



KAAP AGULHAS MUNISIPALITEIT
CAPE AGULHAS MUNICIPALITY
U MASIPALA WASECAPE AGULHAS

**NOTULE VAN 'N ALGEMENE RAADSVERGADERING GEHOU OM 10:00 OP DINSDAG
25 SEPTEMBER 2018 IN DIE MUNISIPALE RAADSAAL TE BREDASDORP**

**MINUTES OF A GENERAL COUNCIL MEETING HELD ON TUESDAY, 25 SEPTEMBER 2018
AT 10:00 IN THE MUNICIPAL COUNCIL CHAMBERS, BREDASDORP**

RAADSLEDE / COUNCILLORS

MNR	R J BAKER	
MNR	G D BURGER	
MNR	D J EUROPA	
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 H Van Biljon	Direkteur: Finansiële Dienste
Mnr K Mrali	Direkteur: Bestuursdienste
Mnr A Jacobs	Direkteur: Infrastruktuurdienste
Mnr B Hayward	Bestuurder: Stads- en Streeksbeplanning
Mnr G M Moelich	Bestuurder: Administrasie
Mnr G Prins	Kommunikasie
Me T Stone	Afdelingshoof: Strategiese Dienste

1. **OPENING**

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

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

Raadslid C J Jacobs

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:**

31 Julie 2018

BESLUIT 118/2018

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:**

23 Julie 2018

BESLUIT 119/2018

Die Raad neem kennis van bogenoemde UBK Notule.

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

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

- WYK 1 : 17 Julie 2018 en 15 Augustus 2018
- WYK 2 : 19 Julie 2018
- WYK 3 : 18 Julie 2018
- WYK 4 : 17 Julie 2018
- WYK 5 : 19 Julie 2018
- WYK 6 : 17 Julie 2018

BESLUIT 120/2018

Die Raad neem kennis van bogenoemde Wykskomitee Notules.

6.2 **VOORGELê VIR KENNISNAME**

ICT Steering Committee: 23 Augustus 2018

BESLUIT 121/2018

Die Raad neem kennis van bogenoemde ICT Steering Committee Notule.

7. **SAKE VOORTSPRUITEND UIT NOTULES**

Geen.

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

Aangeheg op bladsy 1 van die bylaes.

8.2 FUNKSIES VIR DIE MAAND

- Die oorhandiging van terrein F vir behuising vind eersdaags plaas.
- Elim Blommefees het die afgelope naweek plaasgevind.
- Rangers Rugbyklub, Bredasdorp se 100 jarige bestaan is gevier.
- Wyk 2 se buitelig gymnasium is geopen.
- Napier Kliniek word op 26 September 2018 deur die Minister van Gesondheid geopen.
- Son aangedrewe motors besoek Bredasdorp eerskomende naweek.

8.3 AANWYS VAN AFGEVAARDIGDES

Die Burgemeester en Munisipale Bestuurder sal gedurende Oktober 2018 'n SALGA "National Assembly" in Durban bywoon.

8.4 DRINGENDE SAKE DEUR DIE SPEAKER VOORGELê

Geen.

9. TERUGVOERING VANAF RAADSLEDE OOR VERGADERINGS BYGEWOON

Geen.

10. VERKLARINGS EN/OF MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER

- Die uitrol van jeugprogramme en -projekte begin eersdaags.
- Jeugontwikkelingsprojekte sal uit die Sosiale-Ontwikkelingsfonds befonds word.
- 'n Entrepeneursondersteuningsprogram word eersdaags bekend gestel.
- As gevolg van hoë inbraak syfers word 'n "peace force on bicycles" beplan.

11.	<u>ITEMS NA DIE RAAD VERWYS VIR OORWEGING</u>	<u>Bladsy</u>	
		<u>Agenda</u>	<u>Bylaes</u>
11.1	<u>MUNISIPALE BESTUURDER</u>		
11.1.1	Promotion of Tourism and Investment Agreement	5 - 6	2 - 26
11.1.2	Oudit- en Prestasiebestuurs-Ouditkomitee: Vulling van vakante pos	7	-
11.2	<u>STRATEGIESE BEPLANNING EN ADMINISTRASIE</u>		
11.2.1	2017/18 Risk Man Policy, Risk Man Strategy and FARMCO Charter	8	27 - 72
11.2.2	Valuation: Erf 857, Struisbaai (Business Development)	9 - 11	-
11.2.3	Valuation: Erf 1256, Struisbaai (Retirement Village)	12 - 19	73 - 116
11.2.4	Vervreemding (koop): Erwe 4184, 4196 - 4199 en 4210, Struisbaai	19 - 20	-
11.2.5	Vervreemding (huur): Erwe 4185 en 4186, Struisbaai	21 - 22	117 - 119
11.2.6	Lease negotiation offer: Dept of Public Works: Thusong Centre	22 - 23	120 - 121
11.2.7	Lease negotiation offer Dept of Public Works: Sbaai SAPD	23 - 24	122 - 127
11.2.8	Erf 214, WHKrans: Lease and Future Utilisation	24 - 26	128 - 130

	<u>Agenda</u>	<u>Bladsy</u>	<u>Bylaes</u>
11.3	<u>BESTUURSDIENSTE</u>		
11.3.1	CAM: Disaster Risk Assessment 2018	26 - 27	Apart
11.3.2	Approval: Annual Report on Section 50 - Disaster Management Act	27 - 29	-
11.3.2	Kwytsekelding van affiliasiegelde: Sea Hawks, WHKrans	29 - 30	-
11.4	<u>INFRASTRUKTUUR DIENSTE</u>		
11.4.1	Amendments: Approved Capital Budget - MIG Projects	30 - 31	-
11.4.2	Rescindment: Resolution 244/2016 - Transfer Suiderstrand Road	31	-
11.5	<u>FINANSIES- EN IT DIENSTE</u>		
11.5.1	2016/17 OPCAR: Maandelikse Vordering - September 2018	32	131 - 135
12.	<u>ADDISIONELE ITEMS DEUR DIE RAAD HANTEER</u>		
12.1	Amendment: Department of Environmental Affairs and Development Planning: RSEP and VPUU programmes	32 - 33	-
13.	<u>DRINGENDE SAKE DEUR DIE MUNISIPALE BESTUURDER</u>		
	Geen.		
14.	<u>OORWEGING VAN KENNISGEWING VAN MOSIES</u>		
	Geen.		
15.	<u>OORWEGING VAN KENNISGEWING VAN VRAE</u>		
	Raadsdame Marthinus dien 'n skriftelike versoek in wat in 'n volledige verslag deur die Burgemeester aan die Raad voorgelê word.		
16.	<u>OORWEGING VAN DRINGENDE MOSIES</u>		
	Geen.		
17.	<u>VERSLAG DEUR MUNISIPALE BESTUURDER OOR DIE UITVOERING VAN RAADSBESLUIE</u>		
	'n Lys van onafgehandelde Raadsbesluite verskyn op <i>bladsy 34</i> .		
18.	<u>IN-KOMITEE VERSLAE</u>		
	In-Komitee items word vertroulik hanteer.		
19.	<u>SLUITING</u>		
	Die vergadering verdaag om 12:00		

11. ITEMS NA DIE RAAD VERWYS VIR OORWEGING

11.1 MUNISIPALE BESTUURDER / MUNICIPAL MANAGER

11.1.1 PROMOTION OF TOURISM AND INVESTMENT AGREEMENT

PURPOSE OF REPORT

For Council to consider the agreement that was received from the Western Cape Tourism, Trade and Investment Promotion Agency (WESGRO), after a number of meetings were held where assistance was requested by the municipality.

BACKGROUND

Since the start of the term of the current council, one of the strategic goals identified was economic development and specifically the role that tourism can play as an important driver of economic development in the Cape Agulhas as well as the regional space. Hence specific work has been done on developing and updating the economic development strategy and aligning tourism within the municipality to address this goal. However, it is common knowledge that economic development is a very specialised and specific field and the municipality does not have the institutional knowledge or capacity to convert strategy into action in this regard. Thus, a number of engagements were had with WESGRO, who is mandated by the provincial government in the Western Cape, to promote and actively seek the development of tourism, trade and investment opportunities in the province, in order to gauge how they can assist the municipality in realising the abovementioned goal.

Unfortunately the current perception, and there is some truth to it, from Western Cape municipalities, are that WESGRO focus only on the metro and does not provide any services to the smaller municipalities. The truth is that they provide services to those municipalities who procure services at a cost to them. WESGRO is funded by the Department of Economic Development and Agriculture to implement their mandate in the province. However the reality is that should municipalities require municipal specific support and interventions that requires additional effort and resources, outside the funding provided for by the department, they (the municipalities) then need to pay for these services.

DISCUSSION

After contact was made with the WESGRO Chief of Staff, Ms Kendra Stoffberg, to discuss CAM's needs and what services they can provide to the municipality, they provided us with an agreement with costs. This agreement is attached as Annexure on **page 2 to 26**. The focus areas as proposed are film promotion, export promotion and tourism promotion. Discussions with the political executive followed where it was decided that the focus for CAM should only be on film and tourism promotion due to the lack of small and upcoming companies within the CAM area that are ready to access the export market. In general the companies within the municipal area who already exports have already established international trade contracts and are well geared for expansion in the market.

Film promotion services that will be provided is red tape reduction, marketing and actual municipal visits by the WESGRO film and media promotion units. Marketing in this regard will entail the marketing of the region to top locations scouts who will assist in selling the region to visiting directors. Formulate and prepare visitation trips to the municipality and also include the municipality in at least one international familiarisation tour with visiting foreign producers. Further it will also include the preparation and placement of communications in the media. This material will also be made available to the municipality for its own use on the website and other media platforms.

In terms of tourism promotion the challenge that needs to be solved is the development of a destination marketing strategy and implementation plan to assist in positioning of the unique offering that the Cape Agulhas region can provide and to manage tourism capacity throughout the year to help combat seasonality and increase length of stay.

LEGAL IMPLICATIONS

Section 152(c) of the Constitution requires a municipality to "promote social and economic development." Hence municipalities are constitutionally obliged to ensure sustainable economic development.

FINANCIAL IMPLICATIONS

WESGRO provided the following costs for each service:

TOURISM PROMOTION

Tourism Strategy	R 250 000,00
Market ready Audit	R 50 000,00
Packaging Strategy	R 150 000,00
Industry Partnerships	R 50 000,00
Total	R 500 000,00 (excluding VAT)

FILM PROMOTION

Red tape & other advisory services	R 85 000,00
Location Scouting	R 65 000,00
1 X Regional FAM Tour	R 60 000,00
Design materials and marketing collateral	R 182 000,00
Film and Media promotion USB's	R 5 500,00
Total	R 397 500,00 (excluding VAT)

The total cost (VAT exclusive) for one year would then be R 897 500,00, increasing with 10% annually for the three year proposed period. Thus the total cost over the proposed three year MTREF would then be R2 970 725,00, should the municipality decides to procure their services over the full three year period. Currently there is no budget allocation for this service in the 2018/199 financial year and the recommendation would be that council allows for this in the adjustments budget.

PERSONNEL IMPLICATIONS

None at present.

MANAGEMENT RECOMMENDATION

- (i) Council considers the proposed offer from WESGRO for the promotion of tourism and film trade investment in the Cape Agulhas municipality.
- (ii) Council authorise the Municipal Manager to enter into an agreement with WESGRO.
- (iii) Council allows for the proposed expenditure in the adjustments budget for 2018/19 financial year.

RESOLUTION 122/2018

- (i) That the management recommendation not be accepted as a resolution of Council.
- (ii) That a follow-up report be submitted to Council as soon as possible.

11.1.2 ODUIT- EN PRESTASIEBESTUURS-ODUITKOMITEE: VULLING VAN VAKANTE KOMITEE POS**DOEL VAN VERSLAG**

Om die Raad in te lig oor die advertering, onderhoude en resultaat ten opsigte van die vakante pos wat tans by die Oudit- en Prestasiebestuurs-Ouditkomitee bestaan.

AGTERGROND

Tydens die Mei 2018 Raadsvergadering is die Komitee se verslag aan die Raad voorgelê wat die Komitee se aanbevelings ingesluit het. Een van die aanbevelings (20-2017/18) het terugvoering verskaf rondom die advertering van die vakante posisie op die Ouditkomitee. Die aanbeveling word aangehaal:

<p>20 - 2017/18: That the vacant Audit Committee position be advertised.</p>	<p>The Committee was informed that the continuous head hunting efforts has produced two excellent CV's from experts in their field and who has either holiday houses in the area or has family in the area i.e. they have vested interest in the municipality. These cases will be presented by internal audit to the Audit Committee for consideration.</p>	<p>That the advertising of the vacant position be held back until the Audit Committee has considered the two candidates CV's and made their recommendations.</p>
---	--	--

Die Komitee was egter van mening dat, ter wille van deursigtigheid en billikheid die pos eerder geadverteer moet word om almal 'n gelyke kans te gee om vir die posisie aansoek te doen. Die verkorte advertensie is op 24 Augustus 2018 in die Suidernuus geplaas met die detail advertensie op die munisipaliteit se webtuiste met 'n twee weke spertyd.

Die Komitee het 'n behoefte geïdentifiseer om 'n spesialis in interne oudit en risikobestuur aan te beveel om die kundigheid van die Komitee te versterk. 'n Kortlys is na aanleiding van die behoefte opgestel en onderhoude is op 14 en 15 September 2018 gevoer.

Na die onderhoude het me Louise Stevens as die uitstaande kandidaat na vore getree en die Komitee beveel eenparig aan dat sy as addisionele lid van die Komitee aangestel word. Sy het verder gevestigde belange in die gemeenskap met 'n familie wonig in Struisbaai.

PERSONEEL IMPLIKASIES

Vulling van 'n kritiese vakante pos in die Komitee.

FINANSIËLE IMPLIKASIE

Geen - Daar is reeds daarvoor begroot.

AANBEVELING: OUDIT- EN PRESTASIEBESTUURS-ODUITKOMITEE

Dat goedkeuring verleen word dat me Louise Stevens aangestel word in die vakante Komitee pos in terme van die Provinsiale Tesourie riglyne.

BESLUIT 123/2018

Dat die aanbeveling van die Oudit- en Prestasiebestuurs-Ouditkomitee as besluit van die Raad aanvaar word.

11.2 **STRATEGIESE BEPLANNING EN ADMINISTRASIE**

11.2.1 **2017/18 RISK MANAGEMENT POLICY, RISK MANAGEMENT STRATEGY AND FARMCO CHARTER REVIEW**

PURPOSE OF REPORT

To submit the annual revision of the Cape Agulhas Municipality Risk Management Policy, Risk Management Strategy and FARMCO Charter to Council for approval.

LEGAL IMPLICATIONS

Municipal Finance Management Act (MFMA)

The Municipal Finance Management Act (MFMA) (Section 62 (1) (a) states, inter alia, that the Accounting Officer of a municipality is responsible for managing the financial administration of the municipality, and must for this purpose take all reasonable steps to ensure that the municipality has and maintains effective, efficient and transparent systems of financial and risk management and internal controls.

National Treasury Risk Management Framework

The National Treasury Risk Management Framework requires that the Municipality must operate within the terms of a risk management policy approved by the Accounting Officer / Authority. It furthermore states that in the case of a municipality or municipal entity, the Council should also approve the risk management policy and strategy. The aforementioned framework also recommends the establishment of mechanisms aimed at embedding risk management into organizational culture, one of which is a Fraud and Risk Management Committee (FARMCO). The FARMCO Charter sets out the roles and responsibilities of the FARMCO was developed

DISCUSSION

The Council approved the Risk Management Policy and Risk Management Strategy in June 2016. The FARMCO Charter was approved in July 2015. These documents are reviewed on an annual basis by the FARMCO. The revised documents were submitted to (FARMCO) who approved the amendments. Amendments are mainly semantic and in line with latest trends in risk management and a uniform approach throughout the district.

The documents are attached as Annexure on **page 27 to 72**.

FINANCIAL IMPLICATIONS

None.

PERSONNEL IMPLICATIONS

None.

MANAGEMENT RECOMMENDATION

- (i) That 2017/18 revision of the Cape Agulhas Municipality Risk Management Policy and Risk Management Strategy be approved.
- (ii) That the 2017/18 revision of the Cape Agulhas Municipality FARMCO Charter be approved.

RESOLUTION 124/2018

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

11.2.2 **VALUATION: ERF 857, STRUISBAAI (BUSINESS DEVELOPMENT) (S857 AND 852 - STRP) (WARD 5)**

PURPOSE OF REPORT

For Council to consider the valuations for a proposed development on portions of Erven 857 and 852, Struisbaai.

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.

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.

COUNCIL DECISION: 27 MARCH 2018

"That the matter be referred back to Town Planning for further investigation."

VALUATIONS

The following table is a summary of the three valuations received:

	DDP	BOLAND VALUERS	J J NEETHLING
Market Related Value	R14 800 000,00	R16 715 000,00	R15 400 000,00

Council took the following decision (101/2018) on 31 July 2018:

- (i) That the management recommendation not be accepted as a resolution of Council.
- (ii) That the matter be referred back for further investigation regarding the value of the property.

FURTHER INVESTIGATION

On 2 August 2018 the following e-mail was sent to the two valuers:

"Aangeheg die twee waardasies wat die Stadsbeplanningsafdeling by Kaap Agulhas Munisipaliteit ontvang het - ook die Quantity Surveyor se verslag (van die ontwikkelaar self).

Die Raad het Dinsdag dit moeilik gevind om te besluit watter waardasie hulle kan gebruik. Is dit moontlik om net te bevestig of u volstaan met die waardasie en/of daar meriete is in die ander waardeerder se verslag."

DDP: JACO VOGES' RESPONSE

"Wat betref jou navrae rakende die twee waardasieverslae wil ons graag die volgende aspekte uitlig:

1. *Daar is 'n verskil in die grootte van die onderwerpeïendom tussen die twee verslae: DDP (53 870m²) en Boland Valuers (55 866m²);*
2. *DDP se waardasie is gebaseer op die huidige sonering ("Public Open Space" en "Undetermined") soos versoek deur die klient. Boland Valuers se verslag maak egter nêrens geensins enige melding van die sonering nie, wat in ons opinie 'n kritieke aspek is wanneer dit kom by die waardebeplanning van enige eiendom. Dit wil voorkom asof hulle verslag outomaties aangeneem het dat die eiendom reeds 'n besigheidssonering het wat geskik is vir die ontwikkeling van 'n besigheidseiendom;*
3. *Drie van die vier vergelykbare transaksies soos gebruik in die verslag van Boland Valuers is tussen nege en tien jaar oud. Vanweë die groot verskil in die tydsverloop tussen die datum van waardasie (15 Junie 2018) en dié vergelykbare transaksies, bevraagteken ons die geldigheid daarvan;*
4. *Volgens Boland Valuers se verslag steun hulle hoofsaaklik op vergelykbare transaksie nr.1 (Erf 2432, Gansbaai) om sodoende hulle markwaarde te bereken. Hierdie transaksie behels die verkoop van 'n ten volle ontwikkelde winkelsentrum wat eerstens nie direk vergelykbaar is met transaksies van leë grond nie. Tweedens beskou ons hulle hele berekening om by 'n grondwaarde van dié spesifieke transaksie uit te kom as onaanvaarbaar en nie korrek nie.*
5. *Laastens wil ons graag die opmerking maak dat die beraamde grondwaarde soos gebruik in die verslag opgestel deur Farrow Laing Bourekenaars op 13 September 2017 'n tarief gebruik van R262.00/m² wat binne 5% is van DDP se tarief van R275/m² soos gebruik in DDP se waardasieverslag."*

DDP wil egter hiermee bevestig dat ons volstaan by ons waardasie van **R14 800 000.00** soos op 22 Maart 2018.

BOLAND VALUERS' RESPONSE

Ek het die waardasie van Riaan deurgegaan en gevind dat ek die verkoping van erf 1893 Bredasdorp gemis het.

Hierdie verkoping het definiteif 'n inpak op die berekening van die waardasie ven erf 857, Struisbaai.

Ek het dus my waardasie aangepas na **R16 715 000** waarby ek sal volstaan.

Ek stuur vir jou die hersiende verslag.

THIRD MARKET VALUE: JJ NEETHLING PROFESSIONAL PROPERTY VALUERS

I, J.J. Neethling, declare that I have inspected the above property, that I have verified the particulars set out in this valuation, and that I value the herein described property for the purposes of this valuation to the best of my knowledge and skill, as on the 1st of September 2018, at R15,400,000 (Fifteen Million Four Hundred Thousand Rand Only).

MANAGEMENT RECOMMENDATION

- (i) That Council consider the reviewed valuations from Messrs DDP and BOLAND Valuers and the third valuation from J J Neethling Professional Property Valuers.
- (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 a portion of Erf 857, 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 a portion of Erf 857, 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 Council determine a reserve price of R16 715 000,00 (excluding VAT) for 55 866m².
 - (vii) That all legal requirements are met for disposal of land.

RESOLUTION 125/2018

- (i) That the management recommendation be accepted as a resolution of Council.
- (ii) That a by-annual report be submitted to Council on the progress of the development.

11.2.3 **VALUATION: PORTION OF ERF 1256, STRUISBAAI (RETIREMENT VILLAGE) (S1256 - STRP) (WARD 5)**

PURPOSE OF REPORT

For Council to consider the valuations for a proposed development on Portion of Erf 1256, Struisbaai.

This report consists of the following:

- Location of the property
- Three valuations (see Annexure A, B and C op **page 73 to 116**)

BACKGROUND

The following proposal was received from Messrs Clearlake Capital on 28 February 2018:

Introduction

ClearLake Capital Group is a private real estate investment firm with a primary focus on South African real estate. Our goal is clear and consistent - to create exceptional value that meets the requirements of modern, world-class investors while driving real returns. ClearLake Capital offers dynamic real estate solutions in an ever-changing market environment, using a scientific investment process and robust risk management system. At ClearLake Capital, we align our interests with those of our partners through co-investment to integrate sustainable, profitable practices into our real estate portfolio. We deliver solutions, unlock value and accelerate growth that fuel the development of our communities.

Our activities and services include:

- Direct Investment in Real Estate Development
- Project Viability Analysis
- Project Management
- Debt and Equity Structuring
- Construction

ClearLake Capital has over 20 years' experience in property development.

ClearLake Capital provides investors with bespoke opportunities to invest directly in real estate development. We source projects ranging from retirement villages, affordable housing, residential, commercial and industrial developments. ClearLake Capital structures deals where we invest our own capital alongside that of our partners. ClearLake Capital raises debt finance from financial institutions to overlay the equity portion of the investment, creating leverage and thereby accelerating returns.

Our innovative approach to structuring profitable real estate opportunities is evolutionary and draws on our proprietary quantitative analysis to:

- Identify profitable opportunities, initiate and conceptualize the project.
- Structure a unique financial model to enhance returns.
- Realize, market and dispose/manage the asset.
- Distribute proceeds and offer investors new opportunities

Completed Projects

- 2 Multi-level residential single family dwellings in Pecan wood Estate
- 40 Multi-storey townhouse units in Poortview (Poortview Villas)
- 42 Multi-storey townhouse units in Poortview (Poortview Gardens)
- 23 Single storey townhouse units in Poortview (Serengeti)

- 26 Single storey townhouse units in Poortview (Timbavati)
- Warehousing, Multi-storey office block in Olivedale
- 32 Single storey townhouse units in Harveston (Honey Badger)
- 33 Single storey townhouse units in Harveston (Covent Gardens)
- 2 Multi-storey family dwelling in Little Falls
- 32 Single storey townhouse units in Helderkruin (Bella Donna)
- Single family dwelling in Ruimsig (Two Rivers Country Estate)
- 2 Double storey family dwellings in Featherbrook Estate
- Double storey family dwelling in Walkerville
- Double storey family dwelling in Parkhurst
- 50 Mining houses client Goldfields (Glen Harvie)
- 50 Mining houses client Goldfields (Westonaria)
- 100 Free standing mining houses client Goldfields (Blybank)
- 92 Mining houses client Goldfields (Glen Harvie)
- 32 Mining houses client Goldfields (Glen Harvie)
- 100 Mining houses client Goldfields (Driefontein)
- Medical Facility client Goldfields
- 200 Triple storey affordable residential apartments
- 33 Retirement Village units in Harveston (Green Park)

Why do people choose Retirement Villages?

1. More affordable than you think Most people don't realize how affordable retirement Villages can be! Add the monthly costs of maintaining a house including mortgage, taxes, insurance, utilities, and home maintenance. Many seniors find that the monthly cost of living in retirement home is less than it was in their own home.
2. Abundant social opportunities and activities If you think life in a retirement community means sitting around think again! You'll have the freedom to stay as active and as involved as you choose. In a retirement community, seniors always have an option of relaxing in the comfort of their own home or immerse themselves in social life of the community. You may even rekindle an interest in hobbies that you finally have the time to pursue.
3. Safety, emergency support and peace of mind Many retirement communities are generally handicap accessible and may be gated or employ round-the-clock security. Emergency call buttons or pull-cords as well as trained personnel available 24/7 are just a few of the ways in which communities ensure safety of their residents. In a retirement residence, you have peace of mind knowing that in an emergency situation, assistance is close at hand.
4. Transportation services: Trips to the mall, grocery shopping and medical appointments are standard offerings within most senior living communities. Additional rides may be easily arranged, sometimes for an extra charge or pre-arranged as part of the monthly fee depending upon your community.
5. Relaxation: Whether relaxing to you means, gardening, golfing, reading or shopping with friends, these are part of everyday life in a seniors' community. When you choose to travel, there are no worries about finding a house sitter; your place will be looked after.
6. The perfect time to downsize.

Think of this as your opportunity to downsize. Rather than counting the number of boxes you'll need, consider distributing heirlooms, mementos and pieces of furniture to your loved ones now, rather than leaving the task to family. It may become a time of giving and reminiscing, that both you and your loved ones will treasure.

STATISTICS FROM HERMANUS

NAME	AVERAGE PRICE	WAITING LIST
Kid Brook	R2 500 000	5 - 10 years
Onrus Manor	R2 500 000	3 - 5 yeras
Negester	R3 000 000	
Huis Lettie Theron	Depends on income	10 years



Purchasing a Life Right

The life right in ClearLake Capital’s Retirement Villages means the right to the exclusive use and occupation of a dwelling unit in the village for the lifetime of the occupants. On resale, the original price is refunded, as well as 50% of the profit after the refurbishment has been done. Refurbishments are done to all the units on the exchange of ownership.

The ACT on Housing Development Schemes for Retired Persons, Act 65 of 1988 protects your investment. The title deeds will be endorsed to comply with the requirements of the said Act, placing it under the jurisdiction and control of the legal process. The ACT stipulates that only the registered occupant(s) may reside in the unit permanently, if you are over 55 years of age. You are ensured of the protection by the Judicial System.

The levy is based on the square meterage of the cottage. Levies include:

1. 24 Hour security
2. Cottage water
3. Communal water
4. Communal electricity
5. Sewerage services
6. Refuse removal
7. Building maintenance

8. Garden services
9. Insurance of buildings
10. Management and audit fees
11. Replacement reserve fund
12. Rates and Taxes

Two Oceans Village

When you choose to retire with ClearLake Capital, you can be sure that you are choosing the best for your future happiness and security. The benefits associated with living in a community of people of the same age group are numerous.

A community center will form the hub of Two Oceans Village and will include a library, as well as a wide range of activities including exercise classes, bingo, bridge, line dancing and much more.

24 Hour security will be provided which will include emergency response as well as a panic button for each unit.

Two Oceans Village is situated conveniently close to amenities such as a doctor, pharmacy, restaurants, shops, the harbor and the beach.



Giving back to the community

Based on financial projections ClearLake Capital will be able to assist CAM in socio-economic upliftment programs to the estimated value of One Million Rand.

These funds could be utilized in conjunction with existing upliftment programs as well as new initiatives CAM deems viable.

ClearLake Capital has already been in contact with Raizcorp with regards to a joint venture in uplifting local entrepreneurship and small business opportunities. Ben Smit and Raizcorp has a long-standing relationship in creating sustainable entrepreneurial excellence at a grassroots level, and Clearlake will endeavour to create a similar model in Struisbaai to uplift the local community.

Elsabé Nel, ClearLake Capital's marketing director, has extensive experience in raising money for a variety of charities in the Overstrand, as well as setting up an upliftment programme in Mount Pleasant, Hermanus, with former DA Councillor, Lianda Beyers-Cronje.

All on site labour will be sourced from the local community as well as a number of permanent positions will be established such as nurses, caretakers, gardeners, security guards, maintenance teams as well as administrations officials.

Two Oceans home owners will be encouraged to participate in upliftment programmes within the community which will be spearheaded by Clear Lake Capital.

Professional Team

Steyn Attorneys:

Juliana Steyn

Architects:

Urban Concepts - Paul Boshoff

Town Planner:

Louna Truter

Environmental Impact Consultant:

Paul Slabbert

Estate Agents:

Realty 1 - Strepies van Wyk, Sarina van der Westhuizen

CONCLUSION

ClearLake Capital wishes to become a part of the Cape Agulhas - Struisbaai community. We will strive to develop sustainable projects to benefit the community. Every endeavor will be made to consult with Cape Agulhas Municipality and relevant officials at every stage of the development.

Based on research and statistics, we have come to the conclusion that there is a desperate need for quality and affordable retirement living in Struisbaai and Agulhas. Two Oceans Lifestyle Village will be a keystone project starting to address this challenge.

SPATIAL DYNAMICS

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:

1. Protective actions: Things to be protected and maintained to achieve the vision and spatial concept.
2. Change actions: Things that need to be changed, transformed, or enhanced to achieve the vision and spatial concept.
3. 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, Residential 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).

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	<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"> 2. Definition of "high value asset": "fair market value of the capital asset exceeds any of the following amounts: <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 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)	<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.

VALUATIONS

The following table is a summary of the three valuations received (see attached as Annexure A, B and C on **page 73 to 116**) for the sale of Portion of Erf 1256, Struisbaai:

	BOLAND VALUERS	SIYAKHULA PROPERTY VALUERS	PHILIP ELOFF
Market Related Value	R12 980 000,00	R14 817 000,00	R14 800 000,00

BOLAND VALUERS

"I, CASPARUS HENDRIK BADENHORST in my capacity as a Professional Valuer, registered with the South African Council for Property Valuers Profession (Reg.No. 2708) hereby certify that I have valued a PORTION OF ERF 1256 STRUISBAAI registered under Bredasdorp RD and within the municipal boundary of Cape Agulhas Municipality to be used for development purposes, for the amount of TWELVE MILLION NINEHUNDRED AND EIGHTY THOUSAND RAND (R12 980 000,00 - Vat excluded)"

SIYAKHULA PROPERTY VALUERS

"I, the undersigned, Norman Kleinsmidt declare that I have inspected a Portion of Erf 1256, Struisbaai Western Cape and that I have verified the particulars set out in this valuation, and used my best ability and knowledge in determining the value of the subject property.

Based on my research and experience, I consider the "value" of the said property as at 5th September 2018 to be the sum of R14 817 000 Fourteen Million Eight Hundred and Seventeen Thousand Rand."

PHILIP ELOFF VALUERS

"I, Philip Eloff, hereby certify that I have inspected the subject property herein described, that I have no pecuniary interests in the property and that I have verified particulars contained herein, that I have valued the subject property to the best of my ability and knowledge and have found the market value of the subject property AS IS as at 19 September 2018 to be:

R14 800 000 plus VAT

(FOURTEEN MILLION EIGHT HUNDRED THOUSAND RAND) plus VAT"

MANAGEMENT RECOMMENDATION

- (i) That Council, in principle, approves the development.
- (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 Portion of erf 1256, 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 portion of erf 1256, Struisbaai by development proposal to Clearlake Capital (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 Council determine a reserve price of R14 817 000,00 (excluding VAT) for the 12.299ha in extent.
- (vii) That all legal requirements are met for disposal of land.

RESOLUTION 126/2018

- (i) That the management recommendation be accepted as a resolution of Council.
- (ii) That a by-annual report be submitted to Council on the progress of the development.

11.2.4 **AANSOEK OM VERVREEMDING (VERKOOP) VAN ERWE 4184, 4196 - 4199 EN 4210, STRUISBAAI (15/5/R - BSSB) (WYK 5)**

DOEL VAN VERSLAG

Om oorweging te skenk aan die vervreemding van Erwe 4184, 4196 - 4199 en 4210, Struisbaai.

ALGEMENE INLIGTING

Eienaar : KAM
 Eiendom : Erwe 4184, 4196 - 4199 en 4210 Struis Crescent en Industrial Road, Struisbaai
 Erf Groottes : 4148 - 1 257m²
 4196 - 954m²
 4197 - 936m²
 4198 - 939m²
 4199 - 946m²
 4210 - 2 849m²
 Huidige Sonering : Industrieel

AGTERGROND

Verskeie skriftelike versoeke is ontvang vir industriële erwe in Struisbaai. Na lang omgewings- en stadsbeplanningsprosesse is die volgende erwe beskikbaar vir vervreemding: Erwe 4184, 4196 - 4199 en 4210, Struisbaai.

MARKWAARDASIE: PHILIP ELOFF

Property description: ERVEN 1825, 4199, 4198, 4197, 4196 AND 4210, STRUISBAAI

I, Philip Eloff, hereby certify that I have inspected the subject properties herein described, that I have no pecuniary interests in the property and that I have verified particulars contained herein, that I have valued the subject property to the best of my ability and knowledge and have found the market value of the subject properties at 22 August 2018 to be:

- Erf 4184 (1 275m²) at R320 / m² compounding R408 000 rounded to R400 000
- Erf 4199 (946m²) at R350 / m² compounding R331 100 rounded to R330 000
- Erf 4198 (939m²) at R350 / m² compounding R328 650 rounded to R329 000
- Erf 4197 (936m²) at R350 / m² compounding R327 600 rounded to R328 000
- Erf 4196 (954m²) at R350 / m² compounding R333 900 rounded to R334 000
- Erf 4210 (2 849m²) at R300 / m² compounding R854 700 rounded to R855 000

FINANSIËLE IMPLIKASIES

Vervreemdingsinkomste vir KAM.

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 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.
Town Planning legislation	No application is required.

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 nodig word nie, in-beginsel-goedkeuring verleen word vir die verkoop van Erwe 4184, 4196 - 4199 en 4210, Struisbaai.
- (ii) Dat die genoemde erwe op publieke veiling verkoop word met die markwaardasie as insetprys.
- (iii) Dat die genoemde erwe vir industriële doeleindes aangewend word.

BESLUIT 127/2018

Dat die Bestuursaanbeveling as 'n besluit van die Raad aanvaar word.

11.2.5 AANSOEK OM VERVREEMDING (HUUR) VAN ERWE 4185 EN 4186, STRUISBAAI**DOEL VAN VERSLAG**

Om oorweging te skenk aan die versoek van mnr G J Van Niekerk ten einde erwe 4185 en 4186, Struisbaai te huur (liggingsplan aangeheg op **bladsy 117**).

ALGEMENE INLIGTING

Eienaar : KAM
 Eiendom : Erf 4185
 Erf Grootte : 1257m²
 Huidige Sonering : Onbepaald

Eienaar : KAM
 Eiendom : Erf 4186
 Erf Grootte : 1795m²
 Huidige Sonering : Onbepaald

AGTERGROND

'n Skriftelike versoek, soos aangeheg op **bladsy 119** is van mnr Van Niekerk ontvang om erf 4185 en 4186, Struisbaai by die Raad te huur vir 'n termyn van 3 jaar. Die omliggende erwe word deur publieke veiling vervreem.

MARKWAARDASIE

In afwagting.

FINANSIËLE IMPLIKASIES

Vervreemdingsinkomste vir KAM.

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" : <i>"fair market value of the capital asset exceeds any of the following amounts:</i> <i>a) R50 million;</i> <i>b) One percent of the total value of the capital assets of the municipality....</i> <i>c) 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

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.
Town Planning legislation	No application is required.

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 verhuring van erf 4185 en erf 4186, Struisbaai, aan mnr Van Niekerk vir 'n termyn van 3 jaar met die opsie om die huur vir 'n verdere tydperk te verleng.
- (ii) Dat die verhuring teen 'n markverwante koers sal plaasvind.

AANBEVELING: FINANSIES- EN IT DIENSTE KOMITEE

Dat die Bestuursaanbeveling aanvaar word.

BESLUIT 128/2018

- (i) Dat die Finansies- en IT Dienste Komitee se aanbeveling as 'n besluit van die Raad aanvaar word.
- (ii) Dat, sodra die huurwaarde ontvang is, die Raad dienooreenkomstig in kennis gestel word.

11.2.6 **LEASE NEGOTIATION OFFER: DEPARTMENT OF PUBLIC WORKS****PURPOSE OF REPORT**

To request Council to approve the lease negotiation offer from the Department of Public Works for the Home Affairs office at the Bredasdorp Thusong centre (see letter attached on **page 120**).

BACKGROUND

The five- year lease agreement between Cape Agulhas Municipality and the Department of Public Works for the Home Affairs office at the Thusong centre expires on 30 September 2018.

The existing lease is R64,42 per m² (VAT exclusive) for offices of 125 m² with an annual escalation of 10%. Public Works discovered that over 50% of their leasehold portfolio is above market rentals, and this includes the Thusong lease agreement. Based on their findings the Department submitted an offer of R50,00 per m² (VAT exclusive) for the above office space, with an annual escalation of 5.5% for a period of 9 years 11 months with effect from 1 October 2018.

FINANCIAL IMPLICATIONS

Decrease in revenue due to lower lease rate per m²

STAFF IMPLICATION

The Cape Agulhas Property Management department will only be involved in drafting the new lease agreement.

MANAGEMENT RECOMMENDATION

- (i) To extend the new lease agreement for a period of 9 years and 11 months commencing on 1 October 2018.
- (ii) That council approves the lease negotiation offer of the Department of Public Works and the new lease agreement be drafted accordingly.

RECOMMENDATION: FINANCE- AND IT SERVICES COMMITTEE

That Management's recommendation be accepted.

RESOLUTION 129/2018

- (i) That the recommendation of the Finance- and IT Services Committee be accepted as a resolution of Council.
- (ii) That the market related fee of R50,00 per m² (VAT exclusive) with an annual escalation of 5.5% be contracted.

11.2.7 **LEASE NEGOTIATION OFFER DEPARTMENT OF PUBLIC WORKS: STRUISBAAI POLICE STATION: ERF 379, STRUISBAAI**

PURPOSE OF REPORT

To request Council to approve the lease negotiation offer from the Department of Public Works for the Struisbaai Police Station at Struisbaai (see letters attached on **page 122 to 127**).

BACKGROUND

The five year lease agreements between Cape Agulhas Municipality and the Department of Public Works for the Struisbaai Police Station have expire and are now handle on a month to month base (two contracts are in place, one for the "Police station" and one for the "Old Clinic Building").

Building	Existing Lease	Area	Lease Offer
Police station	R2.84 per m ² (currently on a month to month base) (R228pm)	70.31 m ²	<ul style="list-style-type: none"> • R2.84 per m² • 6% escalation • for 9 years 11 months • from 1 October 2018
Old Clinic	R11.11 per m ² (currently on a month to month base)	45 m ²	<ul style="list-style-type: none"> • R11.11 per m² • 6% escalation • for 9 years 11 months • from 1 October 2018

* (The amounts above are excluding VAT)

FINANCIAL IMPLICATIONS

Decrease in revenue due to lower lease rate per m²

STAFF IMPLICATION

The Cape Agulhas Property Management department will only be involved in drafting the new lease agreement.

MANAGEMENT RECOMMENDATION

- (i) To extent the new lease agreement for a period of 3 years commencing on 1 October 2018 and then on a month to month base till the new Police station is build.
- (ii) That council approves the lease negotiation offer of the Department of Public Works and the new lease agreement be drafted accordingly.

RECOMMENDATION: FINANCE- AND IT SERVICES COMMITTEE

That Management's recommendation be accepted.

RESOLUTION 130/2018

- (i) That the recommendation of the Finance- and IT Services Committee be accepted as a resolution of Council.
- (i) That the market related fee of R2,84 per m² (VAT exclusive) with an annual escalation of 6% and R11,11 per m² (VAT exclusive) with an annual escalation of 6% be contracted.

11.2.8 **ERF 214, WAENHUISKRANS: LEASE AND FUTURE UTILISATION (COLLAB: 175844) (WARD 6)****PURPOSE OF REPORT**

To enable Council to decide on the future utilisation of erf 214, Waenhuiskrans. The report is submitted in pursuance of Mayoral Committee Resolution **BK102/2018**, which reads as follows:

- (i) *Dat die Finansies- en IT Dienste Komitee se aanbeveling as besluit van die Burgemeesterskomitee aanvaar word.*
- (ii) *Dat daar binne bogenoemde 3 maande 'n verslag na die Raad gebring word oor hoe die Raad hierdie eiendom in die toekoms gaan hanteer (bv. verkoop/adverteer).*

The Finance and IT Committee recommendation is as follows:

- (i) *Dat die Bestuursaanbeveling nie aanvaar word nie.*
- (ii) *Dat die bestaande kontrak op dieselfde voorwaardes vir 3 maande verleng word om aan die LED afdeling geleentheid te gee om 'n volledige ondersoek te doen oor die volhoubaarheid van die projek asook moontlike hulpverlening wat gebied kan word.*

BACKGROUND

The full report submitted under Item BK102/2018 is attached as annexure on **page 128 to 130**.

Erf 214, Waenhuiskrans measures 1 509m² and is zoned as single residential. It is currently leased to Southern Whales Accomodation, who have been leasing it since 1 June 2013 for a guest house. The monthly rental commenced at R137,94 per month with an escalation of 10% per annum. The project is regarded as a LED project. The previous report and resolution was prompted by the pending end of the lease and a request by ms Europa, proprietor of Southern Whales to conclude a new long term lease. The market value obtained for the new lease is R4 800,00 per month.

DISCUSSION**1. SUSTAINABILITY AND CONTINUATION OF THE PROJECT**

Southern Whales accountants provided a summary of the financial performance of the business over the past five years, which forms part of the annexures to the original report. From this report it can be ascertained that:

- The lessee has spent R280 439,00 on improvements to the property.
- Rental income has shown a steady increase year on year.
- Operating expenditure has shown a steady decrease year on year.
- The nett profit has shown a steady increase year on year.
- The year on year increases showed a decline in 2018

YEAR	% INCREASE IN RENTAL INCOME	% OPERATING EXPENDITURE	% NETT PROFFIT INCREASE	NETT PROFFIT
2015	80%	117%	21%	R17 630
2016	22%	19%	28%	R22 643
2017	47%	58%	15%	R26 058
2018	9%	11%	3%	R26 798

The business provides employment to five people. It is owned by a partnership of three women who are also employed by the business as well as a maintenance person and cleaner.

Determination of rental in the event of continuation of the project.

It is believed that the business does have the potential to become a viable commercial enterprise, but the levying of a market related rental which amounts to R57 600,00 per annum (an extra R55 290,00) per annum at this stage will in effect mean the closure of the business. On the other hand, it is also not a sustainable practice to continue with the excessively low rental.

It is therefore proposed that the same principle be applied to the rental of this premises as the lease of land to emerging farmers, namely:

	MARKET RENTAL	MINUS %	RENTAL PAYABLE
Year 1 Market related rental - 80%	4 800.00	3 840.00	960.00
Year 2 Market related rental - 60%	4 800.00	2 880.00	1 920.00
Year 3 Market related rental - 40%	4 800.00	1 920.00	2 880.00
Year 4 Market related rental - 20%	4 800.00	960.00	3 840.00
Year 5 Market related rental	4 800.00	4 800.00	4 800.00

Zoning

An additional factor that needs to be considered is the zoning of the property. Prior to the Municipality leasing the property in 2013, special consent use was approved for a period of 5 years. This was done by the Municipality at our cost. The special consent use has since lapsed and the Town Planning Department is in process of preparing the necessary documentation to correct the land use.

Trends in Arniston have shown that there is a high likelihood of objections, which will have to be referred to the tribunal. A new lease should not be concluded until the consent use is approved and if it is decided to continue with the project, it is proposed that the existing lease be extended until 30 January 2018 whilst the process is underway. This will also enable the lessees to take full advantage of the holiday season. A new lease can then be concluded from 1 February, pending the decision of the tribunal.

2. SALE OF THE PROPERTY

The other option that Council can consider is the sale of the property on the open market. This is in keeping with the long term financial plan and revenue enhancement strategy that propose the identification and sale of strategic properties to improve the Municipality's revenue base.

A valuation for the sale of the property has not been obtained, but the municipal valuation is R2.5 Million. Given the demand for residential erven in Arniston, it is conceivable that a substantial income can be obtained if this property is sold via public auction.

FOR CONSIDERATION BY THE FINANCE AND IT COMMITTEE:

OPTION 1

- (i) That the existing lease for erf 214, Waenhuiskrans be extended until 31 January 2019 subject to the same terms and conditions.
- (ii) That subject to the Tribunals approval of the special consent use, erf 214, be leased to ms Europa for a period of 3 years from 1 February 2019.

- (iii) That the market related rental of R4 800,00 per month be applicable, but that the sliding scale applicable to emerging farmers be applied:
- Year 1 Market related rental - 80%
 - Year 2 Market related rental - 60%
 - Year 3 Market related rental - 40%
 - Year 4 Market related rental - 20%
- (iv) That all legal processes be followed.

OPTION 2

- (i) That it be approved in principle that erf 214, Waenhuiskrans be sold on public auction.
- (ii) That a valuation be obtained for the determination of a reserve price.
- (iii) That all legal processes be followed.
- (iv) That the existing lease for erf 214, Waenhuiskrans be extended until 31 January 2019 subject to the same terms and conditions, whilst the processes referred to above are being concluded.

MANAGEMENT RECOMMENDATION

For consideration.

RECOMMENDATION: FINANCE- AND IT SERVICES COMMITTEE

That option 1 be accepted.

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

RESOLUTION 131/2018

- (i) That the recommendation of the Finance- and IT Services Committee be accepted as a resolution of Council.
- (ii) That the lessee has the option to extend the agreement for another 2 years.

11.3 BESTUURSDIENSTE

11.3.1 CAPE AGULHAS MUNICIPALITY: DISASTER RISK ASSESSMENT 2018

REPORT BY THE MANAGER PROTECTION SERVICES

PURPOSE OF REPORT

To present Council with the Disaster Risk Assessment Report for its municipal area (*full document separately attached to this agenda*).

LEGAL FRAMEWORK

Section 53 of Disaster Management Act, 57 of 2002

BACKGROUND

In order for the Municipality to comply with legislative requirements to prevent and mitigate the occurrence or re-occurrence of disasters. A Disaster Risk Assessment was conducted within the area of jurisdiction to ensure that decision makers are responsible for managing disaster risks and reducing losses during disaster incidents.

The amendment to 21. Section 53 of the principal Act is hereby amended by the substitution of subsection (1) of the following subsection.

(1) Each municipality must -

- a) Conduct a disaster risk assessment for its municipal area;
- b) Identify and map risks, areas, ecosystems, communities and households that are exposed or vulnerable to physical and human-induced threats;
- c) Prepare a disaster management plan setting out -
 - (i) The way in which the concept and principles of disaster management are to be applied in its municipal area, including expected climate change impacts and risks for the municipality;
 - (ii) Its role and responsibilities in terms of the national, provincial or municipal disaster management framework;
 - (iii) Its role and responsibilities regarding emergency response and post disaster recovery and rehabilitation;
 - (iv) Its capacity to fulfil its role and responsibilities; contingency strategies and emergency procedures in the event of a disaster, including measures to finance these strategies; and
 - (v) Specific measures taken to address the needs of women, children, the elderly and persons with disabilities during the disaster management process;
- d) Co-ordinate and align the implementation of its plan with those of other organs of state and institutional role-players;
- e) Provide measures and indicate how it will invest in disaster risk reduction and climate change adaptation, including ecosystem and community-based adaptation approaches;
- f) Regularly review and update its plan.

DISCUSSION

The Western Cape Provincial Disaster Management Centre (WCDMC) in collaboration with the Overberg District Municipality supported the Cape Agulhas Municipality in the compilation of the current Disaster Risk Assessment, previously conducted in 2014 as part of the wider Overberg District Disaster Risk Assessment.

FINANCIAL IMPLICATIONS

None.

MANAGEMENT RECOMMENDATION

That the Disaster Risk Assessment for 2018 be approved.

RESOLUTION 132/2018

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

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

REPORT BY THE MANAGER PROTECTION SERVICES

PURPOSE OF REPORT

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

Section 50 of the Disaster Management Act requires that:

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

LEGAL FRAMEWORK

Disaster Management Act, 57 of 2002

REPORT

The activities occurring during the 2017/18 financial year, was as follows:

Several runaway field fires occurred in the Struisbaai, Bredasdorp and Elim road areas during December 2017 and June 2018 which was handled by the Overberg District Fire Station.

A total number of two hundred and fifteen families was assisted during disasters or incidents reported to the Cape Agulhas Municipality's Disaster Management function during the financial year.

On 20 May 2018 fifteen (15) informal settlement structures burned down during one fire incident at the Ou Kamp informal area in Struisbaai North, an arson case was open at Struisbaai Police Station.

- +/- 30 People was left homeless due to this fire and were accommodated in the Stuisbaai North Community Hall for 71 days.
- Cape Agulhas Municipality and Care Givers from the local community work together to provide food and accommodation facilities to the affected people.
- The total financial implication for this incident only calculated to R 677 640.00 and include the costs of the losses and re-build of informal structures.

• All affected households during flooding or fire incidents were assist by the Cape Agulhas Municipality's Disaster Management function with social assistance in the form of blankets, food and clothing to the amount of R1000.00 and informal structure material as a starter kit to rebuild burned structures.

Table 1: Social Assistances information for the financial year

SOCIAL ASSISTANCE DESCRIPTION	2017/18
Number of people receiving social assistance	72
Number of people receiving assistance with accommodation	35
Number people receiving assistance with structure material after fires	52
Number people receiving assistance with plastic sheeting to mitigate leaking structures	110

During the 2017/18 book year Cape Agulhas Municipality enforce water restrictions throughout its boundaries to assist with standardisation in the Western Cape in support of those municipalities who suffered water shortages.

Whenever bad weather warnings were received by Province and District Disaster Management Centres loud-hailed was done by the Local Municipality to inform its community within the municipal boundaries prior to the bad weather situation for preparation.

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

MANAGEMENT RECOMMENDATION

That the annual report presented on Section 50 of the Disaster Management Act, 57 of 2002 be approved as no classified disasters occurred within the Municipal Area.

RESOLUTION 133/2018

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

11.3.3 **KWYTSKELDING VAN AFFILIASIEGELDE VIR 2018/2019: SEA HAWKS, WAENHUISKRANS**

DOEL VAN VERSLAG

Oorweging vir die kwytstelling van affiliasiegelde van Sea Hawks Rugbyklub.

AGTERGROND

'n Skrywe is aan Sea Hawks Rugbyklub gerig op 22 Augustus 2018 waarin hulle versoek was om hul affiliasiegelde vir 2018/2019 te betaal alvorens hulle weer enige van Kaap Agulhas Munisipaliteit se sportfasiliteite kan gebruik.

Die Voorsitter van die klub het 'n versoek aan die Munispale Bestuurder gerig vir die kwytstelling van hierdie gelde aangesien hulle klub tans finansiële probleme ondervind.

FINANSIËLE IMPLIKASIES

- | | | |
|--------------------------------|---|---------------------------------|
| 1. Affiliasiegelde | : | R1 720,00 |
| 2. Baan deposito / Breek skade | : | R 515,00 (reeds R480,00 betaal) |

BESTUURSAANBEVELING

- (i) Dat Sea Hawks Rubyklub vrygestel word van die affiliasiegelde.
- (ii) Dat die baan deposito / breekskade steeds verskuldig sal wees.

AANBEVELING: BESTUURSDIENSTE KOMITEE

- (i) Dat die Bestuursaanbeveling nie aanvaar word nie.
- (ii) Dat die baan deposito / breekskade sowel as die affiliasiegelde betaalbaar sal wees.
- (iii) Dat daar in die toekoms gekyk word na die moontlikheid om wel sulke gevalle te akkommodeer.

UBK BESLUIT: 20 SEPTEMBER 2018

- (i) Dat die Bestuursaanbeveling as besluit van die Burgemeesterskomitee aanvaar word.
- (ii) Dat die aangeleentheid na die Raad verwys word vir oorweging.

BESLUIT 134/2018

- (i) Dat die Bestuursaanbeveling as 'n besluit van die Raad aanvaar word.
- (ii) Dat hierdie vergunning sal slegs vir 2018 sal geld.

11.4 INFRASTRUKTUURDIENSTE**11.4.1 REQUEST FOR AMENDMENTS TO THE APPROVED CAPITAL BUDGET IN RESPECT OF MIG PROJECTS (DIS - 5/1/1-2018/19) - ALL WARDS****PURPOSE OF REPORT**

For Council to consider approval of the proposed amendments to the Capital Budget in respect of the 2018/19 financial year for the MIG projects.

BACKGROUND

CAM 2018/19 Capital Project Budget to be amended is as follows:

Config Code	Own Description	Funding	Bud 2018/19	Proposed Bud 2018/19
50/50	Streets Stormwater			
075050100103	Bdorp RDP - Upgrade Roads	MIG		1236700
075050231015	Stormwater pipeline - Area F	MIG	7740625	6670090
50/31	Sewerage Services: Treatment			
075031131001	Rehab Waste Water Treatm Works	MIG	331477	331477
40/42	Parks & Sport Facilities			
074042231004	Sport facility - Waenhuiskrans (MIG Funding)	MIG	1009565	869570

The proposed changes are as a result of variances that occurred between the MIG budget and the previously approved CAM budget:

- Stormwater Pipeline-Area F amount of R7 740 625,00 was wrongly budgeted for as only R6 670 090,00 is available on the projects MIG registration.
- Sport Facility: Waenhuiskrans budget was reduced as requested by the project manager, mr M Briers.
- Rehabilitate Waste Water Treatment Works budget stays the same.
- Bredasdorp Roads budget was increased as the balance of the MIG 2018/19 allocation was carried over to this project. To ensure full expenditure of the MIG 2018/19 allocation.

Note that all values are VAT excluded.

We therefore recommend that the proposed amendments be done to prevent any delays in the implementation of projects.

LEGAL IMPLICATION

None

FINANCIAL IMPLICATION

None, only reallocation of MIG funds within the 2018/2019 Capital Budget.

MANAGEMENT RECOMMENDATION

That Council approves the amendments to the 2018/2019 MIG allocation.

RESOLUTION 135/2018

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

11.4.2 **RESCINDMENT OF COUNCIL RESOLUTION 244/2016: TRANSFER SUIDERSTRAND ROAD TO PROVINCE (DIS - 16/3/R) (WARD 5)**

PURPOSE OF REPORT

To rescind Council Resolution 244/2015.

BACKGROUND AND MOTIVATION

Council decided the following at their meeting held on 6 December 2016, Resolution 244/2016:

- (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.*

The legal implications are that both parties need to be in consensus for deproclamation, however, there is no consent from Department of Provincial Roads. Their proposal is to fund the upgrading of the road with R8m machinery and equipment and the municipality to provide the rest to upgrade the road to permanent status.

In light of the above Council Resolution 244/2016 needs to be rescinded as it is not of consequence anymore.

FINANCIAL IMPLICATIONS

The project's design has been done in the previous financial year. Province has committed their part, hence the financial implication for Council is in the order of R12m that can be staggered over two financial years.

MANAGEMENT RECOMMENDATION

That Council rescind Council Resolution 244/2016 taken on 6 December 2016.

RESOLUTION 136/2018

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

11.5 FINANSIES- EN IT DIENSTE / FINANCE- AND IT SERVICES**11.5.1 ODUIT AKSIEPLAN 2016/17 (OPCAR): MAANDELIKSE VORDERING - SEPTEMBER 2018****DOEL VAN VERSLAG**

Oorweging van die vordering met en afhandeling van die goedgekeurde 2016/17 Oudit Bevindinge Aksieplan (OPCAR) soos op September 2018.

AGTERGROND

Na aanleiding van die Ouditeur-Generaal se oudit van die 2016/17 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 kwartaalike grondslag aan die Wes-Kaapse Provinsiale Tesourie voorgelê.

Van die items op die aksieplan was gekoppel aan die finalisering van die konsep finansiële state vir 2017/18. Die state is nou afgehandel en aan die ouditeure oorhanding vir ouditering en derhalwe is alle uitstaande items op die aksieplan nou ook afgehandel. Die vordering met die plan asook alle aantekeninge van afhandeling word nou aan die Raad voorgelê, soos aangeheg op **bladsy 131**.

PERSONEEL IMPLIKASIES

Geen.

FINANSIËLE IMPLIKASIES

Geen.

WETLIKE IMPLIKASIES

Geen.

BESTUURSAANBEVELING

- (i) Dat die Raad die vordering met die 2016/17 Oudit Bevindinge Aksieplan soos op September 2018 oorweeg en aanvaar.
- (ii) Dat die Raad die 2016/17 Oudit Bevindinge Aksieplan as afgehandel beskou.

BESLUIT 137/2018

Dat die Bestuursaanbeveling as 'n besluit van die Raad aanvaar word.

12. ADDISIONELE ITEMS DEUR DIE RAAD HANTEER**12.1 AMENDMENT: DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: RSEP AND VPUU PROGRAMMES (WARDS 2, 3, 4, 6) (TRP - 15/5/5)****PURPOSE OF REPORT**

For Council to amend the previous decision taken on 31 July 2018.

BACKGROUND

On 31 July 2018 Council took the following decision (108/2018):

- “(i) That Council approve the LED Unit Stalls between the Ablution facilities and the Library in Ou Meule street with Landscaping and Streetlighting within YEAR 1.*
- “(ii) That Council approve the Upgrading of existing Multipurpose sportsground with braai facilities and ablution facilities at the Anene Booysen Skills Centre and Nelson Mandela Hall within YEAR 2.*
- “(iii) That Council approve the Paving and pedestrian access/bridge in Ou-Meule Street at the crossing with Long Street, Landscaping and street lighting in crime areas during YEAR 3.”*

DISCUSSION

On 14 September 2018 a Technical RSEP Committee was held and the following recommendation was made:

“That Erf 3629 Bredasdorp be used for the LED Units; seeing that it is already zoned for Business purposes and that most people cross this site on their way to the Bredasdorp CBD.”

MANAGEMENT RECOMMENDATION

That Council amend subsection (i) of Council decision 108/2018 as follows:

That Council approve the LED Unit Stalls on Erf 3629, Bredasdorp with Landscaping and Streetlighting within Node 3 of Ou Meulestreet within YEAR 1.

RESOLUTION 138/2018

- (i) That the management recommendation not be accepted as a resolution of Council.
- (ii) That the matter be referred back for further investigation.

17. **ONAFGEHANDELDE RAADSBESLUIE**

Besluit Nr	Onderwerp	Verkorte Besluit	Vordering	Verantwoordelike persoon
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.	<i>In proses van afhandeling.</i>	DFD
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 Vergunningsooreenkoms vir die vergroting van die parkeerarea met die eienaar gesluit word.	<i>Eienaar reageer nie op skrywe van prokureur nie.</i>	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."	<i>In proses.</i>	BSSB
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.		
17/2018	Fase 3 Area H Behuisingsontwikkeling in Bredasdorp	Dat die aangeleentheid terugverwys word vir die voorgestelde herontwikkeling van Fase 3 van Area H, Bredasdorp en gereed is vir ter tafellegging.		BSSB
27/2018	Valuation: Erf 857, Struisbaai	That the matter be referred back to Town Planning for further investigation.		BSSB

BESTUURSAANBEVELING

Dat die Raad kennis neem van die onafgehandelde Raadsbesluite.

BESLUIT 139/2018

- (i) Dat die bestuursaanbeveling as 'n besluit van die Raad aanvaar word.
- (ii) Dat 'n oorskrydingsooreenkoms dringend afgehandel word vir Raadsbesluit 237/2016 (Parkering: Erf 264, Struisbaai).
- (iii) Dat kennis geneem word dat Raadsbesluit 244/2016, 17/2018 en 27/2018 afgehandel is.

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

BEKRAGTIG op hierdie

dag van

2018

SPEAKER

DATUM: