



KAAP AGULHAS MUNISIPALITEIT  
CAPE AGULHAS MUNICIPALITY  
U MASIPALA WASECAPE AGULHAS

**NOTULE VAN 'N ALGEMENE RAADSVERGADERING VIRTUEEL GEHOU OM 10:00 OP  
DINSDAG 28 JULIE 2020 IN DIE MUNISIPALE RAADSAAL TE BREDASDORP**

**MINUTES OF A GENERAL COUNCIL MEETING HELD VIRTUALLY ON TUESDAY,  
28 JULY 2020 AT 10:00 IN THE MUNICIPAL COUNCIL CHAMBERS, BREDASDORP**

**RAADSLEDE / COUNCILLORS**

MNR	R J BAKER	
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 H Van Biljon	Direkteur: Finansiële Dienste
Mnr A Jacobs	Direkteur: Infrastruktuurdienste
Mnr H Kröhn	Direkteur: Bestuursdienste
Mnr B Swart	Interne Ouditeur
Mnr G M Moelich	Bestuurder: Administrasie
Me T Stone	Afdelingshoof: Strategiese Dienste

1. **OPENING**

Die Speaker heet die teenwoordiges welkom en Raadsdame Marthinus open die vergadering met gebed.

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

Geen.

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

Geen.

**4. NOTULES VAN VORIGE VERGADERINGS VOORGELê VIR BEKRAGTING****4.1 NOTULE VAN SPESIALE RAADSVERGADERING GEHOU OP:**

- 15 Junie 2020
- 17 Julie 2020

**BESLUIT 86/2020**

Na 'n regstelling by die Notule van 15 Junie 2020 ("Voedsel verligting tydens COVID-19 inperking: NGO's-Sopkombuise") word die Notules as korrek en volledig bekragtig.

**5. SAKE VOORTSPRUITEND UIT NOTULES****Notule: 15 Junie 2020 - Voedsel Verligting Tydens Covid-19 Inperking: NGO's-Sopkombuise**

Dat 'n volledige verslag aan die Raad voorgelê word ten opsigte van die spanderings van alle NGO's.

**6. VERKLARINGS EN/OF MEDEDELINGS DEUR DIE VOORSITTER****6.1 BRIEWE VAN DANK**

Geen.

**6.2 FUNKSIES VIR DIE MAAND**

29 Julie 2020: Huise word deur die Provinsiale Minister van Behuising oorhandig.

**6.3 AANWYS VAN AFGEVAARDIGDES**

Geen.

**6.4 DRINGENDE SAKE DEUR DIE SPEAKER VOORGELê**

6.4.1 Die Speaker wens Raadslid Baker geluk met sy verjaarsdag vandag.

6.4.2 Daar sal 'n spesiale Raadsvergadering plaasvind op Donderdag, 13 Aug 2020.

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

Geen.

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

8.1 Die Burgemeester maak personeel en Raadslede weereens attent op die gevaar van Covid-19 en bedank alle personeel, dokters, verpleërs en inwoners wat hul volle samewerking gee in dié verband.

8.2 'n Nuwe gees van samewerking word binne die owerheid bespeur en amptenare en Raadslede word bedank vir hul insette.

- 8.3 Heelwat addisionele fondse word vanaf buite instansies gein wat die finansiële las op die owerheid verlig. Die MIG-spandering is 'n voorbeeld hiervan en stel die Raad in die vermoë om addisionele befondsing te bekom.
- 8.4 Eersdaags sal kommunikasie met inwoners verbeter kan word as gevolg van 'n munisipale "app" wat tans ondersoek word.
- 8.5 Die Ou-Meulestraat droom is stelselmatig besig om te realiseer deur die daarstelling van twee "eco-hubs" en die mosaic van die voetbrug.
- 8.6 Die toekenning van fondse vir spandering binne wyke sal eersdaags in riglyne vervat word.
- 8.7 Die Burgemeester lig die Raad en publiek in dat die Munisipale Bestuurder KAM gaan verlaat met ingang 1 November 2020.

		<b>BLADSY</b>	
		<u>Notule</u>	<u>Bylaes</u>
<b>9.</b>	<b><u>ITEMS NA DIE RAAD VERWYS VIR OORWEGING</u></b>		
9.1	2020/21 Organigram Changes: Department Protection Services	<b>4 - 9</b>	<b>Separately</b>
9.2	Vervreemding (koop): Ged erf 3502, Struisbaai	<b>10 - 12</b>	<b>1 - 4</b>
9.3	Vervreemding (koop): Ged erf 663 en Ged erf 579, L'Agulhas	<b>12 - 13</b>	
9.4	Vervreemding (koop): Oopruimte langs erf 528, Waenhuiskrans	<b>13 - 14</b>	
9.5	Toekenning: Industriële grond, Struisbaai	<b>14 - 15</b>	
9.6	Finansiële Ondersteuning: Verhoogde kraglading	<b>15 - 16</b>	<b>5</b>
9.7	Finansiële Ondersteuning: Uitgrawings binne privaat erf	<b>16 - 17</b>	<b>5</b>
9.8	Beskikbaarstelling: Erf 3461, Bredasdorp	<b>17 - 19</b>	<b>6 - 7</b>
9.9	Vervreemding (koop): Ged erf 955, Struisbaai	<b>19 - 21</b>	<b>8 - 14</b>
9.10	Vervreemding/Ontwikkeling: Erwe 852 en 857, Struisbaai	<b>21 - 22</b>	<b>15 - 36</b>
9.11	Vervreemding (koop): Ged erf 379, Struisbaai	<b>22 - 24</b>	<b>37 - 42</b>
9.12	Amendment / Extention of Contract: DDP Values Pty Ltd	<b>24</b>	
9.13	Versoek: Toekenning van Swartstraat huis, Bredasdorp	<b>25</b>	
9.14	Heroorweging: Voorwaardes en Beginsels vir huur van LED-Besigheidseenhede	<b>25 - 27</b>	<b>43 - 44</b>
9.15	Write-Off of redundant Assets: July 2020	<b>27 - 29</b>	<b>45 - 49</b>
9.16	Annual stock take for year ended: 30 June 2020	<b>29 - 31</b>	
9.17	SCM Deviation Report: 1 April 2020 – 30 June 2020	<b>31</b>	<b>50 - 54</b>
9.18	Quarterly SCM Report ended 31 March 2020	<b>31 - 32</b>	<b>Separately</b>
9.19	Approval: Annual Report - Section 50 of Disaster Management Act	<b>32 - 34</b>	
9.20	CAM: Disaster Management Plan 2020	<b>35</b>	<b>Separately</b>
9.21	Time Schedule: 2021/22, 2022/23 and 2023/24 budget and 2021/22 fourth IDP review / amendment	<b>36 - 45</b>	
9.22	Taxi interchange development on a portion of erf 1148, Bredasdorp	<b>45 - 46</b>	<b>Separately</b>
9.23	Strategic Risk Analysis: 2020 - 2021 Financial Year	<b>46 - 47</b>	
9.24	2020/21 Risk Man Policy, Risk Man Strategy and FARMCO Charter Review	<b>47 - 48</b>	<b>55 - 102</b>
9.25	Quarterly Performance Report: 2019/20 Financial Year	<b>49</b>	
9.26	OPCAR: Maandelikse Vordering - Julie 2020	<b>49 - 50</b>	<b>103</b>

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

Geen.

11. **OORWEGING VAN KENNISGEWING VAN MOSIES**

Geen.

12. **OORWEGING VAN KENNISGEWING VAN VRAE**

Geen.

13. **OORWEGING VAN DRINGENDE MOSIES**

Geen.

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

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

15. **SLUITING**

Die vergadering verdaag om 14:25

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

9.1 **2020/21 ORGANIGRAM CHANGES AND MOVEMENTS TO COMPLETE RESTRUCURING IN DEPARTMENT: PROTECTION SERVICES**

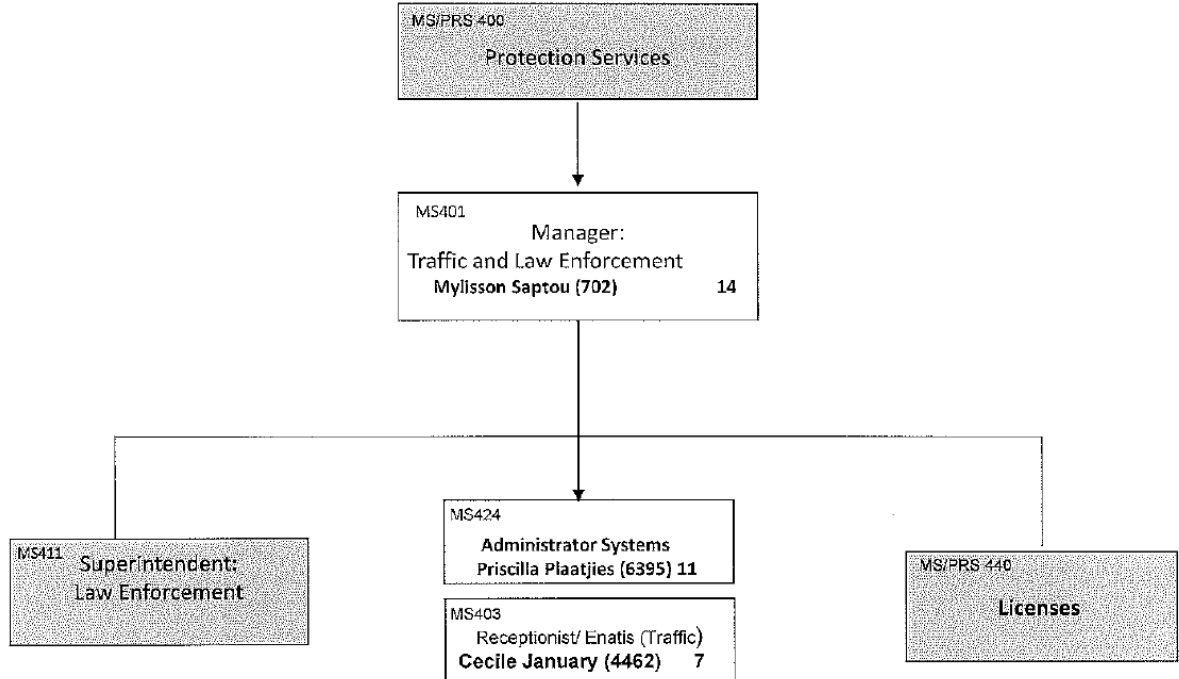
**PURPOSE OF REPORT**

For council to consider and approved the required changes and movements to the organogram of the department to complete the restructuring process which will increase capacity for community need with the focus on improving service delivery as a requirement to comply with the National Road Traffic Act, RTMC and AARTO operating procedures and standards.

