



KAAP AGULHAS MUNISIPALITEIT
CAPE AGULHAS MUNICIPALITY
U MASIPALA WASECAPE AGULHAS

**NOTULE VAN 'N ALGEMENE RAADSVERGADERING GEHOU OM 11:00 OP DONDERDAG
29 JUNIE 2017 IN DIE MUNISIPALE RAADSAAL TE BREDASDORP**

**MINUTES OF A GENERAL COUNCIL MEETING HELD ON THURSDAY, 29 JUNE 2017 AT
11:00 IN THE MUNICIPAL COUNCIL CHAMBERS, BREDASDORP**

RAADSLEDE / COUNCILLORS

MNR	G D BURGER	
MNR	D J EUROPA	
MNR	C J JACOBS	
MNR	D JANTJIES	
ME	E C MARTHINUS	
MNR	J G A NIEUWOUDT	(Speaker)
ME	M OCTOBER	
ME	E L SAULS	
MNR	P J SWART	(Burgemeester)
ME	Z TONISI	(Onder-Burgemeester)

AMPTENARE / OFFICIALS

Mnr D O'Neill	Munisipale Bestuurder
Mnr S Ngwevu	Direkteur: Korporatiewe Dienste
Mnr H Van Biljon	Direkteur: Finansiële Dienste
Mnr K Mrali	Direkteur: Gemeenskapsdienste
Mnr B Swart	Interne Ouditeur
Mnr S Cooper	Bestuurder: Elektrotegniese Dienste
Mnr B Hayward	Bestuurder: Stads- en Streeksbeplanning
Mnr G M Moelich	Bestuurder: Admin Ondersteuning
Mnr F du Toit	Bestuurder: Boubeheer
Me N Mhlati-Musewe	Bestuurder: Menslike Hulpbronne
Me T Stone	Bestuurder: Strategiese Dienste

1. **OPENING**

Die Speaker heet die teenwoordiges welkom en Raadsheer Jantjies open die vergadering met gebed.

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

Raadslid R J Baker

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:**

30 Mei 2017

BESLUIT 122/2017

Die Notule word as korrek en volledig bekragtig.

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

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

Geen.

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

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

- WYK 1 : 18 Mei 2017
- WYK 2 : 18 Mei 2017
- WYK 3 : 18 Mei 2017
- WYK 4 : 16 Mei 2017
- WYK 5 : 15 Mei 2017
- WYK 6 : 18 Mei 2017

BESLUIT 123/2017

Die Raad neem kennis van bogenoemde Wykskomitee Notules.

6.2 **VOORGELê VIR KENNISNAME : ICT STEERING COMMITTEE GEHOU OP**

20 April 2017

BESLUIT 124/2017

Die Raad neem kennis van bogenoemde ICT Steering Committee Notules.

7. **SAKE VOORTSPRUITEND UIT NOTULES**

Geen.

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

Geen.

8.2 FUNKSIES VIR DIE MAAND

8.2.1 Die Minister van Gesondheid het die plaaslike hospitaal en klinieke besoek.

8.2.2 Raadslede word herinner aan die straatmark wat op 1 Julie 2017 in Bredasdorp plaasvind.

8.3 AANWYS VAN AFGEVAARDIGDES

Geen.

8.4 DRINGENDE SAKE DEUR DIE SPEAKER VOORGELê

8.4.1 Mnr en mev Van Niekerk (Adriaan) se moeder is vandag oorlede - 'n Mosie van roubeklag word staande aangeneem.

8.4.2 Personeel en Raadslede wat gedurende Juniemaand verjaar het word geluk gewens.

9. TERUGVOERING VANAF RAADSLEDE OOR VERGADERINGS BYGEWOON

Geen.

10. VERKLARINGS EN/OF MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER

Geen.

11. ITEMS NA DIE RAAD VERWYS VIR OORWEGING

Bladsy

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15. OORWEGING VAN KENNISGEWING VAN VRAE	Geen
16. OORWEGING VAN DRINGENDE MOSIES	Geen
17. VERSLAG DEUR MUNISIPALE BESTUURDER OOR DIE UITVOERING VAN RAADSBESLUIE	
Lys van onafgehandelde Raadsbesluite verskyn op bladsy 58 .	

18. IN-KOMITEE VERSLAE

Die In-Komitee items word vertroulik hanteer.

19. SLUITING

Die vergadering verdaag om 13:25

11. ITEMS NA DIE RAAD VERWYS VIR OORWEGING**11.1 MUNISIPALE BESTUURDER / MUNICIPAL MANAGER****11.1.1 KWARTAALVERSLAG OOR DIE OUDIT- EN PRESTASIEOUDIT KOMITEE SE WERKSAAMHEDE VIR DIE KWARTALE GEËINDIG 31 DESEMBER 2016 EN 31 MAART 2017****DOEL VAN VERSLAG**

Verslagdoening aan die Raad oor die Oudit- en Prestasieoudit Komitee se werksaamhede en die uitvoering van sy pligte vir die twee kwartale geëindig 31 Desember 2016 en 31 Maart 2017.

AGTERGROND

In terme van Nasionale Tesourie se Omsendskrywe 65 van 2003 moet die komitee op 'n kwartaallikse basis verslag aan die Raad doen oor die uitvoering van hulle funksies en werksaamhede asook werksaamhede van die interne oudit afdeling.

Hierdie omsendskrywe is in 2012 aangepas om by die jongste verwickelinge en verwagtinge rondom die komitee, interne oudit en risiko bestuur aan te pas.

Op grond van hierdie skrywe het die komitee sy kwartaalverslag uitgebring vir bogemelde twee kwartale, soos aangeheg op **bladsy 1 tot 8** en wat nou aan die Raad voorgelê word vir bespreking en oorweging.

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

Verslag van 31 Desember 2016:

"Par. 5(b): However, the Committee does have concerns on the following issue:

- i The number of KPI's that have not yet been achieved and the effect this could have on service delivery especially in the case of capital projects;*
- ii The difficulty experienced by the Manager: Strategic Services in obtaining the evidence of performance achievements which has not improved since the last reporting period;*
- iii The inadequacy and lack of quality supporting documentations for performance achieved; and*
- iv Although there is improvement in the review by management to ensure accurate completion of actual achievement, timeous updating of the system on a monthly basis and the submission of supporting evidence for targets achieved, there is still a lack of review in some cases."*

Verslag van 31 Mei 2017:

"Par. 5(b): However, the Committee does have concerns on the following issue:

- i The number of KPI's that have not yet been achieved and the effect this could have on service delivery especially in the case of capital projects;*
- ii The difficulty experienced by the Manager: Strategic Services in obtaining the evidence of performance achievements which has not improved since the last reporting period;*
- iii The inadequate review of such evidence by the internal audit function due to the unavailability of the evidence, which also effects the credibility of the supporting evidence used by senior management during their performance evaluation;*
- iv The inadequacy and lack of quality supporting documentations for performance achieved;*
- v Lack of review or level of review by Senior Management (in some cases) on the monthly updating of the SDBIP; and*
- vi The level of controls in the SCM process based on the AG's findings and the recent investigations"*

PERSONEEL IMPLIKASIES

Geen.

FINANSIËLE IMPLIKASIE

Geen.

AANBEVELING: OUDIT- EN PRESTASIEOUDIT KOMITEE

Dat die Raad die inhoud van die Komitee se kwartaalverslag vir die tydperke geëindig 31 Desember 2016 en 31 Maart 2017 bespreek en die verslae aanvaar word.

BESLUIT 125/2017

Dat die inhoud van die Komitee se kwartaalverslag vir die tydperke geëindig 31 Desember 2016 en 31 Maart 2017 en die verslae aanvaar word.

11.1.2 **NOTULE VAN DIE OUDIT- EN PRESTASIEOUDIT KOMITEE OOR DIE VERGADERING VAN 25 NOVEMBER 2016**

DOEL VAN VERSLAG

Verslagdoening aan die Raad oor die Oudit- en Prestasieoudit Komitee se vergaderings, besluite en aanbevelings van 25 November 2016.

AGTERGROND

Die komitee het op 25 November 2016 vergader waarvan die goedgekeurde notules aangeheg word op **bladsy 9 tot 11**.

Die Komitee se areas van bekommernis is opgeneem in hulle kwartaalverslag wat as 'n aparte item aan die Raad voorgelê word.

PERSONEEL IMPLIKASIES

Geen.

FINANSIËLE IMPLIKASIE

Geen.

BESTUURSAANBEVELING

Dat die Komitee se notule van hulle vergadering van 25 November 2015 aanvaar word.

BESLUIT 126/2017

Dat die bestuursaanbeveling as besluit van die Raad aanvaar word.

11.1.3 **ODUIT- EN PRESTASIEODIT KOMITEE: ROTERING VAN LEDE****DOEL VAN VERSLAG**

Om die Raad in te lig oor die vordering met die rotering van die huidige Oudit- en Prestasieudit Komitee lede en om goedkeuring te kry om twee lede nou te vervang met nuwe lede wat hiermee voorgestel word.

AGTERGROND

Die kombinerings van die Oudit- en Prestasieudit Komitee is goedgekeur by wyse van Raadsbesluit 166/2011 op 31 Augustus 2011. Die huidige lede is almal aangestel op 9 September 2011 by wyse van formele aanstellingsbriewe.

In terme van Nasionale Tesourie se MFMA Omsendkrywe 65 van November 2012 moet lede van die Komitee 'n minimum van drie jaar diens doen om kontinuiteit te verseker, met die opsie om vir 'n verdere 3 jaar aangestel te word. Die Raad het die huidige lede vir 'n tweede termyn van 3 jaar aangestel per Raadsbesluit 220/2014.

Al die lede se tweede termyn verstryk nou einde Oktober 2017. Die interne oudit funksie is tans besig met 'n rotasie proses om die lede stelselmatig te vervang om kontinuiteit te verseker.

Advertering om poste op die Komitee te vul (bv. die huidige vakante pos) was onsuksesvol in die verlede. Daar is derhalwe besluit om eerder gepaste lede te nader ("head hunt") sodat die nodige kwaliteit en kundige lede gewerf kan word aangesien daar ook aan die Tesourie se Omsendkrywe 65 voldoen moet word sover dit kennis en kundigheid betref.

Die onderstaande tabel is 'n opsomming van hierdie voorgestelde areas van kennis:

Aanbevole areas van kennis
Finansiële bestuur (insluitende finansiële state, voorsieningskanaal bestuur en menslike hulpbronne)
Regs agtergrond ten opsigte van plaaslike regering
Goeie bestuur (good governance) en munisipale administrasie
Prestasiebestuur
Tegniese kennis

Na verskeie navrae en gesprekke het die volgende twee geskikte persone hulle belangstelling aangedui asook hulle bereidwilligheid om op die Komitee te dien:

- **Mev Bridget Salo** - Mev Salo is tans die Onder-Hoof Uitvoerende Beampte van Denel. Sy was voorheen 'n lid van die Kaap Agulhas Munisipaliteit as Menslike Hulpbronne Bestuurder en verantwoordelik vir die implementering en dryf van die prestasie bestuurstelsel (SDBIP). Sy word voorgestel juis vir haar kennis van munisipaliteite en spesifiek die prestasiebestuurstelsel.

- **Mnr Richard Mitchell** - Mnr Mitchell was voorheen Burgemeester van die Kaap Agulhas Munisipaliteit en het 'n wye kennis en ervaring van plaaslike regering, wetgewing en werksaamhede van 'n plaaslike munisipaliteit. Sy aanstelling word voorgestel weens hierdie ondervinding en kennis. Sy aanstelling sal ook 'n huidige leemte vul rondom die begrotingsproses en die GOP.

Beide hierdie kandidate is woonagtig binne die munisipale gebied en is plaaslike belasting-betalers en het dus 'n belang by die optimale funksionering van die munisipaliteit. Voorts val die kandidate binne die munisipaliteit se teiken groepe. Indien hulle aangestel word sal hulle mev Monique Weitz en mnr Eugene Lakay vervang.

Indien die twee kandidate aangestel word behoort die bogemelde areas van kennis (tesame met Mnr Strauss wat reeds op die Komitee aangestel is) as volg gedek te word:

Kennis benodig	Mnr Strauss	Mev Salo	Mnr Mitchell
Finansiële bestuur (insluitende finansiële state, voorsieningskanaal bestuur en menslike hulpbronne)	√		
Regsagtergrond tov plaaslike regering	√		√
Goeie bestuur (good governance) en munisipale administrasie	√	√	√
Prestasie bestuur		√	√
Tegniese kennis			

In die lig van bostaande word Mnr. Mitchell en Mev. Salo aan die Raad voorgestel as lede van die munisipaliteit se Oudit- en Prestasieouditkomitee om twee van die huidige lede te vervang as deel van die komitee se roterings plan.

PERSONEEL IMPLIKASIES

Geen.

FINANSIËLE IMPLIKASIE

Geen - voldoende begroting is voorsien.

WETLIKE IMPLIKASIE

Voldoening aan die MFMA, 2003 (artikel 166) en Tesourie Omsendskrywe 65.

BESTUURSAANBEVELING

Dat die Raad die aanstelling van mnr Mitchell en mev Salo op die munisipaliteit se Oudit- en Prestasieoudit Komitee goedkeur.

BESLUIT 127/2017

Dat die bestuursaanbeveling as besluit van die Raad aanvaar word.

11.1.4 **RISK MANAGEMENT IMPLEMENTATION PLAN 2017/18**

REPORT BY THE MANAGER STRATEGIC SERVICES

PURPOSE OR REPORT

To present Council with the Annual Risk Management Implementation Plan.

BACKGROUND

In order for the Municipal Manager to ensure that risk management is properly addressed, the Risk Management Implementation Plan must be reviewed and approved by Council on an annual basis.

A combined implementation plan was developed for the Overberg Risk Management Shared Services, which includes the implementation activities of Cape Agulhas Municipality. The implementation plan was approved by all the Municipal Managers at DCFTech on 9 June 2017.

This document sets out the annual risk management implementation plan and was compiled in adherence to the guidelines of National Treasury's Risk Management Framework and in support of good governance principles.

The Risk Management Implementation Plan forms part of the Risk Management Framework (Strategy) and describes how the Strategy is to be implemented during the 2017-2018 financial year.

LEGAL IMPLICATIONS

Local Government: Municipal Finance Management Act, 2003, Act 56 of 2003 (MFMA)

FINANCIAL IMPLICATIONS

None.

ANNEXURES

Overberg District Risk Management Implementation Plan 2017-2018, attached on **page 13 to 25**.

MANAGEMENT RECOMMENDATION

That the Risk Management Implementation Plan for 2017-2018 be approved.

RESOLUTION 128/2017

That the management recommendation be accepted as a resolution of Council.

11.1.5 **COMBINED ASSURANCE POLICY FRAMEWORK**

REPORT BY THE MANAGER STRATEGIC SERVICES

PURPOSE OF REPORT

To present Council with the Combined Assurance Policy Framework that was compiled by the Chief Risk Officer of the ODM Shared Risk Service.

BACKGROUND

Combined assurance ensures that a co-ordinated (combined) approach is applied in receiving assurance on whether key risks are being managed appropriately within the municipality. The Combined Assurance Framework will be used as a guide to construct the Combined Assurance Model.

Principle 15 of King IV recommends that: The governing body (Council) should ensure that assurance services and functions enable an effective control environment, and that these support the integrity of information for internal decision-making and of the organisation's external reports.

- ✓ Oversee the combined assurance model for effective cover of significant risks and material matters through line functions, internal audit, independent external assurance providers and regulatory inspectors.
- ✓ Assess the output of combined assurance with objectivity and professional scepticism, apply an enquiring mind and form opinion on integrity of the reports and the degree to which an effective control environment has been achieved.

This combined assurance policy framework will be reviewed annually by the FARMCO and submitted to Council for approval if amendments are required.

LEGAL IMPLICATIONS

Local Government: Municipal Finance Management Act, 2003, Act 56 of 2003 (MFMA).

FINANCIAL IMPLICATIONS

None.

ANNEXURES

Combined Assurance Policy Framework, attached on **page 26 to 32**.

MANAGEMENT RECOMMENDATION

That the Combined Assurance Policy Framework be approved.

RESOLUTION 129/2017

That the management recommendation be accepted as a resolution of Council.

11.1.6 **INFORMAL TRADING AND MARKET ESTABLISHMENT APPROACH**

REPORT BY THE MANAGER STRATEGIC SERVICES

PURPOSE OF THE REPORT

To present Council with a suggested holistic approach to the development of informal markets in the Cape Agulhas Municipal Area.

BACKGROUND

An amount of R500 000 was provided on the 2016/ 17 budget for the establishment of an informal market in Bredasdorp. The funds allocated originated from the sale of municipal land and a concomitant Council decision to "plough-back" some of the value accrued through the land sale. This funding was not spent in the 2016/17 financial year and provision has again been made on the 2017/18 financial year.

DISCUSSION

The establishment of a market evolved into a more complex issue in that it needed to be ensured that the type of market and its placement would ensure its sustainability, and that it aligns to the new spatial development framework that was in process of being developed at the time. In view of this the Council resolved as follows under Resolution 39/2017:

"MANAGEMENT RECOMMENDATION

- (i) *That the Municipality adopt a "holistic market hierarchy" approach of establishing different markets in different places.*
- (ii) *That the funds allocated in the 2016/ 17 budget be used for a market analysis and development of a market hierarchy plan for each town that identifies the type of market needed and best placement with due cognizance of the new SDF, as well as potential management models.*

RESOLUTION 39/2017

That the management recommendation be accepted as resolution of Council."

Following the adoption of the SDF, the service provider who compiled it, Built Environment Partnership/ JSA was asked to undertake such a study. Their report is attached as **Annexure on page 33 to 50**.

This report is not a final report but should be viewed as a "discussion paper" to be work shopped with Council following the recess. The report contains a number of important recommendations relating to institutional arrangements and policy directives that need to be put in place if a sustainable market hierarchy is to be established, namely:

- The establishment of an informal traders association.
- The development of an informal trading policy.
- Revision of the trading by-law to ensure that it is more conducive to entrepreneurship .
- Institutional arrangements to manage informal trading and markets.

These can be commenced with immediately for inclusion as discussion points in the aforesaid workshop. The outcome of the workshop will be a final report and market implementation plan which will be submitted to Council by the end of August 2017.

The final policy and plan will also need to be integrated with the next revision of the Municipality's LED Strategy

LEGAL IMPLICATIONS

MFMA SCM Regulations.

MANAGEMENT RECOMMENDATION

- (i) That the report on the approach to establishment of informal markets in the Cape Agulhas Municipality be noted.
- (ii) That a workshop be convened following the recess to discuss the report and formulate a final market implementation plan.
- (iii) That in the interim the following processes be commenced for inclusion as discussion points in the aforesaid workshop:

1. The establishment of an informal traders association.
2. The development of an informal trading policy.
3. Revision of the trading by-law to ensure that it is more conducive to entrepreneurship.
4. Institutional arrangements to manage informal trading and markets.

RESOLUTION 130/2017

That the management recommendation be accepted as a resolution of Council.

11.1.7 **CAPE AGULHAS MUNICIPALITY LOCAL ECONOMIC DEVELOPMENT STRATEGY REVISION: 2017**

REPORT BY THE MANAGER STRATEGIC SERVICES

PURPOSE OF REPORT

To present the annual revision (2017) of the Local Economic Development Strategy to Council for approval. The revised strategy is provided as a **separate document** to this Agenda.

DISCUSSION

The original CAM LED strategy was compiled in October 2009. This strategy was developed for the whole Municipal Area following an extensive participation exercise to allow communities to provide input into the strategy. The strategy was reviewed in 2013, with the assistance of the Provincial Department of Economic Development but was never approved by Council. A further revision was then submitted and approved in June 2016, which was a consolidation of the previous strategies as well as initiatives arising from the following initiatives which in most cases were based on public participation.

- Cape Agulhas Municipality PACA Process (2014)
- Comprehensive Rural Development Programme (2013)
- Napier Small Town Re-generation Strategy (2016)
- Cape Agulhas Municipality LED Maturity Assessment (2015)
- Overberg District Municipality PACA Process (2014)
- Overberg Agri Parks Master Business Plan (2016)
- Harbours Spatial and Economic Development Framework (2014)

During this review cognisance was taken of the fact that Municipal Elections were imminent and that the most significant implication of this was that the new Council would reappraise the overall strategic vision, mission and goals of the Municipality through the IDP process which would culminate in the development of a new five year IDP for their term of office.

The new 2017/18 - 2021/22 Integrated Development Plan was approved on 30 May 2017 and a high emphasis placed on Local Economic Development to the extent that the organisational structure has been amended to raise the profile of local economic development and integrate economic and social integration.

In view of imminent changes to the management of socio economic development it was decided to propose that the existing strategy just be updated at this stage as the projects still remain relevant. Key updates include:

- New ward demarcation.
- New vision, mission and alignment with the new strategic goals and objectives of Council as per the 2017/18 - 2021/22 IDP.
- Inclusion of the Cape Agulhas Socio economic plan that was approved by Council in April 2017.

MANAGEMENT RECOMMENDATION

That Council approve the Cape Agulhas Municipality Local Economic Development Strategy Revision (2017).

RESOLUTION 131/2017

That the management recommendation be accepted as a resolution of Council.

11.2 KORPORATIEWE DIENSTE / CORPORATE SERVICES**11.2.1 PROTECTION OF PERSONAL INFORMATION IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 (DCS)****PURPOSE OF REPORT**

To obtain Council's approval of the internal policy in order to comply with the prescripts of the Protection of Personal Information Act 4 of 2013 (attached on **page 51 to 56**).

BACKGROUND

The POPI Act requires Cape Agulhas Municipality to inform their staff members as to how their personal information is used, disclosed and destroyed and must guarantee its commitment to protecting their staff members' privacy and ensuring that their personal information is used appropriately, transparently, securely and in accordance with applicable laws.

The policy sets out how Cape Agulhas Municipality deals with their staff members' personal information in addition for what purpose said information is used for. The policy will be made available on the website of the municipality, www.capeagulhas.gov.za and by request from the head office.

LEGAL IMPLICATIONS

The Protection of Personal Information Act 4 of 2013.

PERSONAL IMPLICATIONS

None.

FINANCIAL IMPLICATIONS

None.

MANAGEMENT RECOMMENDATIONS

- (i) That the Policy be approved by Council for implementation by 1 July 2017.
- (ii) That the Policy be reviewed annually when necessary.

RESOLUTION 132/2017

That the management recommendation be accepted as a resolution of Council.

11.2.2 REVIEW OF CUSTOMER SERVICES CHARTER**REPORT COMPILED BY THE MANAGER: COMMUNICATION****PURPOSE OF REPORT**

To consider the review of the Customer Services Charter.

BACKGROUND

Cape Agulhas Municipality, in collaboration with SALGA, has developed a Customer Services Charter, as attached on **page 57 to 63** which was finalised in August 2015.

The purpose of this Charter is to set out the service delivery standards of the municipality, aiming to improve municipal efficiency and performance by providing reliable, responsive, competent, accessible, courteous confidential and secure services to the ratepayers of Cape Agulhas Municipality. The Customer Services Charter is now due for review before June 2017, in terms of the Service Delivery and Budget Implementation Plan (SDBIP).

FINANCIAL IMPLICATIONS

None.

MANAGEMENT RECOMMENDATION

- (i) That Council re-affirm the content and spirit of the Charter.
- (ii) The Customer Services Charter be communicated to the ward committees, other structures of the municipality as well as the general public, to encourage residents and other stakeholders to measure the municipality's performance against the set service standards and to communicate any deviations to the municipality in order to allow for improvement.

RECOMMENDATION: CORPORATE SERVICES COMMITTEE

- (i) That Management's recommendation be accepted.
- (ii) That the charter be communicated to all staff members.

RESOLUTION 133/2017

That the matter be referred to the Executive Mayoral Committee for further investigation.

11.2.3 SAMESTELLING VAN ARTIKEL 80 KOMITEES VAN DIE RAAD (ALLE WYKE) (SPEAKER)**DOEL VAN VERSLAG**

Om na die wysiging van die makro struktuur van die raad, nuwe Artikel 80 komitees aan te wys.

AGTERGROND

Die Raad se makro organisatoriese struktuur is gewysing en daarom moet die Artikel 80 komitees (Local Government: Municipal Structures Act, no 117 of 1998) gewysig word.

Die bestaande komitees was

Gemeenskapsdienste
Publieke Werke
Korporatiewe Dienste

Nuwe komitees (m.i.v. 1 Julie 2017)

Bestuursdienste Komitee
Infrastruktuursdienste Komitee
Finansiële- en IT Dienste Komitee

Aangesien die samestelling van die komitees uit raadslede bestaan, word elk van die komitees so volg saamgestel: DA (2 lede), ANC (1 lid), Dienslewingsparty (1 lid) en KAPCO (1 lid).

Daar sal voortaan slegs twee Artikel 79 komitees bestaan, naamlik MPAC en die Oudit- en Prestasieoudit Komitee.

FINANSIËLE IMPLIKASIES

Geen.

WETLIKE IMPLIKASIES

Art 80 (Local Government: Municipal Structures Act, no 117 of 1998).

PERSONEEL IMPLIKASIES

Geen.

BESTUURSAANBEVELING

- (i) Dat die Raad oorweging skenk vir die samestelling van die 3 nuutgestigte komitees.
- (ii) Dat al die genoemde politieke partye hul onderskeie benoemingslede aan die Speaker voorsien voor/of op Vrydag 14 Julie 2017.

BESLUIT 134/2017

- (i) Dat die Bestuursaanbeveling as besluit van die Raad aanvaar word.
- (ii) Die ANC benoem die volgende lede:
 - Rdl Europa : Bestuursdienste Komitee
 - Rdl Baker : Infrastruktuurdienste Komitee
 - Rdd Marthinus : Finansies en IT Dienste Komitee
- (iii) Die Dienslewingsparty nomineer Rdh Jantjies op al drie komitees.
- (iv) KAPCO nomineer Rdl Jacobs op al drie komitees.

11.2.4 **AANSOEK OM VERVREEMDING (HUUR) VAN ERF 5783, BREDASDORP (7/1/3/1 - COLLAB: 143697) (DKD) (WYK 3)**

DOEL VAN VERSLAG

Om oorweging te skenk aan die versoek van mnr D vd Heyde namens XCS WORX (EDMS) PBK om erf 5783, Bredasdorp te huur ten einde dit vir die vervaardiging van sellulêre liggewig beton aan te wend (liggingsplan aangeheg op **bladsy 64**).

ALGEMENE INLIGTING

Eiendom	:	Erf 5783, Bredasdorp
Ligging	:	Ou Meulestraat
Erf Grootte	:	1.2941ha
Sonering	:	Nywerheid
Bestaande grondgebruik	:	Vakant
Voorgestelde Grootte	:	1.2941ha

AGTERGROND

Die markwaarde van die genoemde eiendom is op 26 September 2016 aan die raad voorgelê.

MARKWAARDASIE

R3 000,00 per maand (aangeheg op **bladsy 65**)

Die UBK het op 26 September 2016 die volgende besluit (BK107/2016) geneem:

“Aangesien die eiendom ingevolge Art 14(2)(a) van die Plaaslike Regering: Munisipale Finansiële Bestuurswet nie vir die lewering van die minimum vlak van basiese dienste benodig word nie, in-beginsel-goedkeuring verleen word vir die verhuring van Erf 5783, Bredasdorp aan XCS Workx (EDMS) BP vir ‘n termyn van 9 jaar en 11 maande met die opsie om die huur vir ‘n verdere tydperk te verleng, vir die vervaardiging van van sellulêre liggewig beton op voorwaarde dat:

- (i) Alle wetlike vereistes vir langtermyn verhuring nagekom word.*
- (ii) Die gemeenskapswaarde van die projek en die feit dat die aansoekers volle verantwoordelikheid vir die opgradering van die grond moet aanvaar vir die volle termyn van die huurooreenkoms, word die huur bepaal op R3 000,00 per maand (XCS Workx (EDMS) BP) vooruitbetaalbaar met ‘n eskalاسie van 5% per jaar.*
- (iii) Die eiendom onmiddellik na die Raad terugval en die ooreenkoms gekanselleer word indien die projek in verwaarloosing verval of die voorgestelde geboue nie langer vir gemeenskapsdoeleindes soos gespesifiseer in die aansoek, aangewend word nie.*
- (iv) Alle strukturele werk en opgraderings wat aan die eiendom gedoen word, moet voldoen aan die wetlike vereistes en moet met die toestemming van die Boubeheerafdeling opgerig word.*
- (v) Geen vergoeding aan die aansoeker betaalbaar sal wees vir enige verbeteringe aan die eiendom aangebring tydens die verhuringstydperk nie.*
- (vi) Dat die Raad se voorneme van langtermyn verhuring geadverteer word vir publieke kommentaar.”*

‘n Advertensie met die raad se voorneme is geplaas. Geen kommentare of besware is ontvang nie.

BESTUURSAANBEVELING

Vir oorweging deur die raad om genoemde perseel te verhuur vir ‘n termyn van 9 jaar en 11 maande.

AANBEVELING: KORPORATIEWE DIENSTE KOMITEE

- (i) Dat die Bestuursaanbeveling nie aanvaar word nie.
- (ii) Dat ‘n volledige ontwikkelingsplan, binne die ROR, vir Ou Meulestraat gedoen word.

BESLUIT 135/2017

Dat die aangeleentheid terug verwys word na die UBK vir aanbeveling na die Raad.

11.2.5 AANSOEK OM VERVREEMDING (HUUR): GEDEELTE VAN ERF 856, STRUISBAAI (LDC / DKD)**DOEL VAN VERSLAG**

Om oorweging te skenk aan die versoek van Mnr Humphreys Joorst in sy hoedanigheid as voorsitter van Daily Catch Primary Co-operative Limited ten einde grond te huur om met varswaterwis en groente te boer (liggingsplan aangeheg op **bladsy 66**) .

ALGEMENE INLIGTING

Bestaande sonering: Onbepaald
 Bestaande grongebruik: Kampeerterein, Plakkerskamp, Rioolwerke
 Bestaande oppervlakte: 1,98ha

AGTERGROND

Die markwaarde van die genoemde eiendom is op 26 April 2016 aan die raad voorgelê.

MARKWAARDASIE

R5 000,00 per jaar (sien *bladsy 67*)

Die Raad het op 26 April 2016 die volgende besluit (78/2016) geneem:

“Aangesien die eiendom, ingevolge Art 14(2)(a) van die Plaaslike Regering: Munisipale Finansiële Bestuurswet, nie vir lewering van minimum vlak van basiese dienste benodig word nie, in-beginsel-goedkeuring verleen word vir die verhuring van ‘n Gedeelte van Erf 856, Struisbaai aan Daily Catch Primary Co-operative Limited (2ha) vir ‘n termyn van 9 jaar en 11 maande met die opsie om die huur vir ‘n verdere tydperk te verleng, vir die bedryf van groenteboerdery op voorwaarde dat:

- (i) *Alle wetlike vereistes vir vervreemding/verhuring nagekom word.*
- (ii) *Die gemeenskapswaarde van die projek en die feit dat die aansoekers volle verantwoordelikheid vir die opgradering van die grond moet aanvaar vir die volle termyn van die huurooreenkoms, word die huur bepaal op R 5 000.00 per jaar (Daily Catch Primary Co-operative Limited) vooruitbetaalbaar met ‘n eskalاسie van 5% per jaar.*
- (iii) *Die eiendom onmiddelik na die Raad terugval en die ooreenkoms gekanselleer word indien die projek in verwaarloosing verval of die voorgestelde geboue nie langer vir gemeenskapsdoeleindes soos gespesifiseer in die aansoek, aangewend word nie.*
- (iv) *Alle strukturele werk en opgraderings wat aan die eiendom gedoen word, moet voldoen aan die wetlike vereistes en moet met die toestemming van die Boubeheerafdeling opgerig word.*
- (v) *Geen vergoeding aan die aansoeker betaalbaar sal wees vir enige verbeteringe aan die eiendom aangebring tydens die verhuringstydperk nie.*
- (vi) *Dat die LED afdeling behulpsaam sal wees met die opstel van ‘n besigheidsplan.”*

‘n Advertensie met die Raad se voorneme is geplaas. Geen kommentare of besware is ontvang nie.

BESTUURSAANBEVELING

- (i) Vir oorweging deur die Raad om genoemde perseel te verhuur vir ‘n termyn van 9 jaar en 11 maande.
- (ii) Dat, indien die Raad die grond benodig vir dienste, die ooreenkoms met ‘n maand kennis gekanselleer kan word.

AANBEVELING: KORPORATIEWE DIENSTE KOMITEE

- (i) Dat die bestuursaanbeveling nie aanvaar nie.
- (ii) Dat, aangesien die Raad die genoemde perseel vir behuising gaan aanwend, word versoek dat ‘n alternatiewe perseel geïdentifiseer word.

BESLUIT 136/2017

Dat die aangeleentheid terug verwys word na die UBK vir aanbeveling na die Raad.

11.2.6 AANSOEK OM VERVREEMDING (HUUR) VAN 'N GEDEELTE VAN PLAAS 260, WAENHUISKRANS (COLLAB: 158368) (DKD) (WYK 6)

DOEL VAN VERSLAG

Om oorweging te skenk aan die versoek van mnr R Newman ten einde 'n gedeelte van plaas 260, Waenhuiskrans (bo ablusie gebou) te huur ten einde vir 'n restaurant en deli aan te wend (liggingsplan aangeheg op **bladsy 68**).

ALGEMENE INLIGTING

Eienaars : KAM
 Eiendom : Plaas 260, Waenhuiskrans
 Erf Grootte : 31.0616ha
 Huidige Sonering : Onbepaald

AGTERGROND

Skriftelike versoeke, soos aangeheg op **bladsy 69 tot 95** is van mnr R Newman en me J Europa ontvang om Erf 1666 by die Raad te huur.

MARKWAARDASIE

R12 500,00 per maand } aangeheg op
 R 7 000,00 per maand } **bladsy 96**

FINANSIËLE IMPLIKASIE

Huurinkomste vir die Raad.

WETLIKE IMPLIKASIES

Council policy	Alienation of land
MFMA	1. Sect 14(2)(a) : asset not required for minimum level of basic services. 2. Sect 14(2)(b) : consider fair market value and economic and community value to be received in exchange for the asset. 3. Items in 1 and 2 only to be complied with if the asset to be transferred is a high value asset (see definition of MATR below). 4. Sect 33 : Contracts having long term financial implications.
MATR	1. Definition of "high value asset" : "fair market value of the capital asset exceeds any of the following amounts: a) R50 million; b) One percent of the total value of the capital assets of the municipality.... c) An amount determined by resolution of the council of the municipality which is less than (a) or (b). 2. Definition of "realisable value" : fair market value <u>less</u> estimated costs of completion. 3. Definition of "right to use, control or manage" : when granting such rights do not amount to permanent transfer or disposal. 4. Regulation 5 (decision-making). 5. Regulation 6 (public participation)
SCM Regulations SCM Policy	Regulation 40: (Disposal Management) Project for job creation, skills development, poverty alleviation and economic growth

Systems Act (public participation)	<p>Section 21A: (1) All documents that must be made public by a municipality in terms of a requirement of this Act, the Municipal finance Management Act or other applicable legislation, must be conveyed to the local community:</p> <p>(a) by displaying the documents at the municipality's head and satellite offices and libraries;</p> <p>(b) by displaying the documents on the municipality's official website, if the municipality has a website as envisaged by section 21 B; and</p> <p>(c) by notifying the local community, in accordance with section 21, of the place, including website address, where detailed particulars concerning the documents can be obtained.</p>
Town Planning legislation	All surrounding property owners be informed of the temporary use of the site.

DEPARTEMENTELE KOMMENTAAR

MUNISIPALE BESTUURDER

Looking at the proposed plans I am sure this will be a great attraction for Arniston. Please follow due process in terms of MFMA and ATR prescripts.

I also think that this should be a long term lease as the sale of this land will not be supported by council due to its location and public value.

DKD

Noted.

DGD

Noted.

DSID

Die spasie word nie vir dienste benodig nie en is tans 'n publieke toilet.

ADEMD

Geen probleem.

DFD

Kan addisionele inkomste vir die munisipaliteit verseker.

BSB

Stel voor dat Omgewings Checklist ingevul moet word vir Omgewingsake. Hersonerig vir eienaar se rekening wees.

BAD

Ek het geen probleem met die verhuring van die grond op 'n medium tot langtermyn aan die huurder nie. Alle publiekdeelneme prosesse moet net afgehandel word alvorens raad goedkeuring gee.

BBB

Die aansoek moet oorweeg word deur Land Disposal Komitee en daarna moet alle Stadsbeplannings prosese afgehandel word.

LAND DISPOSAL KOMITEE BESLUIT (LD 96/2016): 11 AUGUSTUS 2016

Dat die item na die Raad verwys word vir oorweging.

BESTUURSAANBEVELING

Aangesien die eiendom ingevolge Art 14(2)(a) van die Plaaslike Regering: Munisipale Finansiële Bestuurswet nie vir die lewering van die minimum vlak van basiese dienste benodig word nie, in-beginsel-goedkeuring verleen word vir die verhuring van gedeelte van plaas 260, Waenhuiskrans (bo ablusie gebou) vir 'n termyn van 9 jaar en 11 maande met die opsie om die huur vir 'n verdere tydperk te verleng, op voorwaarde dat:

- (i) Alle wetlike vereistes vir langtermyn verhuring nagekom word.
- (ii) Alle wetlike vereistes ten opsigte van stadsbeplanningsaangeleenthede wat hersonering insluit, nagekom word.

AANBEVELING: KORPORATIEWE DIENSTE KOMITEE

- (i) Dat die bestuursaanbeveling nie aanvaar word nie.
- (ii) Dat verdere ondersoek gedoen word na, onder andere die hersonering, die spesifieke grootte van die grond, toelatings binne die omgewingsimpakstudie asook die ontwikkeling van twee vorige goedkeurings deur die Raad.

BESLUIT 137/2017

Dat die aangeleentheid terug verwys word na die UBK vir aanbeveling na die Raad.

11.2.7 **AANSOEK OM VERVREEMDING (KOOP): ERF 5543, BREDASDORP (COLLAB: 164311) (DKD) (WYK 3)**

DOEL VAN VERSLAG

Om oorweging te skenk aan die versoek van Naqshbandi Muhammadi Order of South Africa (NMSA) om erf 5543, Bredasdorp te koop (liggingsplan aangeheg op **bladsy 97**).

ALGEMENE INLIGTING

Eienaars	:	KAM
Ligging	:	Erf 5543, Albertina Sisulu Straat, Bredasdorp
Huidige sonering	:	Besigheid
Erf Grootte	:	1 243m ²
Bestaande Grondgebruik	:	Vakant

AGTERGROND

'n Skriftelike versoek, soos aangeheg op **bladsy 98 tot 101** is van Naqshbandi Muhammadi Order of South Africa (NMSA) ontvang om erf 5543, Bredasdorp by die Raad te koop ten einde vir 'n veeldoelige gemeenskapsentrum aan te wend.

MARKWAARDASIE

R35 000,00 (aangeheg op **bladsy 102**)

FINANSIËLE IMPLIKASIES

Vervreemdingsinkomste vir KAM.

WETLIKE IMPLIKASIES

Council policy	Alienation of land
MFMA	<ol style="list-style-type: none"> Sect 14(2)(a): asset not required for minimum level of basic services. Sect 14(2)(b): consider fair market value and economic and community value to be received in exchange for the asset. Items in 1 and 2 only to be complied with if the asset to be transferred is a high value asset (see definition of MATR below). Sect 33: Contracts having long term financial implications.
MATR	<ol style="list-style-type: none"> Definition of "high value asset": <i>"fair market value of the capital asset exceeds any of the following amounts:</i> <ol style="list-style-type: none"> <i>R50 million;</i> <i>One percent of the total value of the capital assets of the municipality....</i> <i>An amount determined by resolution of the council of the municipality which is less than (a) or (b).</i> Definition of "realisable value": fair market value <u>less</u> estimated costs of completion. Definition of "right to use, control or manage": when granting such rights do not amount to permanent transfer or disposal. Regulation 5 (decision-making). Regulation 6 (public participation)
SCM Regulations SCM Policy	Regulation 40: (Disposal Management) Project for job creation, skills development, poverty alleviation and economic growth
Systems Act (public participation)	Section 21A: (1) All documents that must be made public by a municipality in terms of a requirement of this Act, the Municipal finance Management Act or other applicable legislation, must be conveyed to the local community: <ol style="list-style-type: none"> by displaying the documents at the municipality's head and satellite offices and libraries; by displaying the documents on the municipality's official website, if the municipality has a website as envisaged by section 21 B; and by notifying the local community, in accordance with section 21, of the place, including website address, where detailed particulars concerning the documents can be obtained.
Town Planning legislation	No application is required.

DEPARTEMENTELE KOMMENTAAR**MUNISIPALE BESTUURDER**

I propose that the erf be sold by public tender. It is zoned as business and we need to allow for a process where the best price could be obtained.

ADEMD

All changes to electrical network is for the owners account.

DKD

No objection as long as town planning requirements are met.

DGD

No objection.

DSID

Voorsien geen probleem met aansoek.

BBB

Aansoek moet eers na die Land Disposal Committee verwys word en daar moet na alle stadsbeplanning voorwaardes gekyk word.

BSB

Geen beswaar. Hersonerings vir suksesvolle tenderaar se rekening.

BSD

Finalised - LDC

FINANSIËLE DEPARTEMENT

Belastingseksie neem kennis en het toepaslike notepads aangebring op Samras-stelsel. Kommentaar voor 24/11/2016 maar inligting bereik belastingseksie per Collab eers op 9/12/2016!

LAND DISPOSAL KOMITEE BESLUIT (LD 10/2017): 3 FEBRUARIE 2017

- (i) Dat die genoemde erf op Publieke Veiling verkoop word.
- (ii) Dat die hersonering van die erf vir die suksesvolle koper se koste sal wees.

BESTUURSAANBEVELING

- (i) Aangesien die eiendom, ingevolge Art 14(2)(a) van die Plaaslike Regering: Munisipale Finansiële Bestuurswet nie vir die lewering van die minimum vlak van basiese dienste benodig word nie, in-beginsel-goedkeuring verleen word vir die verkoop van erf 5543, Bredasdorp.
- (ii) Dat die genoemde erf op publieke veiling verkoop word.
- (iii) Dat die hersonering van die erf vir die suksesvolle koper se koste sal wees.

AANBEVELING: KORPORATIEWE DIENSTE KOMITEE

- (i) Dat die bestuursaanbeveling nie aanvaar word nie.
- (ii) Dat 'n volledige ontwikkelingsplan, binne die ROR vir Ou Meulestraat gedoen word.

BESLUIT 138/2017

Dat die aangeleentheid terug verwys word na die UBK vir aanbeveling na die Raad.

11.2.8 **AANSOEK OM VERVREEMDING (KOOP): GEDEELTE AANGRENSEND AAN ERF 2900, BREDASDORP (COLLAB: 160766) (DKD) (WYK 2)**

DOEL VAN VERSLAG

Om oorweging te skenk aan die versoek van Mnr D Pontac ten einde 'n gedeelte (±7m) aangrensend aan erf 2900, Bredasdorp te koop (liggingsplan aangeheg op **bladsy 103**).

ALGEMENE INLIGTING

Eienaars	:	KAM
Ligging	:	Erf 2900, Duinelaan, Bredasdorp
Erf Grootte	:	162m ²
Huidige Sonering	:	Enkel Residentieel
Voorgestelde Grootte	:	±7m

AGTERGROND

n Skriftelike versoek, soos aangeheg op **bladsy 104** is van mnr D Pontac ontvang om 'n gedeelte (±7m) aangrensend aan erf 2900, Bredasdorp by die Raad te koop.

MARKWAARDASIE

R2 500,00 (aangeheg op **bladsy 105**)

FINANSIËLE IMPLIKASIES

Vervreemdingsinkomste vir KAM.

WETLIKE IMPLIKASIES

Council policy	Alienation of land
MFMA	<ol style="list-style-type: none"> Sect 14(2)(a): asset not required for minimum level of basic services. Sect 14(2)(b): consider fair market value and economic and community value to be received in exchange for the asset. Items in 1 and 2 only to be complied with if the asset to be transferred is a high value asset (see definition of MATR below). Sect 33: Contracts having long term financial implications.
MATR	<ol style="list-style-type: none"> Definition of "high value asset": "fair market value of the capital asset exceeds any of the following amounts: <ol style="list-style-type: none"> R50 million; One percent of the total value of the capital assets of the municipality.... An amount determined by resolution of the council of the municipality which is less than (a) or (b). Definition of "realisable value": fair market value <u>less</u> estimated costs of completion. Definition of "right to use, control or manage": when granting such rights do not amount to permanent transfer or disposal. Regulation 5 (decision-making). Regulation 6 (public participation)
SCM Regulations SCM Policy	Regulation 40: (Disposal Management) Project for job creation, skills development, poverty alleviation and economic growth
Systems Act (public participation)	<p>Section 21A: (1) All documents that must be made public by a municipality in terms of a requirement of this Act, the Municipal finance Management Act or other applicable legislation, must be conveyed to the local community:</p> <ol style="list-style-type: none"> by displaying the documents at the municipality's head and satellite offices and libraries; by displaying the documents on the municipality's official website, if the municipality has a website as envisaged by section 21 B; and by notifying the local community, in accordance with section 21, of the place, including website address, where detailed particulars concerning the documents can be obtained.
Town Planning legislation	No application is required.

DEPARTEMENTELE KOMMENTAAR**MUNISIPALE BESTUURDER**

Please follow due process and ensure that the costs for surveying and consolidation is included in the sale agreement for the account of the buyer.

DKD

Noted.

DGD

Noted.

DFD

None.

ADEM

Elek geen probleem.

BAD

Urlene, Aansoek kan ondersteun word, solank die eienaar vir alle koste betaal vir die landmeter asook die konsolidasie van die eiendom met sy bestaande eiendom, en die waardasie op die erf reggestel word na konsolidasie.

BBB

Die nodige aansoek moet deur Land Disposal gaan. Stadsbeplanning sal moet kommentaar lewer of dit wenslik is om so blokkie uit te sny waar moontlike toekomstige ontwikkeling kan kom.

BSD

No objection

BBD

Geen beswaar teen aansoek nie.

LAND DISPOSAL KOMITEE BESLUIT (LD 115/2016): 13 OKTOBER 2016

- (i) Dat die aansoek na die Raad verwys word vir oorweging.
- (ii) Dat die gedeelte erf gekonsolideer word met die koper se bestaande erf, vir die koste van die koper.

BESTUURSAANBEVELING

Aangesien die eiendom, ingevolge Art 14(2)(a) van die Plaaslike Regering: Munisipale Finansiële Bestuurswet nie vir die lewering van die minimum vlak van basiese dienste benodig word nie, in-beginsel-goedkeuring verleen word vir die verkoop van gedeelte ($\pm 7m$) aangrensend aan erf 2900, Bredasdorp.

- (i) 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.
- (ii) Dat die markwaarde soos bepaal, as koopprys van toepassing sal wees.
- (iii) Dat alle wettlike prosesse gevolg sal word, soos onder andere die voorneme van vervoering aan die publiek bekend gemaak moet word.

AANBEVELING: KORPORATIEWE DIENSTE KOMITEE

- (i) Dat die bestuursaanbeveling nie aanvaar word nie.
- (ii) Dat 'n oorskrydingsooreenkoms met die eienaar van erf 2900 aangegaan word vir 'n termyn van 9 jaar en 11 maande teen 'n markverwante huur.

BESLUIT 139/2017

Dat die aangeleentheid terug verwys word na die UBK vir aanbeveling na die Raad.

11.2.9 **AANSOEK OM VERVREEMDING (KOOP) VAN VESKEIE ERWE, BREDASDORP (COLLAB: 168058) (DKD) (WYK 2)**

DOEL VAN VERSLAG

Om oorweging te skenk aan die versoek van mnr H Papier ten einde erf 3625, Bredasdorp te koop asook verskeie ander ontwikkelbare erwe soos gelys (liggingsplan aangeheg op **bladsy 106**).

ALGEMENE INLIGTING

Erf Nr	Ligging	Sonering	Grootte	Mun Waardasie
3625	Langstraat	Enkel Residensieel	750m ²	R35 000,00
3602	Golfstraat	Enkel Residensieel	750m ²	R35 000,00
3603	Golfstraat	Enkel Residensieel	750m ²	R35 000,00
3604	Golfstraat	Enkel Residensieel	588m ²	R35 000,00
3616	Kalkoentjiesingel	Enkel Residensieel	673m ²	R35 000,00
3617	Kalkoentjiesingel	Enkel Residensieel	643m ²	R35 000,00
3619	Kalkoentjiesingel	Enkel Residensieel	643m ²	R35 000,00
3620	Kalkoentjiesingel	Enkel Residensieel	673m ²	R35 000,00

AGTERGROND

'n Skriftelike versoek, soos aangeheg op **bladsy 107** is van mnr H Papier ontvang om erf 3625, Bredasdorp by die Raad te koop.

MARKWAARDASIE

R35 000,00 (aangeheg op **bladsy 108 tot 114**)
(Soos gebaseer volgens waardasies van vakante eiendomme in Kalkoentjiesingel)

FINANSIële IMPLIKASIES

Vervreemdingsinkomste vir KAM.

WETLIKE IMPLIKASIES

Council policy	Alienation of land
MFMA	<ol style="list-style-type: none"> 1. Sect 14(2)(a): asset not required for minimum level of basic services. 2. Sect 14(2)(b): consider fair market value and economic and community value to be received in exchange for the asset. 3. Items in 1 and 2 only to be complied with if the asset to be transferred is a high value asset (see definition of MATR below). 4. Sect 33: Contracts having long term financial implications.
MATR	<ol style="list-style-type: none"> 1. Definition of “high value asset”: <i>“fair market value of the capital asset exceeds any of the following amounts:</i> <ol style="list-style-type: none"> a) <i>R50 million;</i> b) <i>One percent of the total value of the capital assets of the municipality....</i> c) <i>An amount determined by resolution of the council of the municipality which is less than (a) or (b).</i> 2. Definition of “realisable value”: fair market value <u>less</u> estimated costs of completion. 3. Definition of “right to use, control or manage”: when granting such rights do not amount to permanent transfer or disposal. 4. Regulation 5 (decision-making). 5. Regulation 6 (public participation)
SCM Regulations SCM Policy	Regulation 40: (Disposal Management) Project for job creation, skills development, poverty alleviation and economic growth

DEPARTEMENTELE KOMMENTARE**MUNISIPALE BESTUURDER**

Please follow due process.

DIREKTEUR: KORPORATIEWE DIENSTE

Die aansoek word ondersteun.

DIREKTEUR: GEMEENSKAPSDIENSTE

No objections.

ELEK

The Plot that is being requested has services from Lang Street and would incur the normal R5050.00 connection fee.

BESTUURDER: STADSBEPLANNING

1. Is daar dienste?
2. Verkoop dan op openbare veiling

BESTUURDER: STRATE EN STORMWATER

Inrit kan voorsien word.

BESTUURDER: WATER EN RIOOL

Water- en rioolaansluitings kan vir die erf voorsien word.

BESTUURDER: STRATEGIESE DIENSTE

In the past such erven have been placed on tender / auction. Consideration should be given to dealing with this one in the same manner.

LAND DISPOSAL KOMITEE BESLUIT (LD 23/2017): 10 MAART 2017

- (i) Dat die genoemde erwe of publieke tender geplaas word.
- (ii) Dat die item na die Raad verwys word vir goedkeuring.

BESTUURSAANBEVELING

- (i) Aangesien die eiendomme, ingevolge Art 14(2)(a) van die Plaaslike Regering: Munisipale Finansiële Bestuurswet nie vir die lewering van die minimum vlak van basiese dienste benodig word nie, in-beginsel-goedkeuring verleen word vir die verkoop van genoemde erwe.
- (ii) Dat die genoemde erwe op publieke tender geplaas word.

AANBEVELING: KORPORATIEWE DIENSTE KOMITEE

- (i) Dat die bestuursaanbeveling nie aanvaar word nie.
- (ii) Dat 'n moratorium op enige ontwikkeling in Ou Meulestraat geplaas word, totdat die ROR gefinaliseer is.

BESLUIT 140/2017

Dat die aangeleentheid terug verwys word na die UBK vir aanbeveling na die Raad.

11.2.10 **AANSOEK OM VERVREEMDING (HUUR): GEDEELTE VAN ERF 513, NAPIER (7/1/3/1 - COLLAB: 143857) (DKD/LDC) (WYK 1)**

DOEL VAN VERSLAG

Om oorweging te skenk om 'n gedeelte van Erf 513, Napier te verhuur ten einde vir gans boerdery doeleindes aan te wend (liggingsplan aangeheg op **bladsy 115**).

ALGEMENE INLIGTING

Eienaars	:	KAM
Ligging	:	Grens teen Agri Dwala meentgrond
Erf Grootte	:	685ha
Voorgestelde grootte	:	2 ha
Bestaande grondgebruik	:	Vakant

AGTERGROND

'n Skriftelike versoek, soos aangeheg op **bladsy 116 tot 123** is van mnr Jaars ontvang om 'n gedeelte van 513, Napier by die Raad te huur om vir gans boerdery doeleindes aan te wend.

MARKWAARDASIE

R3 625,00 per jaar (aangeheg op **bladsy 124**)

R 3 625.00 per jaar	
JAAR 1 Markverwant - 80%	R 725.00
JAAR 2 Markverwant - 60%	R 1 450.00
JAAR 3 Marverwant - 40%	R 2 175.00
JAAR 4 Markverwant - 20%	R 2 900.00
JAAR 5 Markverwant	R 3 625.00
JAAR 6	R 3 625.00
JAAR 7	R 3 625.00
JAAR 8	R 3 625.00
JAAR 9	R 3 625.00
TOTAAL	R 25 375.00

FINANSIËLE IMPLIKASIE

Huurinkomste vir die Raad.

WETLIKE IMPLIKASIES

Council policy	Alienation of land
MFMA	<ol style="list-style-type: none"> Sect 14(2)(a): asset not required for minimum level of basic services. Sect 14(2)(b): consider fair market value and economic and community value to be received in exchange for the asset. Items in 1 and 2 only to be complied with if the asset to be transferred is a high value asset (see definition of MATR below). Sect 33: Contracts having long term financial implications.
MATR	<ol style="list-style-type: none"> Definition of "high value asset": "fair market value of the capital asset exceeds any of the following amounts: <ol style="list-style-type: none"> R50 million; One percent of the total value of the capital assets of the municipality.... An amount determined by resolution of the council of the municipality which is less than (a) or (b). Definition of "realisable value": fair market value <u>less</u> estimated costs of completion. Definition of "right to use, control or manage": when granting such rights do not amount to permanent transfer or disposal. Regulation 5 (decision-making). Regulation 6 (public participation)
SCM Regulations SCM Policy	Regulation 40: (Disposal Management) Project for job creation, skills development, poverty alleviation and economic growth
Systems Act (public participation)	<p>Section 21A: (1) All documents that must be made public by a municipality in terms of a requirement of this Act, the Municipal finance Management Act or other applicable legislation, must be conveyed to the local community:</p> <p>(a) by displaying the documents at the municipality's head and satellite offices and libraries;</p> <p>(b) by displaying the documents on the municipality's official website, if the municipality has a website as envisaged by section 21 B; and</p> <p>(c) by notifying the local community, in accordance with section 21, of the place, including website address, where detailed particulars concerning the documents can be obtained.</p>
Town Planning legislation	All surrounding property owners be informed of the temporary use of the site.

DEPARTEMENTELE KOMMENTAAR**MUNISIPALE BESTUURDER**

Volg asseblief alle wetlike verpligtinge voordat julle aanbeveling aan die raad maak.

DKD

No objections as long as all Town planning and Building control requirements are met.

DGD

Geen beswaar.

BEMD

Alle kostes verbonde aan die elektriese aansluiting sal vir die aansoeker se rekening wees. Die koste sal bepaal word as daar meer inligting beskikbaar is oor die grootte en gebruik op die perseel.

DSD

Geen beswaar teen aansoek solank voldoen aan alle vereistes.

BSD

Die PEO Afdeling sal die projek in beginsel goedkeur aangesien dit reeds 'n werkskeppings projek is waaruit 'n bestaan gemaak word. Dit verskaf reeds werk aan 5 persone wat 'n bestaan daaruit maak. Alle wetlike prosesse moet egter in ag geneem en gevolg word tydens vervreemding van grond.

BSP

N513

BBD

Geen beswaar teen aansoek, moet net aan alle aansoek prosedure voldoen.

BBB

Die aansoek word ondersteun. Alle wetlike vereistes moet nagekom word. Dept Gesondheid by ODM se kommentaar moet verkry word.

FINANSIËLE DEPARTEMENT

Volledige notepads voltooi op Erf 513, Napier rakende die aansoek.

LAND DISPOSAL KOMITEE BESLUIT: LD 118/2016

- (i) Dat die aansoek van mnr Jaars aanbeveel word vir 'n termyn van 9 jaar en 11 maande.
- (ii) Dat 'n markwaardasie verkry word.
- (iii) Dat die item na die Raad verwys word vir oorweging.

BESTUURSAANBEVELING: 25 APRIL 2017

Aangesien die eiendom ingevolge Art 14(2)(a) van die Plaaslike Regering: Munisipale Finansiële Bestuurswet nie vir die lewering van die minimum vlak van basiese dienste benodig word nie, in-beginsel-goedkeuring verleen word vir die verhuring van gedeelte erf 513, Napier aan mnr Jaars vir 'n termyn van 9 jaar en 11 maande met die opsie om die huur vir 'n verdere tydperk te verleng, op voorwaarde dat:

- (i) Alle wetlike vereistes vir langtermyn verhuring nagekom word.
- (ii) Die gemeenskapswaarde van die projek en die feit dat die aansoeker volle verantwoordelikheid vir die opgradering van die grond moet aanvaar vir die volle termyn van die huurooreenkoms, word die huur bepaal op R3 625,00 per jaar vooruitbetaalbaar.

AANBEVELING: KORPORATIEWE DIENSTE KOMITEE - 25 APRIL 2017

Dat die aansoek terugverwys word na die Land Disposal Komitee om 'n moontlike alternatiewe perseel te identifiseer, sodat die oorlas verminder kan word.

RAADSBESLUIT 75/2017: 25 APRIL 2017

Dat die aanbeveling van die Korporatiewe Dienste Komitee as besluit van die Raad aanvaar word.

LAND DISPOSAL KOMITEE BESLUIT: LD 33/2017

- (i) Dat die aansoek van mnr Jaars aanbeveel word vir 'n termyn van 9 jaar en 11 maande.
- (ii) Dat die item na die Raad verwys word.

AANBEVELING: KORPORATIEWE DIENSTE KOMITEE

- (i) Dat die bestuursaanbeveling nie aanvaar word nie.
- (ii) Dat die aangeleentheid terug verwys word sodat 'n alternatiewe perseel geïdentifiseer kan word.

BESLUIT 141/2017

Dat die aangeleentheid terug verwys word na die UBK vir aanbeveling na die Raad.

11.2.11 **AANSOEK OM VERVREEMDING (KOOP): ERF 4356, BREDASDORP (COLLAB: 163710) (DKD/LDC) (WYK 3)**

DOEL VAN VERSLAG

Om oorweging te skenk aan die versoek van mnr A Lakey ten einde erf 4356, Bredasdorp te koop ten einde 'n tydelike struktuur op te rig vir verblyf (liggingsplan aangeheg op **bladsy 125**).

ALGEMENE INLIGTING

Eienaars	:	KAM
Eiendom	:	Erf 4356, Gonnabosstraat, Bredasdorp
Erf Grootte	:	387m ²
Bestaande grondgebruik	:	Vakant
Huidige Sonering	:	Enkel Residentieel

AGTERGROND

'n Skriftelike versoek, soos aangeheg op **bladsy 126** is van mnr Lakey ontvang om erf 4356, Bredasdorp by die Raad te koop.

MARKWAARDASIE

R12 000,00 (aangeheg op **bladsy 127**)

WETLIKE IMPLIKASIES

Council policy	Alienation of land
MFMA	<ol style="list-style-type: none"> Sect 14(2)(a): asset not required for minimum level of basic services. Sect 14(2)(b): consider fair market value and economic and community value to be received in exchange for the asset. Items in 1 and 2 only to be complied with if the asset to be transferred is a high value asset (see definition of MATR below). Sect 33: Contracts having long term financial implications.
MATR	<ol style="list-style-type: none"> Definition of "high value asset": "fair market value of the capital asset exceeds any of the following amounts: <ol style="list-style-type: none"> R50 million; One percent of the total value of the capital assets of the municipality.... An amount determined by resolution of the council of the municipality which is less than (a) or (b). Definition of "realisable value": fair market value <u>less</u> estimated costs of completion. Definition of "right to use, control or manage": when granting such rights do not amount to permanent transfer or disposal. Regulation 5 (decision-making). Regulation 6 (public participation)
SCM Regulations SCM Policy	Regulation 40: (Disposal Management) Project for job creation, skills development, poverty alleviation and economic growth
Systems Act (public participation)	<p>Section 21A: (1) All documents that must be made public by a municipality in terms of a requirement of this Act, the Municipal finance Management Act or other applicable legislation, must be conveyed to the local community:</p> <p>(a) by displaying the documents at the municipality's head and satellite offices and libraries;</p> <p>(b) by displaying the documents on the municipality's official website, if the municipality has a website as envisaged by section 21 B; and</p> <p>(c) by notifying the local community, in accordance with section 21, of the place, including website address, where detailed particulars concerning the documents can be obtained.</p>
Town Planning legislation	All surrounding property owners be informed of the temporary use of the site.

DEPARTEMENTELE KOMMENTAAR**MUNISIPALE BESTUURDER**

We cannot consider the request for the lease of this erf. What will we be approving? I suppose for someone to put up a structure permanent/non-permanent on a residential erf of the municipality. How will we consider any building plans here with regard to toilets, water and sewer connections if a non-permanent structure is to be placed here and what will the responses from the neighbours be if we allow a shack, in essence, to be placed between their built houses. The erf must rather be sold.

DKD

No objection.

BSB

Geen beswaar. Bouplanne vir struktuur by Raad ingedien word vir oorweging.

BBB

Die aansoek moet na die LDC geneem en die sonering moet deur TP nagegaan word.

BAD

Maak eers 100% seker dat die erf wel in die AKTEKANTOOR en op die Munisipale Stelsel gelys is voordat enige transaksie aan die gang gesit word. LDC se aanbeveling na die raad vir oorweging, daarna die publieke deelname proses, en daarna kan ooreenkoms eers aangegaan word. Ek stel die TENDERPROSES voor soos wat dit in baie ander erwe se geval goedgekeur is.

FINANSIËLE DEPARTEMENT

Per Collab Belastingseksie bereik op 9/12/2016. Kommentaar voor 10/11/2016. Toepaslike nota's ingetik op Notepad op Samras-stelsel. Sien nota's dat Lloyd-waardeerder met Algemene Waardasie Rol 20163/2014 aangedui het dat dit openbare plek is.

LAND DISPOSAL KOMITEE BESLUIT: LD 127/2016

- (i) Dat die aansoek van mnr Lakey nie oorweeg kan word nie.
- (ii) Dat die erf vervreem word deur middel van 'n tenderproses.
- (iii) Dat die item na die Raad verwys word vir oorweging.

BESTUURSAANBEVELING

- (i) Aangesien die eiendom, ingevolge Art 14(2)(a) van die Plaaslike Regering: Munisipale Finansiële Bestuurswet nie vir die lewering van die minimum vlak van basiese dienste benodig word nie, in-beginsel-goedkeuring verleen word vir die verkoop van erf 4356, Bredasdorp.
- (ii) Dat die genoemde erf op publieke tender verkoop word.

AANBEVELING: KORPORATIEWE DIENSTE KOMITEE

- (i) Dat die bestuursaanbeveling nie aanvaar word nie.
- (ii) Dat die moontlikheid ondersoek word om aangrensende erf 4339 te onderverdeel, die groottes aan die Raad deur te gee en gesamentlik as drie erwe per tender te vervreemd.

BESLUIT 142/2017

Dat die aangeleentheid terug verwys word na die UBK vir aanbeveling na die Raad.

11.2.12 **BESKIKBAARSTELLING VAN GEDEELTE GROND AANGRENSEND AAN ERF 2178, BREDASDORP (WYK 2) (DKD)**

DOEL VAN VERSLAG

Om oorweging te skenk om 'n gedeelte grond (138 x 20m) aangrensend aan erf 2178, Bredasdorp beskikbaar te stel om die bestaande speelterrein uit te brei (liggingsplan aangeheg op **bladsy 128**).

ALGEMENE INLIGTING

Eienaar	:	KAM
Ligging	:	Gedeelte erf 1148, Bredasdorp
Voorgestelde Grootte	:	(138 X 20m)

AGTERGROND

In 'n skrywe soos aangeheg op **bladsy 129** versoek De Heide Primêre Skool die raad om oorweging te skenk om 'n gedeelte grond (138 x 20m) aangrensend aan erf 2178, Bredasdorp aan hulle beskikbaar te stel om die bestaande speelterrein uit te brei.

MFMA: Art 14 (2): Aangesien die aansoeker die gedeelte grond wil gebruik vir die uitbreiding van hul speelterrein area, kan die grond moontlik gratis aan die aansoeker beskikbaar gestel word.

FINANSIËLE IMPLIKASIE

1. Opmeting van grond.
2. Hersonering.

WETLIKE IMPLIKASIES

Hierdie bate van die Raad word nie benodig vir die lewering van die minimum vlak van basiese dienste nie. Die onderstaande wetlike vereistes en gemeenskapsdeelname prosesse sal egter wel gevolg moet word:

Council policy	Alienation of land
MFMA	<ol style="list-style-type: none"> 1. Sect 14(2)(a): asset not required for minimum level of basic services. 2. Sect 14(2)(b): consider fair market value and economic and community value to be received in exchange for the asset. 3. Items in 1 and 2 only to be complied with if the asset to be transferred is a high value asset (see definition of MATR below). 4. Sect 33: Contracts having long term financial implications.
MATR	<ol style="list-style-type: none"> 1. Definition of "high value asset": <i>"fair market value of the capital asset exceeds any of the following amounts:</i> <ol style="list-style-type: none"> a) R50 million; b) One percent of the total value of the capital assets of the municipality.... c) An amount determined by resolution of the council of the municipality which is less than (a) or (b). 2. Definition of "realisable value": fair market value <u>less</u> estimated costs of completion. 3. Definition of "right to use, control or manage": when granting such rights do not amount to permanent transfer or disposal. 4. Regulation 5 (decision-making). 5. Regulation 6 (public participation)
SCM Regulations SCM Policy	Regulation 40: (Disposal Management) Project for job creation, skills development, poverty alleviation and economic growth
Systems Act (public participation)	<p>Section 21A: (1) All documents that must be made public by a municipality in terms of a requirement of this Act, the Municipal finance Management Act or other applicable legislation, must be conveyed to the local community:</p> <ol style="list-style-type: none"> (a) by displaying the documents at the municipality's head and satellite offices and libraries; (b) by displaying the documents on the municipality's official website, if the municipality has a website as envisaged by section 21 B; and (c) by notifying the local community, in accordance with section 21, of the place, including website address, where detailed particulars concerning the documents can be obtained.

BESTUURSAANBEVELING

- (i) Dat gedeelte Erf 1148, Bredasdorp ongeveer (138 X 20m) ingevolge Art 14(2)(a) van die Plaaslike Regering: Munisipale Finansiële Bestuurswet nie benodig word vir die lewering van die minimum vlak van basiese dienste nie.
- (ii) Dat die Raad in-beginsel die gedeelte grond, genoem gedeelte erf 1148, Bredasdorp gratis aan De Heide Primêre Skool beskikbaar stel vir die uitbreiding van die speelterrein.

- (iii) Dat alle Stadsbeplanningsvereistes nagekom moet word en dat die onkoste vir die aansoeker se rekening sal wees.
- (iv) Dat alle stadsbeplanningsprosesse (hersonering, onderverdeling en konsolidasie) vir die aansoeker se rekening sal wees, en sou die aansoekierendom binne 30 meter van die rivier wees moet die aansoeker verantwoordelik wees vir die nodige omgewingsprosesse.

AANBEVELING: KORPORATIEWE DIENSTE KOMITEE

Dat die Bestuursaanbeveling aanvaar word.

BESLUIT 143/2017

Dat die aangeleentheid terug verwys word na die UBK vir aanbeveling na die Raad.

11.2.13 **PARKING FOR ERF 848, STRUISBAAI (S848 - MTRP) (WARD 5)**

PURPOSE OF REPORT

That Council consider the provision for additional parking of the proposed development on erf 921, Struisbaai.

BACKGROUND

The following application was submitted to the Town Planning Department:

Owner	:	Golden Falls Trading 193 (Pty) Ltd
Applicant	:	Tommy Brümmer Town Planners
Property	:	Erf 848 Struisbaai
Locality	:	2 Harbour Road, Struisbaai
Existing zoning	:	Industry

Proposal:

- A. Rezoning of Erf 848, Struisbaai in terms of Section 15 of the Cape Agulhas: By-Law on Municipal Land Use Planning, 2015 from Industry Zone to Special Zone with the following development rules:
 - 1. Primary use rights: Retail (restaurants and shops), hotel, flats and Parking.
 - 2. Floor Factor: 1.21
 - 3. Coverage: 71%
 - 4. Building lines:
 - meter from northern seaward boundary
 - 0 meter from southern street boundary
 - 0 meter from eastern boundary
 - 0 meter from western boundary
 - 5. Parking:
 - 4 bays for every 100m² of GLA (retail space)
 - 0.8 bays per hotel room
 - 0.8 bays per apartment (flat)
 - 6. Height:
 - 2 storeys and/or 8 meter above the highest natural ground level abutting the building. Basement storeys are not permitted.
- B. Rights in terms of Section 15 of the Cape Agulhas: By-Law on Municipal Land Use Planning, 2015 and Section 67 of the Cape Agulhas Integrated Zoning Scheme to use portion of the parking area south of Erf 848, Struisbaai to park vehicles required for the proposed development on Erf 848, Struisbaai.

Closing date was 2 May 2017 and various objections were received and forwarded to Messrs Tommy Brümmer Town Planners for comment.

The following motivation form part of the application:

5.5 Access and parking

Access to Erf 848 is currently obtained via the access to the harbour, over Erven 854 and 1394 (the harbour). Vehicular access control into the harbour is occasionally exercised, especially during the summer holiday period, which results in queuing at the entrance. To avoid conflict and reduce congestion at the harbour entrance and to ensure unrestricted vehicular access to the development, vehicular access to Erf 848 is proposed over the parking area (described as Erf 921 and hence part of the Kusweg road reserve), situated directly to the south of the property.

The vehicular entrance and exit way on the south-western portion of the property facing the parking area, will provide access to 18 parking bays on the ground floor of the building. These bays will be allocated to the hotel and apartments. A hotel drop off, large enough for tourist buses, is proposed on Erf 921 in front of the pedestrian entrance forecourt dedicated for residents and hotel guests. A third access point (for pedestrians to the retail area) is provided along the southern boundary; the retail area can also be accessed from the front (north) via the harbour and servitude over the property, accessing the site from the north.

It is proposed that the parking ratios be applied to the proposed development, which ratios were recommended by the ICE Group when the Traffic Impact Assessment (TIA) was undertaken for the previous proposal (now withdrawn).

The following parking ratios to be applied:

Land use	Parking ratio (TIA recommendation)	No of bays Required	No of bays provided
Retail (820m ² GLA)	4 bays / 100m ² GLA	33	33
Hotel (28 rooms)	0.8 bays / room	23	23
Apartments (9 flats)	0.8 bays / flats	7	7
Total required / provided		63	63

A total of 63 bays are provided, 18 on the ground floor of the building and 45 on a portion of the abutting parking area (Erf 921) which vests in the City.

The proposal to provide bays on Erf 921 is made in terms of Section 67(1)(b) of the CAM Integrated Zoning Scheme which deals with alternative parking requirements and which provides for the owner of land to, with the approval of the Municipality, "acquire rights to a parking facility for the required parking elsewhere in a position approved by the Municipality". Section 67(2) prescribes that if the Municipality approves the provision of alternative parking, that the owner shall register a notarial deed against such land or parking rights to the effect that the Municipality and the public shall have access to that parking area, and the cost of registration of the servitude shall be borne by the owner.

The Town Planning Department also circulates the following proposal for consideration: on Erf 921, Struisbaai:

Owner : Cape Agulhas Municipality
 Applicant : Town and Country
 Property : Parking area south of Erf 848 Struisbaai
 Locality : Harbour Road, Struisbaai
 Existing zoning : Street

Proposal:

Rezoning and closure of a portion of parking area south of Erf 848, Struisbaai in terms of Section 15 of the Cape Agulhas: By-Law on Municipal Land Use Planning, 2015 from Street Zone to Special Zone for freezing facilities within containers.

The closing date hereof be 22 May 2017.

DISCUSSION

In terms of Section 67 of the Cape Agulhas Integrated Zoning Scheme provision has been made for the following:

"Alternative parking requirements

67.(1) As an alternative to compliance with the required off-street parking, the owner may with the approval of the Municipality:

- (a) *acquire the prescribed area of land for the required parking facilities elsewhere in a position approved by the Municipality, and level, surface and maintain this land to the satisfaction of the Municipality, or*
 - (b) *acquire rights to a parking facility for the required parking elsewhere in a position approved by the Municipality, and*
- (2) *If the Municipality approves the provision of alternative parking in accordance with Sub-regulation (1), the owner shall register a notarial deed against such land or parking rights to the effect that the Municipality and the public shall have access to that parking area, and the cost of registration of the servitude shall be borne by the owner."*

The Draft CAM Spatial Development Framework, April 2017 (page 37 and 73) made the following observation:

"Catalytic interventions

CAM should continue to participate actively in inter-governmental initiatives to establish the Agri-Park and Farmer Production Support Unit, upgrade existing harbours," with the following proposal:

"New Development Action – New development of significant scale (Strategic Focus) and SDF Element (New commercial, tourism or public places):

Focus new tourism related facilities (including day visitor, accommodation, and commercial uses) in the general area of the caravan park, business district and harbour (subject to detailed precinct planning for the area bounded by Protea Road, Church Street, Cinneraria Street, and Harbour Road with a view to maximise tourism related facilities, rationalise vehicular movement and parking (including boat trailers), improve pedestrian and NMT movement ensure efficient harbour use, and manage visitor impact on private residences). "

From a Town Planning point of view the Struisbaai Harbour is the main attraction and entrance point to Struisbaai. Therefore emphasis should be placed on the cohesive planning of the harbour in order to become a 24/7 tourism attraction and not just a seasonal experience for visitors and fishermen.

If the parking area can be upgraded with formalised parking, good signage, aesthetically acceptable fencing, good traffic flow everyone can benefit with this economic viable asset of CAM. It is recommended that the owner of Erf 848 make provision for Parking on Erf 921 Struisbaai, but should be accessible for the rest of the public and not for his development.

COMMENTS: COUNCILLOR BURGER

"Ek en Rds. Jacobs het inderdaad vergader om die voorgestelde verhuring van 'n gedeelte van Erf 921, Struisbaai aan die ontwikkelaar van Erf 848 te bespreek - soos versoek. Ondersteun met 'n lugfoto van die betrokke area het ons die bestaande gebruik van Erf 921 en die parkering op Erf 1394 (DOW / Hawe perseel) oorweeg - soos tans buite en binne seisoen ervaar of benut word deur dagbesoekers aan die hawe/restaurant sowel as skiboohengelaars / kleinskaalvissers wat die infrastruktuur, veral sleepbellings en parkeerarea, benut.

Na deeglike oorweging van al die feite aan ons bekend is ons eens dat:

1. *'n Gedeelte van Erf 921 aan die ontwikkelaar van Erf 848 verhuur word vir die skep van formele parkering vir die voorgenome ontwikkeling - soos per sy versoek, teen 'n markverwante huur.*
2. *Verder is ons eens dat die ontwikkelaar versoek word om die totale oppervlakte van die restant van Erf 921 op sy koste in formele (hetsy geplaveide of geteerde oppervlakte) parkering te omskep as addisionele voorwaarde.*

3. DOW versoek word om die bestaande parkering uit te brei aan die westekant van hulle Erf 1349.
4. Indien addisionele parkering benodig word vir motors met bootsleepwaens/bote, KAM 'n gedeelte wes van Erf 1394 op versoek beskikbaar sou kon stel op die aangrensende Erf 854.

Ons bespreking en bogenoemde voorstel was deurgaans gelei deur een beginsel; "Wat is goed vir die hele gemeenskap dwarsdeur die jaar?" Neem gerus ook kennis dat dit ons mees objektiewe dog persoonlike beskouing is en slegs voorgehou word as 'n moontlike oplossing."

MANAGEMENT RECOMMENDATION

- (i) That Council in principle approve the provision for additional / overflow parking on erf 921 Struisbaai for the development of Erf 848, Struisbaai as per Section 67 of the CAM Integrated Zoning Scheme, subject to:
 1. The favourable consideration of both applications by the Authorised Official and the CAM Tribunal.
 2. Formalisation of of the total parking area on Erf 921, Struisbaai (adjoining of Erf 848) be for the developer of Erf 848, Struisbaai and the parking should be accessible for the public and not just allocated for Erf 848, Struisbaai.
- (ii) That the applicant be informed accordingly.

AANBEVELING: KORPORATIEWE DIENSTE KOMITEE

- (i) Dat die bestuursaanbeveling nie aanvaar word nie.
- (ii) Dat daar ingesprek getree word met die eienaar van erf 848 vir 'n moontlike ruiltransaksie, indien hy erf 572 kan bekom.
- (iii) Dat 'n ondersoek gedoen word om die bestaande parkering aan die westekant van erf 1349 uit te brei vir addisionele parkering.

BESLUIT 144/2017

Dat die aangeleentheid terug verwys word na die UBK vir aanbeveling na die Raad.

11.2.14 ARGITEKTONIESE RIGLYNE, GRONDWET EN HUISREËLS: ERF 927, STRUISBAAI (S927 - BSSB) (WYK 5)

DOEL VAN VERSLAG

Die argitektoniese riglyne, grondwet en huisreëls van die huiseienaarsvereniging vir erf 927, Struisbaai word aan die Raad voorgelê vir oorweging.

ALGEMENE INLIGTING

Bestaande Sonering	:	Landbou Sone I
Bestaande Grondgebruik	:	Vakant
Oppervlakte van Erf	:	22.6129Ha
Titelakte	:	T49919/2005

AGTERGROND

Op 27 Februarie 2012 neem die Uitvoerende Burgemeesterskomitee die volgende besluit (BK38/2012):

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

1. *Onderverdeling ingevolge Artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie no. 15 van 1985) van Erf 927 Struisbaai om voorsiening te maak vir 22 Landbou Sone I erwe.*
2. *Afwyking ingevolge Artikel 15 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie no. 15 van 1985) op Erf 927 Struisbaai van die 30 meter boulyne na 5 meter.”*

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

“Argitektoniese riglyne saamgestel word vir oorweging deur die Estetiese Komitee en die Raad. Alle residensiële geboue moet voldoen aan Artikel 8 Skemaregulasies se boubeperinge.”

BESPREKING

Aangeheg as bylae is die volgende dokumente vir bespreking:

1. Argitektoniese Riglyne (Bylaag A op **bladsy 130 tot 133**)
2. Grondwet van die Huiseienaarsvereniging (Bylaag B op **bladsy 134 tot 140**)
3. Huisreëls van die Huiseienaarsvereniging (Bylaag C op **bladsy 141 tot 143**)

BESTUURSAANBEVELING

(i) Dat die Raad goedkeuring verleen vir die volgende dokumente:

1. Argitektoniese Riglyne
2. Grondwet van die Huiseienaarsvereniging
3. Huisreëls van die Huiseienaarsvereniging

(ii) Dat die eenaar / ontwikkelaar dienooreenkomstig ingelig word.

BESLUIT 145/2017

Dat die Bestuursaanbeveling as besluit van die Raad aanvaar word.

11.2.15 **PROPOSED DEVELOPMENT: PORTIONS OF ERVEN 857 AND 852, STRUISBAAI (BUSINESS DEVELOPMENT) (S857 AND 852 - STRP) (WARD 5)**

PURPOSE OF REPORT

For Council to consider the proposed development on portions of erven 857 and 852, Struisbaai.

This report consists of the following:

- Location of the property
- Proposed Layout

BACKGROUND

Mr Pierre Erasmus had discussions with the Town Planning and Building Control Departments, the Mayor and Councillor Burger with the proposed Draft Layout on the corner of Main Road and Industrial Road:



In relation to spatial priorities, CAM is required to focus on three broad types of actions as outlined in the Spatial Development Framework of May 2017:

- Protective actions – things to be protected and maintained to achieve the vision and spatial concept.
- Change actions – things that need to be changed, transformed, or enhanced to achieve the vision and spatial concept.
- New development actions – new development or initiatives to be undertaken to achieve the vision and spatial concept.

The actions – protective, change, or new development – could focus on elements of each of the SDF themes:

- Bio-physical environment.
- Socio-economic environment.
- Built environment.

In turn, each of these actions – related to each focus area – could require inputs, effort, and work of two types:

- Operational inputs – work involving municipal staff resources in the form of time, undertaking studies, managing processes, preparing plans, and so on.
- Capital expenditure inputs – financing specific projects (with municipal or other governmental funds and grants).

In terms of the Cape Agulhas Spatial Development Framework Plan, May 2017 the following area New Development Actions:

- Explore expanded day visitor recreational facilities on the coast west of Struisbaai North (subject to detailed precinct planning).
- Focus new tourism related facilities (including day visitor, accommodation, and commercial uses) in the general area of the caravan park, business district and harbour (subject to detailed precinct planning for the area bounded by Protea Road, Church Street, Cinneraria Street, and Harbour Road with a view to maximise tourism related facilities, rationalise vehicular movement and parking (including boat trailers), improve pedestrian and NMT movement ensure efficient harbour use, and manage visitor impact on private residences).
- Explore a continuous NMT route linking Struisbaai North – and focal public places in between – to the Lighthouse precinct in L'Agulhas. (page 77 of CAM SDF, 2017).



-  NEW COMMERCIAL, TOURISM & PUBLIC PLACES
-  DIRECTION OF URBAN GROWTH
-  IMPROVEMENT NODE
-  NEW COMMERCIAL, TOURISM & PUBLIC PLACES
-  FUTURE ASSISTED HOUSING AREAS
-  NEW RESIDENTIAL DEVELOPMENT



FINANCIAL IMPLICATIONS

Land disposal of the site will have an income for Council.

LEGAL IMPLICATIONS

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

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

MANAGEMENT RECOMMENDATION

- (i) That Council, in principle, approves the development – subject to agreements being reached with all current lessees of Council property.
- (ii) That the applicant be informed that a formal Town Planning application be submitted to Council for consideration and public notice.
- (iii) That an environmental assessment be for the applicant's account.
- (iv) That portions of Erven 857 and 852 Struisbaai in terms of section 14(2)(a) of the Local Government: Municipal Finance Management Act is not required for the provision of the minimum level of basic services.
- (v) That Council grants in-principle approval for the transfer of portions of Erven 857 and 852 Struisbaai, by development proposal to LTN Bedrywe Pty Ltd (OUT OF HAND SALE - for specific purpose) in terms of Section 11 (a) and (d) of Asset Transfer Regulations of the Local Government: Municipal Finance Management Act:

Conditional approval of transfer or disposal of non-exempted capital assets

11. An approval in principle in terms of regulation 5(1)(b)(ii) or 8(1)(b)(ii) that a non-exempted capital asset may be transferred or disposed of, may be given subject to any conditions, including conditions specifying¹² –

- (a) the way in which the capital asset is to be sold or disposed of;
 - (b) a floor price or minimum compensation for the capital asset;
 - (c) whether the capital asset may be transferred or disposed of for less than its fair market value, in which case the municipal council must first consider the criteria set out in regulation 13(2); and
 - (d) a framework within which direct negotiations for the transfer or disposal of the capital asset must be conducted with another person, if transfer or disposal is subject to direct negotiations.
- (vi) That two independent valuers be appointed to obtain a fair market value of the land.
 - (vii) That the new market values be reported to Council for further consideration.
 - (viii) That all legal requirements are met for disposal of land.

RESOLUTION 146/2017

- (i) That the management recommendation be accepted as a resolution of Council.
- (ii) That the options for renting of the property be investigated.
- (iii) That an external valuator be appointed for the valuation of the mentioned property.
- (iv) That an on-site inspection be done by councillors and ward committee members.

11.2.16 **MEMBERSHIP IN ICLEI: LOCAL GOVERNMENTS FOR SUSTAINABILITY (15/5/R-MTRP)
(ALL WARDS)**

PURPOSE OF REPORT

That Council take note of the advantages of being a member of ICLEI and the membership fees for Cape Agulhas Municipality.

BACKGROUND

Since ICLEI's founding at the World Congress of Local Governments for a Sustainable Future at the United Nations Headquarters in New York in 1990, it has grown into the world's leading association of cities and local governments dedicated to sustainable development, with 12 mega-cities, 100 super-cities and urban regions, 450 large cities as well as 450 small and medium-sized cities and towns in 84 countries. ICLEI has since established offices and projects on every continent. Most importantly, ICLEI has cultivated a network of dedicated municipal leaders and professional staff who are witnessing the local impacts of their work and who are committed to achieving tangible results which contribute to global issues.

Here in Africa, the ICLEI Africa Secretariat collaborates closely with the ICLEI World Secretariat, our global networks and other ICLEI regional offices around the world, in sharing tools, strategies and good practices specifically designed for and implemented at the local level. Our key environmental work streams in Africa are: Energy and Climate Change; Disaster Risk Reduction (DRR); Water and Sanitation; Urban Biodiversity and Food Security; and Integrated Urban Environmental Planning. These focus areas are embedded in a pro-poor socio-economic framework, which actively promotes job creation and seeks to empower women.

Membership in ICLEI distinguishes a subnational government as a leader in the field of sustainability and urban development, but also gains you access to international events and bodies, such as the UNFCCC COPs. ICLEI Membership connects you to a network of other subnational governments worldwide, gives free access to information such as webinars and publications, participation in development programmes, discounted access to ICLEI's ad-hoc consultancy services and participation in ICLEI events.

ICLEI - Local Governments for Sustainability is the leading global network of over 1,500 cities, towns and regions committed to building a sustainable future. By helping the ICLEI Network to become sustainable, low-carbon, ecomobile, resilient, biodiverse, resource-efficient, healthy and happy, with a green economy and smart infrastructure, we impact over 25% of the global urban population.

The mission of ICLEI is to build and serve a worldwide movement of local governments to achieve tangible improvements in global sustainability, through cumulative local actions. ICLEI serves this movement through:

- a) The establishment of an active and committed municipal membership;
- b) The mobilisation and support of national associations of local authorities to promote environmentally sustainable development;
- c) Exchange of best practise through an active international network of cities, towns and countries tackling similar environmental management and sustainability challenges;
- d) The initiation of projects and campaigns among groups of local authorities in order to research, develop and implement new solutions to environmental problems and development needs;
- e) The provision of information and training on sustainable development and environmental protection policies, programmes and approaches being implemented at the local level;
- f) Steadfast advocacy for local authorities before national governments, international forums, agencies and organisations to increase their understanding and support of local environmental protection and sustainable development activities.

DISCUSSION

Membership in ICLEI distinguishes local authorities:

- a) As leaders in the arena of sustainable development at the local level, advancing sustainability through the principal of "think globally, act locally."
- b) As part of a growing global network, that pioneers local solutions to global development challenges.

ICLEI Membership benefits include:

ADVOCACY

The opportunity to be part of the voice of Local Authorities on a variety of topics and debates, engaging international institutions such as UN agencies, the World Economic Forum and many more.

NETWORK

- Belonging to an international movement of cities, and regional and local authorities aimed at tangible improvements of the global environment.
- Participation, networking capacity building and information exchange through ICLEI Africa's key projects (including Energy and Climate Change, Urban Biodiversity, Water and Sanitation and Sustainable Consumption and Production).
- Connection and twinning with other cities on shared interests.

INFORMATION

- An introductory webinar in the first few months, to explain all current political initiatives & commitments around sustainability matters. Can be followed by an analysis of specific needs and institutional mapping for your organisation.
- Free access to case studies on innovative approaches to local sustainability.
- Regular information through the organisational newsletters, websites and information portals.
- Publications free of charge (guides, manuals, reports, etc.), such as the Sustainable Urban Energy Planning guidebook.
- Access to a variety of information and services (such as online publications, Web conferencing and calendar information) on ICLEI's Web-Info-System.

VISIBILITY

- Participation In international development cooperation projects and programs.
- The opportunity of being profiled, interviewed for ICLEI's newsletters and featured in our tri-annual publication.

EXPERTISE

- Two webinars every year, on themes as diverse as lobbying and approaching funders, to eco-mobility and conducting citizen engagement initiatives.
- The opportunity to participate in international research, innovative pilot and training programs.
- Discounted access to ICLEI's ad-hoc consultancy services and training.
- Reduced fees for conferences, seminars and training courses organised by ICLEI's International Training Centre (ITC).
- Free access to ICLEI AFRICA tools, such as the first level of Resilient Africa.
- Privileged access to international funded programs and innovative pilots on sustainability.
- Participation in Local Action for Biodiversity (LAB) Programme (Participation fee required).

FINANCIAL IMPLICATIONS

ICLEI Membership Rates for Africa Region:

The payment of membership rates can be made on an annual basis that are payable as a pre-condition to membership or renewal of ICLEI membership. They can also be made for three-year periods. ICLEI membership rates are based upon population and national per capita income.

Invoice 1 is attached as Annexure on **page 144**.

Invoice 2 is attached as Annexure on **page 145**.

MANAGEMENT RECOMMENDATION

- (i) That Council take note of the benefits of ICLEI.
- (ii) That Council approve the consideration to become a member of ICLEI for a period of three years.

RESOLUTION 147/2017

- (i) That the management recommendation be accepted as a resolution of Council.
- (ii) That the membership be paid out of "membership fees" funded out of savings from "professional fees".

11.2.17 VACANCY: MUNICIPAL PLANNING TRIBUNAL - APPOINTMENT OF AUTHORISED OFFICIAL (7/R - MTRP) (ALL WARDS)**PURPOSE OF REPORT**

The composition of the Municipal Planning Tribunal (MPT) in terms of section 36 and 37 of SPLUMA has already been determined. Council has to consider the Authorised Official and new Chairperson of the MPT.

BACKGROUND

On 29 September 2015 Council took the following decision (239/2015):

- (i) That mr Francois Kotze (Overberg District Municipality) and mr Willie Hattingh (Swellendam Municipality) be excepted as external members to the Municipal Planning Tribunal.
- (ii) That the SOP be negotiated with the members.
- (iii) That the Director: Corporate Services, Director: Community Services and the Director: Civil Engineering Services be appointed as full time employees to serve as internal members of the Municipal Planning Tribunal (as per Council decision 155/2015).
- (iv) That the Director: Corporate Services be designated to act as chairperson of the Municipal Planning Tribunal and the Director: Community Services as the deputy chairperson.
- (v) That, upon the first appointment of members to the Municipal Planning Tribunal and when Council is satisfied that the tribunal is in position to commence its operations, the Municipal Manager must publish a notice to that effect in the Provincial Gazette, in terms of the act.

On 30 May 2017 Council took the following decision (104/2017):

That Council decision 239/15 taken on 29 September 2015 be amended as follows:

- (i) Mr Jeremy Benjamin (Department of Environmental Affairs and Development Planning) be accepted as external member to the Municipal Planning Tribunal, in Mr Hattingh's position.
- (ii) The Manager: Water and Sewage be appointed as secundi for the Director: Civil Engineering Services as internal member of the Municipal Planning Tribunal.
- (iii) Secundi's be Ron Brunings from Swellendam Municipality for any of the external members and Tracey Stone for any of the other internal members.
- (iv) Upon the first appointment of the above members to the Municipal Planning Tribunal the Municipal Manager must publish a notice to that effect in the Provincial Gazette, in terms of the act.

DISCUSSION

The Authorised Official and current Chairperson of the MPT's contract (mr Sam Ngwevu) will terminate on 31 July 2017, therefore it is recommended that Mr Dean O'Neill be appointed as Authorised Official and Chairperson of the MPT.

MANAGEMENT RECOMMENDATION

That Council decision 239/15 taken on 29 September 2015 be amended as follows:

- (i) The following Municipal official be nominated to serve on the MPT in the position of the Director: Corporate Services, namely the Municipal Manager.
- (ii) The Municipal Manager be the Chairperson of the CAM MPT.
- (iii) The Authorised Official for the municipality will be the Municipal Manager from 1 August 2017.

RESOLUTION 148/2017

That the management recommendation be accepted as a resolution of Council.

11.2.18 VOORLEGGING: INTERNE- EN EKSTERNE VEILIGHEIDS- EN GESONDHEIDS- OUDITVERSLAG

DOEL VAN VERSLAG

Om die eksterne- en interne Veiligheids- en Gesondheids-Ouditverslag van April en Mei 2017 aan die Raad voor te lê.

AGTERGROND

In April 2017 is Nosa gekontrakteur om 'n veiligheidsoudit vir Kaap Agulhas Munisipaliteit te doen. Die doel van die verslag was om te bepaal of die aspekte wat uitgewys was in die 2016 verslag volledig en korrek afgehandel is en ook om nuwe aangeleenthede en tekortkominge uit te wys en ook te kyk na die Interne verslag (*volledige verslag word as aparte dokument voorsien tot hierdie Agenda*).

RAADSBELEID

Beroepsgesondheid- en Veiligheidsbeleid.

PERSONEEL IMPLIKASIES

Geen.

FINANSIËLE IMPLIKASIES

Om sekere aspekte in die verslag te implementeer sal koste aangegaan moet word. Die koste impak is onbekend en sal elke Direkteur in sy begroting voorsiening moet maak vir die regstellings.

BESTUURSAANBEVELING

- (i) Dat die Raad kennis neem van die veiligheidsoudits wat gedoen was.
- (ii) Dat die Direkteure verantwoordelikheid neem vir die implementering van die verslag in hul onderskeie departemente, met die Munisipale Bestuurder as verantwoordelike bampste.
- (iii) Dat die veiligheidsouditsverslag deur die Veiligheidskomitee gemonitor word en verslagdoening by die Veiligheidskomitee vergaderings deur onderskeie departemente gedoen word.

BESLUIT 149/2017

- (i) Dat die Bestuursaanbeveling as besluit van die Raad aanvaar word.
- (ii) Dat 'n werkwinkel gereël word om die genoemde verslag te bespreek.

11.3 TEGNIËSE DIENSTE / TECHNICAL SERVICES

11.3.1 KWYTSKELDING VAN 'N GEDEELTE VAN DIE INFRASTRUKTUURHEFFING: ERF 927, STRUISBAAI

DOEL VAN VERSLAG

Kwytskelding van 'n gedeelte van die infrastruktuurheffing ten opsigte van die onderverdeling van erf 927, Struisbaai.

AGTERGROND

'n Aansoek is vanaf TES Trust ontvang (sien skrywe aangeheg op **bladsy 146**) waarin versoek word dat die infrastruktuurheffing ten opsigte van waterdienste, elektriese dienste en rioolontwikkelingsheffing kwytgeskeld word.

Die motivering wat aangevoer word is dat die ontwikkeling nie gebruik maak van enige van die Raad se water- en elektriese dienste nie. Die ontwikkeling sal ook nie by die riolskema aansluit nie. Die normale rioolinfrastruktuurheffing is egter betaalbaar.

Die ontwikkelaar onderneem om die kwytgeskelde infrastruktuurheffings in die toekoms te betaal sou die betrokke dienste benodig word.

WETLIKE IMPLIKASIE

Die Raad bly die Waterdienste Owerheid en moet die nodige kontrole toepas.

FINANSIËLE IMPLIKASIE

R24 040,00 (BTW ingesluit) per addisionele erf wat nie deur die Raad gehef sal word nie.

Die totale bedrag beloop R504 840,00 vir 21 addisionele erwe.

PERSONEEL IMPLIKASIE

Geen.

BESTUURSAANBEVELING

Vir besluitneming deur die Raad.

AANBEVELING: PUBLIEKE WERKE KOMITEE

Dat die eienaar steeds die maandelikse beskikbaarheidsfooie ten opsigte van water betaal.

BESLUIT 150/2017

Dat die aangeleentheid terug verwys word na die UBK vir aanbeveling na die Raad.

11.4 GEMEENSKAPSDIENSTE / COMMUNITY SERVICES**11.4.1 IMPLEMENTATION OF NATIONAL SOLAR WATER HEATING PROGRAMME IN CAPE AGULHAS MUNICIPAL AREA****PURPOSE OF REPORT**

Council to approve the implementation of the National Solar Water Heating Programme in the Cape Agulhas Municipal area which will be funded by Department of energy (attached on **page 147 to 161**).

BACKGROUND

In March 2005, the South African National Energy Efficiency Strategy was developed and published to explore the potential for improved energy utilization by reducing the country's energy intensity.

In June 2009, the South African Government through the Department of energy, announced its intention to launch a National Solar Water Heating Programme against the backdrop of the prevailing electricity constraints. The target that was set by the National Minister of Energy at the time was 1 million installed solar water heaters in residential areas.

In 2015, the Minister of energy announced the implementation of the revised National Solar Water Heater Programme which envisages participation of municipalities given their constitutional and statutory functions and responsibilities regarding municipal services and the reticulation of electricity.

LEGAL AND POLICY IMPLICATIONS

National Solar Water Heater Programme Framework Agreement.

FINANCIAL IMPLICATIONS

None.

MANAGEMENT RECOMMENDATION

- (i) Council approve the implementation of the National Solar Water Heating by the Department of Energy (DoE) in the Cape Agulhas Municipal Area as outlined in the National Solar Water Heater Programme Framework Agreement, this includes the associated supply, installation and maintenance of Baseline Systems in relation to and within Designated Installation Areas which will be subject to the procurement, project plans and other requirements of the National Solar Water Heating Programme as determined and funded by DoE.
- (ii) Council identifies the following towns as **Initial Identified Residential Areas** for inclusion in the project:
 - a) Napier
 - b) Bredasdorp
 - c) Arniston
 - d) Struisbaai

RESOLUTION 151/2017

- (i) That the management recommendation be accepted as a resolution of Council.
- (ii) That Klipdale, Protém and Elim be added to the list in (ii) above.

11.4.2 **APPROVAL OF THE DRAFT CAPE AGULHAS YOUTH DEVELOPMENT STRATEGY (DCS)**

PURPOSE OF REPORT

Approval of the draft Cape Agulhas Youth Development Strategy, as attached on **page 162 to 173**.

BACKGROUND

The Cape Agulhas Youth Development Strategy is a communicating tool of the municipality's goals and actions for youth development to the broader public. This document will give a more focussed and systematic approach in the coordination of the youth programmes. The strategy has been informed by extracted data from various sources as well as research conducted by the Cape Agulhas Youth Coordinators and youth workers at Social Development department.

The census 2011 data, Provincial Economic Review and Outlook, 2013(PERO), Provincial survey of Substance abuse, risk- taking behaviour and mental health in grade 8-10 learners in the Western Cape schools set the statistical platform for the strategy UNODC, (2012).

The Youth Strategy has also been informed by a review of good youth development practices at provincial-, national- and international level.

The Cape Agulhas Social development department had several engagements with approximately 200 youth from the various towns within our municipal area. A needs assessment and survey were conducted to determine the views of the youth with regards to youth development within our municipal area. Information from the Integrated Development Plan (IDP) also added value in drafting the strategy.

LEGAL IMPLICATIONS

1. The Constitution of the Republic of South Africa, Act Number 108 of 1996.
2. The Municipal Systems Act, 2000 (Act No 32 of 2000), the Municipal Structures Act, 1998 (Act No 117 of 1998).
3. The Municipal Finance Management Act, 2003 (Act No 56 of 2003).
4. National Youth Policy (NYP) 2009–2014.

FINANCIAL IMPLICATIONS

1. The Social Development budget will be utilized for the Youth Development programmes.
2. The staff in the Social Development Department will be responsible for the coordination and implementation of the youth development programmes.

MANAGEMENT RECOMMENDATION

That Council approves the Cape Agulhas Youth Development Strategy.

RESOLUTION 152/2017

That the management recommendation be accepted as a resolution of Council.

11.4.3 **IMPLEMENTATION OF FEEDING SCHEMES FOR 2017/2018 FINANCIAL YEAR (DCS)**

PURPOSE OF REPORT

To request Council to approve the implementation of the feeding schemes for the 2017/2018 financial year.

BACKGROUND

The Social Development department has budgeted R150 000.00 for the implementation of the feeding schemes in Bredasdorp, Struisbaai, Napier, Elim, Waenhuiskrans, Klipdale and Proteem for the 2017/2018 financial year. The implementation of the feeding schemes is subject to effective, efficient and transparent financial management and internal control systems of organizations as per section 67 of the Local Government: Municipal Finance Management Act, 2003. The Beneficiaries are also obliged to provide the Municipality with a copy of its most recent audited financial statements as part of the Municipality's assessment process.

The most recent audited financial statements were received from "Geluksoord vir Bejaardes", Struisbaai Meals on Wheels, Arniston Vissersunie, Nuwerus Nasorg Centre and the Bredasdorp Nutrition and Development Centre. The Bredasdorp Nutrition and Development Centre administrated the funding allocated for the Klipdale and Proteem soup kitchens before and has agreed to manage these projects again for the 2017/2018 financial year.

See below the service providers in the respective towns:

SERVICE PROVIDER	TOWNS
Bredasdorp Nutrition and Development Centre	Bredasdorp/ Klipdale and Proteem
Arniston Vissersunie	Waenhuiskrans
Geluksoord	Elim
Meals on Wheels	Struisbaai
Nuwerus Nasorg	Napier

Expenses for the Feeding Schemes:

BREDASDORP		
ITEM	MONTHLY EXPENSES	EXPENSES FOR 3 MONTHS
Food Products	R7 800.00	R23 400.00
Transport	R1 000.00	R3 000.00
Electricity	R500.00	R1 500.00
Gas	R1 100.00	R3 300.00
Stipends for 4 cooks	R2 000.00	R6 000.00
Total	R12 400.00	R37 200.00

WAENHUISKRANS		
ITEM	MONTHLY EXPENSES	EXPENSES FOR 3 MONTHS
Food Products	R4 000.00	R12 000.00
Transport	R800.00	R2 400.00
Electricity	R550.00	R1 650.00
Gas	R1 000.00	R3 000.00
Stipends for 3 cooks	R1 500.00	R4 500.00
Total	R7 850.00	R23 550.00

STRUISBAAI		
ITEM	MONTHLY EXPENSES	EXPENSES FOR 3 MONTHS
Food Products	R4 000.00	R12 000.00
Transport	R800.00	R2 400.00
Electricity	R550.00	R1 650.00
Gas	R1 000.00	R3 000.00
Stipends for 3 cooks	R1 500.00	R4 500.00
Total	R7 850.00	R23 550.00

ELIM		
ITEM	MONTHLY EXPENSES	EXPENSES FOR 3 MONTHS
Food Products	R4 000.00	R12 000.00
Transport	R800.00	R2 400.00
Electricity	R550.00	R1 650.00
Gas	R1 000.00	R3 000.00
Stipends for 3 cooks	R1 500.00	R4 500.00
Total	R7 850.00	R23 550.00

NAPIER		
ITEM	MONTHLY EXPENSES	EXPENSES FOR 3 MONTHS
Food Products	R4 000.00	R12 000.00
Transport	R800.00	R2 400.00
Electricity	R550.00	R1 650.00
Gas	R1 000.00	R3 000.00
Stipends for 3 cooks	R1 500.00	R4 500.00
Total	R7 850.00	R23 550.00

KLIPDALE		
ITEM	MONTHLY EXPENSES	EXPENSES FOR 3 MONTHS
Food Products	R1 000.00	R3 000.00
Transport	R600.00	R1 800.00
Electricity	R500.00	R1 500.00
Stipends for 2 cooks	R1 000.00	R3 000.00
Total	R3 100.00	R9 300.00

PROTEM		
ITEM	MONTHLY EXPENSES	EXPENSES FOR 3 MONTHS
Food Products	R1 000.00	R3 000.00
Transport	R600.00	R1 800.00
Electricity	R500.00	R1 500.00
Stipends for 2 cooks	R1 000.00	R3 000.00
Total	R3 100.00	R9 300.00

LEGAL IMPLICATIONS

Section 67 of the Local Government: Municipal Finance Management Act, 2003.

FINANCIAL IMPLICATIONS

The total cost for the implementation of the feeding schemes amounts to R150 000,00 over a period of three months.

STAFF IMPLICATIONS

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

MANAGEMENT RECOMMENDATION

- (i) Council to approve the funding allocation to the organizations based on their recent financial statements.
- (ii) That council grant permission that the feeding scheme to be accommodated at the Waenhuiskrans community hall for the duration of the project.
- (iii) That a Memorandum of Understanding to be signed between CAM and the organizations for the implementation of the feeding schemes.
- (iv) Organizations are responsible for the purchasing of goods, gas, electricity and the transportation of goods.
- (v) Monthly reports regarding the operations and financial management of the project to be submitted to the Manager Social Development department of CAM.

- (vi) That council appoints the following service providers for the implementation of the feeding scheme project: Bredasdorp Nutrition and Development Centre, Waenhuiskrans Vissermansunie, Struisbaai Meals on Wheels and Nuwerus Nasorg centre.

RESOLUTION 153/2017

- (i) That the management recommendation be accepted as a resolution of Council.
 (ii) That further investigation be done for improving the feeding scheme.

11.4.4 **REVISION OF THE DISASTER MANAGEMENT PLAN**

REPORT BY THE MANAGER PROTECTION SERVICES

PURPOSE OF REPORT

To present the revised Disaster Management Plan to Council for approval.

BACKGROUND

The revised Disaster Management Plan is ***provided as a separate document to this Agenda***. The main components that were updated were:

- Paragraph 3: Institutional Arrangements which were brought in line with the newly approved structure.
- Annexure A: List of stakeholders and responsibilities which was also brought in line with the newly approved structure and updated. Contact numbers per town were also added.

LEGAL FRAMEWORK

Disaster Management Act, 57 of 2002.

MANAGEMENT RECOMMENDATION

That the revised Disaster Management Plan be approved.

RESOLUTION 154/2017

- (i) That the management recommendation be accepted as a resolution of Council.
 (ii) That the plan be disseminated to all ward committee members to develop a “quick” guide for specific wards.

11.4.5 **APPROVAL: ANNUAL REPORT ON SECTION 50 OF THE DISASTER MANAGEMENT ACT**

REPORT BY THE MANAGER PROTECTION SERVICES

PURPOSE OF REPORT

To report to Council in terms of Section 50 of the Disaster Management Act, 57 of 2002 on disasters affecting the Municipal Area

Disaster Management Act, 57 of 2002: Section 50 of the Disaster Management Act requires that -

- (1) A report must be submitted annually to the Municipal Council regarding the Disaster Management Centre, on
- a) Its activities during the year.
 - b) The results of the Centre's monitoring of prevention and mitigation initiatives.
 - c) Disasters that occurred during the year in the area of the Municipality.
 - d) The classification, magnitude and severity of these disasters.
 - e) The effects they had.
 - f) Particular problems that were experienced -
 - (i) In dealing with these disasters, and
 - (ii) Generally in implementing this Act, the national disaster management framework of the province concerned and the disaster management framework of its municipality
 - g) The way in which these problems were addressed and any recommendations the Centre wishes to make in these regard.
 - h) Progress with the preparation and regular updating in terms of sections 52 and 53 of disaster management plans and strategies by municipal organs of state involved in disaster management in the municipal area, and
- (2)(a) A municipal Disaster Management Centre must, at the same time that its report is submitted to the municipal council in terms of subsection (1) submit a copy of the report to the National Centre and the Disaster Management Centre of the province concerned.

BACKGROUND

The Disaster Centre is managed by the Overberg District Municipality. There were no classified disasters occurred within the Municipal Area during the preceding year.

The only activities occurring during the year, were ten informal settlement structure fires and two house fires. One structure fire occurred in Napier and nine in Zwelitsha, Bredasdorp area. The two houses that burnt were in Bredasdorp and the Struisbaai North area. All victims was assisted through Cape Agulhas Municipality's Disaster Management function where social assistance in the form of food and clothing to the amount of R1 000,00 was provided to them. Where needed structure material was provided as a starter kit to rebuild their structure again.

During June 2017 very cold weather conditions occurs with strong gail force winds and heavy rain. Warnings were received by Province and District Disaster Management Centres which was loud-hailed by the Local Municipality in the whole municipal area prior to the storm for preparation. Black plastic was issued to 107 owners of structures to cover leaking roofs and 89 blankets were given to affected residents in formal and informal areas.

Soup kitchens were operated in the affected areas and at schools to provide a warm meal to those in need.

LEGAL FRAMEWORK

Disaster Management Act, 57 of 2002

MANAGEMENT RECOMMENDATION

That Council take note of the annual disaster management report insofar as it relates to functions for which the Municipality is responsible, which is submitted in terms of Section 50 of the Disaster Management Act.

RESOLUTION 155/2017

That the management recommendation be accepted as a resolution of Council.

11.5 FINANSIËLE DIENSTE / FINANCIAL SERVICES**11.5.1 UITGEDIENDE VOORRAAD: STOOR A, BREDASDORP (DFD)****DOEL VAN VERSLAG**

Om goedkeuring te verkry aangaande die afskrywing van uitgediende voorraad soos op 26 Mei 2017.

AGTERGROND

Onderstaande is 'n lys van nie-bewegende voorraad wat nie meer van nut is vir die Raad nie, aangesien die voertuie nie meer bestaan in die Raad se vloot nie:

	Stock Code	Item Description	Bin Number	Quantity	Stock Value
1	14115	FILTER OIL Z96	G00016	10	R935,63
2	14131	FILTER AIR ADG727	G00056	1	R98,00
3	14134	FILTER AIR ADG505	G00046	1	R210,21
4	14137	FILTER AIR ADG585	G00047	1	R137,45

WETLIKE IMPLIKASIE

Ingevolge Wet 56 van 2003 (MFMA), artikel 125(d)(iii) moet die Raad enige verliese verhaal of afgeskryf, openbaar.

FINANSIËLE IMPLIKASIE

R1 381,29

BESTUURSAANBEVELING

Dat die gelysde filters ter waarde van R1 381,29 van Stoor A Bredasdorp, afgeskryf word.

BESLUIT 156/2017

Dat die Bestuursaanbeveling as besluit van die Raad aanvaar word.

11.5.2 ODUIT AKSIEPLAN 2015/16 (OPCAR): MAANDELIKSE VORDERING - MEI 2017**DOEL VAN VERSLAG**

Oorweging van die vordering met die goedgekeurde 2015/16 Oudit Bevindinge Aksieplan (OPCAR) vir Mei 2017.

AGTERGROND

Na aanleiding van die Ouditeur-Generaal se oudit van die 2015/16 finansiële jaar is daar sekere leemtes uitgewys wat aangespreek moet word.

Hierdie bevindinge is in die Oudit Bevindinge Aksieplan opgeneem en bepaalde regstellende stappe is bepaal om die bevindinge aan te spreek.

Die vordering word ook aan die Oudit- en Prestasieoudit Komitee voorgelê en word ook op 'n gereelde grondslag met die Ouditeur-Generaal bespreek. Die vordering met die plan word verder op 'n kwartaallikse grondslag aan die Wes-Kaapse Provinsiale Tesourie voorgelê.

Alle items in die plan, soos aangeheg op **bladsy 174 tot 180** is nou afgehandel en word aan die Raad voorgelê vir kennisname. Daar sal, derhalwe ook geen verdere maandelikse rapportering wees ten opsigte van hierdie betrokke ouditbevindinge nie.

PERSONEEL IMPLIKASIES

Geen.

FINANSIËLE IMPLIKASIES

Geen.

WETLIKE IMPLIKASIES

Geen.

BESTUURSAANBEVELING

Dat die Raad die vordering met die 2015/16 Ouditeur-Generaal aksieplan oorweeg en aanvaar.

BESLUIT 157/2017

Dat die vordering met die 2015/16 Ouditeur-Generaal aksieplan aanvaar word.

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

12.1 **NERSA: GOEDKEURING VAN ELEKTRISITEITSTARIEWE INSAKE DIE 2017/18 BEGROTING JAAR (DFD)**

DOEL VAN VERSLAG

Om NERSA se goedgekeurde tariewe vir die lewering van elektrisiteitsdienste in die Kaap Agulhas munisipale gebied, met betrekking tot die 2017/18 begroting jaar te oorweeg vir goedkeuring in terme van Nasionale Tesourie se riglyne met omsendingskrywe 85 en 86 asook ander toepaslike wetgewing in dié verband.

AGTERGROND

Die voorlopige elektrisiteitstariewe vir die periode 1 Julie 2017 tot Junie 2018 was deur die Raad goedgekeur op 28 Maart 2017 en aan NERSA voorgelê vir finale goedkeuring. Deurdat die munisipaliteit se gemiddelde elektrisiteitstarief verhoging vir die finansiële jaar (2017/18) hoër is as die voorgestelde verhoging deur NERSA afgekondig, moes die munisipaliteit op versoek van NERSA 'n voorlegging doen op 18 Mei 2017 met betrekking tot die tariewe vir goedkeuring.

Op 1 Junie 2017 het die munisipaliteit terugvoer ontvang vanaf NERSA insake die voorgestelde finale goedgekeurde elektrisiteitstariewe vir verdere insette. Die Bestuurder: Elektrotegniese Dienste het onmiddellik die munisipaliteit se beswaar ingedien ten opsigte van "Domestic Pre-paid 30 Amps" tarief wat nie in lyn met die munisipaliteit se aansoek was, deurdat die spesifieke tarief weer terug verander is na dieselfde elektrisiteitstarief - konvensioneel met die heffing van beskikbaarheidsgelde afsonderlik op die rekening nie teenstande die munisipaliteit se verduideliking tydens die aanvanklike voorlegging in Mei 2017 te Pretoria.

Volgens NERSA se terugvoer moes die munisipaliteit voor 31 Mei 2017 amptelik beswaar aangeteken het teen die voorgenome goedgekeurde elektrisiteitstariewe van NERSA.

Verdere skrywes is gerig aan NERSA ten einde die munisipaliteit 'n billike geleentheid te gun om beswaar te kan aanteken teen die voorgenome tarief en is bevestiging verleen op 26 Junie 2017 dat NERSA bereid is om die spesifieke tarief op hersiening te neem.

Buiten die tarief wat op hersiening geneem gaan word deur NERSA is dit noodsaaklik dat enige afwyking in terme van die reeds goedgekeurde elektrisiteitstariewe deur die Raad op 28 Mei 2017 aangepas en in lyn gebring moet word met die elektrisiteitstariewe soos vasgestel deur NERSA per skrywe gedateer. 'n Afskrif van die Raad se goedgekeurde tariewe vir elektrisiteit *versus* die van NERSA word aangeheg op **blasy** vir oorweging en wysiging.

Die elektrisiteitstariewe ten opsigte van huishoudelike gebruik is effens afwaarts aangepas deur NERSA terwyl die aansoek vir Industriële, Besigheid en ander gebruikers se tariewe onveranderd gelaat was soos per aansoek ingedien. Die munisipaliteit het aansoek gedoen vir 'n gemiddelde tariefverhoging van 7,20% terwyl NERSA 'n gemiddelde tarief verhoging van 6,99% toegestaan het vergeleke met die vorige finansiële jaar se goedgekeurde tariewe vir elektrisiteit.

FINANSIËLE IMPLIKASIE

Die finansiële implikasie met betrekking tot die gewysigde tariewe sal 'n geraamde vermindering aan inkomste van R185 428,00 vir die Raad teweegbring ten opsigte van die 2017/18 begroting jaar. Die tekort aan inkomste sal deeglik gemonitor moet word vir regstelling gedurende die aansuiweringsbegroting in Desember 2017.

The Munisipale Bestuurder, in konsultasie met die Direkteur: Finansies, beveel as volg aan:

BESTUURSAANBEVELING

- (i) Dat die Raad die goedgekeurde elektrisiteitstariewe van NERSA aanvaar vir implementering vanaf 1 Julie 2017 tot Junie 2018.
- (ii) Dat 'n formele beswaar gerig word aan NERSA ten opsigte van die "Domestic Pre-paid 30 Amps" tarief en dat die goedgekeurde tarief van die Raad gehandhaaf word totdat die beswaar afgehandel is.
- (iii) Dat die Raad verder goedkeuring verleen dat Bylaag "A" - Dienste Tariewe (2017/18), paragraaf 4.9 (gelde vir die verskaffing van elektrisiteit) gewysig en in lyn gebring word met die tariewe soos goedgekeur deur NERSA.

BESLUIT 158/2017

Dat die Bestuursaanbeveling as besluit van die Raad aanvaar word.

12.2 **RECOVERING OF AND/OR WRITING OFF UNAUTHORIZED, IRREGULAR OR FRUITLESS AND WASTEFUL EXPENDITURE FOR 2016/17 FINANCIAL YEARS (DFS)**

PURPOSE OF REPORT

For council to investigate any unauthorized, irregular or fruitless and wasteful expenditure that have been incurred for the period July 2016 to June 2017 for approval and / or to be written off.

BACKGROUND

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

- An office-bearer knowingly or after having been advised by the accounting officer that the expenditure is likely to result in unauthorized expenditure, instructed an official of the municipality to incur the expenditure.

- The accounting officer deliberately or negligently incurred unauthorized expenditure, subject to subsection (3) whereby the accounting officer has informed the Council in writing that the expenditure is likely to be unauthorized, irregular or fruitless and wasteful expenditure.
- Any political office-bearer or official deliberately or negligently committed, made or authorized an irregular expenditure.
- Any political office-bearer or official deliberately or negligently made or authorized a fruitless and wasteful expenditure.

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

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

As part of the financial year end process a number of unauthorized, irregular, fruitless and wasteful expenditure have been identified for further investigation by council / MPAC in order to either recover or certify as irrecoverable and write off as prescribed in terms of the above mentioned legislation and in terms of the municipality's approved policy in this regard. Attached as **Annexure A** the register in respect unauthorized, irregular, fruitless and wasteful expenditure for the period July 2016 to June 2017 for Council's investigation and / or verification.

Most of the unauthorized, irregular, fruitless and wasteful expenditure refers to supply chain management procedures not followed, cancellation of accommodation / agreements for which the municipality does receive any economic benefit.

Great concern about the increasing number of duplicate certification of invoices for payment by individual managers due to lack of effective project management and financial control. Fortunate these actions have been detected by the expenditure unit and not submitted for payment which could result in potential wasteful & fruitless expenditure.

LEGAL IMPLICATION

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

FINANCIAL IMPLICATION

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

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

MANAGEMENT RECOMMENDATION

- (i) Council considers the report on unauthorized, irregular, fruitless and wasteful expenditure for the period from July 2016 to June 2017 as per Annexure "A" for recovery or certification as irrecoverable and written off.
- (ii) Council promptly informs the MEC for local government and Auditor-General in writing of the unauthorized, irregular, fruitless and wasteful expenditure incurred by the municipality for the periods under review inclusive of the council resolution on the outcome of finding.

RESOLUTION 159/2017

That the management recommendation be accepted as a resolution of Council.

17. ONAFGEHANDELDE RAADSBESLUIE

Besluit Nr	Onderwerp	Verkorte Besluit	Vordering	Verantwoordelike persoon
76/2016	Vervreemding (koop): Erf 3344, Bredasdorp	Dat genoemde erf op publieke tender geplaas word.	Advertensie was geplaas - Tendraar het erf 3139 gekies nadat hy vir beide getender het. Die Raad moet nou besluit wat van erf 3344 gaan word en of dit weer op tender geplaas moet word.	LDC
90/2016	Ouditeur-Generaal navraag insake erwe 563 en 937, Napier	(i) Dat Erf 563, Napier so spoedig as moontlik deur die raad se oordragprokureurs aan KAM oorgedra word. (ii) Dat, sodra Erf 563, Napier in KAM se naam registreer is, dit per openbare tender vervreemd word. (iii) Dat alle uitstaande skuld ten bedrae van R35 256,83 op rekening 200 000 011 073 in die naam van N en S M Noor afgeskryf word. (iv) Dat Erf 937, Napier se uitstaande gelde so spoedig as moontlik deur die raad se Masakane proses gevorder word (binne 90 dae). (v) Indien alle uitstaande fooie nie binne 90 dae gevorder is nie, erf 937 per openbare tender vervreemd sal word om deel van die koste te delg. (vi) Dat die verskil in uitstaande fooie (balans min verkoopprijs) afgeskryf word.	In proses van afhandeling.	DFD
235/2016	Heroorweging van huurgeld (erf 856, Struisbaai): Zuso Khanyo Co-Operative Limited	Dat 'n volledige verslag rakende die status van die projek opgestel word wat die toekomstige volhoubaarheid daarvan insluit vir oorweging deur die Raad by 'n volgende Raadsvergadering.		LDC/DKD
236/2016	Heroorweging van huurgeld (erf 1343, Bredasdorp): Isivuno Agricultural Co-Operative Limited	Dat 'n volledige verslag rakende die status van die projek opgestel word wat die toekomstige volhoubaarheid daarvan insluit vir oorweging deur die Raad by 'n volgende Raadsvergadering.		LDC/DKD
237/2016	Parkering: Erf 264, Struisbaai	Dat die randstene wel verwyder word, op voorwaarde dat - (i) Die eienaar in kennis gestel word dat sou hulle die parkeerarea wil vergroot tot by die voetpaadjie (in Hoofweg), die nodige grondgebruiksaansoek ingedien moet word vir oorweging. (ii) 'n Vergunningssooreenkoms vir die vergroting van die parkeerarea met die eienaar gesluit word.	Eienaar reageer nie op skrywe van prokureur nie.	BSSB
238/2016	Council's further directions: Rezoning, Subdivision, Consolidation and letting of property in respect of the Vishuis Heritage Centre in Kassiesbaai, Arniston	That Council approves the following: Amendment of Clause 12.2.4 of the attached Lease Agreement to read as follows: "The serving of refreshments including hot and cold beverages and snack foods (i.e. a portion of food, smaller than a regular meal, generally eaten between meals) shall be permitted, excluding regular meals."	In proses.	BSSB

Besluit Nr	Onderwerp	Verkorte Besluit	Vordering	Verantwoordelike persoon
244/2016	Oordrag: Suiderstrand Pad	(i) Dat beginsel-goedkeuring vir die oordrag van die Suiderstrand pad na Provinsie gegee word. (ii) Dat die Munisipale Bestuurder getaak word om die nodige prosesse van oordrag in werking te stel. (iii) Dat die Munisipale Bestuurder dringend 'n vergadering belê tussen die munisipaliteit, SANParke en die provinsiale departement van Paaie en Openbare Werke om die opgradering van die pad te bespreek.		
247/2016	Bredasdorp Voeding- en Ontwikkelingsentrum	(i) Dat erf 4443, geleë op die hoek van Tolbos- en Baatjesstraat, Bredasdorp aan genoemde organisasie beskikbaar gestel word vir die daarstelling van 'n sokkombuis. (ii) Dat die dienste aansluiting deur die Raad gedoen sal word. (iii) Dat goedkeuring gegee word vir die oprigting van 'n struktuur, onderworpe aan die goedkeuring van volledige bouplanne. (iv) Dat die nodige huurooreenkoms deur Korporatiewe Dienste opgestel word.	<i>In proses.</i>	

BESTUURSAANBEVELING

Dat die Raad kennis neem van die onafgehandelde Raadsbesluite.

BESLUIT 160/2017

- (i) Dat die bestuursaanbeveling as besluit van die Raad aanvaar word.
- (ii) Dat die Raad kennis neem dat besluit 247/2016 afgehandel is.
- (iii) Besluit 244/2016: Dat 'n vergadering met die Departement Openbare Werke en 'n afvaardiging van die Raad dringend gereël word om die afhandeling van die aangeleentheid te bespoedig.

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

BEKRAGTIG op hierdie

dag van

2017

SPEAKER

DATUM: