time Schedule which outlines the key deadlines for the preparation, tabling, and approval of the annual budget as well as any amendments to the IDP) therefore proposed the adoption of the 2017-2022 IDP by the new council for another year (subject to amendments) up to the end of June 2023. The new Council can then commence with the compilation of its own IDP process in July 2022 to be tabled end of March 2023 and adopted end of May 2023 (to be known as the first amendment).

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

**On 14 December 2021, the newly elected Cape Agulhas Council resolved to follow the route of adopting the IDP of its predecessor with possible amendments in terms of section 25(3) of the MSA.**

The draft IDP of the predecessor with amendments was tabled at the council meeting on 29 March 2022. The document was open for inspection and comment by the community and other stakeholders in April 2022, hence the tabling of this final IDP for council to adopt during the meeting in May 2022. The IDP/Budget Imbizos were held in all respective wards and the public could give comments until 06 May 2022. Inputs were received from the public and duly incorporated at the respective sections of the document where applicable. Community inputs not incorporated now, will be referred to the first amendment of the IDP.

This Final IDP aims to evaluate the performance of the Municipality in terms of its strategic objectives and reflect the extent that changing circumstances demand. A significant change arising from this document is the newly elected council, together with more minor administrative changes necessitates that the IDP be amended and accommodates the following amendments:

- Foreword by the Executive Mayor
- Foreword of the Municipal Manager
- Executive summary - updated
  - Chapter 1 : Introduction updated, Adoption of the IDP of its predecessor by the newly elected council (new insertion), the dates in the time schedule and public participation dates
  - Chapter 2 : The JDMA (One plan) is added.
  - Chapter 3 : Situational analysis is updated with the latest figures from the 2021 SEP report.
  - Chapter 4 : Newly elected council added as well as the newly elected ward committee members (amended). Some service delivery priorities per KPA are updated.
  - Chapter 5 : Projects / Programmes alignment to strategic goals is updated.
  - Chapter 6 : Human Settlements Pipeline is updated.
  - Chapter 8 : Disaster risk assessment of key capital projects amended.
  - Chapter 9 : immediate impact projects updated
  - Chapter 10 : External and internal projects and investments amended.
  - Chapter 11 : Circular 88 and Municipal Staff Regulations (new insertion)
  - Annexures A1-A6 is amended. The remaining community priorities were reviewed.

**LEGISLATION****MUNICIPAL SYSTEMS ACT**

The Municipal Systems Act (MSA) prescribes as follows in respect of the IDP Process.

**Section 25 of the MSA**

In terms of Section 25(1) of the Municipal Systems Act 32 of 2000 (MSA) each municipal council must, within a prescribed period after the start of its elected term, adopt a single, inclusive and strategic plan for the development of the municipality (Integrated Development Plan).

In terms of Section 25(2) an integrated development plan (IDP) adopted by a municipal council in terms of subsection (1) remains in force until an IDP is adopted by the next elected council.

In terms of Section 25 (3) (a) a newly elected municipal council may adopt the integrated development plan (IDP) of its predecessor, but the required process outlined in section 29 must be followed.

**Section 29 of the MSA**

*The process followed by a municipality to draft its integrated development plan, including its consideration and adoption of the draft plan, must -*

- (a) *be in accordance with a predetermined programme specifying timeframes for the different steps;*  
*through appropriate mechanisms, processes and procedures established in terms of Chapter 4 allow for-*
  - (i) *the local community to be consulted on its development needs and priorities;*
  - (ii) *the local community to participate in the drafting of the IDP; and*
  - (iii) *organs of state, including traditional authorities, and other role players to be identified and consulted on the drafting of the integrated development plan;*
- (c) *provide for the identification of all plans and planning requirements binding on the municipality in terms of national and provincial legislation; and*
- (d) *be consistent with any other matters that may be prescribed by regulation.*

**FINANCIAL IMPLICATIONS**

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

**PERSONNEL IMPLICATIONS**

None.

**COMMENTS BY OTHER DEPARTMENTS, DIVISIONS AND ADMINISTRATION**

Written IDP inputs were obtained from the respective Directorates.

**ANNEXURES**

1. Annexure A: Summary of amendments and updates to the draft IDP (attached on **page 3 and 4**).
2. Annexure B: Final Integrated Development Plan (IDP) with amendments to be tabled at the meeting will be **emailed to all Councillors and Management**.

**MANAGEMENT RECOMMENDATION**

That the final IDP of the predecessor with amendments for the period 2022/23 - 2026/27 be adopted by Council in terms of Section 25 of the Local Government: Municipal Systems Act (Act 32 of 2000).

**RESOLUTION 97/2022**

That Council adopts the final IDP of the predecessor with amendments for the period 2022/23 - 2026/27 in terms of Section 25 of the Local Government: Municipal Systems Act (Act 32 of 2000).

## 10.2 FINAL BUDGET FOR THE 2022/23 MTREF FINANCIAL YEAR

The Director: Finance reports as follows

### PURPOSE OF REPORT

To submit the final annual budget in respect of the **2022/23 and two outer financial years** for consideration and approval by Council as prescribed in the Municipal Finance Management Act (MFMA).

### BACKGROUND

In terms of section 21(2) of the Municipal Finance Management Act, the Mayor must consider the following issues when preparing the annual budget:

- Take into account the municipality's integrated development plan;
- Take all reasonable steps to ensure that the municipality revises the integrated development plan in terms of section 34 of the Municipal Systems Act, taking into account realistic revenue and expenditure projections for future years;
- Take into account the national budget, the relevant provincial budget, the national government's fiscal and economic policy, the annual Division of Revenue Act and any agreements reached in the Budget Forum.
- Consult -
  - (i) All other local municipalities in the area, if the municipality is a district municipality;
  - (ii) The relevant provincial treasury, and when requested, the National Treasury; and
  - (iii) Any national or provincial organ of state, as may be prescribed.

### BUDGET PREPARATION PROCESS

The budget preparation process consists of the following six distinct steps:

- 1. Planning:** Schedule key dates, establish consultation forums, review previous processes.
- 2. Strategizing:** Review IDP, set service delivery goals and objectives for next three years, consult on tariffs, indigent, credit control, free basic service, etc. policies and consider local, provincial and national issues, previous year's performance and current economic trends, etc.
- 3. Preparing:** Prepare budget, revenue and expenditure projections, draft budget policies, consult and consider local, provincial and national priorities.
- 4. Tabling:** Table draft budget, IDP and budget related policies before Council, consult and consider formal local, provincial and national inputs or responses.
- 5. Approving:** Council approves budget and related policies.
- 6. Finalizing:** Publish and approve Service Delivery and Budget Implementation Plan (SDBIP) and annual performance agreements and indicators.

The above steps must be incorporated into one process with reference to the IDP and Budget. These processes could be finalized before submission of the Final budget to Council.

In terms of **section 16 of the MFMA**, the council of a municipality must for each year approve an annual budget for the municipality and as a consequence of this legislative requirement, the mayor of the municipality must table the annual budget at a council meeting at **least 90 days before the start of the budget year**.

After the draft annual budget has been tabled, the community must be invited to make written submission to the Council on the budget and to make representation at the council hearings. Key stakeholders like national and provincial departments (eg. Treasuries, Local Government, Water, Environment, Health) should also be invited to submit written comments to the hearing.



Method for input into the adopted draft budget will be communicated in order for Council to consider all submissions received during this process. The Mayor must be given an opportunity to respond to the recommendations, make revisions and amend the tabled budget if so required.

After the Mayor has responded to the recommendations and made amendments to the draft budget, the full council must meet to consider the budget for approval not later than **31 May 2022**.

### **BUDGET CONTENT AND FORMAT**

National Treasury, through the Municipal Budget and Reporting Regulations provided guidelines on the content and format standards of the budget as well as supporting documentation to which all municipalities must comply. The regulations became effective as from July 2009.

### **The reason why National Treasury provided guidelines on the budget and supporting documentation is to ensure:**

- Compliance with legal requirements for an approved budget;
- Strengthened oversight by council and improved performance by officials;
- Readability of and linkages within the budget documentation.
- Satisfaction of stakeholders' information needs (councillors, community etc.); and
- Facilitation of comparability between municipalities.

**Municipal Circulars 112 & 115** further provides guidance (inclusive of all previous budget related circulars issued by National Treasury) to municipalities and municipal entities for the preparation of their **2022/23** budgets, medium term revenue and expenditure framework (MTREF) as informed by the **Budget Review 2022** and the **2022 Division of Revenue Act**. According to the mentioned circular, municipalities must prepare their budgets in the context of the current global economic crisis and the slow-down in the domestic economy.

The Final annual budget report is attached as annexure (**Bound separately**) for Council's consideration.

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

### **MANAGEMENT RECOMMENDATION**

1. Council resolves that the final budget of the municipality for the financial year 2022/23 as per Budget Related Resolutions of the budget document and indicative for the projected outer years 2023/24 and 2024/25 be approved and adopted as set out in Annual Budget Tables in respect of the following schedules:
  - 1.1 Executive summary of revenue & expenditure - **Table A1**;
  - 1.2 Budgeted Financial Performance (Revenue and Expenditure by standard Classification) - **Table A2**;
  - 1.3 Budgeted Financial Performance (revenue and expenditure by municipal vote) A - **Table A3**;
  - 1.4 Budgeted Financial Performance (revenue and expenditure) - **Table A4**;
  - 1.5 Budgeted Capital Expenditure by vote, standard classification and funding - **Table A5**;
  - 1.6 Budgeted Financial Position - **Table A6**;
  - 1.7 Budgeted Cash Flows **Table A7**;
  - 1.8 Cash backed reserves/accumulated surplus reconciliation - **Table A8**;
  - 1.9 Asset Management - **Table A9**;
  - 1.10 Basic service delivery measurement table **A10**.
2. Council approves and adopts the Final tariffs listing for services as per Appendix A with effect 1 July 2022.
3. Council take note that the Final tariff in respect of the Electricity increase is still subject to final approval by NERSA, and that after Nersa issue the document the tariff will be updated based on the outcome letter.
4. Council approves and adopt the Final Service Delivery and Budget Implementation plan (SDBIP) in respect of the 2022/23 budget year per Appendix B.

5. The Council of Cape Agulhas Municipality, acting in terms of section 75A of the Local Government: Municipal Systems Act (Act 32 of 2000) approves and adopts with effect from 1 July 2022 the following policies:
  - (i) The Borrowing, funds and reserve policy as per Annexure C1.
  - (ii) The Budget and veriment policy as per Annexure C2.
  - (iii) The Cost containment policy as per Annexure C3.
  - (iv) The Cash and Investment policy as per Annexure C4.
  - (v) The Cost containment policy as per Annexure C5.
6. Council notes that the Executive Mayor will have an oversight role over the budget process before it is again submitted for final approval.

### **RESOLUTION 98/2022**

1. That Council takes note and consider the tabling of the final budget of the municipality for the financial year 2022/23 as per Budget Related Resolutions of the budget document and indicative for the projected outer years 2023/24 and 2024/25 as set out in Annual Budget Tables in respect of the following schedules:
  - 1.1 Executive summary of revenue & expenditure - **Table A1**;
  - 1.2 Budgeted Financial Performance (Revenue and Expenditure by standard Classification) - **Table A2**;
  - 1.3 Budgeted Financial Performance (revenue and expenditure by municipal vote) A - **Table A3**;
  - 1.4 Budgeted Financial Performance (revenue and expenditure) - **Table A4**;
  - 1.5 Budgeted Capital Expenditure by vote, standard classification and funding - **Table A5**;
  - 1.6 Budgeted Financial Position - **Table A6**;
  - 1.7 Budgeted Cash Flows **Table A7**;
  - 1.8 Cash backed reserves/accumulated surplus reconciliation - **Table A8**;
  - 1.9 Asset Management - **Table A9**;
  - 1.10 Basic service delivery measurement table **A10**.
2. That Council consider the final tariffs listing for services as per Appendix A with effect 1 July 2022.
3. That Council takes note that the Final tariff in respect of the Electricity increase is still subject to final approval by NERSA, and that after Nersa issue the document the tariff will be updated based on the outcome letter.
4. That Council consider the final Service Delivery and Budget Implementation plan (SDBIP) in respect of the 2022/23 budget year per Appendix B
5. That the Council of Cape Agulhas Municipality, acting in terms of section 75A of the Local Government: Municipal Systems Act (Act 32 of 2000) consider, with effect from 1 July 2022 the following policies:
  - (i) The Borrowing, funds and reserve policy as per Annexure C1.
  - (ii) The Budget and veriment policy as per Annexure C2.
  - (iii) The Cost containment policy as per Annexure C3.
  - (iv) The Cash and Investment policy as per Annexure C4.
  - (v) The Cost containment policy as per Annexure C5.
6. That Council notes that the Executive Mayor will have an oversight role over the budget process before it is again submitted for final approval.
7. That the final budget be referred to a special Council meeting to be held on the 7th of June 2022.

10.3 **DRAFT PROCESS PLAN FOR THE DRAFTING AND REVIEW OF THE 5TH GENERATION INTEGRATED DEVELOPMENT PLAN (2022/23 - 2026/27), ANNUAL BUDGETS AND SPATIAL DEVELOPMENT FRAMEWORK**

**REPORT BY THE MANAGER STRATEGIC SERVICES**

**PURPOSE OR REPORT**

To present a draft Process Plan to guide the planning, drafting, adoption and review of its Integrated Development and Budget Plan (IDP) for 2022/23 - 2026/27.

**LEGAL FRAMEWORK**

Integrated development planning is regulated by Chapter 5 of the Local Government Municipal Systems Act. Act 32 of 2000.

**Section 25 (1)** requires each Municipal Council to adopt a single, inclusive and strategic plan (IDP) for the development of the Municipality within a prescribed period after the start of its elected term.

**Section 53(1)(b)** provides that -

*The mayor of a municipality must co-ordinate the annual revision of the integrated development plan in terms of section 34 of the Municipal Systems Act and the preparation of the annual budget, and determine how the integrated development plan is to be taken into account or revised for the purposes of the budget.*

**Section 28 requires:**

- 1) *Each municipal council, within a prescribed period after the start of its elected term, must adopt a process set out in writing to guide the planning, drafting, adoption and review of its integrated development plan.*
- 2) *The municipality must through appropriate mechanisms, processes and procedures established in terms of Chapter 4, consult the local community before adopting the process.*
- 3) *A municipality must give notice to the local community of particulars of the process it intends to follow.*

**Section 29(1) states that the process must -**

- a) *be in accordance with a predetermined programme specifying timeframes for the different steps;*
- b) *through appropriate mechanisms, processes and procedures established in terms of Chapter 4, allow for -*
  - (i) *the local community to be consulted on its development needs and priorities;*
  - (ii) *the local community to participate in the drafting of the integrated development plan; and*
  - (iii) *organs of state, including traditional authorities, and other role players to be identified and consulted on the drafting of the integrated development plan;*
- c) *provide for the identification of all plans and planning requirements binding on the municipality in terms of national and provincial legislation; and*
- d) *be consistent with any other matters that may be prescribed by regulation.*

**The Municipal Finance Management Act, (MFMA) Act 56 of 2003 regulates the Budget preparation process:**

*"21. (1) The mayor of a municipality must:*

- a) *co-ordinate the processes for preparing the annual budget and for reviewing the municipality's integrated development plan and budget-related policies to ensure that the tabled budget and any revisions of the integrated development plan and budget-related policies are mutually consistent and credible;*
- (b) *at least 10 months before the start of the budget year, table in the municipal council a **time schedule** outlining key deadlines for:*
  - (i) *the preparation, tabling and approval of the annual budget;*
  - (ii) *the annual review of:*

- (aa) the integrated development plan in terms of section 34 of the Municipal Systems Act; and*
- (bb) the budget-related policies;*
- (iii) the tabling and adoption of any amendments to the integrated development plan and the budget-related policies; and*
- (iv) any consultative processes forming part of the processes referred to in subparagraphs (i), (ii) and (iii)*

### **DISCUSSION**

The draft Process Plan has been developed in cognizance of the inter-relatedness of the Municipal Budgeting and Performance Management Processes and as far as possible addresses the integration of these processes through the inclusion of a Time Schedule for 2023/24. The drafting of the Spatial Development Framework is also integrated as an appendix to the Process Plan.

### **MANAGEMENT RECOMMENDATION**

- (i) That the draft Process Plan in respect of the compilation of the 2022/23 - 2026/27 IDP for Cape Agulhas Municipality be approved in terms of Section 28 of the Municipal Systems Act (Act 32 of 2000).
- (ii) That inputs and comments of the local community on the draft Process Plan be obtained.
- (iii) That the draft Process Plan be submitted to the Council for final approval.
- (iv) That the integration of the SDF process in terms of the Spatial Planning and Land Use Management Act (Act 16 of 2013) be noted.
- (v) That Council notes and approves that the process plan includes the Budget Preparation Process.

### **RESOLUTION 99/2022**

- (i) That Council approves the draft Process Plan in respect of the compilation of the 2022/23 - 2026/27 IDP for Cape Agulhas Municipality in terms of Section 28 of the Municipal Systems Act (Act 32 of 2000).
- (ii) That inputs and comments of the local community on the draft Process Plan be obtained.
- (iii) That the final draft Process Plan be submitted to the Council for approval.
- (iv) That the integration of the SDF process in terms of the Spatial Planning and Land Use Management Act (Act 16 of 2013) be noted.
- (v) That Council notes and approves that the process plan includes the Budget Preparation Process.

## 10.4 **APPROVAL TO REDRAFT A NEW 5-YEAR MSDF (MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK)**

### **PURPOSE OF REPORT**

To get approval from Council to continue with the process to redraft a new MSDF, based on our current MSDF, 2017.

### **LEGAL FRAMEWORK**

According to Section 3 of our Municipal Planning By-Law, the Municipal Systems Act and Section 11 of the Land Use Planning Act, Council decides to compile or amends its MSDF.

**The purpose of a MSDF is to, for a specific geographical area –**

- (a) provide detailed spatial planning guidelines;
- (b) provide more detail in respect of a proposal provided for in the municipal spatial development framework;
- (c) meet specific land use planning needs;
- (d) provide detailed policy and recommended development parameters for land use planning;
- (e) provide detailed priorities in relation to land use planning and, in so far as they are linked to land use planning, biodiversity and environmental issues; and
- (f) guide decision-making on land use applications.

The Municipality must publish a notice in two newspapers circulating in jurisdiction of CAM, concerning the intention to compile a new 5-year MSDF; and the process to be followed, in accordance with section 28(3) and 29 of the Municipal Systems Act. The minister should also be informed accordingly. The Municipality must register relevant stakeholders, to comment on the draft MSDF as part of the process.

The Municipality may establish a project committee to assist to compile or amend its MSDF. The project committee must consist of the Municipal Manager, or a municipal employee designated by the Municipal Manager; and municipal employees appointed by the Municipal Manager from relevant internal departments.

**The Municipality must -**

- (a) compile a draft status quo report setting out an assessment of the existing levels of development and development challenges in the municipal area or relevant area in the municipal area and submit it to the Council for adoption.
- (b) after adoption of the status quo report, compile a first draft of the MSDF and submit it to the Council to approve the publication thereof for public comment.
- (c) submit the first draft of the MSDF to the Provincial Minister for comment in terms of section 13 of the Land Use Planning Act and give notice of the proposed MSDF in the Gazette and the media inviting the public to submit written representations in terms of Section 20(3) of the Spatial Planning and Land Use Management Act; and
- (d) after consideration of the comments received from the public and the Provincial Minister, submit the final draft of the MSDF, with any further amendments, to the Council for adoption as a core component of the IDP.

The MSDF process aligns to the IDP and budget process and is included in the IDP's Process Plan, as per ***separately attached*** document (***see page 30 of the IDP Process Plan***).

The Council must adopt the final draft of the MSDF with or without amendments and must within 14 days of its decision give notice of its decision in the media and the Provincial Gazette.

**DISCUSSION**

Factors to be considered when annually reviewing the performance of a municipality in relation to its MSDF include:

PERFORMANCE AREA	COMMENTS
<p>1. Are the aims and objectives of the MSDF being reached by the municipality?</p>	<ul style="list-style-type: none"> <li>• <b>Local Economic Development as the key to unlock much needed employment opportunities Agri-processing must be explored as part of the local economic development strategy.</b></li> </ul> <p>Vierfontein Boerdery &amp; Agri-Park Bredasdorp were never implemented due to limitations in planning zoning scheme and lack of external funding</p> <ul style="list-style-type: none"> <li>• <b>Tourism research showed that it is a major contributor to the provincial GDP and CAM must design appropriate strategies with the various partners to grow the local tourist industry.</b></li> </ul> <p>Most Tourist attraction points like the “Most Southern point of Africa” belongs to SANPARKS. The Museums belong to the Government. Due to different ownership we as CAM find it challenging to add value to these attractions.</p> <ul style="list-style-type: none"> <li>• <b>Youth Development and the improvement of social welfare services This is a high priority strategic area and requires urgent attention.</b></li> </ul> <p>The MSDF must address the social needs of youth within the respective wards, with reference to: Education which starts from the early childhood development stage, up till tertiary education Sport and recreation Arts and culture and Social welfare. Need Community outpatient treatment facilities for substance abuse and a drug rehabilitation centre for Cape Agulhas Municipality.</p> <ul style="list-style-type: none"> <li>• <b>Quality and sustainable basic service delivery (the core mandate of the municipality).</b></li> </ul> <p>Limited financial resources / Budgetary cuts and restrictions.</p>
<p>2. Is the direction provided by the MSDF being brought into the compilation or amendments of relevant sector plans, e.g. the Integrated Transport Plan (ITP), Water Services Development Plan, Integrated Waste Management Plan, Air Quality Management Plan, engineering services master plans, the human settlements plan, etc.</p>	<p>Master Plans were compiled and updated during the past 2 financial years, however it might need to be amended / aligned again with the newly redrafted proposed MSDF, as it still reflects the alignment with 2017's MSDF.</p> <p>Electricity Master Plan done in 2017- will be updated in 2022/23 financial year.</p>
<p>3. Is the municipal budget being spent in line with the priority development areas identified in the MSDF?</p>	<p>Yes, but for the period 2016-2020- Needs to be updated.</p>
<p>4. What substantive development permissions (rezoning's and subdivisions) has the municipality given in the past financial year?</p>	<p>ERF 230 Struisbaai: Hotel development. Taxi Interchange; Portion of Bredasdorp 1148-on hold. Extension of validity period: Area F Bredasdorp. School of Skills: Struisbaai.</p>
<p>5. Are these development permissions aligned to the objectives, principles and policies set out in the MSDF?</p>	<p>Yes</p>
<p>6. What site specific deviations did the Municipal Planning Tribunal (MPT) permit? What is the impact of these on the IDP/ Budget/ MSDF?</p>	<ul style="list-style-type: none"> <li>• <b>Taxi Interchange Bredasdorp</b> (In line with IDP/ MSDF- however the community needs changed in terms of project location.</li> <li>• <b>Grobbelaarsaal Napier.</b> Departure for small scale industry and manufacturing purposes - Community needs changed – need to be updated.</li> </ul>

PERFORMANCE AREA	COMMENTS
7. Are implementation actions identified by the MSDF (including the Capital Expenditure Framework) being brought forward into the IDP, and SDBIPs and where relevant, budgeted for?	Was done and reflects 2016-2020. Therefore outdated, needs to be updated.
8. Are implementation actions identified by the MSDF (including the Capital Investment Framework) in the Strategic Plans and/ or Annual Performance Plans and Budgets of relevant provincial and national government departments and state-owned entities	Done from 2016-2020. Outdated needs to be updated.
9. Do prior amendments suggest the municipality needs to commence with a compilation of a new MSDF.	There were no prior amendments since 2017. The SDF should be aligned to our new 5- year IDP, therefore a redraft of a new 5 -Year SDF is important.

**In addition:**

- We need to do a re-alignment of our current urban edge to accommodate certain properties.
- We need to look at a densification policy addressing different areas in our area of jurisdiction (Napier, Bredasdorp, Struisbaai, Arniston, Agulhas and Suiderstrand).

**FINANCIAL IMPLICATIONS**

Funding has been provided on 2022/23 budget and that an application is pending with DBSA.

**MANAGEMENT RECOMMENDATION**

- That Council approves the proposal to compile a new 5-year MSDF based on our current MSDF, 2017.
- That the Municipality publish a notice in two newspapers circulating in jurisdiction of CAM, concerning the intention to compile a new 5-year MSDF; and the process to be followed, in accordance with section 28(3) and 29 of the Municipal Systems Act.
- That the minister be informed accordingly.
- That the Municipality call for the registration of interested and affected parties and relevant stakeholders, to comment on the draft MSDF as part of the process.
- That the Municipality establish a project committee to assist to compile or amend its MSDF and that the Municipal Manager appoint the members of the said committee.

**RESOLUTION 100/2022**

- That Council approves the proposal by Councillor Donald to compile a new 5-year MSDF based on our current MSDF, 2017.
- That the Municipality publish a notice in two newspapers circulating in jurisdiction of CAM, concerning the intention to compile a new 5-year MSDF; and the process to be followed, in accordance with section 28(3) and 29 of the Municipal Systems Act.
- That the Provincial Minister of Local Government and Development Planning be informed accordingly.
- That the Municipality call for the registration of interested and affected parties and relevant stakeholders, to comment on the draft MSDF as part of the process.
- That the Municipality establish a project committee to assist to compile or amend its MSDF and that the Municipal Manager appoint the members of the said committee.

## 10.5 REVIEWED AND AMENDED BUDGET-RELATED POLICIES

### PURPOSE OF REPORT

To obtain Council's approval in respect of the following reviewed and amended budget-related policies:

1. Property Rates Policy (attached on **page 5 - 28**)
2. "Masakhane" Indigent Support Policy (attached on **page 29 - 47**)
3. Social Support Policy (attached on **page 48 - 52**)
4. Subsistence & Travelling Policy (attached on **page 53 - 64**)

In terms of section 17(3)(e) of the MFMA any proposed amendments to budget-related policies of the municipality must accompanied the tabled budget when submitted to council for final approval each year.

Due to ongoing changes in processes, procedures, risks and legislation that impacted on the existing policies, it is suggested to amend the listed policies with an effective date of 1<sup>st</sup> July 2022. The amendment to the Property Rates policy mainly refers to changes in respect of property rates categories as well as recommendations made by Western Cape Provincial Treasury when reviewing the municipality's property rates policy on an annual basis to ensure full legislative compliance.

Both the "Masakhane" Indigent Support Policy as well as the Social Support Policy have been amended aligned with the increase in the State Grant as announced by the Minister of Finance during his budget speech in February 2022.

- Indigent Household : R0 to R4 000
- Poor Household : R4 001 to R6 000

The notice period for the disconnection of electricity & water services delegated to the Municipal Manager for approval as and when required.

The only suggested amendment in respect of the Subsistence & Travelling Policy have reference to officials traveling with their private vehicles within the area of jurisdiction of the municipality at a kilometer tariff as defined by the Minister of Finance in terms of the Income Tax Act, 58 of 1962 and amended annually.

The same kilometer tariff as defined by the Minister of Finance will also become applicable to candidates invited for interviews outside the area of jurisdiction of the municipality and community representatives who have to travel on official business of the municipality with the pre-authorization of the Municipal Manager.

The Municipal Manager in consultation with the Chief Financial Officer recommends as follows:

### **MANAGEMENT RECOMMENDATION**

That Council consider approval of the following amended budget-related policies with the effective date 1<sup>st</sup> July 2022:

1. Property Rates Policy (2022/23)
2. "Masakhane" Indigent Support Policy (2022/23)
3. Social Support Policy (2022/23)
4. Subsistence & Travelling Policy (2022/23)

### **RESOLUTION 101/2022**

That Council approves the following amended budget-related policies with the effective date 1 July 2022:

1. Property Rates Policy (2022/23)
2. "Masakhane" Indigent Support Policy (2022/23)
3. Social Support Policy (2022/23)
4. Subsistence & Travelling Policy (2022/23)



10.6 **STRATEGIC RISK REGISTER: 2021/22****REPORT BY THE DIVISION HEAD STRATEGIC PLANNING AND ADMINISTRATION****INTRODUCTION**

During February 2021, risk identification meetings were facilitated with the departmental and line managers. The directorate risk registers were presented to the Municipal Manager and Directors for approval in March 2021. The Risk registers were then submitted to FARMCO in April 2021, which included the proposed strategic risks of the municipality for 2021/2022. The 2021/2022 action formulation sessions were done in May 2021.

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

**LEGAL FRAMEWORK**

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

**DISCUSSION**

The Councils strategic risks for 2021/22 are as follows:

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

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

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

Directorate	Risk	Risk Action	Risk Action Response	Deliverable	Deadline
Office of the Municipal Manager	Preparedness to respond to disease outbreaks / pandemics	1. Include new functions (administrative) that need to be in CAM essential agreement for pandemics	- The lockdown levels have now been relaxed. (Logged by Nombasa Mhlathi-Musewe on 28-Apr-2022 at 09:16)	Essential service compact/agreement in place and continuation of services	31 May 2022
Infrastructure	Non-adherence to Restrictive Permit Conditions (Landfill	1. Upgrading of the P&B lime work weighbridge	- The project will started in July 2022. (Logged by Walter Linnert on 28-Jan-2022 at 12:01)	Improved Basic Service Delivery (Waste Management)	31 May 2022

Directorate	Risk	Risk Action	Risk Action Response	Deliverable	Deadline
	Sites)	<p>2. Upgrading of offload area in Struisbaai.</p> <p>3. Implement external audit (DEADP) action plan and reporting thereof</p>	<p>- Tenders received and follow the SCM Procedures. (Logged by Walter Linnert on 14-Apr-2022 at 12:38)</p> <p>- Ingerop Consulting busy with the External end Annual Report (Logged by Walter Linnert on 15-Mar-2022 at 11:16)</p>		
Office of the Municipal Manager	Changes associated with Municipal Elections	<p>1. Compiling internal orientation program</p> <p>2. Declarations of interest</p>	<p>- Completed</p> <p>- Completed</p>	Smooth transition of Council	31 December 2021
Finance	Financial viability of the municipality	<p>1. (a) Execution of the revenue enhancement framework (execution of targets within planned periods)</p> <p>1.2 (b) Cleansing and updating of indigents</p> <p>1.3 (b) Cleansing and updating of informal settlements</p> <p>2. Monthly report to finance portfolio committee of long-term financial plan and revenue enhancement framework</p> <p>3. Updating of revenue enhancement framework.</p>	<p>- Maandelikse deurlopende proses (Logged by Dawid van Wyk on 01-Apr-2022 at 13:41)</p> <p>- Word maandeliks aan die finans komitee voorgelê (Logged by Dawid van Wyk on 01-Apr-2022 at 13:43)</p> <p>- Deurlopende maandelikse proses (Logged by Dawid van Wyk on 01-Apr-2022 at 13:43)</p>	Financially Viable	31 May 2022
Management Services	Illegal Erection of Informal Structures and Land invasions	<p>1. Monitor activities and incident reporting of squatter control (law enforcement).</p> <p>2. Workshop Land invasion Policy with Council</p> <p>3. Implementation of Land invasion Policy</p>	<p>- Regular monitoring and reporting being done, action against illegal invasion of land taken (Logged by Michael Dennis on 09-May-2022 at 09:36)</p> <p>- Policy still needs to be workshopped with council as we had the incident with the displacement of Non Nationals (Logged by Michael Dennis on 09-May-2022 at 09:38)</p> <p>- Current policy implemented, regular monitoring taking place. A survey was done on shack farming. Will have an integrated</p>	Decrease in illegal land invasions	31 May 2022

Directorate	Risk	Risk Action	Risk Action Response	Deliverable	Deadline
			approach with all stakeholders to speak to the renting out of shacks, and the issues of illegal non-nationals (Logged by Michael Dennis on 09-May-2022 at 09:41)		
Infrastructure	Inadequate Provision of water supply - source and water quality	<ol style="list-style-type: none"> <li>Draft Groundwater management plan for Bredasdorp, Napier and Arniston</li> <li>Development of a new 5-year water services development plan.</li> <li>Complete the equipping of new pump and electricity for boreholes in Suiderstrand and Napier (2 year roll-over budget).</li> <li>Verification and licensing of all ground water sources and drafting of a groundwater management plan</li> </ol>	<p>-Completed</p> <p>-Completed</p> <p>- Electrical installation will be completed after road to reservoir in Suiderstrand has been repaired. (Logged by Shane Roach on 09-May-2022 at 12:11)</p> <p>- In progress. Applications was submitted to DWS (Logged by Shane Roach on 09-May-2022 at 12:12)</p>	To ensure water demand is met	31 May 2022
Management Services	Protest action / Civil unrest	<ol style="list-style-type: none"> <li>Traffic and Law Enforcement Units to respond to protest actions and civil unrest.</li> <li>Collaboration with the SAPS to plan for and deal with protests and riots</li> <li>Develop a safety plan for Cape Agulhas Municipality</li> </ol>	<p>- We will respond to the protest actions and civil unrest situations. Continuous awareness, integration between CAM, ODM, SAPS and other municipalities (Logged by Myllison Saptou)</p> <p>-Collaboration with SAPS is done. Regular planning meetings and Safety Forum meetings with SAPS and other enforcement entities. Daft CAM Safety Plan in place await comments with integrated operational plans. (Logged by Myllison Saptou on 10-Feb-2022 at 17:33)</p> <p>- Safety Plan is develop and Draft is on Portfolio Committee Meeting on 16 March 2022. (Logged by</p>	Continuous awareness, integration between CAM, ODM, other municipalities (if needed), military backup (if needed), and SAPS to act within an acceptable response time.	31 May 2022

Directorate	Risk	Risk Action	Risk Action Response	Deliverable	Deadline
			Myllison Saptou on 15-Mar-2022 at 09:10)		

### **MANAGEMENT RECOMMENDATION**

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

### **RECOMMENDATION: FINANCE- AND IT SERVICES COMMITTEE / INFRASTRUCTURE SERVICES COMMITTEE / MANAGEMENT SERVICES COMMITTEE**

That the management recommendation be accepted.

### **RESOLUTION 102/2022**

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

## 10.7 **PROPOSED JDMA PROJECTS (2022/23) FOR CAPE AGULHAS MUNICIPALITY**

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

#### **PURPOSE OF REPORT**

To present the proposed 2022/23 Joint District and Metro Approach (JDMA) project list for Cape Agulhas Municipality.

#### **BACKGROUND**

President Ramaphosa introduced the District Development Model (DDM) approach during 2019.

In the Western Cape, national government's District Development Model is implemented through the Joint District and Metro Approach (JDMA). The JDMA is a team-based approach in each district and the metro that will result in a single implementation and support plan. Each district and the metro will have a team that includes each local municipality, the district municipality, all provincial departments, and relevant national departments. The JDMA will speed up service delivery and organise support to strengthen the capacity of municipalities. It will ensure that government services respond to the needs that have been identified with local communities. A JDMA Integrated Implementation Plan will be developed for each district/ metro every year (*Source: Western Cape Strategic Plan, 2019-2024*).

The Overberg Joint District and Metro Approach (JDMA) is functional and championed by the Western Cape Department of Local Government. Furthermore, the Overberg District JDMA is administratively supported by the District Municipal Managers forum (DCF tech) and politically by the District Coordinating Forum (DCF) (comprising the Overberg Mayors).

#### **DISCUSSION**

The Overberg JDMA has an existing JDMA Implementation Strategy for 2021/22 that comprises catalytic projects from all B-municipalities in the District. Catalytic projects are those projects that are deemed to have the greatest potential impact on the Overberg and its people.

In identifying potential JDMA projects, the community needs that transpired through the Integrated Development Plan (IDP) and strategic needs within the organisation, are considered.

Municipalities in the Overberg District are now requested to identify proposed projects to be considered for inclusion in the 2022/23 JDMA Implementation Strategy. Cape Agulhas Municipality proposed 2022/23 JDMA projects are:

**TABLE 1: CAPE AGULHAS PROPOSED JDMA PROJECTS FOR 2022/23**

Name of Project	Status of Project
Waste Management: Operation of Cape Agulhas and Swellendam Landfill Sites (material recovery and transfer site)	Existing
Development of fishing trade – Abalone and Fish farms in Arniston/Waenhuiskrans	Existing
New Public transport interchange in Bredasdorp	Existing
Upgrading of Suiderstrand road – (upgrade of 3.8km from paved portion, L'Agulhas Lighthouse to Suiderstrand entrance)	Existing
Alien Vegetation Clearing	Existing
Asset Management	Existing
Design and implement an Asset care Programme	Existing
Gender-based Violence Programme	New
Water demand management Smart metering	New
Long-term Storm water Management Struisbaai North	New
District-wide CCTV monitoring	New
Commercial Livestock Hub in Bredasdorp	New

### **WAY FORWARD**

All proposed projects will be assessed against a predetermined set of criteria during a scheduled JDMA interface team meeting in May 2022. The considered projects will be presented at the DCFT and DCF.

**TABLE 2: PREDETERMINED CRITERIA FOR PROJECTS**

Criteria	Weighting allocated (out of 2)
Does it respond to urbanization and growth requirements?	
Does it positively contribute to disaster risk and vulnerability resilience?	
Can it attract other funding/growth/investment/development opportunities?	
Is it a Strategic non-operational project that have a District wide impact?	
Collaboration required to implement projects of a transversal nature where no clear driver is identified?	
Does it have a direct impact on the lives and wellbeing of people?	
Does it assist small business directly?	
Does it create sustainable jobs?	
Does it have a direct impact on Spatial restructuring and transformation?	
Does it provide access to basic service provision?	
Sustainable safer collaborative communities?	

### **LEGISLATION**

- **MUNICIPAL SYSTEMS ACT, 2000 (32 OF 2000)**  
Section 23 and 24
- **CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996**  
Section 153

**FINANCIAL IMPLICATIONS**

The JDMA relates to joint planning and budget submissions for consideration to the respective spheres of government for joint implementation.

**PERSONNEL IMPLICATIONS**

None.

**COMMENTS BY OTHER DEPARTMENTS, DIVISIONS AND ADMINISTRATION**

The priority list was compiled by the Municipal Manager, Executive Mayor in consultation with the respective Directorates

**ANNEXURES**

None.

**MANAGEMENT RECOMMENDATION**

That the proposed 2022/23 JDMA project list for Cape Agulhas Municipality be endorsed.

<b>Name of Project</b>	<b>Status of Project</b>
Waste Management: Operation of Cape Agulhas and Swellendam Landfill Sites (material recovery and transfer site)	Existing
Development of fishing trade : Abalone and Fish farms in Arniston/Waenhuiskrans	Existing
New Public transport interchange in Bredasdorp	Existing
Upgrading of Suiderstrand road (upgrade of 3.8km from paved portion, L'Agulhas Lighthouse to Suiderstrand entrance)	Existing
Alien Vegetation Clearing	Existing
Establish a District Asset Management Steering Committee	New
Design and implement an Asset Care Programme (CMMS)	Existing
Gender-based Violence Programme	New
Water demand management Smart metering	New
Long-term Stormwater Management: Struisbaai North	New
District-wide CCTV monitoring	New
Commercial Livestock Hub in Bredasdorp	New

**RECOMMENDATION: FINANCE- AND IT SERVICES COMMITTEE**

That the management recommendation be accepted.

**RESOLUTION 103/2022**

That the following proposed 2022/23 JDMA project list for Cape Agulhas Municipality be endorsed:

<b>Name of Project</b>	<b>Status of Project</b>
Waste Management: Operation of Cape Agulhas and Swellendam Landfill Sites (material recovery and transfer site)	Existing
Development of fishing trade: Abalone and Fish farms in Arniston/Waenhuiskrans	Existing
New Public transport interchange in Bredasdorp	Existing
Upgrading of Suiderstrand road (upgrade of 3.8km from paved portion, L'Agulhas Lighthouse to Suiderstrand entrance)	Existing
Alien Vegetation Clearing	Existing

Name of Project	Status of Project
Establish a District Asset Management Steering Committee	New
Design and implement an Asset Care Programme (CMMS)	Existing
Gender-based Violence Programme	New
Water demand management Smart metering	New
Long-term Stormwater Management: Struisbaai and Bredasdorp	New
District-wide CCTV monitoring	New
Commercial Livestock Hub in Bredasdorp	New
Upgrading of the road between Bredasdorp and Struisbaai	New
A 3 <sup>rd</sup> primary school for Bredasdorp	New
Upgrading of inner roads in Elim	New
Upgrading of informal settlements	New
Job creation opportunities	New

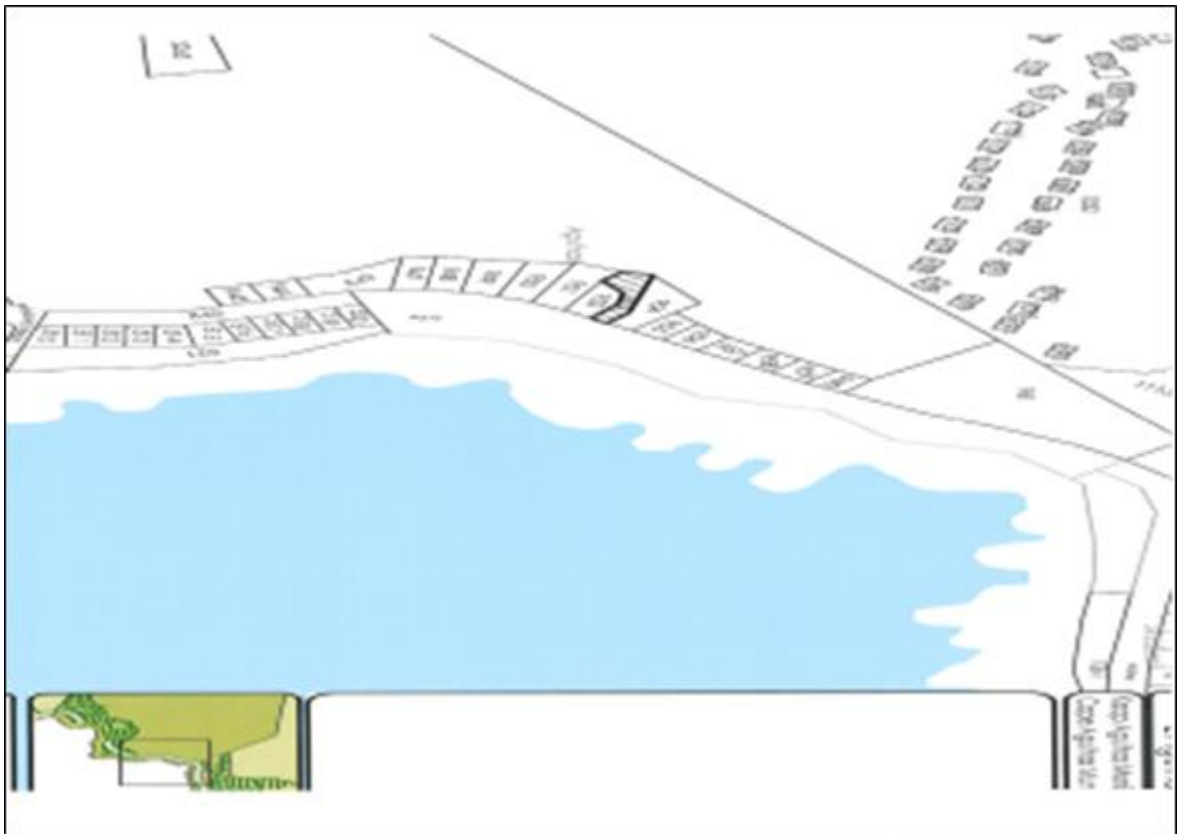
#### 10.8 REGISTRASIE VAN SERWITUUT VIR “REG VAN WEG”: ERF 953, L’AGULHAS (BAO)

##### DOEL VAN VERSLAG

Om oorweging te skenk om ‘n vergunning aan die eienaars van erwe 952 en 954, L’Agulhas, in beginsel toe te staan, om ‘n serwituut vir die “Reg van Weg” te registreer om toegang tot hul eiendomme te bekom (sien plan aangeheg op **bladsy 65**).

##### AGTERGROND

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



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



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



Erf 953, L'Agulhas is die eiendom van die Raad, en 1 515m<sup>2</sup> groot en gesoneer as "Open Space". Die ontwerp van die erf is vir geen ander doel geskik nie en is aanvanglik daar gestel vir die installering van munisipale dienste. Daar is tans 'n elektrisiteit substasie gebou (**sien skets hieronder**):





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

#### **FINANSIËLE IMPLIKASIE**

Alle koste sal vir die aansoekers se rekening wees.

#### **REGSIMPLIKASIE**

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

#### **PERSONEEL IMPLIKASIE**

Geen.

#### **DEPARTEMENTELE INSETTE**

##### **DIREKTEUR: FINANSIËLE DIENSTE**

Geen beswaar.

##### **DIREKTEUR: INFRASTRUKTUURDIENSTE**

No objection, as no adverse impact on infrastructure services.

##### **DIREKTEUR: BESTUURSDIENSTE**

Geen beswaar.

##### **ELEKTRISITEITSDIENSTE**

There is a Municipal Substation on that property and MV and LV cable routes passing right through the entrance.

##### **EIENDOMSADMINISTRASIE**

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

##### **STADSBEPLANNING: (SENIOR STADSBEPLANNER : ME S NEL)**

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

From a town planning perspective, no objection, as long as infrastructure's comments are positive. If positive a right of way could be proposed on condition that the 2 owners maintain the stand

**INPUTS: DIVISION HEAD: STRATEGIC PLANNING (SIESELFDE AS ERF 85, SUIDERSTRAND - MNR VAN DER MERWE)**

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

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

**BESTUURSAANBEVELING: 14 OKTOBER 2021**

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

**RAADSBESLUIT 210/2021: 14 OKTOBER 2021**

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

**BESTUURSAANBEVELING**

- (i) Dat goedkeuring verleen word aan beide aansoekers vir 'n oorskreiding van gedeelte Erf 953, L'Agulhas.
- (ii) Dat 'n oorskreidingsfoo van R4 015,00 per jaar vooruitbetaalbaar sal wees.
- (iii) Dat 'n oorskreidingsooreenkoms met beide aansoekers aangegaan word vir 3 jaar, met ingang 1 Junie 2022 tot 31 Mei 2025.

**BESLUIT 104/2022**

- (i) Dat goedkeuring verleen word aan beide aansoekers vir 'n oorskreiding van gedeelte Erf 953, L'Agulhas.
- (ii) Dat 'n oorskreidingsfoo van R4 015,00 per jaar vooruitbetaalbaar sal wees.
- (iii) Dat 'n oorskreidingsooreenkoms met beide aansoekers aangegaan word vir 3 jaar, met ingang 1 Junie 2022 tot 31 Mei 2025.
- (iv) Dat geen permanente strukture op die gedeelte opgerig word nie.

**10.9 VERVREEMDING (KOOP): GEDEELTE ERF 5585, BREDASDORP (Z TONISI)****DOEL VAN VERSLAG**

Om oorweging te skenk aan die versoek van Me Z Tonisi ten einde 'n gedeelte (4m) van erf 5585, Bredasdorp te koop (liggingsplan aangeheg op **bladsy 66**).

**ALGEMENE INLIGTING**

Eienaars	:	KAM
Eiendom	:	Gedeelte Erf 5585, Bredasdorp
Erf Grootte	:	2 224m <sup>2</sup>
Voorgestelde Grootte	:	38m <sup>2</sup>

**AGTERGROND**

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

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

I trust that my application will be considered

Kind Regards

Zukiswa Tonisi

**MARKWAARDASIE**

R5 000,00 (BTW uitg.)

**FINANSIËLE IMPLIKASIES**

Vervreemdingsinkomste vir KAM.

**WETLIKE IMPLIKASIES**

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

**DEPARTEMENTELE KOMMENTAAR****MUNISIPALE BESTUURDER**

Noted.

**DIREKTEUR: FINANSIELE DIENSTE**

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

**DIREKTEUR: GEMEENSKAPSDIENSTE**

Noted.

**DIREKTEUR: INFRASTRUKTUURDIENSTE**

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

**ELEKTRISITEIT**

Any upgrades to electrical capacity or infrastructure for owners account.

**BESTUURDER: ADMINISTRATIEWE DIENSTE**

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

**BESTUURDER: STRATE EN STORMWATER**

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

**BESTUURDER: WATER EN RIOOL**

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

**BOUBEHEER**

Noted.

**STADSBEPANNING**

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

**KOMMENTAAR: WYKSKOMITEE**

Dat die spesifieke area, soos versoek, uitgewys moet word en dat vervreemding teen 'n markverwante koers moet plaasvind.

**BESTUURSAANBEVELING: 30 MAART 2021**

- (i) Dat die Raad kennis neem van die aansoek.
- (ii) Dat, aangesien die wykskomitee nie die aansoek ondersteun nie, die definitiewe ligging ondersoek word en weer oorweeg word ('n soortgelyke aansoek vir dieselfde grond is reeds in die verlede afgekeur as gevolg van die versnippering van openbare areas).

**AANBEVELING: FINANSIES- EN IT DIENSTE KOMITEE**

Dat die Bestuursaanbeveling aanvaar word.

**RAADSBESLUIT 25/2021: 30 MAART 2021**

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

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

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

**RAADSBESLUIT 202/2021: 14 OKTOBER 2021**

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

**KOMMENTAAR: ME Z TONISI**

*"I trust that this email finds you well, thank for the responds but I hereby wish to get some clarity with regards to the price of the 4m by 12m. I dispute the following:*

*The one side of the erf is not 12m and the bottom part also is not 4 m please look into it. The price for me does not add up, what criteria did council use to have come up to the price that was proposed."*

**BESTUURSAANBEVELING**

- (i) Dat in-beginsel-goedkeuring verleen word vir die verkoop van gedeelte Erf 5585, Bredasdorp ongeveer 38m<sup>2</sup> in grootte aan die Me Z Tonisi.
- (ii) Dat die Raad 'n Landmeter aanwys wat genoemde gedeelte sal registreer en konsolideer met die koper se bestaande erf, vir die koste van die koper.
- (iii) Dat die markwaarde soos bepaal, as koopprys van toepassing sal wees.
- (iv) Dat alle wetlike prosesse gevolg sal word, soos onder andere die voorneme van vervreemding aan die publiek bekend gemaak moet word.

**BESLUIT 105/2022**

- (i) Dat in-beginsel-goedkeuring verleen word vir die verkoop van gedeelte Erf 5585, Bredasdorp ongeveer 38m<sup>2</sup> in grootte aan die Me Z Tonisi.
- (ii) Dat die Raad 'n Landmeter aanwys wat genoemde gedeelte sal registreer en konsolideer met die koper se bestaande erf, vir die koste van die koper.
- (iii) Dat die markwaarde soos bepaal (R5 000,00), as koopprys van toepassing sal wees.
- (iv) Dat alle wetlike prosesse gevolg sal word, soos onder andere die voorneme van vervreemding aan die publiek bekend gemaak moet word.

10.10 **VERHURING VAN GROBBELAARSAAL****VERSLAG OPGESTEL DEUR: O JANUARY (EKONOMIESE ONTWIKKELING EN TOERISME)****DOEL VAN VERSLAG**

Vir die Raad om kennis te neem van die voorneme om die Grobbelaarsaal, geleë op erf 850, Napier aan 'n gekwalifiseerde aansoeker te verhuur, sodat plaaslike ekonomiese inisiatiewe vanaf die perseel bedryf kan word.

**AGTERGROND**

Die Grobbelaarsaal is tans onderbenut en die versugting was uitgespreek dat dit aangewend word vir inisiatiewe om plaaslike inwoners ekonomies te kan bemagtig, aangesien die gemeenskap van Napier 'n behoefte hiervoor uitgespreek het. 'n Publieke deelname proses is gevolglik deur 'n diensverskaffer namens die Raad geloods om die sonering van die saal te verander om die saal vir sulke inisiatiewe aan te mag wend. Die gevolg was dat 'n tydelike afwyking deur die toepaslike strukture goedgekeur is om die Grobbelaarsaal aan te wend vir vir kleinskaalse, ligte nywerhede en vervaardiging, asook vir die aanbied van plaaslike ekonomiese ontwikkelingsbemaatrigingskursusse/ werkwinkels.

'n Advertensie vir voorstelle vir die gebruik van die Grobbelaarsaal was gevolglik uitgereik aan Nie-Regeringsorganisasies (NRO's) of individue om aansoek te doen om die fasiliteit vir hierdie doel aan te wend. Aansoekers moes ook toestem tot die betaling van maandelikse huurgeld vir die perseel. Een aansoek, soos aangeheg op **bladsy 67 tot 81** is na aanleiding van die advertensie ontvang. Die aansoek is in lyn met die voorwaardes van die tydelike afwyking wat vir die perseel goedgekeur was.

### **BESTUURSAANBEVELING**

Dat die Raad kennis neem van die voorneme om die Grobbelaarsaal te verhuur aan 'n gekwalifiseerde aansoeker.

***Die aangeleentheid was nog nie deur die Wykskomitee bespreek en oorweeg nie.***

### **AANBEVELING: FINANSIES- EN IT DIENSTE KOMITEE**

- (i) Dat die Bestuursaanbeveling aanvaar word.
- (ii) Dat die Munisipale Bestuurder 'n jaar-tot-jaar huurooreenkoms met die tenderaar aangaan.
- (iii) Dat 'n markverwante huur bepaal word.
- (iv) Dat Napier Retirement Village 'n geleentheid gebied word om 'n volledige voorlegging aan die Komitee te doen insake die moontlike aankoop van die Grobbelaarsaal.

### **BESLUIT 106/2022**

- (i) Dat in-beginsel goedkeuring verleen word vir die verhuring van die Grobbelaarsaal aan me Nazley Salie.
- (ii) Dat die Munisipale Bestuurder 'n jaar-tot-jaar huurooreenkoms (beginnende 1 Julie 2022) met die aansoeker aangaan.
- (iii) Dat 'n markverwante huur bepaal word.
- (iv) Dat die aangeleentheid ook na die Wykskomitee verwys word vir hulle insette.
- (v) Dat die publiek in kennis gestel word van die Raad se voorneme.

## 10.11 **AANSOEK OM LANGTERMYN VERHURING VAN ERF 214, WAENHUISKRANS**

### **DOEL VAN VERSLAG**

Om oorweging te skenk aan die versoek van me R Europa ten einde erf 214, Waenhuiskrans vir 'n langtermyn by die Raad te huur.

### **AGTERGROND**

'n Skriftelike versoek, soos aangeheg op **bladsy 82** is van me R Europa ontvang om erf 214, Waenhuiskrans op 'n langtermyn basis te huur. Me R Europa, handeldrywend as "Southern Whales Akkommodasie" huur vanaf 1 Junie 2013 die huis op erf 214, Waenhuiskrans. Die huis word gebruik as 'n bed-en-selfsorg asook 'n korttermyn akkommodasie. Die bestaande ooreenkoms, soos aangeheg op **bladsy 83 tot 91** het verstryk op 30 April 2022.

### **FINANSIËLE IMPLIKASIE**

Huurinkomste vir die Raad.

### **WETLIKE IMPLIKASIES**

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

**AANBEVELING: FINANSIES- EN IT DIENSTE KOMITEE**

Dat die aangeleentheid terugverwys word vir verdere ondersoek. Sodanige ondersoek sal insluit: Alle besigheidsaansoeke vir "Covid-korting" en maontlike aanpassings aan die Covid Ondersteuningsbeleid.

**RAADSBESLUIT 75/2021: 29 APRIL 2021**

Dat die aangeleentheid terugverwys word vir verdere ondersoek. Sodanige ondersoek sal insluit: Alle besigheidsaansoeke vir "Covid-korting" en maontlike aanpassings aan die Covid Ondersteuningsbeleid.

***Die aangeleentheid was nog nie deur die Wykskomitee en Portfolio Komitee bespreek nie.***

**BESTUURSAANBEVELING**

Dat erf 214, Waenhuiskrans aan Me R Europa verhuur word vir 'n verdere termyn van 9 jaar en 11 maande vanaf 1 Mei 2022.

**BESLUIT 107/2022**

- (i) Dat die aansoek om verlenging van die ooreenkoms na die Wykskomitee en Portfolio Komitee verwys word vir bespreking.
- (ii) Dat 'n maand-tot-maand huurooreenkoms intussen in werking sal wees.

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

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

**ALGEMENE INLIGTING**

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

**AGTERGROND**

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

'n Volgende huurder (Napier Amateur Dramatic Society) het die gebou gehuur tot 31 Januarie 2021. Die Raad neem op 28 Oktober 2020 'n besluit (RB182/2020) om die gebou per tender te verkoop. Die Raadsbesluit word herroep. **Sedert 31 Januarie 2021 staan die gebou steeds leeg.**





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

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

**RAADSBESLUIT 199/2021: 14 OKTOBER 2021**

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

'n Advertensie van die Raad se voorneme is op 10 Desember 2021 in die plaaslike pers geplaas en verskeie besware is ontvang.

**BESTUURSAANBEVELING: 31 JANUARIE 2022**

Dat die item na die Raad terug verwys word vir oorweging van die besware.

**RAADSBESLUIT 14/2022: 31 JANUARIE 2022**

Dat die aangeleentheid terugverwys word sodat 'n volledige ondersoek deur die Departement Menslike Ontwikkeling gedoen word na die vestiging van 'n "safe house" op erf 538, Napier. Sodanige ondersoek sal insluit die finansiële impak om aan alle wetgewing te voldoen sowel as die sosiale impak ten opsigte van die lewering van 'n volledige diens aan die gemeenskap.

**KOMMENTAAR: MENSLIKE ONTWIKKELINGSDEPARTEMENT**

**Kommentaar ten opsigte van erf 538, Napier:**

Die Bestuurder Menslike Ontwikkeling en me Jenneline Marks, Maatskaplike Werkster (DSD), het op 27 Januarie 2022 'n besoek aan erf 538 afgelê.



**BEVINDINGE**

Die fasiliteit beskik slegs oor 2 toilette, 'n klein kombuis area, 'n groot oop ruimte met 'n tydelike afskorting wat voorheen as 'n aparte vertrek gebruik was.

Die Departement van Maatskaplike Ontwikkelings Dienste se norme en standaarde vir die oprigting van veilige hawens vir kwesbare persone moet aan die volgende vereistes voldoen: Die fasiliteit moet oor genoegsame slaapkamers, volledige ablusie geriewe, 'n eet area en 'n was kamer beskik. (Sien aangeheg subseksie 3.2 op bl. 18 en 3.4 op bl.19).

Volgens my waarneming is die fasiliteit nie tans geskik vir die aanwending van 'n veilige hawe "safe house" nie, tensy die nodige fasiliteite aangebring word. Die omheining van die gebou is ook nie van so 'n aard om die kwesbare persone te beveilig nie.

**KOMMENTAAR: JENELINE MARKS - DEPARTEMENT MAATSKAPLIKE DIENSTE****Visit at the premises in Napier for possible Safehouse for Abused Women and Children - 27 January 2022**

The undersigned and Ms Smith visited the premises in Napier for a possible Safehouse for Abused Women and Children.

The possible Safehouse for Abused Women and Children must be registered according to the Norms and Standards of the Department of Social Development.

During the visit the place was not suitable for the Safehouse, the structure must be safe and well ventilated.

Must be registered with the Norms and Standards of the Department / Health Inspector.

Die Norme en Standaarde vir Skuilings vir Hawelose Volwassenes word aangeheg op **bladsy 92 tot 128**.

**BESTUURSAANBEVELING**

- (i) Dat die Raad kennis neem van die publieke insette.
- (ii) Dat die Direkteur: Bestuursdienste dringend met Departement Maatskaplike Dienste in verbinding tree oor die aangeleentheid.

**BESLUIT 108/2022**

- (i) Dat erf 538, Napier aan Nuwerus Napier Nasorg beskikbaar gestel word om as "Safe House" te gebruik vir 'n termyn van 3 jaar, beginnende **1 Julie 2022 tot en met 30 Junie 2025**.
- (ii) Dat die Safe House op dieselfde beginsels as Bredasdorp Safe House hanteer moet word ten opsigte van befondsing, munisipale dienste asook die huurooreenkoms en toepaslike tariewe.
- (iii) Dat, indien die fasiliteit vir 'n ander doel aangewend word as die oorspronklike goedkeuring, die terugvalklousule in werking sal tree waarin die ooreenkoms beëindig kan word.
- (iv) Dat die Direkteur: Bestuursdienste Departement Maatskaplike Dienste verwittig van die Raad se besluit.

**10.13 VERHURING: ONBENUTTE GEBOU OP ERF 3652, INDEPENDENTSTRAAT, BREDASDORP AAN "VOET VAN AFRIKA-KOMITEE" (BAO)****DOEL VAN VERSLAG**

Om oorweging te skenk om die onbenutte munisipale gebou, bekend as die "kiosk" op erf 3652, Independentstraat by die Raad te huur.

**AGTERGROND**

'n Skrywe is vanaf die “Voet van Afrika-Komitee” ontvang waarin hulle vra om die onbenutte gebou, bekend as die “kiosk” geleë op erf 3652 in Independentstraat, Bredasdorp by die Raad te huur as 'n inligtingskantoor, maar ook as die “Voet van Afrika museum”.

Die Voet van Afrika is 40 jaar oud en het gehelp om Bredasdorp as 'n sleutelpunt op alle Suid-Afrikaanse atlete se kalender te plaas. Die Voet van Afrika se kantore en museum was voorheen in die toerisme kantoor op Bredasdorp Plein, maar die gebou is in 2017 verkoop en vandaar het die Voet van Afrika nie 'n uitstalspasie beskikbaar nie.

Die genoemde perseel is in Independentstraat geleë en is op die deurgangstroete vanaf Kaap Agulhas Toerisme na die Skeepswrakmuseum.

Die vestigting van die Voet van Afrika museum sal 'n toevoeging wees tot toerisme in Bredasdorp wat veral fokus op “toerisme te voet”. Aangesien die fasiliteite in onbruik staan kan dit maklik omskep word in 'n kantoor vir die Voet van Afrika-Komitee, maar ook 'n museum waar 40 jaar se herinneringe aan die publieke wêreld oopgestel en vertoon kan word.

Sodanige fasiliteite sal 'n geweldige waarde toevoeg tot toerisme binne KAM. Die Komitee is bereid om self die gebou te beveilig en binne in stand te hou.

***“Voet van Afrika - The toughest race with the warmest heart”***

**FINANSIËLE IMPLIKASIE**

Moontlike bron van inkomste uit verhuring (minimale huurgeld van R100,00/jaar, aangesien dit 'n gemeenskapsfasiliteit is en die Voet van Afrika-Komitee geen addisionele inkomste daaruit sal verdien nie).

**BESTUURANBEVELING: 19 NOVEMBER 2019**

- (i) Dat die Raad die kiosk op erf 3652, Independentstraat, Bredasdorp aan die Voet van Afrika-Komitee verhuur vir 'n tydperk van 3 jaar.
- (ii) Dat 'n konsep ooreenkoms opgestel en aan die Raad voorgelê word vir oorweging.
- (iii) Dat die Munisipale Bestuurder gemagtig word om die ooreenkoms namens die Raad te onderteken.

**AANBEVELING: FINANSIES- EN IT DIENSTE KOMITEE**

- (i) Dat die Bestuursaanbeveling aanvaar word.
- (ii) Dat die standaard voorwaardes, wat die terugvalklousule insluit, van toepassing sal wees.

**UBK BESLUIT BK128/2019: 19 NOVEMBER 2019**

- (i) Dat die Finansies- en IT Dienste Komitee se aanbeveling nie as besluit van die Burgemeesterkomitee aanvaar word nie.
- (ii) Dat die aangeleentheid terugverwys word vir verdere ondersoek.

**BESTUURANBEVELING: 28 APRIL 2022**

- (i) Dat die Raad die kiosk op erf 3652 aan die Voet van Afrika Komitee verhuur vir 'n jaar tot jaar basis.
- (ii) Dat die huurgeld van R100 pa vooruitbetaalbaar sal wees.
- (iii) Dat die huurooreenkoms deur Administratiewe Ondersteuning opgestel sal word.
- (iv) Dat die gewone terugvalklousule van toepassing sal wees.

**RAADSBESLUIT 78/2022: 28 APRIL 2022**

*"Dat die aangeleentheid ontstaan vir verdere ondersoek en hervoorlegging aan die Raad."*

Motiveringsbrief - Voet van Afrika Komitee, aangeheg op **bladsy 129 tot 131**.

**BESTUURSAANBEVELING**

- (i) Dat die Raad die kiosk op erf 3652 aan die Voet van Afrika Komitee verhuur vir 'n termyn van 3 jaar.
- (ii) Dat die huurgeld van R100 pa vooruitbetaalbaar sal wees.
- (iii) Dat die huurooreenkoms deur Administratiewe Ondersteuning opgestel sal word.
- (iv) Dat die gewone terugvalklousule van toepassing sal wees.

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

**BESLUIT 109/2022**

- (i) Dat die Raad die kiosk op erf 3652 aan die Voet van Afrika Komitee verhuur vir 'n termyn van 3 jaar.
- (ii) Dat die huurgeld van R100 pa vooruitbetaalbaar sal wees.
- (iii) Dat die huurooreenkoms deur Administratiewe Ondersteuning opgestel sal word.
- (iv) Dat die gewone terugvalklousule van toepassing sal wees.

10.14 **KANSELLASIE VAN OOREENKOMS: UKHANYO CHICKENS CO-OPERATIVE****DOEL VAN VERSLAG**

Om die Raad in te lig dat die voornemende huurder van gedeelte erf 1148, Bredasdorp die huur van genoemde eiendom kanselleer (sien aangehegde versoek op **bladsy 132**).

**AGTERGROND**

'n Ooreenkoms, soos aangeheg op **bladsy 134 tot 137** is met Ukhanyo Chickens Co-Operative aangegaan vir die huur van gedeelte erf 1148, Bredasdorp vir 'n termyn van 9 jaar en 11 maande teen R625,50 per jaar.

**FINANSIËLE IMPLIKASIE**

Verlies van inkomste (uitstaande huur word deur die regsproses gevorder).

**BESTUURSAANBEVELING**

- (i) Dat die Raad kennis neem dat die huur van gedeelte erf 1148, Bredasdorp gekanselleer is.
- (ii) Dat die heffing effektief gestop word op 31 Maart 2022.
- (iii) Dat die huurder aanspreeklik bly vir die uitstaande skuld.
- (iv) Dat die vorige Raadsbesluit herroep word.

**AANBEVELING: FINANSIES- EN IT DIENSTE KOMITEE**

Dat die Bestuursaanbeveling aanvaar word.

**RAADSBESLUIT 32/2022: 31 MAART 2022**

Dat die aangeleentheid na die Wykskomitee verwys word vir hul kommentaar/insette.

***Aangesien die huurder die kansellering van die ooreenkoms aangevra het, is die insette vanaf die Wykskomitee nie hier van toepassing nie.***

**BESTUURSAANBEVELING**

- (i) Dat die Raad kennis neem dat die huur van gedeelte erf 1148, Bredasdorp gekanselleer is.
- (ii) Dat die heffing effektief gestop word op 31 Maart 2022.
- (iii) Dat die huurder aanspreeklik bly vir die uitstaande skuld.
- (iv) Dat die vorige Raadsbesluit herroep word.

**BESLUIT 110/2022**

- (i) Dat die Raad kennis neem dat die huur van gedeelte erf 1148, Bredasdorp gekanselleer is.
- (ii) Dat die heffing effektief gestop word op 31 Maart 2022.
- (iii) Dat die uitstaande skuld afgeskryf word.
- (iv) Dat die vorige Raadsbesluit herroep word.

10.15 **KANSELLASIE VAN OOREENKOMS: ZUSO KHANYA AGRICULTURE FARMERS CO-OPERATIVE LIMITED****DOEL VAN VERSLAG**

Om die Raad in te lig dat die voornemende huurder van gedeelte erf 856, Struisbaai die huur van genoemde eiendom kanselleer (sien liggingsplan aangeheg op **bladsy 138**).

**AGTERGROND**

'n Ooreenkoms, soos aangeheg op **bladsy 139 tot 143** is met Zuso Khanya Agriculture Farmers' Co-Operative Limited aangegaan vir die huur van gedeelte erf 856, Struisbaai vir 'n termyn van 9 jaar en 11 maande teen R5 000,00 per jaar. Die groep Zuso Khanya Agriculture Farmers' Co-Operative Limited was vanaf ondertekening van ooreenkoms nog nie aktief of die genoemde grond nie. Intussen is die Vaardigheidsskool op die gedeelte wat deur Zuso Khanya Agriculture Farmers' Co-Operative Limited gehuur word, gebou.

**FINANSIËLE IMPLIKASIE**

Verlies van inkomste (uitstaande huur word deur die regsproses gevorder).

**BESTUURSAANBEVELING**

- (i) Dat die Raad kennis neem dat die huur van gedeelte erf 856, Struisbaai gekanselleer is.
- (ii) Dat die heffing effektief gestop word op 31 Mei 2022.
- (iii) Dat die vorige Raadsbesluit herroep word.
- (iv) Dat alle huurgeld wat gehef is, terugwerkend terugskryf word.

**BESLUIT 111/2022**

- (i) Dat die Raad kennis neem dat die huur van gedeelte erf 856, Struisbaai gekanselleer is.
- (ii) Dat die heffing effektief gestop word op 31 Mei 2022.
- (iii) Dat die vorige Raadsbesluit herroep word.
- (iv) Dat alle huurgeld wat gehef is, terugwerkend terugskryf word.

10.16 **HUUROOREENKOMS: CHANGE AGRI - WYSIGING VAN TARIWE EN GEBRUIK VAN PARKEERAREA****DOEL VAN VERSLAG**

Om oorweging te skenk aan die tarief wat opkomende boere van Change Agri (Pty) Ltd aan die Raad moet betaal vir grond wat hulle bewerk, asook kennisname van die gebruik van landbougrond vir parkeerarea van Nampo Park (sien e-pos aangeheg op **bladsy 144**).

**AGTERGROND**

Daar bestaan 'n huurooreenkoms, soos aangeheg op **bladsy 146 tot 156** tussen Kaap Agulhas Munisipaliteit en Change Agri (Pty) Ltd vir die huur van 'n gedeelte van erf 1148, Bredasdorp met 'n grootte van ongeveer 294 Ha. Die grond bestaan uit kampe 12, kampe 14 - 17 en kampe 19 - 20. Die ooreenkoms is vir 'n huurtermyn van 9 jaar en 11 maande, beginnende op 1 November 2020 tot 30 Oktober 2030.

Die opkomende groep boere plant nou vir die tweede jaar blomplante wat dan verkoop word. Die blomplante is meerjarige "gewasse" waarvan die optimale produksie eers later bereik word. As gevolg van die voorafgaande feit versoek Change Agri (Pty) Ltd die Raad om die huurtarief soos vervat in die genoemde ooreenkoms, te hersien om meer in lyn te wees met die ander opkomende boere wat dorpslande by die Raad huur. Die huidige huurbetaalbaar word op die aanhegte skedule op **bladsy 157** aangedui (opsie 1) en is dienooreenkomstig so in die ooreenkoms vervat. Uit aangehegte skedule is dit duidelik dat Change Agri (Pty) Ltd reeds in jaar 2 van die ooreenkoms, byna dubbel die huur betaal wat die ander opkomende boere betaal.

Ander opkomende boerderye wat dorpslande huur se huurtarief is gebaseer op die opbrengs per jaar. Alle groepe se 1ste jaar is op dieselfde beginsel gegrond (nagenoeg R204 281.61/j vir 302 HA).

*(Bestaande opkomende groepe wie se huurgeld op opbrengs gebaseer is, het soos volg vir die 2021-oesjaar betaal: AGRI DWALA (+-600HA) R265 121,69 en AGV Boerderye (349HA) R266 942,50). Die Raad het 'n 2019-oesjaar die tarief verminder as gevolg van die droogte.*

Change Agri se versoek is dat die huurtarief vasgestel word op die huidige huurbedrag, PLUS 'N JAARLIKSE ESKALASIE VAN 5% per jaar (soos vervat in Opsie 4 van die aangehegte skedule). Dit bring die huurbedrag meer in lyn met die ander twee huurders van Raadsgronde.

Change Agri ervaar ook geweldige verliese deurdat grensheinings deurlopend gesteel word en dan deur die groep self vervang moet word. Change Agri het reeds duisende rande op die grond gespandeer aan infrastruktuur en die aanplant van produkte.

Change Agri versoek ook die Raad om goedkeuring te gee dat GEDEELTE A van kamp 17 wat gedeel word met NAMPO PARK, as parkeerarea vir NAMPO PARK gebruik mag word (sien kaart aangeheg op **bladsy 158**). Die goedkeuring het geen effek op die huurbedrag nie.

**FINANSIËLE IMPLIKASIE**

Verlies van nagenoeg R100 000 per jaar aan huurinkomste.

**REGSIMPLIKASIE**

Die bepaling van die ooreenkoms is duidelik.

**PERSONEEL IMPLIKASIE**

Geen.

**BESTUURSAANBEVELING**

- (i) Dat die Raad goedkeuring gee van die wysiging aan die huurtarief in die bestaande ooreenkoms tussen Kaap Agulhas Munisipaliteit en Change Agri (Pty) Ltd.
- (ii) Die huurtarief vir die oorblywende termyn van die ooreenkoms, gebaseer sal word op die huidige bedrag van R225 220,47 per jaar, PLUS 'n eskalاسie van 5% per jaar (soos vervat in Opsie 4 van die aangehegte skedule).
- (iii) Dat die huurgeld met ingang 1 November 2021 reggestel sal word, en betaalbaar sal wees aan die einde van die kalenderjaar, maar voor 28 Februarie van die daaropvolgende jaar (soos ander opkomende boere).

- (iv) Dat goedkeuring ook gegee word dat GEDEELTE A van KAMP 17, soos aangedui gebruik mag word as 'n parkeerarea, sonder benadeling van regte.
- (v) Dat 'n amptelike serwitut ten opsigte van die water pyleiding oor die eiendom geregistreer word.
- (vi) Dat, na goedkeuring, 'n opdateerde ooreenkoms aan Change Agri voorgelê word.

#### **BESLUIT 112/2022**

- (i) Dat die Raad goedkeuring gee van die wysiging aan die huurtarief in die bestaande ooreenkoms tussen Kaap Agulhas Munisipaliteit en Change Agri (Pty) Ltd.
- (ii) Die huurtarief vir die oorblywende termyn van die ooreenkoms, gebaseer sal word op die huidige bedrag van R225 220,47 per jaar, PLUS 'n eskalاسie van 5% per jaar (soos vervat in Opsie 4 van die aangehegte skedule).
- (iii) Dat die huurgeld met ingang 1 November 2021 reggestel sal word, en betaalbaar sal wees aan die einde van die kalenderjaar, maar voor 28 Februarie van die daaropvolgende jaar (soos ander opkomende boere).
- (iv) Dat goedkeuring ook gegee word dat GEDEELTE A van KAMP 17, soos aangedui gebruik mag word as 'n parkeerarea, sonder benadeling van regte.
- (v) Dat 'n amptelike serwitut ten opsigte van die water pyleiding oor die eiendom geregistreer word.
- (vi) Dat, na goedkeuring, 'n opdateerde ooreenkoms aan Change Agri voorgelê word.

#### 10.17 **VERHURING/VERKOOP: GROND AANLIGGEND AAN DIEPKLOOF, BREDASDORP: L ANDREWS (1148B, DKD)**

##### **DOEL VAN VERSLAG**

Om oorweging te skenk om grond aanliggend aan Diepkloofplaas, (erf 1148, Bredasdorp) te verkoop en kennis te neem van mnr Andrews se versoek om grond te bekom.

##### **AGTERGROND**

'n Skrywe, soos aangeheg op **bladsy 159** van mnr L Andrews dateer 20 November 2019 is weer versoek om aan die Raad voor te lê. In die skrywe gee hy 'n uiteensetting van gebeure ten opsigte van die vervreemding van die genoemde grond, asook die "nie-uitvoering" van 'n Raadsbesluit.

Mnr Leslie Andrews het versoek dat die Raad uitvoering gee aan 'n besluit geneem in 2003, om 'n stuk grond aanliggend aan Diepkloofplaas aan hom te vervreem, volgens sy interpretasie van die opvolg skrywes wat voortspruit uit die besluit.

Gedurende die Raadsvergadering van 28 Oktober 2003 het 'n agendapunt voor die Raad gedien, waarin die aansoeker appèl aangeteken het teen die vervreemding van 'n gedeelte van erf 1148, Bredasdorp aan mnr Odendal.

In die kommentaar van bogenoemde punt word melding gemaak dat 4 hektaar steeds beskikbaar is en kon gedeeltes hiervan ook onder dieselfde voorwaardes vervreem word (as die voorwaardes wat vir mnr Odendal gegeld het).

Op 6 November 2003 stuur KAM (mnr E Oosthuizen - Stadsbeplanner) 'n skrywe (verwysing 7/1/3/2), aangeheg op **bladsy 160** aan Andrews, waarin gemeld word dat 'n gedeelte van die oorblywende 4ha ook aan Andrews vervreem kan word (dit is egter nie 'n besluit van die Raad nie).

'n Opvolg skrywe word op 10 Februarie 2004 weer aan Andrews gestuur, waarin aangedui word dat 'n landmeter aangestel sal word om die presiese grootte van die oorblywende grond te bepaal, "to determine the exact extent of land for possible alienation or rental to enable Council to sufficiently evaluate the various applications." In die genoemde skrywe word Andrews uitgenooi "to supply Council with detailed information regarding his proposal (e.g. land use, extent of land which is required, ect.)"

Op 9 Desember 2004 skryf die Munisipaliteit weer aan Andrews waarin gemeld word dat daar baie belangstelling in die grond is, en die raad nie die grond gaan vervreem totdat die Ruimtelike Ontwikkelingsraamwerk afgehandel is nie.

Op 19 Oktober 2004 en 14 Februarie 2005, soos aangeheg op **bladsy 162** rig die Munisipaliteit dit dat daar geen wetlike verpligting op die Raad is om die grond aan Andrews te vervreem nie. Verskeie verdere korrespondensie word weer met Andrews gevoer.

Die betrokke deel van Erf 1148 (Bredasdorp meent) wat tersprake is, is geleë langs die Struisbaaipad reg langs Diepkloofplaas (sien aangehegte lugfoto op **bladsy 163**). Die grond is ook bekend aan die Raad, aangesien die grond reeds 'n geruime tyd deur mnr Summers gehuur was, maar die huurkontrak verval in 2024.

***Mnr Andrews versoek weereens die Raad om die grond te koop teen die 2003 “prys met rentekoers formule”.***

### **FINANSIËLE IMPLIKASIE**

Moontlike bron van inkomste uit verhuring/verkoop. Sedert 2003 het die MFMA in werking getree, want nuwe regulasies daarstel vir die vervreemding van vaste eiendom/bates van die raad.

***Die aangeleentheid was nog nie deur die Wykskomitee en Portfolio Komitee bespreek nie.***

### **BESTUURANBEVELING**

- (i) Dat die Raad kennis neem van mnr Les Andrews se skrywe en versoek om die 1 hektaar grond op gedeelte van erf 1148, Bredasdorp te koop (soos reeds in 2003 versoek).
- (ii) Dat die Raad nie nou van voorneme is om die genoemde gedeelte van erf 1148, Bredasdorp (1 hektaar) te vervreem nie.
- (iii) Dat die Raad onderneem om mnr Andrews in kennis te stel sodra die Raad van voorneme is om die grond in die toekoms te verkoop.
- (iv) Indien die vervreemding in die toekoms kan/sal geskied, sal dit geskied ingevolge die Raad se beleid, asook die voorskrifte soos bepaal in die MFMA (of toepaslike wetgewing op betrokke datum).

### **BESLUIT 113/2022**

Dat die aangeleentheid eers na die Wykskomitee en Portfolio Komitee verwys word vir bespreking.

## 10.18 **CAPE AGULHAS MUNICIPALITY: WINTER SEASON READINESS PLAN 2022**

### **REPORT BY THE MANAGER PROTECTION SERVICES**

#### **PURPOSE OF REPORT**

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

#### **BACKGROUND**

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

#### **DISCUSSION**

Cape Agulhas Municipality declare their winter readiness by an updated winter readiness plan which lays out the preparations, alertness and action planning prior and during the winter season.

Reporting on readiness and issues during the winter is communicated to the Western Cape Provincial Disaster Management Centre (WCDMC) and Overberg District Municipality Disaster Management Centre on an annual basis.

### **LEGAL FRAMEWORK**

Disaster Management Act, 57 of 2002

### **FINANCIAL IMPLICATIONS**

None.

### **ANNEXURES**

Updated Winter Season Readiness Plan for the period June 2022 till Aug 2022, attached on **page 164 to 193**.

### **MANAGEMENT RECOMMENDATION**

That the Winter Season Readiness Plan for June - August 2022 be approved and implemented.

### **RESOLUTION 114/2022**

That the Winter Season Readiness Plan for June - August 2022 be approved and implemented.

## 10.19 **OORPLASING VAN KAPITALE FONDSE (DBD)**

### **DOEL VAN VERSLAG**

Vir die Raad om kennis te neem van goedkeuring in terme van Artikel 29 van die MFMA om die onvoorsiene uitgawe te akkommodeer vir oorplasing van kapitale fondse vir die vervaardiging van 'n "Enkel-As Direbeheer Honde Dipbad Sleepwa" (Posnommer 074 023 060 001) - Beskermingsdienste Afdeling.

### **AGTERGROND**

Die bedrag van R50 000,00 is in die 2021/2022 begroting voorsien vir die vervaardiging van 'n "Enkel-As Direbeheer Honde Dipbad Sleepwa" (Posnommer 074 023 060 001). Die tender is geadverteer en slegs een aansoek is ontvang. Weens die styging van staal pryse is die begrote bedrag onvoldoende ('n tekort van ongeveer R11 000,00 bestaan) om die projek af te handel.

### **FINANSIËLE IMPLIKASIE**

Daar is wel fondse beskikbaar as besparing met die aankope van die twee operasionele voertuie met posnommers 074 021 060 102 en 074 021 060 109 wat aangewend kan word vir die afhandeling van die enkel-as direbeheer honde dipbad sleepwa vervaardiging projek.

Die bedrag van R11 000,00 is oorgeplaas na posnommer 074 023 060 001.

### **BESTUURSAANBEVELING**

Vir goedkeuring deur die Raad.

### **BESLUIT 115/2022**

Dat goedkeuring verleen word vir die oorplasing van die bedrag van R11 000,00 na posnommer 074 023 060 001 vir die vervaardiging van 'n "Enkel-As Direbeheer Honde Dipbad Sleepwa".



**10.20 REPORT ON THE DEVIATION OF TRAFFIC FINES PERFORMANCE FOR THE PERIOD 2020/2021****REPORT BY THE MANAGER PROTECTION SERVICES****PURPOSE OF REPORT**

To provide a detailed explanation for the decrease in the financial performance as reflected in the year-on-year revenue collected from fines issued and paid (see document attached on **page 194 to 203**).

**BACKGROUND**

The municipality issued and generated income through road traffic fines by utilizing an external service provider, TMT to manage a full speed enforcement operation and back-office function on their Traffic Fines Management System. The performance of the service provider for the period in operation at the municipality was relatively good until the call of the National Pandemic Lockdown in March 2020. This impact the normal operations to come to a standstill for months during the COVID-19 total lockdown.

All law enforcement officers were called to work under the Disaster Management Act to slow the spread of the COVID-19 virus and to ensure that people stay at home unless necessary to leave home for medical attention or to buy food supplies. During 2020 operation was basically standing still and only fines issued for not wearing a mask over their mouth and nose. No close contact was allowed. Fines was also issued for unlicensed vehicles and drivers because of licenses that expired. Almost all these fines were withdrawn by court due to people not having income in this period and deviation given by National by extending all licenses until end of March 2022.

All these abnormal steps that's been put in place to help to minimize the impact of the State of the National Disaster Emergency situation. In May 2020 the service provider give notice that withdrawn their contract with CAM due to the impact on their services and revenue but agree to assist the municipality during the Festive Season period to manage speed enforcement.

During November and December 2020, the Protection Services Division was also affected by COVID and had to close-down for 10 days during December 2020 because of the staff numbers of affections. The service provider TMT ended their services on 31 January 2021. The municipality went out on tender for the appointment of a new service provider, but no application was made. A tender for appointment of a service provider to assist the Protection Service Division with the transformation of a in-house Fines Back Office function to operate the processing of fines with own staff, but no appointment has been made. The department then operate only on handwritten fines issued by law enforcement, by-law offences and traffic offences. This impact the fines income because of the slow method of fines issuing, minimum resources and no speed enforcement operations.

**LEGAL IMPLICATIONS**

None.

**FINANCIAL IMPLICATIONS**

A deficit of R6 million on fines income.

**ON 28 APRIL 2022 COUNCIL TOOK THE FOLLOWING DECISION (RESOLUTION 75/2022)**

*"That the fines report be accepted as reported and more detail be discussed at the next Portfolio Committee meeting."*

**MANAGEMENT RECOMMENDATION**

That the fines report submitted to the Management Services Portfolio Committee be accepted as reported.

**MANAGEMENT SERVICES COMMITTEE RECOMMENDATION**

That the management recommendation be accepted.

**RESOLUTION 116/2022**

That the fines report be accepted as reported.

10.21 **RELOCATION OF CAPE ACCESS SERVICES TO THE SHIELD FACILITY IN STRUISBAAI-NORTH****PURPOSE OF REPORT**

Council to approve the relocation of the Cape Access services to the Shield facility in Struisbaai-North.

**BACKGROUND**

The Cape Access services are accommodated at the Struisbaai library, and the current available space, and resources do not address the need for access to information and technology of the Struisbaai North community. The need for a resource centre for Struisbaai community was also raised during the 2021 youth summit and is registered in the Integrated Development Plan of the municipality.

A meeting was held on 28 January 2022 between representatives from Cape Access and CAM as a response to the identified need. The Deputy Director General: E-Innovation, from Cape Access, saw the potential of the Shield facility for both an access room and training room which will enhance the lives of the Struisbaai community in terms of accessing the digital world.

This project is a collaboration between Cape Agulhas municipality and Cape Access, which include financial commitments from both parties. Cape Access submitted their commitment letter to our municipality and requests assistance in terms of financing some of the building infrastructure work which include:

1. Painting of e-centre walls, and ceiling in white
2. Supply and installation of grey floor tiles
3. Supply and installation of power points and trunking
4. No rental for occupied space at the Shield facility
5. Security features at the facility

The municipality is already in the process of addressing the security features at the facility. All the windows are covered with bugler bars and a security company was appointed to install an alarm system.

Attached on **page 204 to 207** find letter of commitment and proposed layout.

**DEPARTMENTAL COMMENTS****Director Finance- and IT Services**

*"My only concern whether there is sufficient budget i.r.o operating / capital from the building maintenance vote of Myburgh? According to my understanding there will also be no rental agreement / payment applicable? Just for clarity but in principle support the project."*

**FINANCIAL IMPLICATIONS**

The items requested from point 1 - 4 are not in the current budget.

**STAFF IMPLICATIONS**

Cape Access already appointed their own staff.

**MANAGEMENT RECOMMENDATION**

- (i) Council to approve the relocation of the Cape Access services to the Shield facility in Struisbaai North.
- (ii) Council to budget for the painting of the e-centre walls, and ceiling in white, supply and install grey floor tiles, supply and install power points and trunking.
- (iii) Council to charge no rental fee for space occupied by Cape Acces at the Shield facility.
- (iv) A Service Level Agreement to be drafted between CAM and Cape Access to clarify their roles and responsibilities.

**MANAGEMENT SERVICES COMMITTEE RECOMMENDATION**

That the management recommendation be accepted.

**RESOLUTION 117/2022**

- (i) That Council approves the relocation of the Cape Access services to the Shield facility in Struisbaai North.
- (ii) That Council budget for the painting of the e-centre walls, and ceiling in white, supply and install grey floor tiles, supply and install power points and trunking.
- (iii) That Council charges no rental fee for space occupied by Cape Acces at the Shield facility.
- (iv) That a Service Level Agreement be drafted between CAM and Cape Access to clarify their roles and responsibilities.

10.22 **AMENDMENT / EXTENTION OF CONTRACT: MATTER INDUSTRIES - SMART CITY**

**ITEM COMPILED BY: CHIEF INFORMATION OFFICER (IT DEPARTMENT)**

**PURPOSE OF REPORT**

To obtain approval in terms of Part 20.14 of the Municipal Supply Chain Management Policy and System [SCMP] issued in terms of section 111 of the Municipal Finance Management Act, 2003 (Act 56 of 2003) - [MFMA] and adopted by the Council in 2020 and section 116 (3) (a) of the Municipal Finance Management Act that the municipality intends to amend the main agreement with MATTER INDUSTRIES. The proposed amendment of the main agreement is to provide for the extension of services and support for MULTI ACCESS NETWORK, SERVICES AND COMPONENT.

**BACKGROUND**

1. Cape Agulhas Municipality appointed the service Provider **MATTER INDUSTRIES** in June 2019 through a tender process **T80/2019** for Multi Access Network, Services and Component.
2. Subsequently these services were rendered in line with the set specification ensuring the availability of network and related services to the Services of the Municipality.
3. In terms of the agreement the 3 years expire on the 30th of June 2022 and wish the Municipality to extend the agreement for another 1 year, subject to the same terms and conditions and SCM regulations and processes.
4. The service provider indicated its willingness to extend the agreement for an additional year.
5. The services rendered by the Service Provider in the past three years has been more than satisfactory.
6. In October 2021, the Council already approved to continuation of the agreement in terms of the IOT component, but due to additional needs identified and the complexity this brings to the drafting of new specifications, we request an extension of the current agreement to ensure adequate requirements are put in place, before advertising the tender components related to networking, cameras and security.
7. During discussion with the Overberg District Municipality about possible ICT Shared Services areas, this tender and functionality thereof, was identified as one of the areas where both Municipalities can benefit from. Because this was only identified in February 2022, we will not have enough time to include all the requirements from the ODM and follow the Transversal SCM process in time before this contract expires. Hence this is the main reason for asking for this extension.

8. By initiating the process now, we can ensure that when the existing contract expire the relevant agreements are in place to allow the continuation of the current services. This will also ensure adequate and informed budgeting can be in place for the 2023/2024 book year relating to these services.
9. The prescriptive provisions of Section 116(3) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) was followed to extend the main agreement with Matter Industries.
10. Matter Industries was appointed as service provider by CAM for aforementioned services.
11. Subsequently, the CAM concluded a formal agreement with the service provider on 1 July 2019 for the rendering of the services.
12. The Municipality now wishes to invoke the aforementioned contractual condition and renew the service level agreement for an additional one year before 1 July 2022.
13. The rationale for the above conclusion is that:
  - a) Confirmed in writing its willingness to render the services at the same terms and conditions.
  - b) Rendered adequate services till date.
  - c) Has initially been appointed after an open bidding process.
  - d) Can ensure legal compliance and continuous service delivery.

Description	Department	ConfigCode	Budget amount (excl Vat) 2022/23	Budget amount (excl Vat) 2023/24	Budget amount (excl Vat) 2025/26
Smart city project - Water monitoring	ICT SERVICES	073060040007	R 900 000	R1 100 000	R 625 000
Water conservation and demand management [SC]	Water: Distribution	075020135204	R 800 000	R 400 000	R 0
Telecommunications: Data lines	ICT SERVICES	013060319000	R 2 746 600	R 2867 500	R 2 996 500
Consultancy: Professional service other	ICT SERVICES	013060144000	R 365 000	R 381 060	R 398 200
Maint: Computer Hardware materials & supplies	ICT SERVICES	013060085001	R 139 500	R 139 500	R 139 500

### FINANCIAL IMPLICATION

1. The extension will amount to R3 404 000 (VAT inclusive).
2. The total cost for the services will increase from R9 675 910,15 to R13 079 910,15.
3. Various service types, form part of this agreement, consisting of TCP/IP based wireless and wired networks, support and professional services, hardware like, cameras, Wi-Fi routers, Sensor Gateways, and computer related hardware. All these services and components interlink to support all Departments in the Municipalities for various purposes.
4. Recurring monthly expenditure is R142 000 or R1 704 000 annually.
5. The annual recurring cost is related to the network availability, monitoring, and support for connectivity of the Municipal Cameras and Wi-Fi access points. Should this expenditure not be incurred after 1 July 2022 the following sites will be affected and not available to the Municipality.

Town	Site	Service type	Monthly cost
Arniston	Library	Wi-Fi	R4 847,75
Arniston	Entrance	Camera	R4 847,75
Arniston	Roman Beach	Camera / Wi-Fi	R4 847,75
Bredasdorp	Lesedi Square	Wi-Fi	R4 847,75
Bredasdorp	Anene Booysen skill Centre	Wi-Fi	R4 847,75
Bredasdorp	Checkers	Wi-Fi	R4 847,75
Bredasdorp	Checkers	Camera	R4 847,75
Bredasdorp	Ou Meule Square	Wi-Fi	R4 847,75
Bredasdorp	Struisbaai Entrance	Camera	R4 847,75
Bredasdorp	Arniston Entrance	Camera	R4 847,75

Town	Site	Service type	Monthly cost
Bredasdorp	Napier Entrance	Camera	R4 847,75
Bredasdorp	Swellendam Entrance	Camera	R4 847,75
Elim	Bredasdorp Entrance	Camera	R4 847,75
Elim	Baardskeerdersbos Entrance	Camera	R4 847,75
Elim	Wolvengat Entrance	Camera	R4 847,75
Klipdale	Protém Entrance	Camera	R4 847,75
Klipdale	Library	Wi-Fi	R4 847,75
L'Agulhas	Resort	Wi-Fi	R4 847,75
Napier	Nuwerus library	Wi-Fi	R4 847,75
Napier	Caledon Entrance	Camera	R4 847,75
Napier	Bredasdorp Entrance	Camera	R4 847,75
Napier	Klipdale turnoff	Camera	R4 847,75
Protém	Library	Wi-Fi	R4 847,75
Protém	Swellendam Entrance	Camera	R4 847,75
Struisbaai	Library	Wi-Fi	R4 847,75
Struisbaai	Library	Camera	R4 847,75
Struisbaai	Struisies playschool	Wi-Fi	R4 847,75
Struisbaai	Beach	Wi-Fi	R4 847,75
All towns	All sites	Management fee	R6 440,00

Capital expenditure made provision for over the next 12 months is R1 700 000.

Total additional expenditure over the next 12 months is R3 404 000.

Initial contract value the service provider was appointed for was R9 675 910,15

#### **BAC DECISION: T36/2022**

*"That the Bid Adjudication committee recommend that the recommendation be accepted."*

#### **MANAGEMENT RECOMMENDATION**

- (i) That the proposed amendment to the main agreement with Matter Industries be extended for an additional one year from 1 July 2022, in terms of the enabling provisions of Section 116(3) of the Municipal Finance Management Act 2003 (Act 56 of 2003).
- (ii) That the provisions of section 116 (3) of the Municipal Finance Management Act, 2003 (Act 56 of 2003) - [MFMA] be followed by:
  - a. That the abovementioned reasons be tabled to the council; and
  - b. That the local community be given reasonable notice of the intention to amend the contract or agreement; and
  - c. That the community be invited to submit representations to the municipality.

#### **RESOLUTION 118/2022**

- (i) That the proposed amendment to the main agreement with Matter Industries be extended for an additional one year from 1 July 2022, in terms of the enabling provisions of Section 116(3) of the Municipal Finance Management Act 2003 (Act 56 of 2003).
- (ii) That the provisions of section 116 (3) of the Municipal Finance Management Act, 2003 (Act 56 of 2003) - [MFMA] be followed by:
  - a. That the abovementioned reasons be tabled to the council; and
  - b. That the local community be given reasonable notice of the intention to amend the contract or agreement; and
  - c. That the community be invited to submit representations to the municipality.

### 10.23 **TRANSVERSAL TENDERS**

**ITEM COMPILED BY: CHIEF INFORMATION OFFICER (IT DEPARTMENT)**

#### **PURPOSE OF REPORT**

To obtain approval in terms of paragraph 18.7 of the Supply Chain Management (SCM) policy to participate in a transversal tender with the Overberg District Municipality.

## **BACKGROUND**

The purpose of this document is to obtain approval from the Council of Cape Agulhas Municipality to participate in a transversal tender with the Overberg District Municipality in efforts to leverage on economies of scale for ICT related services.

### **This request for approval the tender: MULTI ACCESS NETWORK, SERVICES AND COMPONENT SCM procedures to be handled by Cape Agulhas Municipality**

Over the past two years the Municipalities have been moving towards a Shared Services model on various ICT aspects and services. Although one need to acknowledge that getting ICT and management thereof aligned, is not always an easy task, this project was one of the areas identified where Shared Services make sense. This tender is key to a lot of the Smart City initiatives and by including these Services in corporation with the Overberg District Municipality it set the table for future 4<sup>th</sup> Industrial Revolution (4IR) initiatives in the District.

The focus area in this tender is the availing and expansion of the LPWAN which is the network type used for most 4IR and IOT implementations, it also includes the current network infrastructure availability for CCTV cameras in Town and the District as well as the Public Wi-Fi. Currently Cape Agulhas Municipality already make use of these services and as the current agreement is coming to an end, we now need to follow the SCM processes to ensure the continuation of these services to the Community by CAM.

Subsequently, the cameras are already monitored by the ODM 24/7 and as this Shared Service is already in place between the two Municipalities it make sense to further make use of opportunities that can contribute to access to information by communities, safety and security and Disaster Management possibilities, especially in the District.

In 2022 the ODM in their capacity as the District Municipality already contributed a R300 000 grant received form SANTAM towards CCTV and LPR (License Plate Recognition) installation for CAM. This opportunity and others like this will enable us to work together towards an integrated approach expanding the Smart City methodology to the District.

### **The tender includes the following services, products and support:**

1. Public Wi-Fi
2. CCTV and LPR cameras and related infrastructure
3. Smart poles and power solutions
4. IOT network gateway
5. Network services
6. Data aggregation for network and IOT systems and services
7. Professional services related to listed items

## **FINANCIAL IMPLICATIONS**

Considering existing services that is already in place and need to continue and possible future opportunities that have been identified for CAM alone we estimate the contract to be in the range of R10 00 000, this excludes the areas identified by the ODM which in turn will add between an additional R5 000 000 to R8 000 000 to the services, hardware and professional assistance required which brings the total expected value to around R18 000 000.

## **LEGISLATIVE REQUIREMENTS**

1. Municipal Finance Management Act, Act No. 56 of 2003.
2. Supply Chain Management Policy of Cape Agulhas Municipality

**MANAGEMENT RECOMMENDATION**

That Council consider the approval for Cape Agulhas Municipality to participate in the Transversal contract with the Overberg District Municipality.

**RESOLUTION 119/2022**

That Council approves that Cape Agulhas Municipality participates in the Transversal contract with the Overberg District Municipality.

10.24 **INSTALLATION OF UPVC WATER PIPE IN EXISTING LEIWATER CONCRETE CHANNEL IN NAPIER TO PREVENT FLOODING OF PRIVATE PROPERTIES**

**PURPOSE OF REPORT**

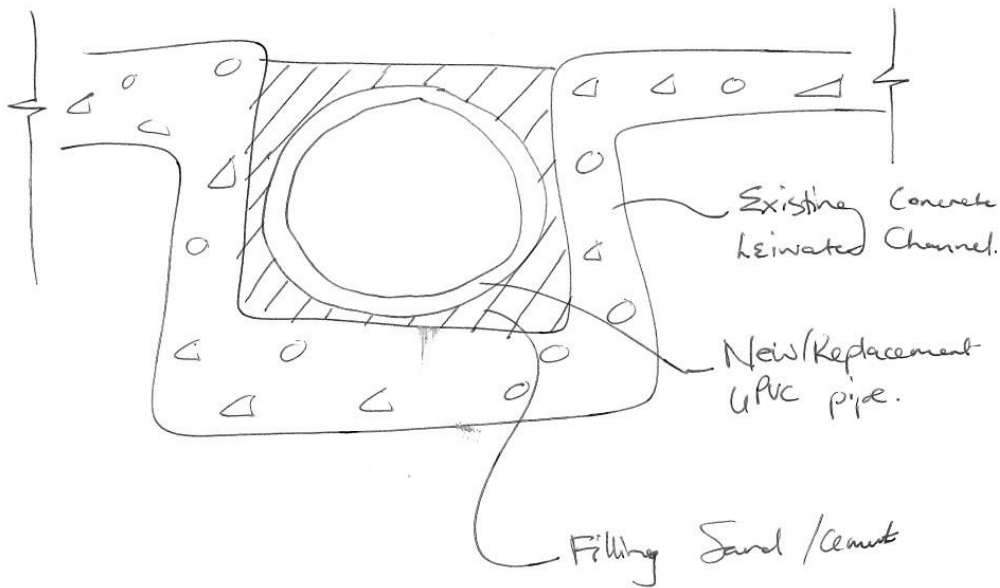
Council to consider the request for installation of a uPVC pipe in the existing Leiwater concrete channel in Napier to prevent future flooding of private properties.

**BACKGROUND**

The current Leiwater concrete channel in Napier is showing signs of severe damage and cracks. Currently portions of the Leiwater channel is positioned on private property. The damage on the channel causes water to run over private properties resulting in severe flooding of these properties in the winter months.



A request was made by the Napier Leiwater Association for CAM to install a uPVC pipe inside the existing channel to prevent any future flooding of these properties.

**The proposed installation would be as follow**

Old or redundant 150mm dia water and sewer pipes from CAM's construction sites would be used as the replacement pipe as indicated in the above sketch. The replacement or installation would be done as and when 150mm dia pipe is available. The total length of the installation is 260m in the existing Leiwater channel.

**LEGAL IMPLICATIONS**

None.

**FINANCIAL IMPLICATIONS**

Cape Agulhas Municipality to carry the installation cost by utilizing CAM employees. Five EPWP staff will be required to assist with the installation. EPWP staff to be paid R150 per day for labour.

**PERSONNEL IMPLICATIONS**

Five EPWP staff will be required to assist with the installation. EPWP staff to be paid R150 per day for labour.

**MANAGEMENT RECOMMENDATION**

That the Council considers this request as damage to these properties could be significant if no intervention is done.

**RECOMMENDATION: INFRASTRUCTURE SERVICES COMMITTEE**

That the matter be referred to the Ward Committee as well as the Napier Heritage Association and thereafter a detailed report be submitted to Council for consideration.

**RESOLUTION 120/2022**

- (i) That Council notes that the matter was discussed by the Ward Committee as well as the Napier Heritage Association.
- (ii) That Council takes note of the verbal approval given by Western Cape Heritage.
- (iii) That, after receiving written approval by Western Cape Heritage, the installation of a uPVC pipe in the existing Leiwater concrete channel in Napier to prevent future flooding of private properties can proceed.



10.25 **EXTERNAL AUDIT ACTION PLAN FOR 2020/21 (OPCAR): MONTHLY PROGRESS REPORT – MAY 2022 (DFS)**

**PURPOSE OF REPORT**

Consideration of the progress made with the implementation of the approved 2020/21 Auditor General Findings Action Plan (OPCAR) as at 31 May 2022.

**AGTERGROND**

The Auditor General's audit of the municipality's operational and financial activities for the 2020/21 financial year revealed some shortcomings that needs to be addressed. These shortcomings has been taken up in the 2020/21 OPCAR, as attached on **page 208 to 211** where specific corrective measures has been determined for implementation. The action plan was approved by Council on 14 December 2021. The progress made with the implementation of the plan is submitted to Council and the Western Cape Provincial Treasury on a monthly basis as well as quarterly to the Cape Agulhas Audit Committee for review. The only two items still outstanding is linked to the finalisation of the 2021/22 annual financial statements which is due 31 August 2022.

**STAFF IMPLICATIONS**

None.

**FINANCIAL IMPLICATIONS**

None.

**LEGAL IMPLICATIONS**

None.

**MANAGEMENT RECOMMENDATION**

That the Council consider and approve the progress report on the 2020/21 OPCAR action plan as at 31 May 2022.

**RESOLUTION 121/2022**

That Council approves the progress report on the 2020/21 OPCAR action plan as at 31 May 2022.

10.26 **MANDATE OF CAPE AGULHAS MUNICIPALITY FOR THE PROPOSED AMENDMENTS TO THE SOUTH AFRICAN LOCAL BARGAINING COUNCIL MAIN COLLECTIVE AGREEMENT**

**PURPOSE OF REPORT**

To get Council's Mandate for the proposed amendments to the Main Collective Agreement of 2022. The meeting is scheduled to take place on 2 June 2022.

**BACKGROUND**

The following letter was received from SALGA:

*"The purpose of the meeting is to obtain a mandate from municipalities regarding possible amendments to the South African Local Government Bargaining Council (SALGBC) Main Collective Agreement (MCA). SALGA obtained a mandate prior to the local government elections, but would like the new leadership to consider the proposed amendments as approved by the previous leadership and any additional amendments to be effected to the Main Collective Agreement.*

*The proposed amendments to the Main Collective Agreement are hereby reflected in red in the **document separately attached** to this agenda. You are requested to consider these amendments with your Management and Council and to provide a formal mandate to SALGA on any proposed amendments. While your municipality can also send any proposed amendments as approved by your Council to SALGA prior to the meeting, you are requested to please ensure your attendance at the meeting where your municipality will be requested to confirm your mandate in supporting the previous amendments as well as any additional amendments.*

*The Main Collective Agreement was recently extended to terminate on 1 July 2023. Due to the importance of the matter, it is imperative that the political leadership from municipalities attend the mandate meeting. The meeting must preferably be attended by Executive Mayors/Councillors responsible for Corporate Services and Municipal Managers/Directors: Corporate Services. The maximum number of delegates to attend is two representatives per municipality, of which at least one must be a councillor."*

At the last position by SALGA during the wage negotiations in 2020 the municipalities were requested to consider the proposal and to confirm either acceptance or rejection or propose any amendments to the proposed amendments to the SALGA proposal (see **page 212 to 232**).

### **COUNCIL POLICY**

Main Collective Agreement 2015 to 2020.

### **PERSONNEL IMPLICATIONS**

None.

### **FINANCIAL IMPLICATIONS**

Unknown.

### **MANAGEMENT RECOMMENDATION**

- (i) That Council gives their mandate for the approval of the proposed amendments to the Main Collective Agreement of 2022 as per the attached document.
- (ii) That a Councillor be nominated to attend the meeting with the Executive Mayor.
- (iii) That the Executive Mayor be nominated as the voting delegate of Cape Agulhas Municipality at the SALGA Mandate Meeting on 2 June 2022.

### **RESOLUTION 122/2022**

- (i) That Council gives their mandate for the approval of the proposed amendments to the Main Collective Agreement of 2022 as per the attached document.
- (ii) That Councillor Donald be nominated to attend the meeting with the Executive Mayor.
- (iv) That the Executive Mayor be nominated as the voting delegate of Cape Agulhas Municipality at the SALGA Mandate Meeting on 2 June 2022.

## **11. AANVULLENDE ITEMS DEUR DIE RAAD HANTEER**

### **11.1 PROPOSED LONG-TERM DEBT APPLICATION (SCM 52/2021/22)**

#### **PURPOSE OF REPORT**

For council to consider the proposed long-term debt application to the total amount of R34,626 million as approved by the bid adjudication committee on 13 May 2022.

In its consideration of the long-term debt application approved by the bid adjudication committee, it will be imperative for Council to take into account all inputs received from the public, National and Provincial Treasury as prescribed in terms of section 46 of the MFMA.

### **BACKGROUND**

Tenders for long-term debt to the total amount of R34,626 million were invited from various banks and / or borrowing institutions to fund the municipality capital programme over the medium term budget period (2021/22 & two outer years) as per Council's budget approval dated 31 May 2021 as well as the borrowing terms, conditions and specifications approved by Council during January 2022. *(The allocated funding source from external borrowing in respect of the proposed capital programme with reference of the two outer years may be subject to change with the approval of the final 2021/22 capital budget.)*

**Particulars of the approved long term debt application are as follows:**

<b>Purpose of Borrowing</b>	<b>Type / Method of Borrowing</b>	<b>Service of External Loan</b>	<b>Repayment period / Interest Rate</b>	<b>Anticipated External Loan application</b>	<b>Anticipated Total Cost of External Loan</b>	<b>Average Anticipated Annual Installment</b>
Motor Vehicle Fleet	External Loan: Annuity Method	Half Yearly	5 Years at a variable / linked interest rate of 6.31%	R8,542,000	R 1,599,262	R 2,028,252
New and Upgrade Infrastructure Services	External Loan: Annuity Method	Half Yearly	5 Years at a variable / linked interest rate of 6.31%	R4,091,200	R 773,934	R 973,027
New and Upgrade Infrastructure Services	External Loan: Annuity Method	Half Yearly	10 Years at a variable / linked interest rate of 6,35%	R21,992,850	R 8,249,966	R 3,024,282
<b>Total Long-term Application:</b>				<b>R34,626,050</b>	<b>R10,623,162</b>	<b>R6,025,561</b>

In terms of section 46(3)(a)(ii) of the MFMA the public as well as National and Provincial Treasury were invited through publication in the two local news papers – Cape Argus / “Die Burger”, notice boards and the municipal website.

National- and Provincial Treasury was also informed in a formal written letter 14 May 2021 together with supporting documentation as per National Treasury circular no 26 borrowing checklist requirements. (The feedback from National and Provincial Treasury, if any, is still awaiting as should there be any significant recommendations it will be reveal to council accordingly).

### **LEGAL IMPLICATION**

Non-compliance to prescribed legislation and external loan conditions.

### **FINANCIAL IMPLICATION**

The total estimated maximum borrowing cost in respect of the 2022/23 budget year amounts to R6,025,561 if the full borrowing amount be utilised effective from 1<sup>st</sup> July 2022. However, it is anticipated to be phased in and utilized aligned with the approved capital budget programme over the next two remaining years.

It will be further suggested to ring-fence the estimated cost required to service the loan as part of the applicable tariff submission in respect of the 2022/23 budget proposal.

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

**MANAGEMENT RECOMMENDATION**

Council considers proceeding with the long term debt application to the total estimated amount of R34,626 million from Firstrand Bank Limited over the medium budget period (2021/22 and two outers) as approved by the bid adjudication committee based on the specifications and guidelines determined by Council during January 2022.

**RESOLUTION 123/2022**

That Council proceeds with the long term debt application to the total estimated amount of R34,626 million from Firstrand Bank Limited over the medium budget period (2021/22 and two outers) as approved by the bid adjudication committee based on the specifications and guidelines determined by Council during January 2022.

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

Geen.

13. **OORWEGING VAN KENNISGEWING VAN MOSIES**

Geen.

14. **OORWEGING VAN KENNISGEWING VAN VRAE**

Geen.

15. **OORWEGING VAN DRINGENDE MOSIES**

Geen.

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

'n Lys van onafgehandelde Raadsbesluite word aangeheg op **bladsy 53** van hierdie Notule.

17. **IN KOMITEE VERSLAE**

In Komitee items word vertroulik hanteer.

18. **SLUITING**

Die vergadering verdaag om 14h20.

**ONAFGEHANDELDE RAADSBSLUIT**

Besluit Nr	Onderwerp	Verkorte Besluit	Vordering	Verantwoordelike persoon
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>National Department of Environment assisted CAM with Terms of Reference to appoint a specialist in environment to do the amendment of the ROD. Purchase of portion of erf 1256 is on hold, subject to the finalization of the amendment of the ROD.</i>	MB
148/2021	Property Management Policy and SOP	(i) Approves in principle. (ii) That the policy and the SOP be advertised for public inputs. (iii) That all inputs received, be take into account for the reviewing of the new Property Management Policy. (iv) That a workshop be held to finalize the policy and the SOP.	<i>Werkswinkel - Soos vervat in Jaarbeplanner van 2022 (29 April - uitgestel na 19 Mei).</i>	BAO
174/2021	Vervreemding (huur): Ged Erf 670, Waenhuis-krans (J Davids)	(i) Aansoek nie ondersteun word nie. (ii) Stadsbeplanning nuwe uitleg aan Raad voorlê waar 3 NUWE aangrensende erwe uitgemeet word (aangrensend aan erf 732, 733 en 734). (iii) Dat Stadsbeplanning ook ondersoek instel na 'n verdere ontwikkeling van erf 670, Waenhuiskrans vir behuising.	<i>Stadsbeplanning is besig met nuwe uitlegte. Item sal in Maart 2022 by portfolio komitee dien. Verwys na Wykskomitee vir insette.</i>	Stadsbeplanning
175/2021	Vervreemding (huur): Ged Erf 670, Waenhuis-krans (R Europa)	(i) Aansoek nie ondersteun word nie. (ii) Stadsbeplanning nuwe uitleg aan Raad voorlê waar 3 NUWE aangrensende erwe uitgemeet word (aangrensend aan erf 732, 733 en 734). (iii) Dat Stadsbeplanning ook ondersoek instel na 'n verdere ontwikkeling van erf 670, Waenhuiskrans vir behuising.	<i>Stadsbeplanning is besig met nuwe uitlegte. Item sal in Maart 2022 by portfolio komitee dien. Verwys na Wykskomitee vir insette.</i>	Stadsbeplanning
198/2021	Vervreemding (huur): Ged erf 1837, Struisbaai	Dat die aangeleentheid terugverwys word, aangesien die betrokke muur reeds opgerig is en verdere ondersoek dienooreenkomstig moet plaasvind.	<i>Boubeheer moet bevestig dat die muur wel op Raadsgrond gebou is (indien wel, 'n boete/oorskredingsooreenkoms).</i>	Eiendoms-administrasie / Boubeheer
210/2021	Registrasie van serwitut vir "Reg Van Weg": Erf 953, L'Agulhas (mnr André Swart)	Dat die aangeleentheid terugverwys word vir verdere ondersoek, wat moontlik mag insluit die vervreemding, onderverdeling, hersonering en konsolidasie.	<i>Verwys na Maart 2022 Portfolio Komitee vergadering. 'n Volledige verslag word vanaf Infrastruktuurdienste benodig insake stormwater- en elektrisiteitsnetwerk. Die aansoeker is versoek om 'n volledige uitlegplan aan die Raad voor te lê, in samewerking met die aangrensende eiendoms-ontwikkelaar. <b>ITEM DIEN BY 31 MEI 2022 SE RAADSVERGADERING</b></i>	Eiendoms-administrasie / Infrastruktuurdienste

**BESTUURSAANBEVELING**

Dat die Raad kennis neem van die onafgehandelde Raadsbesluite.

BEKRAGTIG op hierdie

dag van

2022

**BESLUIT 124/2022**

Dat die Raad kennis neem van die onafgehandelde Raadsbesluite.

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**SPEAKER**