**BACKGROUND**

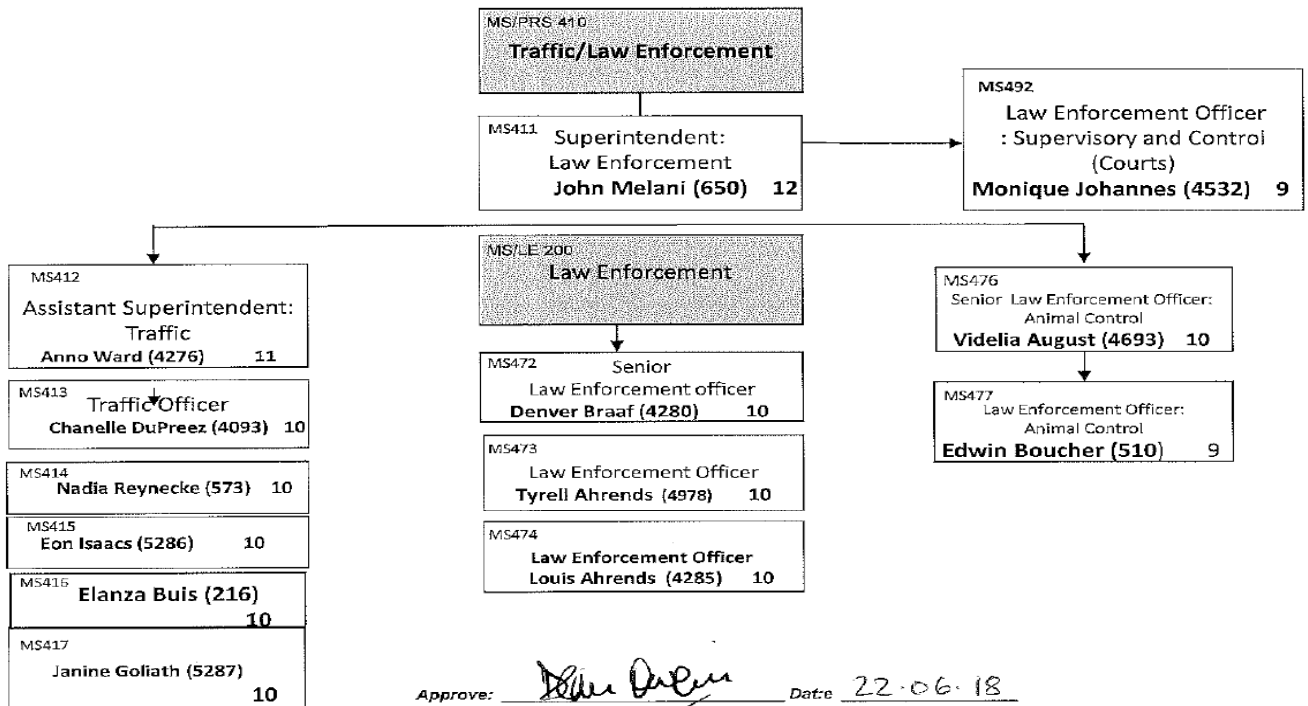
**Structure 1: Approved 22/06/2018**

**MANAGEMENT SERVICES CURRENT OUTDATED STRUCTURE:**



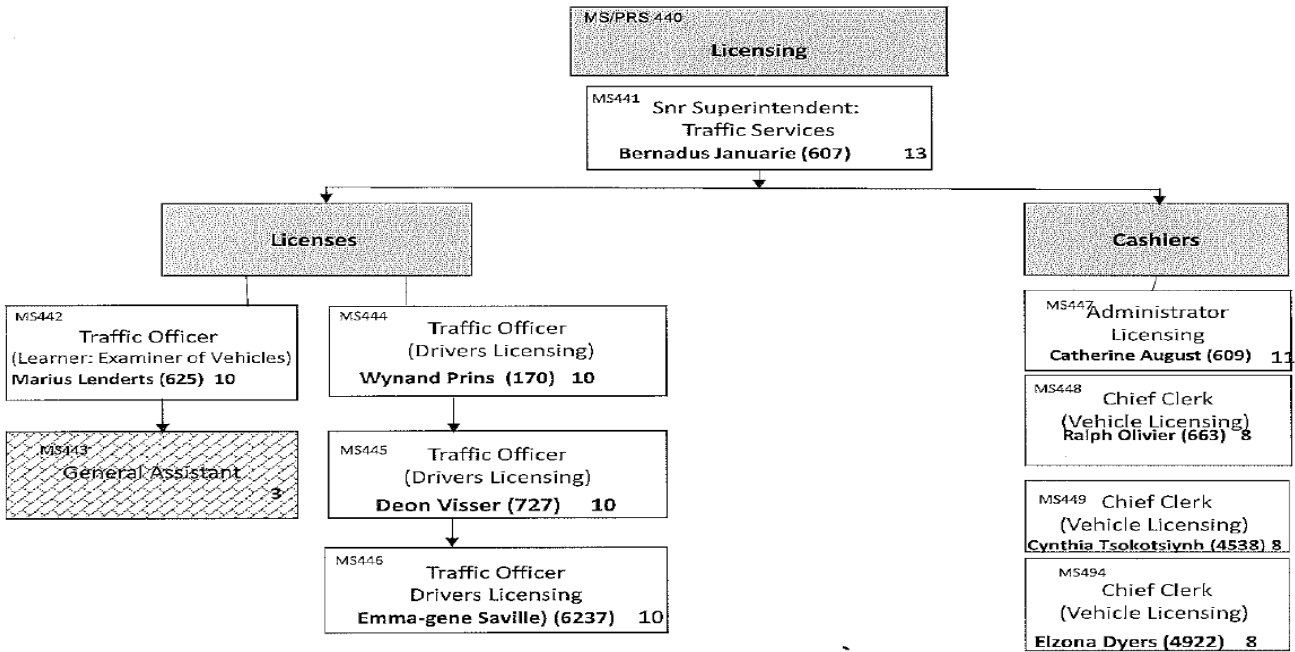
approve: Sean Ansin Date: 22.06.18

### Management Services



Approve: Sean Ansin Date: 22.06.18

### Management Services

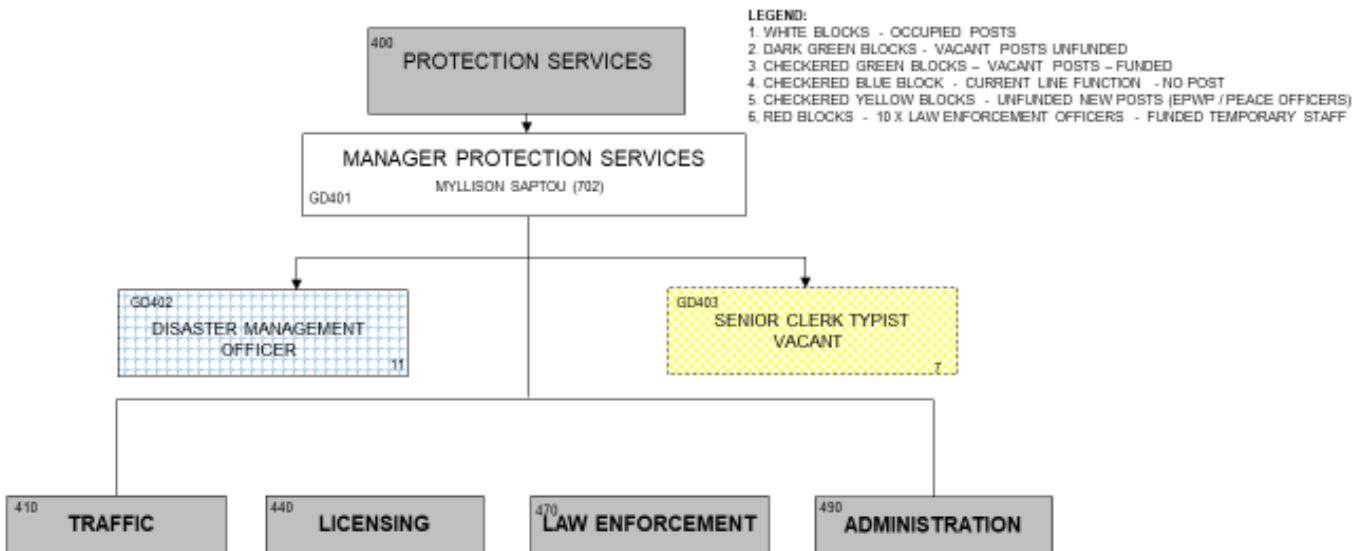


Approve: *Bernadus Januarie* Date: 22-06-18

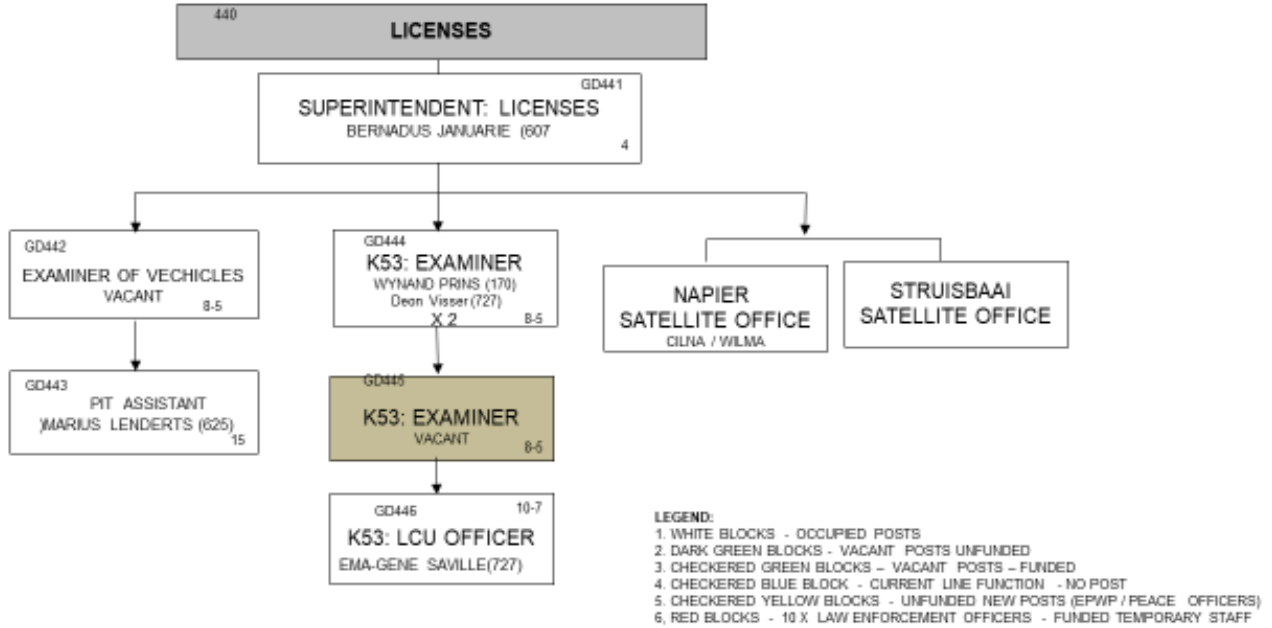
The administration hereby requested that the following changes as illustrated below be approved to ensure proper line functioning, planning, and budgeting to be in line with the current situation on how the function and staff work.

#### Structure 2: Proposed Draft 2020/21

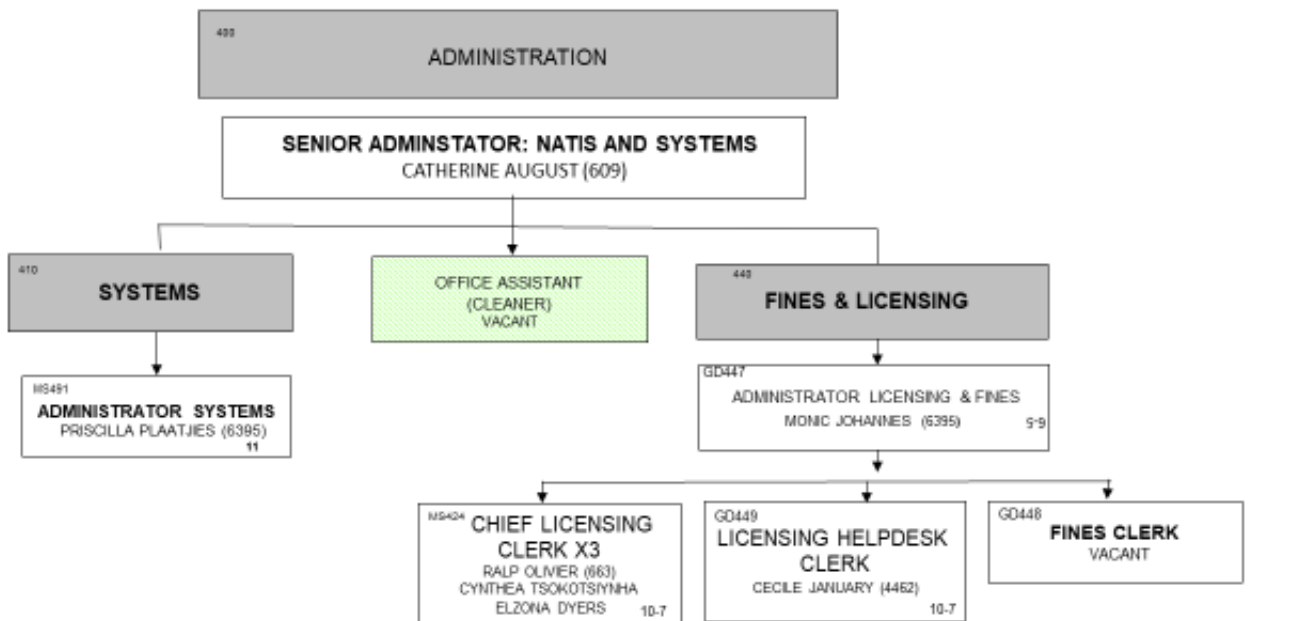
### CAPE AGULHAS MANAGEMENT SERVICES



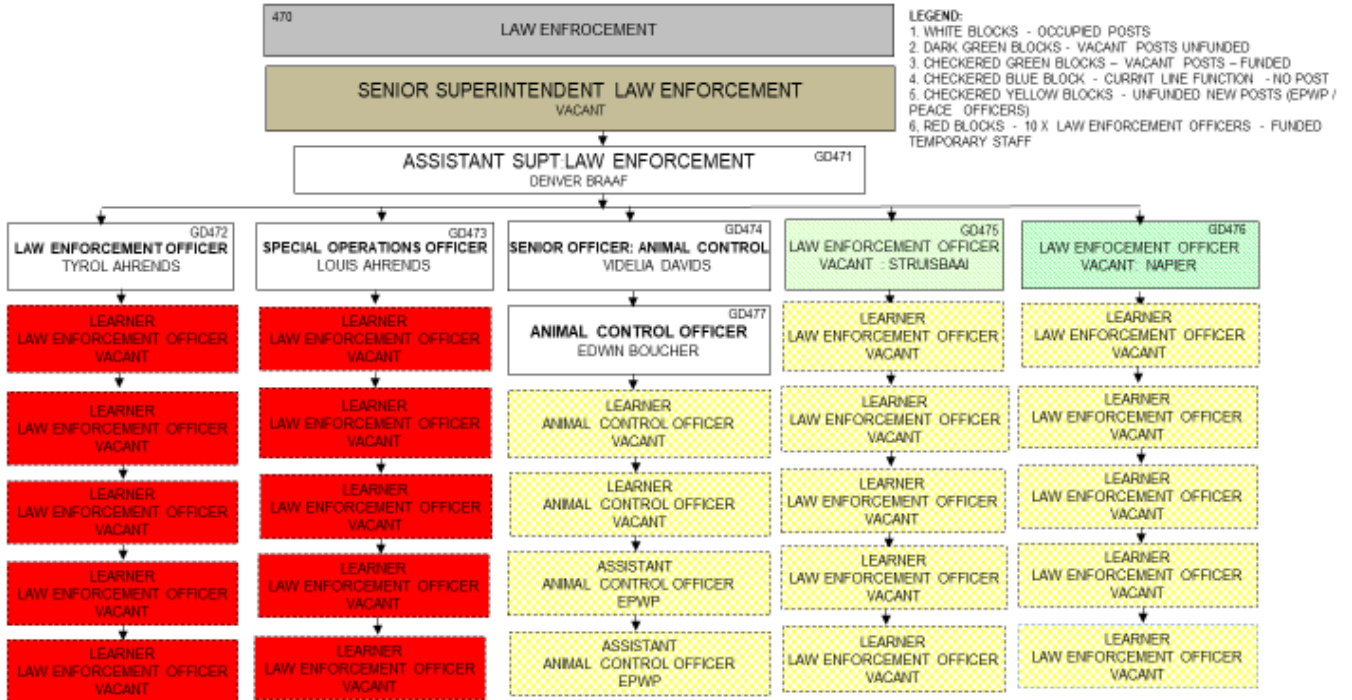
## CAPE AGULHAS MANAGEMENT SERVICES



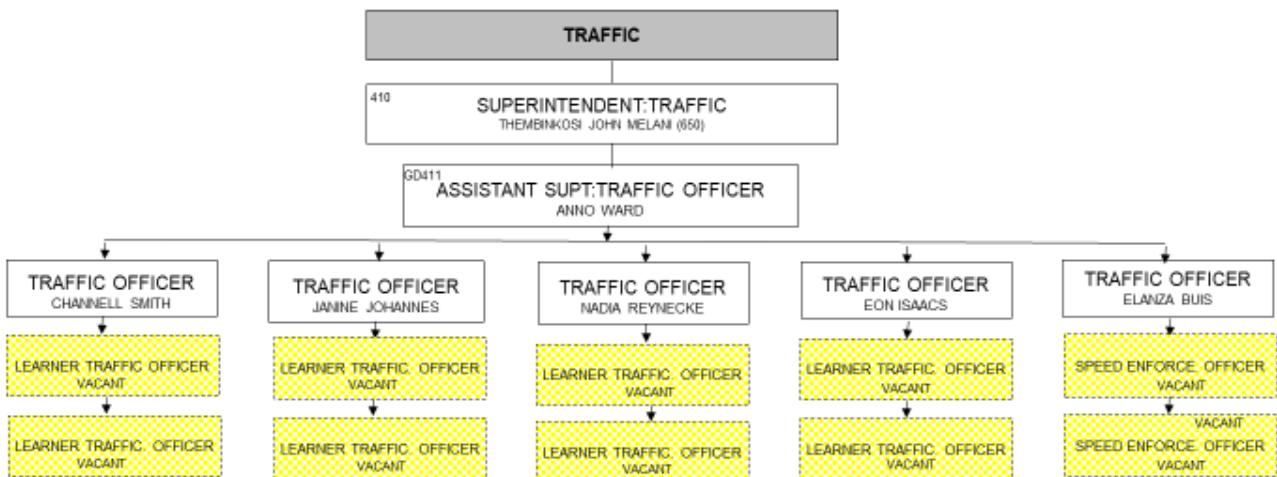
## CAPE AGULHAS MANAGEMENT SERVICES



**CAPE AGULHAS  
MANAGEMENT SERVICES**



**CAPE AGULHAS  
MANAGEMENT SERVICES**



IS - OCCUPIED POSTS  
 BLOCKS - VACANT POSTS UNFUNDED  
 GREEN BLOCKS - VACANT POSTS - FUNDED  
 BLUE BLOCK - CURRENT LINE FUNCTION - NO POST  
 YELLOW BLOCKS - UNFUNDED NEW POSTS (EPWP / PEACE OFFICERS)  
 - 10 X LAW ENFORCEMENT OFFICERS - FUNDED TEMPORARY STAFF

Approve: \_\_\_\_\_ Date: \_\_\_\_\_



**MANAGEMENT RECOMMENDATION**

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

- (i) Council approves the changes as proposed in **Structure 2** as per above explanations.
- (ii) These changes of the departmental organogram be included into the 2020/21 Microstructure by the HR department.
- (iii) These amendments be included as part of the **Adjustment budget** to be tabled to Council with the **Mid-year budget** review process in January 2021.
- (iv) That the review and adjustments to the current positions as per the Structure 2 be implemented for the 2020/21 financial year.
- (v) That the changes be implemented as per timelines as per below table:

Financial year 2020/21	Financial year 2021/22	Financial year 2022/23	Financial year 2023/24	Financial year 2024/25	Financial year 2025/26
<b>LAW ENFORCEMENT COMPONENT</b>					
Superintendent: Law Enforcement	Law enforcement officer (Task 10)	Law enforcement officer (Task 10)	Law enforcement officer (Task 10)	Law enforcement officer (Task 10)	Law enforcement officer (Task 10)
	Law enforcement officer (Task 10)	Law enforcement officer (Task 10)	Law enforcement officer (Task 10)	Law enforcement officer (Task 10)	Law enforcement officer (Task 10)
	Law enforcement officer (Task 10)	Law enforcement officer (Task 10)	Law enforcement officer (Task 10)	Law enforcement officer (Task 10)	Law enforcement officer (Task 10)
	Law enforcement officer (Task 10)	Law enforcement officer (Task 10)	Law enforcement officer (Task 10)	Law enforcement officer (Task 10)	Law enforcement officer (Task 10)
<b>ADMINISTRATION COMPONENT</b>					
Office Assistant: Cleaner	Disaster Management officer	Senior clerk: Typist			
	AARTO Clerk				
<b>TRAFFIC COMPONENT</b>					
	Speed Enforce: Officer	Learner: Traffic officer	Learner: Traffic officer	Learner: Traffic officer	Learner: Traffic officer
	Speed Enforce: Officer	Learner: Traffic officer	Learner: Traffic officer	Learner: Traffic officer	Learner: Traffic officer

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

That the management recommendation be accepted.

**RESOLUTION 87/2020**

That the matter be discussed at a workshop on 6 August 2020.

*(Raadslid Jacobs teken sy teenstem aan met betrekking tot die bekostigbaarheid van die nuwe struktuur; Die finansiële impak asook die feit dat dit tydens die "mid-year budget review" van toepassing sal word.)*

9.2 VERVREEMDING (KOOP): GEDEELTE (31.84m<sup>2</sup>) ERF 3502, STRUISBAAI (COLLAB: 326674)

DOEL VAN VERSLAG

Om oorweging te skenk aan die versoek van mnr Andre Venter om 'n gedeelte (31.84m<sup>2</sup>) van erf 3502, Struisbaai te koop (liggingsplan aangeheg op **bladsy 1**).

ALGEMENE INLIGTING

Eienaars : KAM  
 Eiendom : Gedeelte Erf 3502, Struisbaai  
 Huidige sonering : Oop Ruimte  
 Voorgestelde Grootte : 31.84m<sup>2</sup>

AGTERGROND

'n Skriftelike versoek, soos aangeheg op **bladsy 4** is van mnr Andre Venter ontvang om 'n gedeelte van erf 3502, Struisbaai by die Raad te koop ten einde sy bestaande erf reghoekig te maak.

MARKWAARDASIE

R10 000,00

FINANSIële IMPLIKASIES

Vervreemdingsinkomste vir KAM.

WETLIKE IMPLIKASIES

Council policy	Alienation of land
MFMA	1. <b>Sect 14(2)(a)</b> : asset not required for minimum level of basic services. 2. <b>Sect 14(2)(b)</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. <b>Sect 33</b> : Contracts having long term financial implications.
MATR	1. <b>Definition of "high value asset"</b> : <i>"fair market value of the capital asset exceeds any of the following amounts:</i> 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. <b>Definition of "realisable value"</b> : fair market value <u>less</u> estimated costs of completion. 3. <b>Definition of "right to use, control or manage"</b> : when granting such rights do not amount to permanent transfer or disposal. 4. <b>Regulation 5</b> (decision-making). 5. <b>Regulation 6</b> (public participation)
SCM Regulations SCM Policy	<b>Regulation 40: (Disposal Management)</b> Project for job creation, skills development, poverty alleviation and economic growth.
Systems Act (public participation)	<b>Section 21A:</b> (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.

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

Boubeheer kyk net bietjie na die plan wat ingedien is die erf is veronderstel om slegs toegang vanaf die pad te verkry en nie oor die publieke oop ruimte nie. Indien die garage aan die agterkant van die erf gebou word/reeds gebou is, en die huis wel so gelee is op die erf, kan dit slegs toegang vanaf die agterkant van die erf kry. Weereens 'n Suiderstrand situasie wat ons te alle tye moet vermy. Doen eers ondersoek hierna voordat ons enigsins die aansoek oorweeg.

**DIREKTEUR: FINANSIËLE DIENSTE**

Neem kennis en geen beswaar.

**DIREKTEUR: SIVIELE INGENEURSDIENSTE**

Die aansoek word ondersteun om die erf vierhoekig te maak, maar die ondersteuning gun nie toestemming vir toegang na die eienaar se motorhuis deur die munisipale ope spasie nie.

**DIREKTEUR: GEMEENSKAPSDIENSTE**

Geen kommentaar.

**AFDELINGSHOOF: STRATEGIESE, BEPLANNING EN ADMINISTRATIEWE DIENSTE**

In principle, there is no objection to the alienation of a small tract of land to enlarge an existing property. In this case however the enlargement of the stand will not address the issue that the applicant has namely access to his garage. The application should be referred back to the applicant to also apply for a portion of Erf 3502, and the building plan not approved until such time as such an application is received and approved.

**ELEK**

No impact on electrical infrastructure.

**SENIOR SPESIALIS STADSBEPLANNER**

Geen beswaar. Sluiting, onderverdeling en hersonering gaan vir die aansoeker se kostes wees.

**SENIOR BOUBEHEERBEAMPTE**

Ondersteun aansoek.

**BESTUURDER: ADMINISTRATIEWE DIENSTE**

Geen probleem van "Admin" se kant nie. Aansoek word ondersteun.

**BESTUURDER: STRATE EN STORMWATER**

Strate-en stormwaterinfrastruktuur word nie beïnvloed nie.

**BESTUURDER: WATER EN RIOOL**

Noted. No objection

**BESTUURDER: VERKEER EN WETSTOEPASSING**

Neem kennis.

**BESTUURSAANBEVELING**

- (i) Dat, 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 (31.84m<sup>2</sup>) van erf 3502, Struisbaai aan mnr Venter, teen 'n markverwante prys.
- (ii) Dat die konsolidasie van die erf vir die aansoeker se koste sal wees.
- (iii) Dat alle wetlike prosesse gevolg sal word, soos onder andere die voorneme van vervreemding aan die publiek bekend gemaak moet word.

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

- (i) Dat die Bestuursaanbeveling nie aanvaar word nie.
- (ii) Dat die aangeleentheid ontstaan totdat die verslag van die bouafdeling ontvang is, soos versoek deur die Munisipale Bestuurder.

**RAADSBESLUIT 31/2020: 25 FEBRUARIE 2020**

Dat die aanbeveling van die Finansies- en IT Dienste Komitee as 'n besluit van die Raad aanvaar word.

**KOMMENTAAR : BOUBEHEER**

Patrick het die nodige inspeksie daar uitgevoer, en soos gemeld sal die gedeelte nie probleem skep om aan hom te verkoop nie. Dit sal wel toegang tot sy buitegeboue vergemaklik.

Hy moet daarop gewys word dat geen toegang vanaf die openbare ruimte na sy erf uit die hoek toegelaat sal word nie. Toegang slegs op sy erf. Die gedeelte sal dit wel vergemaklik om te draai. Die aansoek word ondersteun.

**BESTUURSAANBEVELING**

Dat 'n oorskrydingsooreenkoms met die eienaar van erf 1953, Struisbaai aangegaan word vir 'n termyn van 9 jaar en 11 maande teen R4 015,00 per jaar.

**BESLUIT 88/2020**

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

9.3 **VERVREEMDING (KOOP): GEDEELTE (±132M<sup>2</sup>) ERF 663 EN GEDEELTE (±36M<sup>2</sup>) ERF 579, L'AGULHAS (COLLAB: 287169) (WYK 5)**

**DOEL VAN VERSLAG**

Om oorweging te skenk aan die versoek van me L Geldenhuys ten einde 'n gedeelte (±132m<sup>2</sup>) van erf 663 en gedeelte (±36m<sup>2</sup>) van erf 579, L'Agulhas te koop.

**ALGEMENE INLIGTING**

Eienaars	:	KAM
Eiendom	:	Gedeelte Erf 663, L'Agulhas en Gedeelte Erf 579, L'Agulhas
Ligging	:	Golfstraat
Huidige sonering	:	Oop Ruimte
Erf Grootte	:	3 377m <sup>2</sup>

**AGTERGROND**

'n Skriftelike versoek is van me L Geldenhuys ontvang om 'n gedeelte (±132m<sup>2</sup>) van erf 663 en gedeelte (±36m<sup>2</sup>) van erf 579, L'Agulhas by die Raad te koop.

**MARKWAARDASIE**

R93 150,00 (BTW uitgesluit)

**BESTUURSAANBEVELING: 10 DESEMBER 2019**

- (i) Dat die Raad in beginsel goedkeuring gee dat 'n gedeelte van erf 663, L'Agulhas vervreemd mag word.
- (ii) Dat die Raad 'n Landmeter aanwys wat genoemde gedeelte sal registreer en konsolideer met die koper se bestaande erf, vir die koste van die koper.
- (iii) Dat die markwaarde soos bepaal, as koopprys van toepassing sal wees.
- (iv) Dat alle wetlike prosesse gevolg sal word, soos onder andere die voorneme van vervreemding aan die publiek bekend gemaak moet word."

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

Dat die Bestuursaanbeveling aanvaar word.

**RAADSBESLUIT 202/2019: 10 DESEMBER 2019**

Dat die aanbeveling van die Finansies- en IT Dienste Komitee as 'n besluit van die Raad aanvaar word.

'n Advertensie met die Raad se voorneme is op 12 Maart 2020 in die plaaslike pers geplaas. Geen kommentare of besware is ontvang nie.

**BESTUURSAANBEVELING**

- (i) Dat die Raad goedkeuring gee dat 'n gedeelte van erf 663, L'Agulhas vervreemd mag word.
- (ii) Dat die Raad 'n Landmeter aanwys wat genoemde gedeelte sal registreer en konsolideer met die koper se bestaande erf, vir die koste van die koper.
- (iii) Dat die markwaarde soos bepaal, as koopprys van toepassing sal wees.

**BESLUIT 89/2020**

Dat die item, wat 'n terreinplan sal insluit, verwys word na die spesiale Raadsvergadering van 13 Augustus 2020.

9.4 **VERFREEMDING (KOOP) VAN OOPRUIMTE DIREK LANGS ERF 528, WAENHUISKRANS (COLLAB: 151335)**

**DOEL VAN VERSLAG**

Dat oorweging geskenk word aan die versoek van mnr H J Siljeur ten einde die ongebruikte area langs erf 528, Waenhuiskrans te koop.

**ALGEMENE INLIGTING**

Eienaars	:	KAM
Ligging	:	Gedeelte Erf 403, Waenhuiskrans
Huidige sonering	:	Oopruimte
Voorgestelde grootte	:	110m <sup>2</sup>

**AGTERGROND**

'n Skriftelike versoek is van mnr Siljeur (vader van die koper) ontvang om die ongebruikte area langs erf 528, Waenhuiskrans by die Raad te koop.

**MARKWAARDASIE**

R22 000,00 (gebaseer op die markwaardasie vir 15m x 5m)  
R 200,00 x 110m<sup>2</sup>

**RAADSBESLUIT 157/2019: 1 OKTOBER 2019**

- (i) Dat die bestuursaanbeveling nie as 'n besluit van die Raad aanvaar word nie.
- (ii) Dat die aangeleentheid terug verwys word totdat 'n skrywe vanaf die aanliggende grondeienaar (me O N Siljeur) self ontvang is vir die aankoop van die gedeelte van erf 403, Waenhuiskrans.

**RAADSVERGADERING : 10 DESEMBER 2019**

'n Skriftelike versoek is ontvang vanaf me Siljeur om die ongebruikte area langs erf 528, Waenhuiskrans by die Raad te koop.

**BESTUURSAANBEVELING**

- (i) Dat in-beginsel-goedkeuring verleen word vir die verkoop van gedeelte Erf 403, Waenhuiskrans ongeveer 110m<sup>2</sup> in grootte aan die eienaar me Olivia Nadia Siljeur.
- (ii) Dat die Raad 'n Landmeter aanwys wat genoemde gedeelte sal registreer en konsolideer met die koper se bestaande erf, vir die koste van die koper.
- (iii) Dat die markwaarde soos bepaal, as koopprys van toepassing sal wees.
- (iv) Dat alle wetlike prosesse gevolg sal word, soos onder andere die voorneme van vervreemding aan die publiek bekend gemaak moet word.

**RAADSBESLUIT 201/2019: 10 DESEMBER 2019**

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

'n Advertensie met die Raad se voorneme is op 27 Februarie 2020 in die plaaslike pers geplaas. Geen kommentare of besware is ontvang nie.

**BESTUURSAANBEVELING**

- (i) Dat goedkeuring verleen word vir die verkoop van gedeelte erf 403, Waenhuiskrans ongeveer 110m<sup>2</sup> in grootte aan die eienaar me Olivia Nadia Siljeur.
- (ii) Dat die Raad 'n Landmeter aanwys wat genoemde gedeelte sal registreer en konsolideer met die koper se bestaande erf, vir die koste van die koper.
- (iii) Dat die markwaarde soos bepaal, as koopprys van toepassing sal wees.

**BESLUIT 90/2020**

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

9.5 **TOEKENNING VAN INDUSTRIËLE GROND, STRUISBAAI****DOEL VAN VERSLAG**

Om oorweging te skenk aan die toekenning van industriële grond in Struisbaai.

**AGTERGROND**

Die Raad het 'n huurooreenkoms met mnr Gert van Niekerk vir erf 4185 en 4186, Struisbaai wat vir die tydperk van 1 Maart 2019 tot 28 Februarie 2022 van toepassing is.

Tydens 'n onlangse veiling het die Raad die 2 erwe verkoop en op 25 Februarie 2020 het die Raad die volgende besluit geneem:

**Terugvoer: Publieke Veiling - 20 Februarie 2020**

Die Munisipale Bestuurder lê 'n verslag aan die Raad voor met verkoopspryse tydens die onlangse publieke veiling.

**RAADSBESLUIT 20/2020: 25 FEBRUARIE 2020**

- (i) Dat verkoopspryse van erwe 4186, 4187, 4201 en 4200, Struisbaai aanvaar word.
- (ii) Dat aanbiedinge vir erwe 4185, 4195, 4209, Struisbaai en erf 5994, Bredasdorp in-beginsel aanvaar word en dat Provinsiale Tesourie sodanige aanbeveling ondersteun.
- (iii) Daar word goedkeuring gegee vir kontrakwysigings ten opsigte van die verhuur van erf 4185 en 4186, Struisbaai en die Raad onderneem om dieselfde grootte grond in die onmiddellike omgewing beskikbaar te stel, met dieselfde verhuuringsvoorwaardes totdat die genoemde ooreenkoms met mnr Van Niekerk in 2022 verval.

Struisbaai Industriële gebied is op 20 Maart 2020 besoek om 'n geskikte terrein uit te wys. Die volgende opsies word voorgestel om na die Raad verwys te word vir oorweging.

**OPSIES**

1. Opsie 1: Is die mees geskikte, maar is nog nie in erwe verdeel nie en daar sal moontlik 'n omgewingimpakstudie gedoen moet word.
2. Opsie 2: 'n Baie geskikte opsie, veral indien die huurder belangstel om die eiendom te koop na verstryking van die ooreenkoms. Die erf is egter met sagte grond bedek, wat die vervoer van materiaal sal bemoeilik.
3. Opsie 3: Is ook geskik, maar nog nie skoongemaak nie en is teen 'n klipbank geleë.

**FINANSIËLE IMPLIKASIE**

Geen, aangesien die huurder homself gaan hervestig.

**BESTUURSAANBEVELING**

- (i) Dat opsie 1 ondersteun word, maar die omgewingsimpakstudie eers aangevra en afgehandel word.
- (ii) Dat die aangeleentheid na die Raad verwys word vir oorweging.

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

Dat die bestuursaanbeveling aanvaar word.

**BESLUIT 91/2020**

Dat die aangeleentheid terugverwys word na die Finansies- en IT Dienste Komitee vir herooring, nadat wyksinsette ontvang is en daarna vir aanbeveling aan die Raad.

9.6 **FINANSIËLE ONDERSTEUNING TEN OPSIGTE VAN VERHOOGDE KRAGLADING: H TEMMERS, GEELSTRAAT 31, BREDASDORP**

**DOEL VAN VERSLAG**

Om mnr Temmers, 'n gestremde persoon te help met die opgradering van sy kraglading na sy huis.

**AGTERGROND**

'n Skrywe is op 18 Februarie 2020 van mnr H Temmers van Geelstraat 31 (erf 4042), Bredasdorp ontvang waarin hy die Raad versoek om hom finansiëel te ondersteun om sy kraglading weer terug te kry op 30Amp, nadat die Raad dit verlaag het na 20Amp (volgens Temmers). Volgens mnr Temmers sal die koste nagenoeg R6 000,00 beloop.

Volgens die elektrisiteitsafdeling was daar altyd nog 'n 20Amp meter in die huis en is die meter vervang op 10 Oktober 2019 - moontlik as gevolg van 'n foutiewe meter. Die huis is op die gewone residensiële tarief.

Wyk 3 het die aangeleentheid bespreek (sien aangehegte notule op **bladsy 5**).

### **FINANSIËLE IMPLIKASIE**

Geldwaarde van R6 702,15

### **BESTUURSAANBEVELING**

- (i) Dat die Raad kennis neem van die aangeleentheid.
- (ii) Dat die Raad nie aanspreeklik gehou word vir die onkoste van R6 702,15 nie.

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

- (i) Dat die bestuursaanbeveling aanvaar word.
- (ii) Dat die aangeleentheid na die Masakhane Komitee verwys word vir verdere ondersoek.

### **BESLUIT 92/2020**

Dat die aangeleentheid na die Masakhane Komitee vergadering van 12 Augustus 2020 verwys word vir verdere ondersoek.

## 9.7 **FINANSIËLE ONDERSTEUNING: UITGRAWINGS BINNE PRIVAAT ERF - ME D KABEWA, BLOMBOSSTRAAT 31, BREDASDORP**

### **DOEL VAN VERSLAG**

Om 'n versoek vanaf me Dianne Kabewa vir finansiële hulp te oorweeg.

### **AGTERGROND:**

'n Skrywe is op 12 Desember 2019 van me Kabewa van Blombosstraat 31 (Erf 4270), Bredasdorp ontvang waarin sy die Raad versoek om haar finansiële te ondersteun vir uitgawes wat sy reeds aangegaan het sodat sy kon aanhou aan haar bestaande huis. Sy het reeds die huis in 2002 ontvang. Sy het die koste self aangegaan vir die verwydering van 'n klipbank, wat die Raad "belowe" het om te verwyder. Sy het nie die Raad se toestemming nodig gehad nie. Die Direkteur: Infrastruktuur was verskeie kere met haar in gesprek. Die bekommernis bestaan nou dat sy haar erf so laag uitgegrawe het, dat dit met harde reën, oorspoel kan word.

Die volle koste beloop R11 399,00 (alle bewysse is beskikbaar op aanvraag).

Wyk 3 het die aangeleentheid bespreek (sien aangehegte notule op **bladsy 5**).

### **FINANSIËLE IMPLIKASIE**

Die Raad kan nie aanspreeklik gehou word vir werk op privaat eiendom nie. Die SCM prosesse is nie gevolg nie en die uitgawe sal deur die OG uitgawes word.

### **AANBEVELING**

Dat die Raad kennis neem van die versoek maar ongelukkig nie die eienaar kan vergoed nie, aangesoek die onkoste op privaatgrond gedoen is nie.



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

- (i) Die Komitee ondersteun die vergoeding ten opsigte van koste aangegaan.
- (ii) Dat die aangeleentheid verwys word na die Sosio-Ekonomiese Komitee vir oorweging.

**NA BESPREKING WORD DIE VOLGENDE VOORSTELLE GEMAAK****VOORSTEL 1 - Raadslid Baker:**

Dat die aansoek goedgekeur word.

**Ondersteun:** Raadslid Europa, Raadsdame Marthinus

**VOORSTEL 2 - Raadslid Tonisi:**

Dat daar holisties gekyk word na alle gebreke en tekortkominge ten opsigte van behuising in die "Oppi-Koppie" skema voordat enige individuele versoeke vir ondersteuning met die aanspreek van probleme oorweeg word.

**Ondersteun:** Raadslede Swart, Sauls, October en Burger

**BESLUIT 93/2020**

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

Dat voorstel 2 ("*Dat daar holisties gekyk word na alle gebreke en tekortkominge ten opsigte van behuising in die "Oppi-Koppie" skema voordat enige individuele versoeke vir ondersteuning met die aanspreek van probleme oorweeg word.*") aanvaar word.

9.8 **BESKIKBAARSTELLING VAN ERF 3461, BREDASDORP (COLLAB: 339862) (WYK 2)****DOEL VAN VERSLAG**

Om oorweging te skenk aan die versoek van Suideroord Tehuis vir Bejaardes om erf 3461, Bredasdorp, beskikbaar te stel vir moontlike aanbouing in die toekoms (liggingsplan aangeheg op **bladsy 6**).

**ALGEMENE INLIGTING**

Eienaar : KAM  
 Eiendom : Erf 3461, Bredasdorp  
 Ligging : Langstraat  
 Grootte : 167m<sup>2</sup>

**AGTERGROND**

In 'n skrywe, soos aangeheg op **bladsy 7**, versoek Suideroord Tehuis vir Bejaardes die Raad om oorweging te skenk om erf 3461, Bredasdorp aan hulle beskikbaar te stel vir moontlike aanbouing in die toekoms.

**WETLIKE IMPLIKASIES**

Council policy	Alienation of land
MFMA	1. <b>Sect 14(2)(a):</b> asset not required for minimum level of basic services. 2. <b>Sect 14(2)(b):</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. <b>Sect 33:</b> Contracts having long term financial implications.

<b>MATR</b>	<p>1. <b>Definition of “high value asset”:</b> <i>“fair market value of the capital asset exceeds any of the following amounts:</i></p> <p>a) <i>R50 million;</i></p> <p>b) <i>One percent of the total value of the capital assets of the municipality....</i></p> <p>c) <i>An amount determined by resolution of the council of the municipality ..... which is less than (a) or (b).</i></p> <p>2. <b>Definition of “realisable value”:</b> fair market value <u>less</u> estimated costs of completion.</p> <p>3. <b>Definition of “right to use, control or manage”:</b> when granting such rights do not amount to permanent transfer or disposal.</p> <p>4. <b>Regulation 5</b> (decision-making).</p> <p>5. <b>Regulation 6</b> (public participation)</p>
<b>SCM Regulations SCM Policy</b>	<b>Regulation 40: (Disposal Management)</b> Project for job creation, skills development, poverty alleviation and economic growth
<b>Systems Act</b> (public participation)	<p><b>Section 21A:</b> (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>

## DEPARTEMENTELE KOMMENTAAR

### **MUNISIPALE BESTUURDER**

Die aankoop van die erf vir die doel om die tehuis uit te brei maak sin weens die ligging daarvan en ook die feit dat meer en meer bejaardes in die toekoms afhanklik sal word van die dienste wat tans daar aangebied word. Aansoek word ondersteun volg die wetlike prosedures en vereistes.

### **DIREKTEUR: FINANSIËLE DIENSTE**

Geen beswaar.

### **DIREKTEUR: GEMEENSKAPSDIENSTE**

Ondersteun aansoek.

### **DIREKTEUR: SIVIELE INGENEURSDIENSTE**

No objection.

### **ELEK**

There is sufficient capacity in the area to enable this development, upgrade to existing supply for owners account.

### **BESTUURDER: STRATE EN STORMWATER**

Die betrokke erf kan toegang kry in Langstraat, maar so ver moontlik vanaf die Ou Meulestraat interseksie.

### **BESTUURDER: VERKEER EN WETSTOEPASSING**

Aansoek word ondersteun.

### **BESTUURDER: WATER EN RIOOL**

No impact on water and Sanitation system.

**BESTUURSAANBEVELING**

- (i) Dat erf 3461, Bredasdorp ongeveer 167m<sup>2</sup> 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 grond, genoem erf 3461, Bredasdorp gratis aan Suideroord Tehuis vir Bejaardes beskikbaar stel vir maandelikse aanbouing in die toekoms.
- (iii) Dat die onderverdeling, aansluiting van munisipale dienste en die oprigting van die gebou, vir die aansoeker se rekening sal wees.
- (iv) Dat daar aan alle goedkeurings soos vereis deur die relevante wetgewing voldoen moet word, voordat enige voorgestelde gebruik en aktiwiteite in aanvang neem.

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

Dat die bestuursaanbeveling aanvaar word.

**BESLUIT 94/2020**

- (i) Dat die aanbeveling van die Finansies- en IT Dienste Komitee as 'n besluit van die Raad aanvaar word.
- (ii) Dat erf 3461, Bredasdorp ongeveer 167m<sup>2</sup> reserveer word vir toekomstige uitbreidings aan "Ons Huis".
- (iii) Dat 'n terugvalklousule in die ooreenkoms ingesluit word.

9.9 **VERVREEMDING (KOOP): GEDEELTE (±589m<sup>2</sup>) ERF 955, STRUISBAAI (COLLAB: 339445) (WYK 5)**

**DOEL VAN VERSLAG**

Om oorweging te skenk aan die versoek van Town & Country namens mnr Marchean Delpont om 'n gedeelte van erf 955, Struisbaai te koop (liggingsplan aangeheg op **bladsy 8**).

**ALGEMENE INLIGTING**

Eienaars	:	KAM
Eiendom	:	Gedeelte Erf 955, Struisbaai
Huidige sonering	:	Straat
Voorgestelde Grootte	:	±589m <sup>2</sup>

**AGTERGROND**

'n Skriftelike versoek, soos aangeheg op **bladsy 8 tot 14** is van Town & Country namens mr Marchean Delpont ontvang om 'n gedeelte van erf 955, Struisbaai by die Raad te koop ten einde dit te konsilideer met erf 3925, Struisbaai.

**FINANSIËLE IMPLIKASIES**

Vervreemdingsinkomste vir KAM.

**WETLIKE IMPLIKASIES**

Council policy	Alienation of land
MFMA	<ol style="list-style-type: none"> <li>1. <b>Sect 14(2)(a)</b>: asset not required for minimum level of basic services.</li> <li>2. <b>Sect 14(2)(b)</b>: consider fair market value and economic and community value to be received in exchange for the asset.</li> <li>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).</li> <li>4. <b>Sect 33</b>: Contracts having long term financial implications.</li> </ol>

<b>MATR</b>	<ol style="list-style-type: none"> <li>1. <b>Definition of "high value asset":</b> <i>"fair market value of the capital asset exceeds any of the following amounts:</i> <ol style="list-style-type: none"> <li>a) <i>R50 million;</i></li> <li>b) <i>One percent of the total value of the capital assets of the municipality....</i></li> <li>c) <i>An amount determined by resolution of the council of the municipality ..... which is less than (a) or (b).</i></li> </ol> </li> <li>2. <b>Definition of "realisable value":</b> fair market value <u>less</u> estimated costs of completion.</li> <li>3. <b>Definition of "right to use, control or manage":</b> when granting such rights do not amount to permanent transfer or disposal.</li> <li>4. <b>Regulation 5</b> (decision-making).</li> <li>5. <b>Regulation 6</b> (public participation)</li> </ol>
<b>SCM Regulations SCM Policy</b>	<b>Regulation 40: (Disposal Management)</b> Project for job creation, skills development, poverty alleviation and economic growth
<b>Systems Act</b> (public participation)	<p><b>Section 21A:</b> (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"> <li>(a) by displaying the documents at the municipality's head and satellite offices and libraries;</li> <li>(b) by displaying the documents on the municipality's official website, if the municipality has a website as envisaged by section 21 B; and</li> <li>(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.</li> </ol>
<b>Town Planning legislation</b>	No application is required.

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

My view is that the erf be sub-divided and rezoned for residential purposes and then sold by public auction.

**DIREKTEUR: FINANSIËLE DIENSTE**

Should consider rezoning to residential and then sold by public auction / tender.

**DIREKTEUR: SIVIELE INGENEURSDIENSTE**

589m<sup>2</sup> is a considerable size plot suitable for a dwelling in a prime area. No objection to alienation, however should be rezoned and disposed of in a competitive bidding process.

**DIREKTEUR: GEMEENSKAPSDIENSTE**

My mening is dat die erf groot genoeg is om verkoop te word volgens alle wetlike prosesse en sodoende as 'n inkomste vir die Raad kan wees.

**ELEK**

Any upgrade to existing infrastructure for owners account.

**SENIOR BOUBEHEERBEAMPTE**

Take note.

**BESTUURDER: STRATE EN STORMWATER**

Strate- en stormwaterinfrastruktuur word nie beïnvloed nie.

**BESTUURDER: WATER EN RIOOL**

No impact on water and Sanitation system.

**BESTUURSAANBEVELING**

- (i) Dat, 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 ( $\pm 589\text{m}^2$ ) van gedeelte erf 955, Struisbaai aan mnr Marchean Delpont, teen 'n markverwante prys.
- (ii) Dat die konsolidasie van die erf vir die aansoeker se koste sal wees.
- (iii) Dat alle wetlike prosesse gevolg sal word, soos onder andere die voorneme van vervreemding aan die publiek bekend gemaak moet word.

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

Dat die aangeleentheid na die Wykskomitee verwys word vir insette.

**BESLUIT 95/2020**

- (i) Dat die aanbeveling van die Finansies- en IT Dienste Komitee as 'n besluit van die Raad aanvaar word.
- (ii) Dat die aangeleentheid daarna weer na die Raad verwys word vir oorweging.

9.10 **VERVREEMDING / ONTWIKKELING: ERWE 852 EN 857, STRUISBAAI (STRUISBAAI ONTWIKKELINGS)**

**DOEL VAN VERSLAG**

Om oorweging te skenk om die eiendom van erwe 852 en 857, Struisbaai aan LTN Bedrywe (Edms) Bpk (mnr P Erasmus) in fases te vervreem.

**ALGEMENE INLIGTING**

Eienaars	: KAM
Eiendom	: Erf 852 en 857, Struisbaai
Erf Grootte	: 5.45 HA
Sonering	: Wil aanwend vir "kommersiële ontwikkeling"

**AGTERGROND**

Die Raad het reeds by 'n vroeër geleentheid oorweging geskenk om 'n gedeelte van erwe 852 en 857 in Struisbaai aan LTN Bedrywe (Edms) Bpk te vervreem om 'n kommersiële ontwikkeling daar te doen. Die koopprys was bepaal op R19 222 250,00 en volgens die ooreenkoms moet die ontwikkelaar 'n 5% "non-refundable" deposito van R961 112,50 betaal, nog voordat daar enige verkope was. Die koper versoek die Raad nou om die ontwikkeling in 2 fases te doen, maar die kooptransaksie word net verseker vir die gedeelte van die grond waarop fase 1 van die ontwikkeling sal voortspruit.

Die Raad se prokureur het op 8 Junie 2020 'n skrywe gerig ten opsigte van die aangeleentheid (sien **bladsy 15**). Hy meld in sy skrywe dat ..... "blyk dit dat hy dus die oorblywende gedeelte van 60% wil voorbehou as 'n "opsie" of "reg van 1<sup>ste</sup> weiering", wat uiteraard nie sal voldoen aan die bepalings van die MFMA nie.

**Die skrywe van die Raad se prokureur verwys ook na verdere ontwikkelings te Struisbaai, naamlik:**

1. KUSASA COMMODITIES Property Investments and Development (Edms) Bpk van mnr S Brinkhuis op erf 1257, Struisbaai - 25.7 Ha vir R29 555 000.
2. Clearlake Capital (Edms) Bpk (Mnr Ben Smit & Werner Claasen) op Erf 1256, Struisbaai - 12.2HA vir R17 039 550.

**MARKWAARDASIE**

Markwaarde van die verkleinde gedeelte van LTN Bedrywe (Edms) Bpk moet nog aangevra word.

**FINANSIËLE IMPLIKASIES**

Potensiële bron van inkomste.

**BESTUURSAANBEVELING**

Dat die Raad die aansoek van LTN Bedrywe (Edms) Bpk oorweeg.

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

Dat die aangeleentheid na die Wykskomitee verwys word vir insette.

**BESLUIT 96/2020**

- (i) Dat die aanbeveling van die Finansies- en IT Dienste Komitee as 'n besluit van die Raad aanvaar word.
- (ii) Dat die aangeleentheid daarna weer na die Raad verwys word vir oorweging.

9.11 **VERVREEMDING (KOOP): GEDEELTE VAN ERF 379, STRUISBAAI****DOEL VAN VERSLAG**

Om oorweging te skenk aan die versoek van Town & Country, namens die eienaar van erf 4227, Struisbaai ten einde 'n gedeelte van erf 379, Struisbaai te koop (liggingsplan aangeheg op **bladsy 37**).

**ALGEMENE INLIGTING**

Eienaars	:	KAM
Eiendom	:	Erf gedeelte 379, Struisbaai
Erf Grootte	:	7444m <sup>2</sup>
Gedeelte verlang	:	382m <sup>2</sup>

**AGTERGROND**

'n Skriftelike versoek, soos aangeheg op **bladsy 41** is van Town & Country ontvang om gedeelte van erf 379 by die Raad te koop.

Erf 379, Struisbaai is die erf waarop die huidige munisipale kantore tans geleë is. Die aangrensende eienaar (van erf 4227, Struisbaai) het nie voorsiening gemaak vir parkeerplek op sy erf 4227 vir sy wooneenhede nie, en wil nou die gedeelte by die raad koop vir die voorsiening van parkeerplekke vir sy aanliggende perseel.

Die woonstelloste wat aanvanklik gebou is, sou vakansie akkommodasie gewees het, waar geen parkeerplek nodig was nie, maar dit het intussen verander na 'n "Sectional Title Scheme" en die voornemende kopers vereis nou toesluit parkeermogelikeite.

Die vervreemding van die grond kan potensiële uitbreiding van die munisipale kantore in die toekoms belemmer.

**MARKWAARDASIE**

Sal ingewin moet word.

**FINANSIËLE IMPLIKASIES**

Vervreemdingsinkomste vir KAM.

**WETLIKE IMPLIKASIES**

<b>Council policy</b>	<b>Alienation of land</b>
<b>MFMA</b>	<ol style="list-style-type: none"> <li>1. <b>Sect 14(2)(a)</b>: asset not required for minimum level of basic services.</li> <li>2. <b>Sect 14(2)(b)</b>: consider fair market value and economic and community value to be received in exchange for the asset.</li> <li>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).</li> <li>4. <b>Sect 33</b>: Contracts having long term financial implications.</li> </ol>
<b>MATR</b>	<ol style="list-style-type: none"> <li>1. <b>Definition of "high value asset"</b>: <i>"fair market value of the capital asset exceeds any of the following amounts:</i> <ol style="list-style-type: none"> <li>a) <i>R50 million;</i></li> <li>b) <i>One percent of the total value of the capital assets of the municipality....</i></li> <li>c) <i>An amount determined by resolution of the council of the municipality ..... which is less than (a) or (b).</i></li> </ol> </li> <li>2. <b>Definition of "realisable value"</b>: fair market value <u>less</u> estimated costs of completion.</li> <li>3. <b>Definition of "right to use, control or manage"</b>: when granting such rights do not amount to permanent transfer or disposal.</li> <li>4. <b>Regulation 5</b> (decision-making).</li> <li>5. <b>Regulation 6</b> (public participation)</li> </ol>
<b>SCM Regulations SCM Policy</b>	<b>Regulation 40: (Disposal Management)</b> Project for job creation, skills development, poverty alleviation and economic growth
<b>Systems Act</b> (public participation)	<p><b>Section 21A:</b> (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"> <li>(a) by displaying the documents at the municipality's head and satellite offices and libraries;</li> <li>(b) by displaying the documents on the municipality's official website, if the municipality has a website as envisaged by section 21 B; and</li> <li>(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.</li> </ol>
<b>Town Planning legislation</b>	No application is required.

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

Sell by public tender.

**DIREKTEUR: SIVIELE INGENEURSDIENSTE**

No objection. services are located close by. Due process should be followed.

**DIREKTEUR: FINANSIËLE DIENSTE**

Clarify whether the person wants to purchase and / or requesting a piece of land to be accommodated as according to me no mention of purchase as assumed.

**BESTUURDER: ADMINISTRATIEWE DIENSTE**

Vervreemding word ondersteun. Ek voel die Raad behoort op Tender te kan uitgaan, of 'n publieke veiling te hou.

**BESTUURSAANBEVELING**

- (i) Dat finaliteit gekry word of die erwe (en ander in Tolbosstraat) in die Aktekantoor geregistreer is en dat 'n waardasie gein word.
- (ii) Dat die aangeleentheid oorstaan.

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

Dat die aangeleentheid na die Wykskomitee verwys word vir insette.

**BESLUIT 97/2020**

- (i) Dat die aanbeveling van die Finansies- en IT Dienste Komitee as 'n besluit van die Raad aanvaar word.
- (ii) Dat die aangeleentheid daarna weer na die Raad verwys word vir oorweging.

9.12 **AMENDMENT / EXTENTION OF CONTRACT: DDP VALUERS PTY LTD (SCM22/2015/16)****PURPOSE OF REPORT**

To obtain approval in terms of Part 20.14 of the Municipal Supply Chain Management Policy and System [SCMP] issued in terms of section 111 of the Municipal Finance Management Act, 2003 (Act 56 of 2003) - [MFMA] and adopted by the Council in 2016 and section 116 (3) (a) of the Municipal Finance Management Act that the municipality intends to amend the existing contract with **DDP Valuers Pty Ltd**.

**BACKGROUND**

On 9 May 2016 the Cape Agulhas Municipality concluded a formal agreement with **DDP Valuers Pty Ltd** for the general and supplementary valuations of properties for the period 2017 to 2021. This agreement ends on 30 June 2021.

Section 32(1)(b)(ii) of the Municipal Property Rates Act 6 of 2004 stated that a general valuation roll can be effective for five (5) financial years. The current tender is for four (4) financial years (2017 to 2021).

The Municipality now wishes to invoke the aforementioned contractual condition and amend the service level agreement for another year effectively from 1 July 2021 to 30 June 2022.

**The rationale for the above conclusion is that DDP Valuers Pty Ltd:**

1. Confirmed in writing its willingness to render the services at the same terms and conditions.
2. Rendered adequate services till date.
3. Has initially been appointed after an open bidding process in terms of the abovementioned services.
4. Can ensure continuous service delivery.

**FINANCIAL IMPLICATIONS**

- The extended contract will be funded from 01/3020/145000 (Consultancy: Property Valuation).
- The cost will be R100 000 (July 2021 to June 2022) .

**MANAGEMENT RECOMMENDATION**

That the proposed amendment / extention of the contract of **DDP Valuers Pty Ltd**, as per Parts 20.14 of the Municipal SCM Policy and System and in terms of Section 116(3) of the Municipal Finance Management Act 2003 (Act 56 of 2003), be approved at the same terms and conditions.

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

That management recommendation be accepted.

**RESOLUTION 98/2020**

That the Finance- and IT Services Committee recommendation be accepted as a resolution of Council.



9.13 **VERSOEK: TOEKENNING VAN SWARTSTRAATHUIS, BREDASDORP (BAO)****DOEL VAN VERSLAG**

Om oorweging te skenk om 'n beskikbare Swartstraathuis aan die volgende persoon op die waglys beskikbaar te stel.

**ALGEMENE INLIGTING**

SWARTSTRAAT 17 : 6 HUURHUISE

**AGTERGROND**

Op erf 17, Bredasdorp geleë te Swartstraat 17 is ses (6) huurhuise wat aan bejaarde alleenlopende mense verhuur word. Die Raad het op 19 Februarie 2020 kennis ontvang dat die huurder van Huis Nr 17 E kennis gee en haar kontrak op 31 Maart 2020 kanseleer.

Daar bestaan 'n waglys vir die huise.

**FINANSIËLE IMPLIKASIES**

Die huur word bereken as 'n persentasie van die bewoner se staatspensioen.

**BESTUURSAANBEVELING**

- (i) Dat die Raad kennis neem van die opsegging van huur vir Swartstraat 17E, Bredasdorp.
- (ii) Dat Swartstraat 17E aan die volgende kwalifiserende aansoeker beskikbaar gestel word.
- (iii) Dat 'n huurkontrak tussen die huurder en die Raad opgestel word.

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

Dat die bestuursaanbeveling aanvaar word.

**BESLUIT 99/2020**

Dat aangesien hierdie aangeleentheid administratief afgehandel kan word, die item vanaf die agenda verwyder word.

9.14 **HEROORWEGING VAN VOORWAARDES EN BEGINSELS VIR DIE HUUR VAN LED-BESIGHEIDSEENHEDE****DOEL VAN VERSLAG**

Om oorweging te skenk om raadsbesluit 66/2019 en 135/2019 te herroep en die onderstaande beginsels en voorwaardes te aanvaar ten opsigte van die huur van besigheidseenhede.

**AGTERGROND**

Raadsbesluite 66/2019 en 135/2019 wat in April en Julie 2019 geneem is en wat hierby aangeheg is op **bladsy 43**, handel oor die voorwaardes en beginsels vir die verhuring van LED-besigheidseenhede.

Sedert die raadsbesluit is ons ge-konfronteer met die Covid 19-pandemie, wat onder meer die sosio-ekonomiese omstandighede van ons gemeenskappe drasties verander het. Werkloosheid en 'n gebrek aan inkomste sal vorentoe deel wees van "die nuwe normaal". Hierdie faktore het ons genoop tot vernuwende denke om hierdie "nuwe normaal" te probeer neutraliseer.

'n Tweede faktor is dat tydens die neem van bovermelde besluit was daar slegs een projek en al die eenhede sou dieselfde grote gewees het. Intussen is die kontrakteur wat die eenhede begin bou het afgedank weens wanprestasie en het die Munisipaliteit self die projek bestuur. Met dit het dit gebeur dat daar eenhede is van twee verskillende groottes by Ou Meule Square, (Wilverdiend) Naamlik 12 x 6m en 3 x 6m. Die Lesedi Square projek het ook intussen bygekom en die eenhede is 3x3m. Dieselfde huurgeld kan dus nie toegepas word nie. Die aanvanklike berekening van eenheidskoste is ook gewysig in ooreenstemming met huidige omstandighede.

Derdens het daar ook 'n gevoel onder die raadslede ter voorskyn gekom dat aansoeke vanaf enige inwoner van die Kaap Agulhas munisipale gebied vir enige besigheidseenheid in aanmerking kan kom, en nie net die wyk waar die projek geleë is.

In die lig van die bogenoemde het ons die voorgestelde maandelikse huurgelde vir die LED-besigheidseenhede herbekyk, en tot die slotsom gekom dat 'n verlaging in die voorgestelde huur van die tarief 'n beter alternatief sal wees om ons gemeenskappe te help verskans teen die Covid 19- aanslag. Ons voorstel is ook gemaak inaggenome van die feit dat die huurgeld van plaaslike beboude besigheids persele tussen R45 - R60 per vierkante meter is.

Dat die huur aangepas word in ooreenstemming met die meegaande tariewe tabel, en dat dit bereken word op 'n vierkante meter basis vir beide projekte sowel as enige ander soortgelyke projekte waarvoor daar in die toekoms befondsing sal verkry word.

Cost Items	Approved tariff 135/2019	Proposed revised tariff	Reason for variation
	14 units of 18 m <sup>2</sup>	14 units of 18 m <sup>2</sup>	
	Amount	Amount	
Management and Administration	50,00	50,00	
Unit, Shelter and Storage	55,00	0,00	Deleted. Funded as part of capital costs
Water	100,00	100,00	
Sanitation	66,00	66,00	
Cleaning	195,00	0,00	Added to maintenance - tenants must clean own units - just common area will be cleaned by CWP / EPWP
Security and Protection	362,00	45,00	Capital costs paid - revised tariff based on monthly fee
Repairs and Maintenance	31,00	75,00	Increased to include EPWP / CWP Cleaner for common area
Rates	73,00	73,00	
Rental per unit per month	932,00	409,00	
Rental per square meter	R52 per square metre	R23 per square metre	(Rounded)

	Number of units	Square metres	Price per square meter	Rent per month
Wilverdiend	2	36	23	828
	10	18	23	414
Lesedi	12	9	23	207

#### Die volgende wysigings op die vorige besluit word ook voorgestel:

1. Dat die voorwaarde oor die vrystelling van die 3 maande huurgeld herroep word, weens die voorgestelde nuwe tariewe wat meer bekostigbaar is as die aanvanklike bedrag;
2. Dat die voorwaarde wat die aansoekers beperk tot die bepaalde dorp waarin die eenhede geleë is, geskraap en vervang moet word met alle inwoners van Kaap Agulhas; en
3. Dat die voorwaarde wat bepaal dat aansoeke wat kafeteria, haarsalonne en gemeenskaps-fone/internetkafee wil bedryf geprioritiseer sal word, geskraap word;

Verder word daar ook versoek dat kennis geneem word dat die ontwikkeling agter die Welverdiend Biblioteek as "Ou Meule Square" en die ontwikkeling langs die Lesedi Kleuterskool as "Lesedi Square" bekend sal staan, met die amptelike logo van Kaap Agulhas Munisipaliteit.

### **BESTUURSAANBEVELING**

- (i) Dat Raadsbesluite 66/2019 en 135/2019 herroep word.
- (ii) Dat die volgende voorwaardes van toepassing gemaak word op die eenhede by Ou Meule Square, Lesedi Square sowel as enige toekomstige ontwikkelings van dieselfde aard.
- (iii) Die huurgeld beloop R23,00 per vierkante meter (Buite mate van eenheid) en sal eskaleer met 5% per jaar.
- (iv) Die huurkontrak sal vir 'n tydperk van 12 maande wees, met die opsie om te verleng.
- (v) Beide 'n deposito gelykstaande aan 1 maand se huurgeld, asook 'n maand se voorafbetaalde huurgeld moet betaal word, alvorens die eenheid okkupeer kan word.
- (vi) Slegs opkomende entrepreneurs en nuwe toetreders tot die mark mag oorweeg word
- (vii) Aansoekers moet SA-burgers en woonagtig in Kaap Agulhas wees.
- (viii) Aansoekers moet nie enige ander besigheid besit nie.
- (ix) Slegs een perseel sal per suksesvolle aansoeker toegestaan word.
- (x) Geen onderverhuring van die eenhede sal toegelaat word nie.
- (xi) Voorafbetaalde kragmeters sal aangebring word, en die suksesvolle aansoekers sal verantwoordelik wees vir die aankoop van hul eie voorafbetaalde elektrisiteit
- (xii) 'n Besigheidsplan waarin die volhoubaarheid van die voorgenome besigheid uitgespel word.
- (xiii) Aansoekers wat van voornemens is om voorbereide kosse te verkoop moet binne 3 maande (of enige redelike tyd hierna) 'n gesondheidsertifikaat toon, waarvoor aansoek gedoen kan word by die Overberg Distriksmunisipaliteit.
- (xiv) Die eenhede moet bestuur word deur 'n komitee bestaande uit huurders en moet aan die Departement Ekonomiese Ontwikkeling rapporteer.

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

- (i) Dat die bestuursaanbeveling aanvaar word.
- (ii) Dat 'n "betalingsvakansie" vir twee maande sal geld waartydens huurders geen huur hoef te betaal nie.
- (iii) Dat 'n "S.O.P" opgestel word waarin die daaglikse bedryf van die ontwikkelings vasgestel word.
- (iv) Dat 'n evalueringskomitee aangewys word vir die hantering van aansoeke vanaf huurders.
- (v) Dat die name Ou Meule Square en Lesedi Square deur die wykskomitees bespreek word.

### **BESLUIT 100/2020**

- (i) Dat aanbevelings (i) tot (iii) en (v) van die Finansies- en IT Dienste Komitee as 'n besluit van die Raad aanvaar word.
- (ii) Dat aansoeke deur die "Supply Chain" Evaluerings- en Toekenningskomitee hanteer word.

## 9.15 **WRITE-OFF OF REDUNDANT ASSETS: JULY 2020**

### **PURPOSE OF REPORT**

1. To obtain approval for obsolete assets that are not needed to provide the minimum level of basic municipal services and requirements to be disposed.
2. To table to Council the list of assets redundant or obsolete for write-off.
3. To ensure that all assets identified as obsolete which does not meet the minimum level of requirements for basic service delivery are disposed of with the necessary approval based on council judgement.

Included in this report, attached on **page 45 to 49** is a list of assets that could not be verified during the 2019/2020 asset count period. Different measures were taken to allocate these assets but without success.

## **LEGISLATIVE BACKGROUND**

Under Law 56 of 2003 of the MFMA, section 14

## **DISPOSAL OF CAPITAL ASSETS**

- (1) *A municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services.*
- (2) *A municipality may transfer ownership or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public-*
  - *(a) has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and*
  - *(b) has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.*
- (3) *A decision by a municipal council that a specific capital asset is not needed to provide the minimum level of basic municipal services, may not be reversed by the municipality after that asset has been sold, transferred or otherwise disposed of.*
- (4) *A municipal council may delegate to the accounting officer of the municipality its power to make the determinations referred to in subsection (2)(a) and (b) in respect of movable capital assets below a value determined by the council.*
- (5) *Any transfer of ownership of a capital asset in terms of subsection (2) or (4) must be fair, equitable, transparent, competitive and consistent with the supply chain management policy which the municipality must have and maintain in terms of section 111.*
- (6) *This section does not apply to the transfer of a capital asset to another municipality or to a municipal entity or to a national or provincial organ of state in circumstances and in respect of categories of assets approved by the National Treasury, provided that such transfers are in accordance with a prescribed framework.*

## **ASSET MANAGEMENT POLICY**

Cape Agulhas Municipality Asset management Policy (Page 10-11 : Disposal of Assets):

*“Every manager shall report in writing to the Chief Financial Officer on 30 April of each financial year on all assets controlled or used by the department concerned which such manager wishes to alienate by public auction or public tender.*

*The Chief Financial Officer shall thereafter consolidate the requests received from the various departments, and shall promptly report such consolidated information to the Council or the Municipal Manager of the municipality, as the case may be, recommending the process of alienation to be adopted.*

*Once assets are alienated, the Chief Financial Officer shall in terms of GRAP adjust the asset register for the current year and shall, for the ensuing year, delete the asset from the accounting records and the asset register.*

*If the proceeds of the alienation are less than the carrying value recorded in the fixed asset register, such difference shall be recognised as a loss in the Statement of Financial Performance of the department or vote concerned.*

*If the proceeds of the alienation, on the other hand, are more than the carrying value of the fixed asset concerned, the difference shall be recognised as a gain in the Statement of Financial Performance of the department or vote concerned.*

**All assets earmarked for write-off must be sold on a public auction or tender once the following steps have been followed:**

- a notice was published in the local press of the municipality's intention to sell the asset;
- in the case of computer equipment the provincial department of education is first approached to determine within 30 days if any of the local schools are interested in the equipment;
- in the case where no such schools are interested in the computer equipment it must be donated to non-profit organisations who will have to motivate why the equipment must be donated to them and / or demolished in the presence of the internal auditor;
- In the case of an public auction an independent auctioneer was appointed to hold the auction; and
- In the case of a public tender the prescribed tender procedures were followed."

**Management response**

The relevant line managers responsible for the assets was consulted in the process of determining whether the below assets should be tabled for write-off. It was concluded that the assets is redundant and can no longer be use in the provision of services as required by administration and council.

**MANAGEMENT RECOMMENDATION**

- That Council approves the write-off of the listed assets as per attached list provided.
- That the assets be removed from the Asset Register.
- That the assets be sold on public auction as per the municipal SCM Policy and procedures.

**RESOLUTION 101/2020**

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

9.16 **REPORT: ANNUAL STOCK TAKE FOR THE FINANCIAL YEAR ENDED - 30 JUNE 2020**

**PURPOSE OF REPORT**

To report on the annual inventory stock take as at 30 June 2020.

**BACKGROUND**

Attached as Annexure is the declaration of the Stock take.

During the annual stock take, the following shortages and surpluses were found:

**STORE A: BREDASDORP**

Stock item number	Stock item description	Stock item location	Balance - quantity	Stock Count 30 June 2020	Stock Difference	Comment
14268	SPRAY BOTTLE TRIGGER 500ML	A00026	364	370	-6	Req:6214 return to stock not issued
11052	CONNECTORS 15 AMP	B00016	65	64	1	Req:5344 not yet posted
11053	CONNECTORS 30 AMP	B00017	83	82	1	Req:5344 not yet posted
11186	PVC STRAPS T50L	B00041	76	75	1	Req:5344 not yet posted
14210	INSULATION TAPE NITTO 0.2mm X 18mm X 20m RED	C00015	59	56	3	Req:5344 not yet posted
14211	INSULATION TAPE NITTO 0.2mm X 18mm X 20m WHITE	C00016	58	57	1	Req:5344 not yet posted

14212	INSULATION TAPE NITTO 0.2mm X 18mm X 20m BLUE	C00017	61	60	1	Req:5344 not yet posted
14213	INSULATION TAPE NITTO 0.2mm X 18mm X 20m YELLOW	C00018	68	65	3	Req:5344 not yet posted
14214	INSULATION TAPE NITTO 0.2mm X 18mm X 20m GREEN	C00019	33	29	4	Req:5344 not yet posted
11192	INSULATION TAPE NITTO 0.2mm X 18mm X 20m BLACK	C00020	59	58	1	Req:5344 not yet posted
14589	LED ES BULBS 5W 240 COOL WHITE	C00039	83	89	-6	Req:2840 return to stock, posted x 2
14389	OVERALL 2PIECE ROYAL BLUE 65/35 POLY COTTON 34/87	D00001	11	12	-1	Req:5340 return to stock
14400	OVERALL 2PIECE ORANGE 65/35 POLY COTTON 34/87	D00012	17	18	-1	Req:3710 return to stock
14283	GOLFSHIRT HIGH VISIBILITY 2-TONE POLO (M)LIME & NAV	D00027	39	37	2	Req:5907 not yet posted
14419	GUMBOOTS MENS LIGHTWEIGHT No.6	F00031	12	13	-1	Req:3090 return to stock
14420	GUMBOOTS MENS LIGHTWEIGHT No.7	F00032	6	8	-2	Req:2384 return to stock ,posted x3
13023	COUPLINGS C-C 15-15MM	H00001	214	211	3	Req:5343 not yet posted
13026	COUPLINGS C-I M 15MM	H00002	180	165	15	Req:5343 not yet posted
13024	COUPLINGS C-C 22-22MM	H00017	150	160	-10	Req:5935 return to stock
13130	WATERMETERS 15mm KSM CLASS C GEPULS 114mm LENGHT +	H00035	31	35	-4	Req:5919 return to stock not issued
14576	TRANSMISSION OIL ATF- HDM 500ML	I00016	89	87	2	Req:6022 not yet posted

**STORE B: ELECTRICAL STORES**

Stock item number	Stock item description	Stock item location	Balance - quantity	Stock Count 30 June 2020	Stock Difference	Comments
	<b>NONE</b>					

**STORE C: STRUISBAAI STORES**

Stock item number	Stock item description	Stock item location	Balance - quantity	Stock Count 30 June 2020	Stock Difference	Comments
14570	GLOVES RUBBER LATEX HOUSEHOLD LARGE	F00009	19	15	4	Req:0830, posted 20 instead of 24

**LEGAL IMPLICATION**

In terms of Act 56 of 2003 (MFMA), section 125 (d) (iii) the Council must disclose any losses recovered or written off.

**FINANCIAL IMPLICATION**

None.

**MANAGEMENT RECOMMENDATION**

- (i) That it should be noted of the faulty entries that were found during the annual stock take as at 30 June 2020.
- (ii) That all faulty and outstanding entries were corrected.

**RESOLUTION 102/2020**

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

9.17 **REPORT: SUPPLY CHAIN MANAGEMENT DEVIATION FOR THE 4<sup>th</sup> QUARTER: 1 APRIL 2020 - 30 JUNE 2020**

**PURPOSE OF THE REPORT**

To report on deviations for the 4<sup>th</sup> quarter from 1 April 2020 - 30 June 2020.

**BACKGROUND**

The Act on Local Government: Municipal Finance Management Act, 2003, Chapter 11, the Municipal Supply Chain Management Regulations, as published in the Government Gazette on 30 May 2005 and the Council's Supply Chain Management Policy as adopted on 10 December 2019 states that the Accounting Officer must, record the reasons for any deviations in terms of section 36(1) (a) & (b) of the Supply Chain Management Regulations & paragraph 18.6.3 of the Council's Supply Chain Management Policy to the next meeting of Council.

**The following reports are attached as Annexures - Deviations from Minor Breaches of the Supply Chain Management Policy (SCM Regulations 36 (1) (a), (b) and (c)):**

1. Under R30 000 : Annexure A *(attached on page 50)*
2. Above R30 000 : Annexure B *(attached on page 52)*
3. Above R200 000 : Annexure C *(attached on page 54)*

**MANAGEMENT RECOMMENDATION**

That Council notes the Deviation Report for the 4<sup>th</sup> quarter of the 2019/20 Financial year, 1 April 2020 - 30 June 2020.

**RESOLUTION 103/2020**

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

9.18 **QUARTERLY SUPPLY CHAIN MANAGEMENT IMPLEMENTATION AND OVERSIGHT REPORT FOR THE PERIOD ENDED 31 MARCH 2020 (DFS)**

The accounting officer must, within 10 days of the end of each quarter, submit a report on the implementation of the Supply Chain Management Policy to the mayor. The purpose is to report to the Mayor in terms of section 6(3) of the Supply Chain Management Regulations on the implementation of the Supply Chain Management Policy for the first quarter from **1 January 2020 to 31 March 2020**, in order to strengthen Council's oversight role.

**BACKGROUND**

The Supply Chain Management Policy was revised and adopted by Council in December 2019 to fully comply with the SCM Regulations.

The SCM Policy has been reviewed by incorporating the legislative amendments and recommendations by the Auditor-General and Provincial Treasury to give effect to the compliance aspect.

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

### **Committees**

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

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

For detailed information on the Quarterly Supply Chain Management Implementation and Oversight Report for the period ended 31 March 2020 see **document seperately attached to this agenda**.

### **MANAGEMENT RECOMMENDTION**

That Council take note of the Quarterly Supply Chain Management Implementation and Oversight Report for the period ended 31 March 2020.

### **RESOLUTION 104/2020**

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

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

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

#### **PURPOSE OF REPORT**

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

Section 50 of the Disaster Management Act requires that:

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



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

### **LEGAL FRAMEWORK**

Disaster Management Act, 57 of 2002

### **REPORT**

#### **Fires problems**

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

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

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

All the affected households were assisted through the Cape Agulhas Municipalities Disaster Management function where social assistance in the form of food and clothing to the amount of R1000.00 was provided to them and where needed structure material as a starter kit to rebuild their structure again.

**Table 1: House fires**

<b>HOUSE FIRES IN CAPE AGULHAS MUNICIPAL AREA</b>			
<b>DATE</b>	<b>TOWN</b>	<b>TYPE OF HOUSE</b>	<b>NUMBER AFFECTED</b>
04/ 07/2019	NAPIER	STRUCTURE	1
27/07/ 2019	BREDASDORP	STRUCTURE	1
25/08/2019	NAPIER	STRUCTURE	1
07/09/2019	BREDASDORP	STRUCTURE	1
22/09/2019	BREDASDORP	STRUCTURE	1
02/11/2019	BREDASDORP	STRUCTURE	1
15/12/2019	BREDASDORP	STRUCTURE	1
17/12/2019	BREDASDORP	STRUCTURE	1
23/12/2019	BREDASDORP	STRUCTURE	1
27/01/2020	BREDASDORP	STRUCTURE	1
13/02/2020	BREDASDORP	STRUCTURE	5
27/06/2020	STRUISBAAI NORTH	STRUCTURE	1
24/ 10/	STRUISBAAI NORTH	HOUSE	1
<b>TOTAL</b>			<b>17</b>

#### **Rain /Flooding problems**

During September 2019, December 2019 and February 2020 very cold weather conditions occurs with strong Gail force winds and heavy rain. Warnings was received by Province and District Disaster Management Centres which was loud hailed and shared via Facebook and website by the Local Municipality prior to the storm for preparation. Black plastic was issued to 248 owners of structures to cover leaking roofs and 139 blankets were given to affected residents in formal and informal areas. Two Wendy houses was blown over on different occasions due to strong wind during year.

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

**COVID-19 Lockdown**

During March 2020 the Corona virus, later renamed COVID-19 a respiratory illness like flu symptoms (cough, fever, fatigue & aching body, or muscles pain) was contracted in South Africa.

The effect of this virus regarding the more commonly flu, can become severe and cause viral pneumonia (difficulty breathing). The virus is spread through touching an infected surface or object and can enter via the nose, mouth, and eyes.

The President of South Africa therefore declared a nation-wide lock down in South Africa on Monday 23 March 2020. *The nation-wide lock down will be enacted in terms of the Disaster Management Act and will entail the following:*

- *From midnight on Thursday 26 March until midnight on Thursday 16 April, all South Africans had to stay at home in a total lockdown situation Level 5.*
- *The categories of people who will be exempted from this lockdown are the following: health workers in the public and private sectors, emergency personnel, those in security services – such as the police, traffic officers, military medical personnel, soldiers – and other persons necessary for our response to the pandemic.*

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

- Activate the JOC (Joint Operations Centre).
- Establish the needs of community and command and control.
- Monitor safety .
- Ensure communication through different electronic media platforms .
- Establish locations where roads can be closed off with static roadblocks with 24/7 shifts for access control to the municipal area (pro-active identification).
- Activate relevant role players on a 24/7 shift system (call on all enforcement services (Security companies, SAPS, Provincial Traffic) to assist CAM Traffic and Law Enforcement).
- Liaise with Human Development with planning on feeding projects when needed – CAM issue 3100 food parcels to household in need during May 2020 and the various Soup Kitchens sponsored by CAM in the different towns feed 17220 people per week in total and currently proceed with feeding.
- 24/7 JOC Officers - Admin Staff (Record keeping, Radio control, monitor cameras and Assist with information from Natis System).
- Ensure that health standards are adhered to and that social problems are identify.
- Avoid over-crowding within Hotspots (social distancing and wearing of masks).

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

**MANAGEMENT RECOMMENDATION**

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

**RECOMMENDATION: MANAGEMENT SERVICES COMMITTEE**

That the management recommendation be accepted.

**RESOLUTION 105/2020**

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

**9.20 CAPE AGULHAS MUNICIPALITY: DISASTER MANAGEMENT PLAN 2020****REPORT BY THE MANAGER PROTECTION SERVICES****PURPOSE OF REPORT**

To present Council with the Reviewed Disaster Management Plan for its municipal area.

**LEGAL FRAMEWORK**

Section 53 of Disaster Management Act, 57 of 2002.

**BACKGROUND**

In order for the Municipality to comply with legislative requirements by reviewing and updating its Disaster Management Plan on an annual basis to prevent and mitigate the occurrence or re-occurrence of disasters. The latest update on the CAM Disaster Management Plan was the adding of the Disaster Risk Assessment that 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 Section 53 of the principal Act is amended and taken up into the Disaster Management Plan of the municipality. The municipality will regularly review and update its plan. No changes is made to the reviewed Disaster Management Plan for the current year.

**DISCUSSION**

Cape Agulhas Municipality must update the DMP on a yearly basis and need to work in collaboration with the Overberg District Municipality and supported by the Western Cape Provincial Disaster Management Centre (WCDMC). The last review of the CAM DMP was done and approved in 2019.

**FINANCIAL IMPLICATIONS**

None.

**ANNEXURES**

Draft Review: Disaster Management Plan 2020 - *Document was already distributed.*

**MANAGEMENT RECOMMENDATION**

That the Disaster Management Plan for 2020 be approved.

**RECOMMENDATION: MANAGEMENT SERVICES COMMITTEE**

That the management recommendation be accepted.

**RESOLUTION 106/2020**

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

9.21 **TIME SCHEDULE: 2021/22, 2022/23 AND 2023/24 BUDGET AND 2021/22 FOURTH INTEGRATED DEVELOPMENT PLAN (IDP) REVIEW / AMENDMENT**

**REPORT FROM THE OFFICE OF THE MUNICIPAL MANAGER**

**PURPOSE OF REPORT**

To present a Time Schedule for the 2021/22, 2022/23 and 2023/24 Budget and the fourth and final 2021/22 IDP review / amendment for approval in terms of Sections 21(1) (b) and 53(1) (b) of the Municipal Finance Management Act (Act 56 of 2003) (MFMA) read together with Sections 28 and 34 of the Local Government Municipal Systems Act (Act 32 of 2000).

**LEGAL FRAMEWORK**

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

**Section 28 requires:**

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

**Section 34 requires:**

The Municipal Council to annually review its IDP in accordance with an assessment of its performance and to the extent that changing circumstances require.

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

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

*a) co-ordinate the processes for preparing the annual budget and for reviewing the municipality’s integrated development plan and budget-related policies to ensure that the tabled budget and any revisions of the integrated development plan and budget-related policies are mutually consistent and credible;*

*(b) at least 10 months before the start of the budget year, table in the municipal council a **time schedule** outlining key deadlines for:*

*(i) the preparation, tabling and approval of the annual budget;*

*(ii) the annual review of:*

*(aa) the integrated development plan in terms of section 34 of the Municipal Systems Act; and*

*(bb) the budget-related policies;*

*(iii) the tabling and adoption of any amendments to the integrated development plan and the budget-related policies; and*

*(iv) any consultative processes forming part of the processes referred to in subparagraphs (i), (ii) and (iii).*

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

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

**DISCUSSION**

The Council adopted a process plan for the development and review of the new five-year IDP on 30 August 2016 per resolution 176/2016. A Time Schedule was then adopted for each successive financial year. The declaration of a national disaster and the escalation of measures to combat the Covid-19 epidemic in March 2020, necessitated changes to the process plan, specifically in relation to the standard public participation processes that could not be followed as usual, and an amended plan approved on 26 March 2020 per resolution 56/2020.

We are still in the midst of the pandemic and will not be able to revert to our standard public participation process in September 2020. It is also not known what the situation will be in April 2021. The proposed Time Schedule therefore needs to take all eventualities into consideration. The Western Cape Department of Local Government issued Circular C4 in March 2020, outlined alternative public participation processes that can be followed in the event that physical meetings can't be held.

It must be noted that all meetings / workshops referred to in this schedule may take place physically or virtually, and public participation mechanisms will be determined in cooperation with Speaker and Ward Councillors, subject to Covid 19 regulations in place at the time.

**The proposed Time Schedule for 2020/21 is as follows:**

ACTIVITY	Date	Legal Reference
<b>JULY 2020</b>		
<b>District IDP Managers engagement</b> - Meeting between District municipality and Local municipalities within the Overberg District	10 July	<i>IDP coordinators engagement to ensure integration and continuity.</i>
<b>Approval of Time schedule</b> - Council to approve Time Schedule for 2021/22 IDP Review	28 July	<b>MFMA Section 21</b> <i>The mayor of a municipality must— (a) co-ordinate the processes for preparing the annual budget and for reviewing the municipality's integrated development plan and budget-related policies to ensure that the tabled budget and any revisions of the integrated development plan and budget-related policies are mutually consistent and credible; (b) at least 10 months before the start of the budget year, table in the municipal council a time schedule outlining key deadlines for— (i) the preparation, tabling and approval of the annual budget; (ii) the annual review of— (aa) the integrated development plan in terms of section 34 of the Municipal Systems Act; and (bb) the budget-related policies; (iii) the tabling and adoption of any amendments to the integrated development plan and the budget-related policies; and (iv) any consultative processes forming part of the processes referred to in subparagraphs (i), (ii) and (iii).</i>
- Publicise Time Schedule and submit to relevant Organs of State - Advertisements to be placed on the website and Social Media.	31 July (and ongoing throughout process)	<b>MSA Section 29(1)(b):</b> <i>The process followed by a municipality to draft its integrated development plan, including its consideration and adoption of the draft plan, must through appropriate mechanisms, processes and procedures established in terms of Chapter 4, allow for— i. the local community to be consulted on its development needs and priorities; ii. the local community to participate in the drafting of the integrated development plan; and iii. organs of state, including traditional authorities, and other role players to be identified and consulted on the drafting of the integrated development plan.</i>
<b>AUGUST 2020</b>		
<b>District IDP Managers engagement</b> - Meeting between District municipality and Local municipalities within the Overberg District	By 31 Aug	<i>IDP coordinators engagement to ensure integration and continuity.</i>

ACTIVITY	Date	Legal Reference
<b>AFS and Annual Performance Report</b> <ul style="list-style-type: none"> <li>- Submit annual financial statements and annual performance report to the Auditor-General for auditing (within two months after the end of the financial year)</li> </ul>	30 Aug	<b>MFMA Section 126(1)(a):</b> <i>The accounting officer of a municipality must prepare the annual financial statements of the municipality and, within two months after the end of the financial year to which those statements relate, submit the statements to the Auditor-General for auditing</i> <b>MSA Section 46 (1):</b> <i>A municipality must prepare for each financial year a performance report reflecting the performance of the municipality and of each external service provider during that financial year; a comparison of the performances referred to in paragraph (a) with targets set for and performances in the previous financial year; and measures taken to improve performance</i>
<b>SEPTEMBER 2020</b>		
<b>District IDP Managers engagement</b> <ul style="list-style-type: none"> <li>- Meeting between District municipality and Local municipalities within the Overberg District</li> </ul>	By 30 Sept	<i>IDP coordinators engagement to ensure integration and continuity.</i>
<b>Public participation</b> <ul style="list-style-type: none"> <li>- Review of municipal needs as well as needs falling within functional mandate of other organs of state for submission to them: <ul style="list-style-type: none"> <li>- No contact meetings will take place. The current needs to be communicated on the website, email, social media, radio, advertisement in newspapers and the public invited to give their input.</li> <li>- Ward Committee meetings in each ward to review and prioritise ward needs</li> <li>- Public participation mechanisms will be determined in cooperation with Speaker and Ward Councillors.</li> </ul> </li> </ul>	01-30 Sept	<b>MSA Section 34</b> <i>A municipal council—</i> <i>(a) must review its integrated development plan—</i> <i>(i) annually in accordance with an assessment of its performance measurements in terms of section 4 and</i> <i>(ii) to the extent that changing circumstances so demand</i>
<b>OCTOBER 2020</b>		
<b>Analysis</b> <ul style="list-style-type: none"> <li>- Internal Analysis <ul style="list-style-type: none"> <li>▪ Critical issues / challenges with respect to every service</li> <li>▪ Minimum service levels</li> <li>▪ Institutional</li> <li>▪ Financial</li> <li>▪ Performance</li> </ul> </li> <li>- External analysis <ul style="list-style-type: none"> <li>▪ Data collation and analysis (StatsSA data etc.)</li> </ul> </li> </ul>	1-31 Oct	
<b>District IDP Managers engagement</b> <ul style="list-style-type: none"> <li>- Meeting between District municipality and Local municipalities within the Overberg District</li> </ul>	By 31 Oct	<i>IDP coordinators engagement to ensure integration and continuity.</i>
<b>NOVEMBER 2020</b>		
<b>Senior Management Discussion</b> <ul style="list-style-type: none"> <li>- Review sector plans, financial position, community needs and other relevant data to identify critical institutional priorities for discussion at Council Strategy Workshop. (Municipal Manager and Directors)</li> <li>- Review community needs for inclusion in the budget</li> </ul>	By 9 Nov	

ACTIVITY	Date	Legal Reference
<b>Council Strategy Workshop</b> <ul style="list-style-type: none"> <li>Review institutional and community priorities, past performance and changing circumstances with due cognisance of a financial assessment, strategic risks, community needs and other relevant information. (Councillors, Municipal Manager, Directors)</li> </ul>	09 -20 Nov	<i>Providing the Lockdown is lifted as planned, the workshop will commence as usual. If not, the workshop will commence in the form of a virtual meeting.</i>
<b>Directorate Strategy Workshops</b> <ul style="list-style-type: none"> <li>Innovate and suggest solutions that contribute to the Strategic Goal(s) applicable to each Directorate</li> <li>Prepare departmental operational plans and identify KPI's aligned to strategic goals with due cognisance of inputs from other stakeholders including government and bulk service providers (and NER). (Directors, Managers and other key staff designated by the Director)</li> </ul>	By 27 Nov	<i>Providing the Lockdown is lifted as planned, the workshop will commence as usual. If not, the workshop will commence in the form of a virtual meeting.</i>
<b>Adjustment budget for current year</b> <ul style="list-style-type: none"> <li>BTO Office to send out current year adjustment budget preparation documents to Directorates for completion</li> </ul>	By 13 Nov	<b>MFMA Section 28 (1)</b> <i>A municipality may revise an approved annual budget through an adjustments budget.</i>
<b>New Budget preparation</b> <ul style="list-style-type: none"> <li>BTO office to send out MSCOA compliant budget preparation documents to Directorates for completion (MTREF) <ul style="list-style-type: none"> <li>Capital</li> <li>Operational</li> <li>Policies</li> <li>Tariffs</li> </ul> </li> </ul>	By 27 Nov	<b>MFMA Section 21 (1):</b> <i>The mayor of a municipality must—</i> <i>(a) co-ordinate the processes for preparing the annual budget and for reviewing the municipality's integrated development plan and budget-related policies to ensure that the tabled budget and any revisions of the integrated development plan and budget-related policies are mutually consistent and credible</i>
<b>Audit Report</b> <ul style="list-style-type: none"> <li>Receive audit report on annual financial statements from the Auditor-General</li> </ul>	By 27 Nov	<b>MFMA Section 126(3):</b> <i>The Auditor-General must-</i> <i>(a) audit those financial statements; and</i> <i>(b) submit an audit report on those statements to the accounting officer of the municipality or entity within three months of receipt of the statements.</i>
<b>Long term financial plan</b> <ul style="list-style-type: none"> <li>Review the Long-term Financial Plan</li> </ul>	By 27 Nov	<b>MSA Section 26(h):</b> <i>An integrated development plan must reflect a financial plan, which must include a budget projection for at least the next three years.</i>
<b>District IDP Managers engagement</b> Virtual meeting between District municipality and Local municipalities within the Overberg District	By 30 Nov	<i>IDP coordinators engagement to ensure integrated development planning for the district as a whole</i>
<b>DECEMBER 2020</b>		
<b>Management budget workshop</b> <ul style="list-style-type: none"> <li>Consider budgetary guidelines, circulars and internal parameters (Directors and Managers)</li> </ul>	Week 1	
<b>Annual report</b> <ul style="list-style-type: none"> <li>Submit draft of annual report to Council -incorporating financial and non-financial information on performance, audit reports and annual financial statements</li> </ul>	By 12 Dec	<b>MFMA 121 (1)</b> <i>Every municipality and every municipal entity must for each financial year prepare an annual report in accordance with this Chapter. The council of a municipality must within nine months after the end of a financial year deal with the annual report of the municipality and of any municipal entity under the municipality's sole or shared control</i>
<b>Adjustment budget</b> <ul style="list-style-type: none"> <li>Directorates to submit completed current year adjustment budget documents to BTO</li> </ul>	21 Dec	<b>MFMA 28 (1).</b> <i>A municipality may revise an approved annual budget through an adjustments budget.</i>

ACTIVITY	Date	Legal Reference
<b>District IDP Managers engagement</b> - Meeting between District municipality and Local municipalities within the Overberg District.	By 18 Dec	<i>IDP coordinators engagement to ensure integration and continuity.</i>
<b>JANUARY 2021</b>		
<b>New Budget preparation</b> - Directorates to submit completed MTREF MSCOA compliant budget documents to BTO	22 Jan	
<b>SDBIP amendments</b> - Directorates to submit proposed current year SDBIP amendments to Strategic Services	31 Jan	
<b>Management budget workshop</b> - Consider budgetary guidelines, circulars and internal parameters (Directors and Managers to attend)	By 20 Jan	
<b>Mid-year budget and performance assessment</b> - Submit mid- year budget and performance assessment to the Mayor, Provincial and National Treasury - Submit mid- year budget and performance assessment to the Council	25 Jan  25 Jan	<b>MFMA Section 72</b> <i>(1) The accounting officer of a municipality must by 25 January of each year— (a) assess the performance of the municipality during the first half of the financial year, taking into account— (i) the monthly statements referred to in section 71 for the first half of the financial year; (ii) the municipality's service delivery performance during the first half of the financial year, and the service delivery targets and performance indicators set in the service delivery and budget implementation plan; (iii) the past year's annual report, and progress on resolving problems identified in the annual report; and (iv) the performance of every municipal entity under the sole or shared control of the municipality, taking into account reports in terms of section 88 from any such entities; and (b) submit a report on such assessment to— (i) the mayor of the municipality; (ii) the National Treasury; and (iii) the relevant provincial treasury.</i>
<b>Adjustment budget</b> - Submit adjustment budget to Council	31 Jan	<b>MFMA Section 28.</b> <i>(1)A municipality may revise an approved annual budget through an adjustments budget.</i>
<b>SDBIP amendments</b> - Submit SDBIP amendments to Council	31 Jan	<b>MFMA Section 54.</b> <i>(1) On receipt of a statement or report submitted by the accounting officer of the municipality in terms of section 71 or 72, the mayor must— (c) consider and, if necessary, make any revisions to the service delivery and budget implementation plan, provided that revisions to the service delivery targets and performance indicators in the plan may only be made with the approval of the council following approval of an adjustments budget;</i>
<b>District IDP Managers engagement</b> - Meeting between District municipality and Local municipalities within the Overberg District	By 31 Jan	<i>IDP coordinators engagement to ensure integration and continuity.</i>
<b>FEBRUARY 2021</b>		
<b>Budget Steering Committee 1:</b> - Consider budgetary guidelines, circulars and internal parameters	By 8 Feb	
<b>Oversight report</b> - Submit the Oversight Report to Council (within 2 months of tabling of the draft Annual Report)	By 12 Feb	<b>MFMA Section 129.</b> <i>(1) The council of a municipality must consider the annual report of the municipality and of any municipal entity under the municipality's sole or shared control, and by no later than two months from the date on which the annual report was tabled in the council in terms</i>



ACTIVITY	Date	Legal Reference
		<i>of section 127, adopt an oversight report containing the council's comments on the annual report, which must include a statement whether the council— (a) has approved the annual report with or without reservations; (b) has rejected the annual report; or (c) has referred the annual report back for revision of those components that can be revised.</i>
<b>New Budget Departmental work sessions</b> - BTO to convene work sessions with individual Departments	2-12 Feb	
<b>New Budget</b> - BTO to Finalise first draft of the capital and operating budget and budget related policies	Before 28 Feb	
<b>Transfers</b> - Receive notification of any transfers that will be made to the municipality from other municipalities in each of the next three fin years (by no later than 120 days before the start of its budget year)	Before 28 Feb	<b>MFMA Section 37(2):</b> <i>In order to enable municipalities to include allocations from other municipalities in their budgets and to plan effectively for the spending of such allocations, the accounting officer of a municipality responsible for the transfer of any allocation to another municipality must, by no later than 120 days before the start of its budget year, notify the receiving municipality of the projected amount of any allocation proposed to be transferred to that municipality during each of the next 3 financial years.</i>
<b>District IDP Managers engagement</b> - Meeting between District municipality and Local municipalities within the Overberg District	By 28 Feb	<i>IDP coordinators engagement to ensure integrated development planning for the district as a whole – particularly in respect of the draft 4<sup>th</sup> IDP reviews.</i>
<b>MARCH 2021</b>		
<b>Council Budget workshop</b> - Directorates to present their operational plans and associated budgets to Council for input	Week1	
<b>Budget Steering Committee 2:</b> - Submit draft Budget and IDP Review to Budget Steering Committee	Week 2/3	
<b>Table Draft IDP review and Budget (Including Top Layer SDBIP)</b> - Table draft IDP Review and budget (including SDBIP) to Council	30 Mar	<b>MFMA Section 16:</b> <i>(1) The council of a municipality must for each financial year approve an annual budget for the municipality before the start of that financial year. (2) In order for a municipality to comply with subsection (1), the mayor of the municipality must table the annual budget at a council meeting at least 90 days before the start of the budget year.</i>
<b>District IDP Managers engagement</b> - Meeting between District municipality and Local municipalities within the Overberg District	By 31 Mar	<i>IDP coordinators engagement – District provide feedback to local municipalities</i>
<b>APRIL 2021</b>		
<b>Publicise draft Budget including SDBIP</b> - Make public the draft budget (including Top Layer SDBIP) and invite the community to submit representations (Advertisements to be placed on the website and Social Media as well as local newspapers).	2 Apr	<b>MFMA Section 22:</b> <i>Immediately after an annual budget is tabled in a municipal council, the accounting officer of the municipality must (a) in accordance with Chapter 4 of the Municipal Systems Act - (i) Make public the annual budget and the documents referred to in Section 17(3); and (ii) invite the local community to submit representations in connection with the budget; (b) submit the annual budget - (i) in both printed and electronic formats to the National Treasury and the relevant provincial treasury; and (ii) in either formats to any prescribed national or provincial organs of state and to other municipalities affected by the budget.</i>
<b>Publicise IDP Review</b> - Make public the draft IDP review and invite the community to submit representations. (Advertisements	2 Apr	<b>MPPM Regulation 3(4)(b):</b> <i>No amendment to a municipality's integrated development plan may be adopted by the municipal council unless the proposed amendment has been published for public comment for a period of</i>

ACTIVITY	Date	Legal Reference
to be placed on the website and Social Media as well as local newspapers.)		at least 21 days in a manner that allows the public an opportunity to make representations with regard to the proposed amendment.
<b>Submissions</b> <ul style="list-style-type: none"> <li>Submit the draft budget (including SDBIP), IDP Review to the Local Government, Provincial Treasury, National Treasury and other affected organs of state</li> </ul>	By 2 April	<b>MFMA Section 22:</b> <i>Immediately after an annual budget is tabled in a municipal council, the accounting officer of the municipality must</i> <ul style="list-style-type: none"> <li>(a) <i>in accordance with Chapter 4 of the Municipal Systems Act -</i> <ul style="list-style-type: none"> <li>(i) <i>Make public the annual budget and the documents referred to in Section 17(3); and</i></li> <li>(ii) <i>invite the local community to submit representations in connection with the budget;</i></li> </ul> </li> <li>(b) <i>submit the annual budget -</i> <ul style="list-style-type: none"> <li>(i) <i>in both printed and electronic formats to the National Treasury and the relevant provincial treasury; and</i></li> <li>(ii) <i>in either formats to any prescribed national or provincial organs of state and to other municipalities affected by the budget.</i></li> </ul> </li> </ul>
<b>Submissions</b> <ul style="list-style-type: none"> <li>Submit the draft IDP Review to the District Municipality</li> </ul>	By 2 April	<b>MSA Section 29(3)(b):</b> <i>A local municipality must draft its integrated development plan, taking into account the integrated development processes of, and proposals submitted to it by the district municipality.</i> <b>MPPM Regulation 3(6):</b> <i>A local municipality that considers an amendment to its integrated development plan must-</i> <ul style="list-style-type: none"> <li>(a) <i>consult the district municipality in whose area it falls on the proposed amendment; and</i></li> <li>(b) <i>take all comments submitted to it by the district municipality into account before it takes a final decision on the proposed amendment.</i></li> </ul>
<b>Public participation</b> <ul style="list-style-type: none"> <li>Ward based budget meetings (6). The budget to be communicated on the website, email, social media, radio, advertisement in newspapers and the public invited to give their input.</li> <li>Ward Committee meetings</li> <li>Public participation mechanism to be determined in cooperation with Speaker and Ward Councillors, pending Covid 19 regulations in place at the time</li> </ul>	2 April – 7 May	<b>MFMA Section 23(1):</b> <i>When the annual budget has been tabled, the municipal council must consider any views of –</i> <ul style="list-style-type: none"> <li>(a) <i>the local community; and</i></li> <li>(b) <i>the National Treasury, the relevant provincial treasury and any provincial or national organs of state or municipalities which made submissions on the budget.</i></li> </ul>
<b>District IDP Managers engagement</b> <ul style="list-style-type: none"> <li>Meeting between District municipality and Local municipalities within the Overberg District</li> </ul>	By 30 Apr	<i>IDP coordinators engagement to ensure integrated development planning for the district as a whole and discuss final 4<sup>th</sup> IDP reviews across region</i>
<b>MAY 2021</b>		
<b>Closing date for submissions</b> <ul style="list-style-type: none"> <li>Public input on draft budget (including SDBIP), IDP Review closes</li> </ul>	7 May	
<b>Budget Steering Committee 3</b> <ul style="list-style-type: none"> <li>Consideration of public inputs on draft budget (including SDBIP), IDP [Review]</li> </ul>	By 14 May	<b>MFMA Section 23(2):</b> <i>After considering all budget submissions, the council must give the mayor an opportunity-</i> <ul style="list-style-type: none"> <li>(a) <i>to respond to the submissions; and</i></li> <li>(b) <i>if necessary, to revise the budget and table amendments for consideration by the council.</i></li> </ul>
<b>Finalisation of new budget</b> <ul style="list-style-type: none"> <li>Completion of Annual Budget amendments / refinements</li> </ul>	By 21 May	
<b>Final approval of new budget/IDP Review</b> <ul style="list-style-type: none"> <li>Table final budget (including SDBIP), IDP Review to Council (at least 30 days before the start of the budget year)</li> </ul>	25 May	<b>MFMA Section 24(1):</b> <i>The Council must at least 30 days before the start of the budget year consider the approval of the annual budget.</i> <b>MPPM Regulation 3(3):</b> <i>An amendment to a municipality's integrated development plan is adopted by a decision taken by a municipal council in accordance with the rules and orders of the council.</i>

ACTIVITY	Date	Legal Reference
- Place the IDP Review, annual budget, SDBIP all budget-related documents and all budget-related policies on the website (within 5 days)	By 30 May	<b>MFMA Section 75(1):</b> <i>The accounting officer of a municipality must place on the website the following documents of the municipality:</i> (a) <i>the annual and adjustments budgets and all budget-related documents and</i> (b) <i>all budget-related policies</i> <b>MSA Section 21A(1)(b):</b> <i>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 by displaying the documents on the municipality's official website, if the municipality has a website as envisaged by section 21B.</i> <b>MFMA Section 75(2):</b> <i>A document referred to above must be placed on the website not later than five days after its tabling in the council or on the date on which it must be made public, whichever occurs first.</i>
<b>District IDP Managers engagement</b> - Meeting between District municipality and Local municipalities within the Overberg District	By 30 May	<i>IDP coordinators engagement</i>
<b>JUNE 2021/ JULY 2021</b>		
- Submit a copy of the revised IDP Review to the MEC for local government as well as Provincial Treasury (within 10 days of the adoption of the plan)	By 4 Jun	<b>MSA Section 32(1)(a):</b> <i>The municipal manager of a municipality must submit a copy of the integrated development plan as adopted by the council of the municipality, and any subsequent amendment to the plan, to the MEC for local government in the province within 10 days of the adoption or amendment of the plan.</i>
- Give notice to the public of the adoption of the IDP Review	By 4 Jun	<b>MSA Section 25(4)(a):</b> <i>A municipality must, within 14 days of the adoption of its integrated development plan in terms of subsection (1) or (3) give notice to the public-</i> (i) <i>of the adoption of the plan; and</i> (ii) <i>that copies of or extracts from the plan are available for public inspection at specified places;</i> <b>MSA Section 21A(1)(a) and (c):</b> <i>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 -</i> (a) <i>by displaying the documents at the municipality's head and satellite offices and libraries;</i> (c) <i>by notifying the local community, in accordance with section 21, of the place, including the website address, where detailed particulars concerning the documents can be obtained.</i>
Make public the approved annual budget and supporting documentation (including tariffs) (within 10 working days after approval of the budget)	By 4 Jun	<b>Budget &amp; Reporting Regulations 2009, Reg 18:</b> (1) <i>Within ten working days after the municipal council has approved the annual budget of a municipality, the municipal manager must in accordance with section 21A of the Municipal Systems Act make public the approved annual budget and supporting documentation and the resolutions referred to in section 24(2)(c) of the Act.</i> (2) <i>The municipal manager must also make public any other information that the municipal council considers appropriate to facilitate public awareness of the annual budget, including-</i> (a) <i>summaries of the annual budget and supporting documentation in alternate languages predominant in the community; and</i> (b) <i>information relevant to each ward in the municipality.</i> (3) <i>All information contemplated in sub regulation (2) must cover:</i> (a) <i>the relevant financial and service delivery implications of the annual budget; and</i> (b) <i>at least the previous year's actual outcome, the current year's forecast outcome, the budget year and the following two years.</i>
Submit approved budget to the Provincial Treasury and National Treasury (within 10 working days after approval of the budget)	By 4 Jun	<b>MFMA Section 24(3):</b> <i>The accounting officer of a municipality must submit the approved annual budget to the National Treasury and the relevant provincial treasury.</i>

ACTIVITY	Date	Legal Reference
		<b>Budget &amp; Reporting Regulations 2009, Reg 20:</b> <i>The municipal manager must comply with section 24(3) of the Act within ten working days after the municipal council has approved the annual budget.</i>
Submit the draft Top Layer SDBIP to the Executive Mayor with the draft annual performance agreements for the next year (within 14 days after approval of the budget)	4 Jun	<b>MFMA Section 69(3):</b> (a) <i>The accounting officer must no later than 14 days after the approval of an annual budget submit to the mayor a draft service delivery and budget implementation plan for the budget year.</i> (b) <i>The accounting officer must no later than 14 days after the approval of an annual budget submit to the mayor drafts of the annual performance agreements as required in terms of section 57(1)(b) of the Municipal Systems Act for the municipal manager and all senior managers.</i>
Executive Mayor takes all reasonable steps to ensure that the SDBIP is approved (within 28 days after approval of the budget)	22 Jun	<b>MFMA Section 53(1)(c)(ii):</b> <i>The mayor of a municipality must take all reasonable steps to ensure that the municipality's service delivery and budget implementation plan is approved by the mayor within 28 days after approval of the budget.</i>
Place the performance agreements and all service delivery agreements on the website	18 Jun	<b>MFMA Section 75(1):</b> <i>The accounting officer of a municipality must place on the website the following documents of the municipality:</i> (d) <i>performance agreements required in terms of section 57(1)(b) of the Municipal Systems Act; and</i> (e) <i>all service delivery agreements</i> <b>Budget &amp; Reporting Regulations 2009, Reg 19:</b> <i>The accounting officer must place on the website all performance agreements required in terms of section 57(1)(b) of the Municipal Systems Act.</i>
Submit copies of the performance agreements to Council and the MEC for local government as well as the national minister responsible for local government (within 14 days after conclusion thereof).	2 Jul	<b>MFMA Section 53(3)(b):</b> <i>Copies of such performance agreements must be submitted to the council and the MEC for local government in the province.</i> <b>PERF Regs 2006 Reg(5):</b> <i>The employment contract and performance agreement must be submitted to the MEC responsible for local government in the relevant province as well as the national minister responsible for local government within fourteen (14) days after concluding the employment contract and performance agreement</i>
Submit the SDBIP to National and Provincial Treasury (within 10 working days approval of the plan)	2 Jul	<b>Budget &amp; Reporting Regulations 2009, Reg 20(2)(B):</b> <i>The municipal manager must submit to the National Treasury and the relevant provincial treasury, in both printed and electronic form the approved service delivery and budget implementation plan within ten working days after the mayor has approved the plan.</i>
Make public the projections, targets and indicators as set out in the SDBIP (within 10 working days after the approval of the SDBIP)	2 Jul	<b>MFMA Section 53(3)(a):</b> <i>The mayor must ensure that the revenue and expenditure projections for each month and the service delivery targets and performance indicators for each quarter, as set out in the service delivery and budget implementation plan, are made public no later than 14 days after the approval of the service delivery and budget implementation plan.</i> <b>Budget &amp; Reporting Regulations 2009, Reg 19:</b> <i>The municipal manager must in accordance with section 21A of the Municipal Systems Act make public the approved service delivery and budget implementation plan within ten working days after the mayor has approved the plan in terms of section 53(1)(c)(ii) of the Act.</i>
Make public the performance agreements of Municipal Manager and senior managers (no later than 14 days after the approval of the SDBIP)	6 Jul	<b>MFMA Section 53(3)(b):</b> <i>The mayor must ensure that the performance agreements of municipal manager, senior managers and any other categories of officials as may be prescribed, are made public no later than 14 days after the approval of the municipality's service delivery and budget implementation plan.</i>

**FINANCIAL IMPLICATIONS**

None.

**MANAGEMENT RECOMMENDATION**

- (i) That the Time Schedule of Key Deadlines for the 2021/22 IDP Review / Amendment and 2021/22, 2022/23 and 2023/24 Budget, be approved in terms of Sections 21(1)(b) and 53(1)(b) of the Municipal Finance Management Act (Act 56 of 2003). (MFMA) read together with Sections 28 and 34 of the Local Government Municipal Systems Act (Act 32 of 2000).
- (ii) That all meetings / workshops referred to in this schedule take place physically or virtually, and that the September and April public participation mechanisms be determined in cooperation with Speaker and Ward Councillors, subject to Covid 19 regulations in place at the time.
- (iii) That the Time Schedule be made public in terms of Section 21 of the Local Government Municipal Systems Act (Act 32 of 2000).

**RESOLUTION 107/2020**

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

9.22 **PROPOSED BREDASDORP TAXI INTERCHANGE DEVELOPMENT ON A PORTION OF ERF 1148, BREDASDORP**

**PURPOSE OF REPORT**

To present a final site development plan for the proposed taxi interchange on a portion of Erf 1148, Bredasdorp.

**BACKGROUND**

During 2019, the Department of Environmental Affairs and Development Planning (DEADP) invited municipalities who were part of the RSEP programme to submit applications for funding for projects that were in line with the RSEP principles.

CAM submitted a proposal for a taxi interchange as mobility related issues are a cross cutting priority in the IDP, and in response to specific requests from the taxi association who were looking for a central place from which to operate their services.

DEADP are in principle in favour of the project, and they granted the funding for a feasibility study to be done. Delta Built Environment Consultants (Delta BEC) were then appointed as professional consultants to design a site development plan (SDP) for the proposed Bredasdorp taxi interchange on Erf 1148 Bredasdorp, measuring approximately 1.2 ha in size.

Delta BEC's appointment included stakeholder engagement and project management throughout the project life cycle. Public participation forms a crucial part of the project and contributed to the outcome of the final SDP.

Various concepts designs were completed by Delta BEC and discussed with the local and provincial government, as well as the public and key stakeholders, a final SDP was then compiled and submitted for final approval.

The draft SDP phase focussed on a specific layout option that has been decided on following the various project management and public workshops meetings. The draft SDP illustrates site details such as service connections, approved access points and road layouts.

The final SDP was completed in January 2020 and has incorporated all the comments from the stakeholders and public. The final SDP is presented as a general 2D drawing, as well as a 3D model illustration.

The final SDP incorporates all aspects of a functional transport node that is crucial for the growth within a municipality. The facility will not only accommodate and serve taxi operations, but will enable economic growth and integration for the people of Bredasdorp and the Cape Agulhas Municipality.

**OBJECTIVE**

The development of a taxi rank/interchange with ancillary facilities, in Bredasdorp will create jobs during construction phase, improve livelihood of local residents, adhere to transportation needs and promote social cohesion in a disadvantaged community. This locality will character of the area and service a huge population (current and future developments according to the housing pipeline -e.g. Sites F and H). In addition, it will enhance integration and social cohesion between communities. The initial identified property form part of strategic vacant, underutilised land.

**WAY FORWARD**

At this stage DEADP has allocated the Municipality R2000 000 for 2020/21 which was to be used for either the Anene Booysen Precinct Plan or the taxi interchange or both. The Council allocated said funding to the Annene Booysen Precinct Plan. The Department can not give any guarantee of funding beyond this financial year, but should additional funding become available from DEADP or any other source, we would need to be in a position where we can proceed with the development. That is to say principle approval of the site, conceptual layout and the necessary town planning processes would need to be done. The latter can take some time.

**ANNEXURES - SEPERATELY ATTACHED TO THIS ITEM**

**ANNEXURE A: FINAL SITE DEVELOPMENT PLAN FOR THE BREDASDORP TAXI INTERCHANGE**

**MANAGEMENT RECOMMENDATION**

- (i) That Council in principle approve the final SDP for the Bredasdorp Taxi Interchange on a portion of Erf 1148, Bredasdorp.
- (ii) That all relevant town planning processes proceed.

**RESOLUTION 108/2020**

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

*(Raadsheer Jantjies teken sy teenstem aan met betrekking tot die ligging van die "taxi-rank".)*

9.23 **STRATEGIC RISK ANALYSIS: 2020 - 2021 FINANCIAL YEAR****REPORT FROM THE OFFICE OF THE MUNICIPAL MANAGER****PURPOSE OF REPORT**

To review and approve Council's Strategic Risks for the 2020/21 Financial Year.

**LEGAL FRAMEWORK**

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

**DISCUSSION**

The Council is required to annually review its strategic risks. The Risk Management Unit undertook an extensive risk assessment of every department during February 2020. This was followed by a risk action formulation process during May 2020 which was aimed at developing actions to mitigate each of the risks.

The risk register for 2020/21 which comprises 55 risks was then developed, reviewed and recommended for approval by the FARMCO on 25 June.

The risk register comprises 55 risks which are divided into operational and strategic risks. FARMCO recommended the operational risk register for approval by the Municipal Manager and the strategic risk register for approval by Council.

Detailed reports on progress made on these risks will be submitted to the Portfolio Committees on a quarterly basis.

The 2020/21 strategic risk register has 5 risks that has remained the same as the 2019/20 strategic risk register, with 1 additional risk. The strategic risks for 2020/21 are therefore as follows:

RISK ITEM	RISK DESCRIPTION	RESIDUAL RISK EXPOSURE	RESIDUAL RISK	
R489	Inability to respond to disease outbreaks / pandemics	67.5	High	New
R487	Non-adherence to Restrictive Permit Conditions (Landfill Sites)	48	High	Transferred from 2019/20
R484	Financial viability of the municipality	47.5	High	Transferred from 2019/20
R485	Illegal Erection of Informal Structures and Land invasions	47.5	High	Transferred from 2019/20
R488	Inadequate Provision of water supply - source	36.75	Medium	Transferred from 2019/20
R486	Protest action / Civil unrest	33.75	Medium	Transferred from 2019/20

#### **MANAGEMENT RECOMMENDATION**

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

#### **RESOLUTION 109/2020**

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

***(Raadslid Jacobs teken sy teenstem aan, aangesien hy: (1) Nie net kan kennis neem van die verslag nie; (2) Dat volledige voorleggings vir risiko's (R484, 485,486, 487 en 488) gemaak moet word; (3) Dat strategiese risiko's deur staande komitees hanteer moet word.)***

#### 9.24 **2020/21 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 for 2020/21 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.

The 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.

### DISCUSSION

The Council approved the Risk Management Policy and Risk Management Strategy and FARMCO Charter in July 2019. These documents are reviewed on an annual basis by the FARMCO. The revised documents were submitted to (FARMCO) on 25 June 2020 who approved the amendments. The Risk Management Policy was also submitted to the LLF for consultation.

Amendments were only made to the policy and can be summarised as follows:

<b>RISK MANAGEMENT POLICY</b>		
<b>Paragraph</b>	<b>Page</b>	<b>Amendment</b>
1.5	7	OBJECTIVES OF THE RISK MANAGEMENT POLICY Amend the following bullet: align the risk-taking behaviour to the Municipality's risk appetite and risk tolerance to better achieve the goals and related objectives;
5.3 (10)	10	RISK MANAGEMENT UNIT Amend four municipalities to participating municipalities
6.4	17	RISK ASSESSMENT The addition of the following paragraph under controls cost effectiveness: "In practice, where it may be impractical to perform complex calculations, risk owners should consider the implications of decisions in managing risk, that adheres to the principles of cost/benefit analysis."
<b>RISK MANAGEMENT STRATEGY – NO AMENDMENTS</b>		
<b>FARMCO CHARTER– NO AMENDMENTS</b>		

### The documents are attached as Annexures:

Annexure A:	Risk Management Policy	<i>(attached on page 55 - 76)</i>
Annexure B:	Risk Management Strategy	<i>(attached on page 77 - 92)</i>
Annexure C:	FARMCO Charter	<i>(attached on page 93 - 102)</i>

### FINANCIAL IMPLICATIONS

None.

### PERSONNEL IMPLICATIONS

None.

### MANAGEMENT RECOMMENDATION

- (i) That 2020/2021 revision of the Cape Agulhas Municipality Risk Management Policy and Risk Management Strategy be approved.
- (ii) That the 2020/21 revision of the Cape Agulhas Municipality FARMCO Charter be approved.

### RESOLUTION 110/2020

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



9.25 **QUARTERLY PERFORMANCE REPORT FOR THE FOURTH QUARTER OF THE 2019/20 FINANCIAL YEAR (1 APRIL 2020 - 30 JUNE 2020)**

**REPORT FROM THE OFFICE OF THE MUNICIPAL MANAGER**

**PURPOSE OF REPORT**

To present the quarterly and overall performance report of the Municipality for the fourth quarter of the financial year. (1 April 2020 – 30 June 2020). The report will be circulated separately, as capital expenditure is still being verified.

**LEGISLATIVE FRAMEWORK**

This Performance Report is submitted in compliance with MFMA Circular 13 which requires the Municipality to report quarterly on its Service Delivery Budget Implementation Plan (SDBIP).

This report must be read in conjunction with the Quarterly Budget Report which is submitted to Council in terms of Section 52(d) of the Municipal Finance Management Act, which requires the Mayor to within 30 days of the end of each quarter; submit a report to Council on the implementation of the budget and the financial state of affairs of the Municipality.

**PERFORMANCE FRAMEWORK AND MONITORING**

The Executive Mayor approved the Top Layer SDBIP for 2019/20 on 21 June 2019. The SDBIP is a layered plan comprising a Top Layer SDBIP and Departmental SDBIPs.

Performance reporting on the top layer SDBIP is done to the Council on a quarterly, half yearly (Mid-year Budget and Performance Assessment Report) and annual basis (Annual Report).

Any amendments to the Top Layer SDBIP must be approved by Council following the submission of the Mid-year Budget and Performance Assessment Report and the approval of the adjustment budget. The SDBIP amendments were approved by The Mayor on 31 January 2020.

**Please note that all figures contained in this report are provisional, unaudited and may change pending the finalisation of the Annual Financial Statements. Revisions arising from this will be contained in the final performance report for the year which will be available on 31 August 2020**

**MANAGEMENT RECOMMENDATION**

- (i) That the quarterly performance report for the quarter (1 April 2020 to 30 June 2020) be noted.
- (ii) That this report be read in conjunction with the Quarterly Budget Report which is submitted to Council in terms of Section 52(d) of the Municipal Finance Management Act, Act 56 of 2003.
- (iii) That it be noted that the actuals that are contained in this report are provisional, unaudited and may change pending the finalisation of the Annual Financial Statements. Revisions arising from this will be contained in the final performance report for the year which will be available on 31 August 2020.

**RESOLUTION 111/2020**

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

9.26 **ODUIT AKSIEPLAN 2018/19 (OPCAR): MAANDELIKSE VORDERING - JULIE 2020**

**DOEL VAN VERSLAG**

Oorweging van die vordering met en afhandeling van die goedgekeurde 2018/19 Oudit Bevindinge Aksieplan (OPCAR) soos op einde Julie 2020.

**AGTERGROND**

Na aanleiding van die Ouditeur-Generaal se oudit van die munisipaliteit se 2018/19 finansiële jaar is daar sekere leemtes uitgewys wat aangespreek moet word. Hierdie bevindinge is in die Oudit Bevindinge Aksieplan, soos aangeheg op **bladsy 103** opgeneem en bepaalde regstellende stappe is bepaal om die bevindinge aan te spreek. Hierdie aksieplan is op 31 Januarie 2020 deur die Raad goedgekeur. Die vordering met die plan word verder op 'n kwartaallikse grondslag aan die Wes-Kaapse Provinsiale Tesourie voorgelê.

**PERSONEEL IMPLIKASIES**

Geen.

**FINANSIËLE IMPLIKASIES**

Geen.

**WETLIKE IMPLIKASIES**

Geen.

**BESTUURSAANBEVELING**

Dat die Raad die vordering met die 2018/19 Ouditeur-Generaal aksieplan soos op 31 Julie 2020 oorweeg en aanvaar.

**BESLUIT 112/2020**

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

14. **ONAFGEHANDELDE RAADSBESLUIE**

Besluit Nr	Onderwerp	Verkorte Besluit	Vordering	Verantwoordelike persoon
90/2016	Ouditeur-Generaal navraag insake erwe 563 en 937, Napier	<p>(i) Dat Erf 563, Napier so spoedig as moontlik deur die raad se oordragprokureurs aan KAM oorgedra word.</p> <p>(ii) Dat, sodra Erf 563, Napier in KAM se naam registreer is, dit per openbare tender vervreemd word.</p> <p>(iii) Dat alle uitstaande skuld ten bedrae van R35 256,83 in die naam van N en S M Noor afgeskryf word.</p> <p>(iv) Dat Erf 937, Napier se uitstaande gelde so spoedig as moontlik deur die raad se Masakane proses gevorder word (binne 90 dae).</p> <p>(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.</p> <p>(vi) Dat die verskil in uitstaande fooie (balans min verkoopprijs) afgeskryf word.</p>	<b><i>Afgehandel vanaf finansies - Oordrag van eiendomme moet nog plaasvind.</i></b>	DFD
237/2016	Parkering: Erf 264, Struisbaai	<p>Dat die randstene wel verwyder word, op voorwaarde dat -</p> <p>(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.</p> <p>(ii) 'n Vergunningssooreenkoms vir die vergroting van die parkeerarea met die eienaar gesluit word.</p>	<b><i>Eienaars was in gesprek met die MB ten opsigte van 'n vergunningssooreenkoms. Aangeleentheid na Martin Kruger verwys om te help met die vergunningssooreenkoms.</i></b>	BSSB
238/2016	Council's further directions: Rezoning, Subdivision, Consolidation and letting of property in respect of the Vishuis Heritage Centre in Kassiesbaai, Arniston	<p>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."</p>	<b><i>Munisipale Bestuurder: Aangeleentheid nog nie voor die Hooggeregshof gedien het nie.</i></b>	BSSB

Besluit Nr	Onderwerp	Verkorte Besluit	Vordering	Verantwoordelike persoon
201/2018	Elim: Uitstaande Belastingrekening	(i) Raad kennis neem van die uitstaande bedrag verskuldig. (ii) Volledige verslag met die volgende Raadsvergadering oorweeg word. (iii) Maandelikse vorderingsverslae aan die Raad voorgelê word ten opsigte van die vereffening van hierdie uitstaande gelde.	<b><i>Munisipale Bestuurder: MOU is met Opsienersraad onderteken, waarin hul onderneem om die dorpsbelasting te betaal, soos ooreengekom (Morawiese Kerk betaal vir alle kerkeiendomme).</i></b>	Eiendoms-administrasie

**BESTUURSAANBEVELING**

Dat die Raad kennis neem van die onafgehandelde Raadsbesluite.

**BESTUURSAANBEVELING**

Dat die Raad kennis neem van die onafgehandelde Raadsbesluite.

**BESLUIT 113/2020**

Dat die Raad kennis neem van die volgende besluite wat afgehandel is: 90/2016, 237/2016, 238/2016 en 201/2018

Hierna verdaag die vergadering om 14:25

BEKRAGTIG op hierdie                      dag van                      2020

\_\_\_\_\_  
SPEAKER

DATUM: