



KAAP AGULHAS MUNISIPALITEIT
CAPE AGULHAS MUNICIPALITY
U MASIPALA WASECAPE AGULHAS

**NOTULE VAN 'N BURGEMEESTERSKOMITEE VERGADERING GEHOU OM 09:00 OP
MAANDAG 26 SEPTEMBER 2016 IN DIE MUNISIPALE RAADSAAL TE BREDASDORP**

**MINUTES OF A MAYORAL COMMITTEE MEETING HELD ON MONDAY,
26 SEPTEMBER 2016 AT 09:00 IN THE MUNICIPAL COUNCIL CHAMBERS, BREDASDORP**

RAADSLEDE

MNR	P J SWART	Uitvoerende Burgemeester
ME	Z TONISI	Uitvoerende Onder-Burgemeester
MNR	G D BURGER	Lid van die Uitvoerende Burgemeesterskomitee
ME	M OCTOBER	Lid van die Uitvoerende Burgemeesterskomitee
MNR	D J EUROPA	
MNR	C J JACOBS	
MNR	D JANTJIES	
MNR	J G A NIEUWOUTD	
ME	E L SAULS	(sluit 09:12 by die vergadering aan)

AMPTENARE

Mnr D O'Neill	Munisipale Bestuurder
Mnr S Ngwevu	Direkteur: Korporatiewe Dienste
Mnr H Van Biljon	Direkteur: Finansiële Dienste (sluit 09:25 by die vergadering aan)
Mnr N Kotze	Direkteur: Siviele Ingenieursdienste
Mnr S Cooper	nms Asst. Direkteur: Elektrotegniese Dienste
Mnr B Swart	Interne Ouditeur
Mnr D October	nms Bestuurder: Stads- en Streeksbeplanner
Mnr G M Moelich	Bestuurder: Admin Ondersteuning
Mnr F du Toit	Bestuurder: Boubeheer
Mnr W van Zyl	Bestuurder: IT
Me T Stone	Bestuurder: Strategiese Dienste
Me N Mhlati-Musewe	Bestuurder: Menslike Hulpbronne

1. **OPENING**

Die Burgemeester heet die teenwoordiges welkom en open die vergadering met gebed.

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

Mnr	R J Baker	Raadslid
Me	E C Marthinus	Raadsheer
Mnr	B Hayward	Bestuurder: Stads- en Streeksbeplanning

3. **NOTULES VAN VORIGE VERGADERINGS VOORGELê VIR BEKRAGTING**

Geen.

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

4.1 **BRIEWE VAN DANK** Geen

4.2 **FUNKSIES VIR DIE MAAND**

4.2.1 Wykskomitee verkiesings moet nog plaasvind in Protem en Klipdale.

4.2.2 Gedurende Oktober sal alle IDP wyksvergaderings plaasvind.

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

Geen.

6. **VERSLAE**

Bladsy: Agenda

6.1 **VERSLAG VAN DIE PUBLIEKE WERKE KOMITEE**

6.1.1 **ELEKTROTEGNIËSE DIENSTE / *ELECTRO TECHNICAL SERVICES***

6.1.1.1 Maandverslag: Augustus 2016 3

6.1.2 **TEGNIËSE DIENSTE / *TECHNICAL SERVICES***

6.1.2.1 Maandverslag: Augustus 2016 4

6.2 **VERSLAG VAN DIE GEMEENSKAPSDIENSTE KOMITEE**

6.2.1 Maandverslag: Augustus 2016 4

6.2.2 Suidpunt ACVV Dienssentrum: Huur van Waenhuiskrans Gemeenskapsaal 5

6.3 **VERSLAG VAN DIE KORPORATIEWE DIENSTE KOMITEE**

6.3.1 Maandverslag - Korporatief: Augustus 2016 6

6.3.2 Maandverslag - Kantoor van die MB: Augustus 2016 6 - 7

6.3.3 Vervreemding (huur): Erf 5783, Bredasdorp 6 - 8

6.3.4 Transfer: Marius van Straaten / CAM: Erf 1748, Napier 10 - 11

6.3.5 Proposed fisherman's cottages: Erven 1400 and 1401, Struisbaai 12 - 18

6.3.6 Ophef van Beperkings: Erf 1017, Struisbaai 18 - 21

6.3.7 Vervreemding (reservering): Ged erf 857, Struisbaai 22 - 23

7. **ITEMS NA DIE UBK VERWYS VIR OORWEGING**

7.1 Verslag van die Direkteur: Finansiële Dienste vir Augustus 2016 23

7.2 Supply Chain Management Report for the month ended 31 August 2016 24

7.3 Supply Chain Management annual report ended 30 June 2016 25

8. **DRINGENDE SAKE DEUR DIE MUNISIPALE BESTUURDER** Geen
9. **OORWEGING VAN KENNISGEWING VAN MOSIES** Geen
10. **OORWEGING VAN KENNISGEWING VAN VRAE** Geen
11. **OORWEGING VAN DRINGENDE MOSIES** Geen
12. **VERSLAG DEUR MUNISIPALE BESTUURDER OOR DIE UITVOERING VAN UBK BESLUIE**
Lys van onafgehandelde besluite word aangeheg op **bladsy 26** van die Agenda.
13. **IN-KOMITEE VERSLAE**
In-Komitee items word vertroulik hanteer.
14. **SLUITING**
-

6. **VERSLAE**

6.1 **VERSLAG VAN DIE PUBLIEKE WERKE KOMITEE**

6.1.1 **VERSLAG VAN DIE ASSISTENT DIREKTEUR: ELEKTROTEGNIESE DIENSTE VIR AUGUSTUS 2016**
REPORT FROM THE ASSISTANT DIRECTOR: ELECTRO TECHNICAL SERVICES FOR AUGUSTUS 2016

Aangeheg op bladsy 1 tot 3. / *Attached on page 1 to 3.*

BESTUURSAANBEVELING / MANAGEMENT RECOMMENDATION

Dat die maandverslag van die Assistent Direkteur: Elektrotegniese Dienste vir Augustus 2016 aanvaar word.

That the monthly report from the Assistant Director: Electro Technical Services for Augustus 2016 be accepted.

AANBEVELING: PUBLIEKE WERKE KOMITEE / RECOMMENDATION: PUBLIC WORKS COMMITTEE

Dat die Bestuursaanbeveling aanvaar word. / *That Management's recommendation be accepted.*

BESLUIT BK101/2016

Dat die Publieke Werke Komitee se aanbeveling as besluit van die Burgemeesterskomitee aanvaar word.

6.1.2 **VERSLAG VAN DIE DIREKTEUR: TEGNIESE DIENSTE VIR AUGUSTUS 2016**
REPORT FROM THE DIRECTOR: TECHNICAL SERVICES FOR AUGUST 2016

Aangeheg op bladsy 4 tot 12. / *Attached on page 4 to 12.*

BESTUURSAANBEVELING / MANAGEMENT RECOMMENDATION

Dat die maandverslag van die Direkteur: Tegniese Dienste vir Augustus 2016 aanvaar word.
That the monthly report from the Director: Technical Services for August 2016 be accepted.

AANBEVELING: PUBLIEKE WERKE KOMITEE / RECOMMENDATION: PUBLIC WORKS COMMITTEE

Dat die Bestuursaanbeveling aanvaar word. / *That Management's recommendation be accepted.*

BESLUIT BK102/2016

- (i) Dat die Publieke Werke Komitee se aanbeveling as besluit van die Burgemeesterskomitee aanvaar word.
- (ii) Dat daar dringend aandag geskenk word aan loslopende diere binne die stortingsterrein.

6.2 **VERSLAG VAN DIE GEMEENSKAPSDIENSTE KOMITEE**

6.2.1 **VERSLAG VAN DIE DIREKTEUR: GEMEENSKAPSDIENSTE VIR AUGUSTUS 2016**
REPORT FROM THE DIRECTOR: COMMUNITY SERVICES FOR AUGUST 2016

- Publieke Dienste / Public Services bladsy / page 13 - 18
- Behuising / Housing bladsy / page 19 - 20
- Biblioteekdienste / Library Services bladsy / page 21 - 25
- Beskermingsdienste / Protection Services bladsy / page 26 - 33
- Menslike Ontwikkeling / Human Development bladsy / page 34 - 40

BESTUURSAANBEVELING / MANAGEMENT RECOMMENDATION

Dat die maandverslag van die Direkteur: Gemeenskapsdienste vir Augustus 2016 aanvaar word.
That the monthly reports from the Director: Community Services for August 2016 be accepted.

AANBEVELING: GEMEENSKAPSDIENSTE KOMITEE / RECOMMENDATION: COMMUNITY SERVICES COMMITTEE

Dat die Bestuursaanbeveling aanvaar word. / *That Management's recommendation be accepted.*

BESLUIT BK103/2016

- (i) Dat die Gemeenskapsdienste Komitee se aanbeveling aanvaar word.
- (ii) Dat oorweging geskenk word om sekuriteitspersoneel by vakansieoorde aan te stel tydens die piek tye.
- (iii) As far as Human Development's report concern, a turn-around strategy must be put in place for the following, namely: 1. Junior Town Council; 2. Cultural Movements; 3. 50/50 Youth Leadership Project; 4. The usage of sport facilities as well as the functions, roles and responsibilities of the Provincial CDW's.

6.2.2 **SUIDPUNT ACVV DIENSSENTRUM: HUUR VAN WAENHUISKRANS GEMEENSKAPSAAL (DGD)**

DOEL VAN VERSLAG

Om oorweging te skenk vir die gratis verhuring van Waenhuiskrans Gemeenskapsaal aan Suidpunt ACVV Dienssentrum (sien bladsy 41).

AGTERGROND

Suidpunt ACVV Dienssentrum op Bredasdorp het ook 'n sateliet dienssentrum by name die Strandloperjie in Waenhuiskrans. Die doelwit van die dienssentrum is om alles in hul vermoë te doen om 24 lede (bejaardes) vir so lank moontlik aktief in hul wonings te hou.

Die aktiwiteite is daarop gerig om genoemde persone selfstandig en onafhanklik in hul eie wonings te hou omrede hulle dit nie kan bekostig om in 'n tehuis opgeneem te word nie.

Eagle Ministries se saal was vir jare gebruik vir die doel maar is ongelukkig nie meer beskikbaar nie. Die aktiwiteite vind op Dinsdae oggende plaas, uitgesluit skoolvakansies en Publieke Vakansiedae.

Suidpunt ACVV Dienssentrum versoek dus die Raad om die Waenhuiskrans Gemeenskapsaal gratis aan die groep te voorsien weens beperkte fondse.

FINANSIËLE IMPLIKASIES

Die kostes vir Waenhuiskrans Gemeenskapsaal vir nie-winsgewinde organisasies beloop R85,00 per geleentheid.

BESTUURSAANBEVELING

Dat Waenhuiskrans Gemeenskapsaal gratis aan Suidpunt ACVV Dienssentrum verhuur word onderhewig aan die volgende voorwaardes:

- (i) Dat 'n eenmalige breekskade deposito van R300,00 betaalbaar sal wees.
- (ii) Dat geen permanente verhuring sal plaasvind nie.
- (iii) Dat die organisasie die saal weekliks sal bespreek.

AANBEVELING: GEMEENSKAPSDIENSTE KOMITEE / RECOMMENDATION: COMMUNITY SERVICES COMMITTEE

Dat die Bestuursaanbeveling aanvaar word. / *That Management's recommendation be accepted.*

BESLUIT BK104/2016

Dat die Gemeenskapsdienste Komitee se aanbeveling aanvaar word.

6.3 **VERSLAG VAN DIE KORPORATIEWE DIENSTE KOMITEE**

6.3.1 **VERSLAG VAN DIE DIREKTEUR: KORPORATIEWE DIENSTE VIR AUGUSTUS 2016** **REPORT FROM THE DIRECTOR: CORPORATIVE SERVICES FOR AUGUST 2016**

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- | | |
|--|-----------------------|
| • Administratiewe Ondersteuning / <i>Administrative Support</i> | bladsy / page 42 - 46 |
| • Menslike Hulpbronne / <i>Human Resources</i> | bladsy / page 47 - 57 |
| • Stadsbeplanning en Boubeheer / <i>Town planning and Building control</i> | bladsy / page 58 - 63 |
| • Information Communication Technology | bladsy / page 64 - 71 |
| • Napier Kantoor / <i>Napier Office</i> | bladsy / page 72 - 74 |
| • Struisbaai Kantoor / <i>Struisbaai Office</i> | bladsy / page 75 - 77 |

BESTUURSAANBEVELING / MANAGEMENT RECOMMENDATION

Dat die maandverslag van die Direkteur: Korporatiewe Dienste vir Augustus 2016 aanvaar word.
That the monthly report from the Director: Corporative Services for August 2016 be accepted.

AANBEVELING: KORPORATIEWE DIENSTE KOMITEE / RECOMMENDATION: CORPORATE SERVICES COMMITTEE

Dat die Bestuursaanbeveling aanvaar word. / *That Management's recommendation be accepted.*

BESLUIT BK105/2016

- (i) Dat die Korporatiewe Dienste Komitee se aanbeveling as besluit van die Burgemeesterskomitee aanvaar word.
- (ii) Daar word versoek dat die skedule van bouplanne wat goedgekeur is, ook die grootte (vierkante meter) van die bouwerk sal insluit.
- (iii) Dat daar dringend aandag gegee word aan die Struisbaai kantoor se uitstaande klagtes op die Ignite stelsel.

6.3.2 **VERSLAE UIT DIE KANTOOR VAN DIE MUNISIPALE BESTUURDER VIR AUGUSTUS 2016** **REPORTS FROM THE OFFICE OF THE MUNICIPAL MANAGER FOR AUGUST 2016**

STRATEGIESE DIENSTE

Die volgende verslae word aangeheg op bladsy 78 tot 89:

1. Kommunikasie / *Communication*
2. Plaaslike Ekonomiese Ontwikkeling / *Local Economic Development*
3. Toerisme / *Tourism*
4. Geïntegreerde Ontwikkelingsbeplanning / *Integrated Development Planning*
5. Anti-Bedrog- en Risikobestuur / *Anti Fraud and Risk Management*
6. Prestasie Bestuur / *Performance Management*
7. Publieke Deelname / *Public Participation*
8. Verlof en Oortyd / *Leave and Overtime*

BESTUURSAANBEVELING / MANAGEMENT RECOMMENDATION

Dat die verslae uit die kantoor van die Munisipale Bestuurder vir Augustus 2016 aanvaar word.
That the report from the office of the Municipal Manager for August 2016 be accepted.

**AANBEVELING: KORPORATIEWE DIENSTE KOMITEE / RECOMMENDATION:
CORPORATE SERVICES COMMITTEE**

Dat die Bestuursaanbeveling aanvaar word. / *That Management's recommendation be accepted.*

BESLUIT BK106/2016

- (i) Dat die Korporatiewe Dienste Komitee se aanbeveling as besluit van die Burgemeesterskomitee aanvaar word.
- (ii) Dat daar in die 2017/18 IDP meer fokus geplaas word op volhoubare projekte, soos onder andere toerisme ontwikkeling.

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

DOEL VAN VERSLAG

Om oorweging te skenk aan die versoek van mnr D vd Heyde namens "XCS WORX (Pty) Ltd" om erf 5783, Bredasdorp te huur vir die vervaardiging van sellulêre liggewig beton (liggingsplan aangeheg op bladsy 90).

ALGEMENE INLIGTING

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

AGTERGROND

'n Skriftelike versoek, soos aangeheg op bladsy 91 tot 103 is van mnr D vd Heyde ontvang om erf 5783, Bredasdorp by die Raad te huur om sellulêre liggewig beton te vervaardig. XCS Worx (Pty) Ltd is 'n opkomende maatskappy wat gevestig is in die Overberg Distrik.

MARKWAARDASIE

R3 000,00 per maand (sien bladsy 104)

FINANSIËLE IMPLIKASIES

Huurinkomste vir die Raad.

WETLIKE IMPLIKASIES

Council policy	Alienation of land
MFMA	<ol style="list-style-type: none">1. Sect 14(2)(a): asset not required for minimum level of basic services.2. Sect 14(2)(b): consider fair market value and economic and community value to be received in exchange for the asset.3. Items in 1 and 2 only to be complied with if the asset to be transferred is a high value asset (see definition of MATR below).4. Sect 33: Contracts having long term financial implications.

<p style="text-align: center;">MATR</p>	<p>1. Definition of “high value asset”: <i>“fair market value of the capital asset exceeds any of the following amounts:</i> <i>a) R50 million;</i> <i>b) One percent of the total value of the capital assets of the municipality....</i> <i>c) An amount determined by resolution of the council of the municipality which is less than (a) or (b).</i></p> <p>2. Definition of “realisable value”: fair market value <u>less</u> estimated costs of completion.</p> <p>3. Definition of “right to use, control or manage”: when granting such rights do not amount to permanent transfer or disposal.</p> <p>4. Regulation 5 (decision-making).</p> <p>5. Regulation 6 (public participation)</p>
<p style="text-align: center;">SCM Regulations SCM Policy</p>	<p>Regulation 40: (Disposal Management) Project for job creation, skills development, poverty alleviation and economic growth</p>
<p style="text-align: center;">Systems Act (public participation)</p>	<p>Section 21A: (1) All documents that must be made public by a municipality in terms of a requirement of this Act, the Municipal finance Management Act or other applicable legislation, must be conveyed to the local community:</p> <p>(a) by displaying the documents at the municipality's head and satellite offices and libraries;</p> <p>(b) by displaying the documents on the municipality's official website, if the municipality has a website as envisaged by section 21 B; and</p> <p>(c) by notifying the local community, in accordance with section 21, of the place, including website address, where detailed particulars concerning the documents can be obtained.</p>
<p style="text-align: center;">Town Planning legislation</p>	<p>All surrounding property owners be informed of the temporary use of the site.</p>

DEPARTEMENTELE KOMMENTAAR

MUNISIPALE BESTUURDER

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

DKD

No objections as long as the necessary town planning requirements are met.

DGD

No objections.

BEMD

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

DSD

Voorsien nie 'n probleem nie.

BSD

No objections provinding all legislative and policy prescripts are adhered to.

BSP

B5783

BBD

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

BBB

Die projek word ondersteun. Alle wetlike aspekte moet nagekom word. Daar moet seker gemaak word die blokke voldoen aan die nodige standaard en spesifikasies soos vereis veral in die geval van RDP huise. Dept Behuising se kommentaar en goedkeuring moet verkry word.

FINANSIËLE DEPARTEMENT

Aktenasoek op 21/10/2015 wys: "NO RESULT FOUND"

Dus bestaan die erf nog nie en gevolglik kon geen "notepads" op die stelsel vir die aansoek om vervreemding / huur van erf 5783, Bredasdorp voltooi word nie.

LAND DISPOSAL KOMITEE BESLUIT: LD 49/2016

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

BESTUURSAANBEVELING

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

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

AANBEVELING: KORPORATIEWE DIENSTE KOMITEE

Dat die Bestuursaanbeveling aanvaar word.

BESLUIT BK107/2016

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

6.3.4 **TRANSFER: MARIUS VAN STRAATEN / CAPE AGULHAS MUNICIPALITY : ERF 1748, NAPIER (PORTION OF ERF 398, NAPIER) (N398 - STRP) (WARD 1)**

PURPOSE OF REPORT

For Council to consider a concession in respect of the municipal charges billed to Mr M van Straaten in respect of erf 1748, a portion of erf 398, Napier (see Annexure A on page 105 for the locality).

BACKGROUND

On 5 August 2016 the Finance Division sent the following amounts to Messrs C & A Friedlander Attorneys:

Die volgende syfers is uitstaande:

<i>Belasting</i>	<i>39.10 (2015/16)</i>
<i>Elektrisiteit beskik</i>	<i>1548.26 (2015/16)</i>
<i>Vullis beskik</i>	<i>1063.55 (2015/16)</i>
<i>Water beskik</i>	<i>1332.04 (2015/16)</i>
<i>Belasting</i>	<i>32.70 (2016/17)</i>
<i>Elektrisiteit beskik</i>	<i>1619.04 (2016/17)</i>
<i>Vullis beskik</i>	<i>1112.16 (2016/17)</i>
<i>Water beskik</i>	<i>1395.36 (2016/17)</i>
<i>Waardasie skaat</i>	<i>100.00</i>
<i>Uitklaring skaat</i>	<i>100.00</i>
<i>Totaal</i>	<i>8342.21</i>

On 16 August 2016 the Town Planning Division received the following request:

"We refer to our letter dated 23 May 2016, (see below) wherein we requested the Council to consider a concession in respect of the municipal charges billed to our client, Mr M Van Straaten in respect of Erf 1748 a portion of Erf 398 Napier.

Our client is requesting a concession in respect of the Electricity, Refuse and Water availability charges levied by the Council for Erf 1748 which is a Road to be transferred to the Council. We attach a copy of our draft Power of Attorney to Pass Transfer, for your information (See Annexure on page 107).

Attached please find the figures issued by the rates dept for the following amounts:

- 1. R3,982.95 for the 2015/16 Rates year, which includes availability charges for Electricity, Refuse & Water amounting to R3,943.85;*
- 2. R4,159.26 for the 2016/17 Rates year, which includes availability charges for Electricity, Refuse & Water amounting to R4,126.56.*

Kindly consider granting our client a concession in respect of the Electricity, Refuse and Water availability charges in order for us to settle the rates amounts due and obtain a Rates Clearance Certificate."

On 19 August 2016 the Finance Section confirmed the following:

"Op die oomblik is die onderstaande bedrae uitstaande. Ek sien op die stelsel staan daar dat dit is 'n pad. Moet hierdie heffings gekanselleer word as foutiewe heffings."

L. A. : BREDA KAAP AGULHAS MUNISIPALITEIT						
Account No. : 200000763118 MNR MJ VAN STRAATEN						
Suburb : NAP Erf No.: 1748 Sub Division:						
Street : JUBILEUMSTRAAT						
	Service	M	Current	Arrears	Deferred	Vat Total
N	BELAS ALG	M	32.70	39.10		71.80
N	ELEK BESK	M	118.35	1366.70	198.13	1683.18
N	VULIS BESK	M	81.30	938.75	136.18	1156.23
N	WATER BESK	M	102.00	1175.80	170.52	1448.32
Total-Monthly :			334.35	3520.35	504.83	4359.53
Yearly :						
Unalloc :						
Grand :			334.35	3520.35	504.83	4359.53

TOWN PLANNING COMMENTS

Die Uitvoerende Burgemeesterskomitee het gedurende 'n vergadering gehou op Dinsdag, 30 Oktober 2012, as volg besluit:

- (i) Dat die Raad die volgende aansoek goedkeur:

Onderverdeling van erf 398, Napier in twee gedeeltes {Gedeelte A = ±592m² (Gedeelte Pad) en Gedeelte B = ±2255m²} en Restant = ±1134m².

The "Gedeelte Pad" – Portion A is now Erf 1748 Napier referred to by Messrs C&A Friedland Attorneys.

On 9 October 2014 the following Section 31 Certificate was issued:

SECTION 31(1) CERTIFICATE: ERF 1748 (A PORTION OF ERF 398) NAPIER

In terms of Section 31(1) of Ordinance 15 of 1985, clearance for the following land unit / erf is issued:

- Erf 1748 (a portion of erf 398)
- SG No. 1250/2014

MANAGEMENT RECOMMENDATION

- (i) That Council grant the full concession in respect of the municipal charges billed to mr Van Straaten in respect of erf 1748, a portion of erf 398 Napier, from date of registration of subdivision.
- (ii) That erf 1748 Napier be transferred to Council at mr Van Straaten's cost.
- (iii) That the Power of Attorney to Pass Transfer be signed by the Municipal Manager and mr Van Straaten.

RECOMMENDATION: CORPORATE SERVICES COMMITTEE

That management recommendation be accepted.

RESOLUTION BK108/2016

That the Corporate Services Committee recommendation be accepted as resolution of the Mayoral Committee.

6.3.5 **PROPOSED FISHERMAN'S COTTAGES: ERVEN 1400 AND 1401, STRUISBAAI (MTRP - S1400 AND 1404) (WARD 5)**

PURPOSE OF THE REPORT

Council to consider the Special Zone Site Development Plan proposed for Erven 1400 and 1401 Struisbaai.

The document consists of the following:

1. Location of the property attached as **Annexure A** on page 109.
2. Proposed Site Development Plan Layout attached as **Annexure B** on page 110.

BACKGROUND

The application consisted of the following:

Consideration of the Special Zone Site Development Plan proposed for erven 1400 and 1401, Struisbaai.

ADVERTISING

The application was advertised on the 30th of October 2015 in the Provincial Gazette as well as the local newspaper - closing date for comments was the 30th of November 2015. Registered mail was also sent to the surrounding property owners, Suidpunt Residents' Association, Cape Agulhas Business Chamber, The Department of Transport and Public Works and the Breede-Gouritz Catchment Management Agency.

Objections and general comments were received from:

- Western Cape Government: Road Network Management
- Environmental Management Section: Overberg District Municipality
- Aesthetic and Conservation Committee: Cape Agulhas Municipality
- Cape Nature
- Breede Gouritz Catchment Management Agency
- Suidpunt Environmental Alliance
- Ms. J Armitt
- W A Ekermans
- Mr and Mrs B L Woodcock

The table summarising the main points of objection and comments received against the Site Development Plan application for erven 1400 and 1401, Struisbaai is attached on page 111 to 114.

COMMENTS FROM DEPARTMENTS

DIRECTOR: CIVIL ENGINEERING SERVICES

"Geen beswaar teen aansoek."

STREETS AND STORMWATER

"In orde het met ontwikkelaar gepraat oor toegang vanaf hoofpad. DPI moet goedkeuring verleen."

WATER AND SEWERAGE

“Indien die ontwikkelaar die kothuise by die bestaande rioolnetwerk wil aansluit, sal hy verantwoordelik wees vir die koste hiervan. Die betrokke rioollyn, waarby aangesluit kan word, is geleë oorkant hoofweg. Alternatiewelik sal riooltenks voorsien moet word wat nie wenslik is nie. Water kan voorsien word uit 'n naby geleë waterlyn.”

SOLID WASTE AND PURIFICATION

“Huidiglik geen invloed op Reinigingsdienste.”

DEPUTY DIRECTOR: ELECTROMECHANICAL SERVICES

“Daar is huidig geen elektrisiteit op die perseel beskikbaar om al die huise te kan bedien nie. Alle elektriese infrastruktuur en voorsiening sal vir die koste van die ontwikkelaar wees. Die ontwikkelaar moet ook die installering van die infrastruktuur deur n kontrakteur laat doen.”

BUILDING CONTROL

“Die nuwe ontwikkeling moet esteties inpas by die bestaande. Daar moet gekyk word na toegang en parkering tot die area.”

DIRECTOR: COMMUNITY SERVICES

“No objection as long as Town Planning and building regulations are met.”

TRAFFIC

“Voorsien geen problem met voorstel nie toegang na area moet goed beplan word area is in draai wat dit gevaarlik maak.”

DIRECTOR: CORPORATE SERVICES

“No objection as long as Town Planning and building regulations are met.”

MANAGER: TOWN AND REGIONAL PLANNING

The applicable zoning scheme is the Cape Agulhas Municipality Integrated Zoning Scheme, which came into effect on 30 June 2014. The current zoning of Erven 1400 and 1401, Struisbaai are Special Zone.

Under Regulation 300(1) of the Zoning Scheme, CAM must select one of the following methods of development management for a Special Zone: (a) Special Zone Annexure method; (b) Special Zone Site Development Plan method; or (c) a combination of (a) and (b). Method (b) was proposed.

The development rules which would apply to the consolidated portion are set out in the proposed Special Zone Site Development Plan for erven 1400 and 1401 contemplated in Regulation 300(1)(b) of the Zoning Scheme. It makes provision for the site to be used for:

This is part of an initiative from SAHRA to utilize their existing land holdings better. The idea is to make the property sustainable in its contribution to the town and taking care of itself. The preservation and promotion of National resources are paramount. The improvements can create a special place; a entrance gateway to Struisbaai and assist the town both a physical and social way. There are opportunities for employment and the physical design strives to be such that it can instill more civic pride in the heritage of Struisbaai.

These properties in particular have the potential to contribute to the local area both in terms of work opportunities and income generation. The proposal is to upgrade eight of the existing cottages, combining and altering one to form a unified cluster with a restaurant/coffee shop ablutions and kitchen. Twelve new units mixing one two and three bedroom units in appropriate locations on the sites

This will allow for the creation of a small guest accommodation complex of a total of 20 cottages. Additional facilities such as a reception area, children's play area, tennis court with decks and stoeps.

The 12 new cottages are positioned in the clearings between the tree bands. Their layout follows the contours and least sloping areas. They are clustered together in pockets of three alike like units. They are to be built in a similar style with the benefit of technology more natural light is allowed to penetrate under the eaves by means of top lights and the wall surfaces are rationalized and united in thick solid wall panel Stone is also to be used for the plinths as per the old vernacular style of Cape village. Lime washed walls and thatch roofs as per the originals.

5.2 Accommodation types and numbers

Residential units:

3 x Single bedroom units, 62m² each = 186m²
6 X Double bedroom units, 86.5m² each = 519m²
3 x Three bedroom units, 98.5m² = 295.5m²

The most prominent Old cottage is unified by the addition of a Restaurant building. The existing double cottage is altered internally to accommodate the reception area, kitchen and ablutions with a smaller private dining area.

Restaurant:

Existing Cottage to be re-unified 41 + 50m² = 91 m²
Additional building = 65m²
Stoep and deck 96 + 47 113m² total

The Positioning of the new building and its relation to the other is such that spaces are defined around and between them by means of stoep and deck area with a herb & vegetable garden to serve the kitchen.

The deck is surveillance over the children's play area and view onto the proposed tennis court. Both the stoep and deck areas can be used for functions and entertainment.

5.3 Employment opportunities

Number of staff will include one person for reception and administration, kitchen staff x 5 and chef + 1.

Waitresses and waiters x 4

Maintenance and groundkeeper x 2 with gardening and upkeep staff x 4

There are employment benefits for 17 personnel and that excludes the construction phase

5.4 Facilities

Restaurant and function venue
Entertainment spaces and restrooms
Tennis court
Kids jungle gym and play areas
Accommodation options
Gardens

From a town planning point of view, the department is in favour of the application, reasons being:

- The property is well located in terms of tourist accessibility being between Struisbaai North and Struisbaai. It is within walking distance from the surrounding neighbourhoods.
- The site enjoys good views, making it especially attractive for tourists to visit.

- Additional job opportunities will be created as part of the facilities.
- An additional tourist attraction in Struisbaai will be developed and funds generated that could be utilised in the community.
- The centre will contribute to the upliftment of the community and help to alleviate the problem of unemployment.
- The erf is well located and is ideal for a tourism related centre in terms of accessibility.
- Development of the erven ensures a safer environment for the surrounding neighbourhood by filling in the partially vacant area.

Section 36(1) states that any application under Chapters II and III shall be refused solely on the basis of a lack of desirability of the contemplated utilisation of the land concerned (including the guideline proposals in a relevant structure plan, insofar it relates to desirability), or on the basis of its effect on existing rights (except any alleged right to protection against trade competition)."

Section 36(2) then goes further to determine that where an application is not refused in terms of 36(1), only the following aspects are seen as relevant particulars when assessing the application:

- (i) Safety and welfare of the community, preservation of the natural and developed environment, or the effect on existing rights (except protection against trade competition).
- (ii) From a town planning point of view, the department is in favour of the application, reasons being Economic and commercial opportunities are very limited in the area and a definite exists for the provision of such activities. However, if the proposed development is given approval with all the relevant departmental provisions taken into consideration, all future land uses must take place within the parameters and restrictions as determined by the zoning of the property in accordance with the Cape Agulhas Integrated Zoning Scheme. This will ensure that any future land uses will be done in a desirable manner for the subject property and immediate surrounding area.
- (iii) Considering the existing development, facilities are uniquely placed to fulfil the need to provide commercial opportunities.
- (iv) The subject property is located next to the Main Road, which is the main movement corridor of the settlement. Accessibility is excellent in terms of the site and is ideally located, provided that all laws and regulations be adhered to regarding traffic, mobility and access to the site.
- (v) Because of the minimum opportunities in the area of Struisbaai relating to job opportunities, the approval of the development will help with the upliftment of the immediate community and will have a positive impact with regards to social implications.
- (vi) Struisbaai, like all other small historic towns with a character, will not be effected negatively by the development. Carefull consideration has been taken to accomodate the proposed development, within the rules and regulations, regarding asthetics as to not influence the surroundings in a manner which will be degrading.

CONDITIONS FOR APPROVAL

City Planning

1. The property be revalued and accordingly taxed.
2. All land use restrictions in terms of the Cape Agulhas Intergrated Zoning Scheme be complied with.
3. The main use of the erf shall be used for Special Zone purposes.
4. The applicant / owner / developer note that the approval will lapse within two years of the date of this letter, if all the conditions are not met.

Building Division

5. Building plans of any alterations or any new buildings and structures be submitted to Council for consideration by the Aesthetic Committee and for consideration by the building committee before construction commences.

6. All advertising or tourism signs, to be according to the Council's specifications.
7. On-premises advertising signs or similar notice of any kind shall be made solely in accordance with the Council's policy.
8. Fire Report to be submitted with the Fire Plan of the Facility.
9. a Site Development Plan with regard to the provision of adequate on-site parking, to be submitted to Council.

General Services

10. The applicant / owner / developer at his own expense be responsible for all internal and external services that may result from this application.
11. The applicant / owner / developer to negotiate with the relevant adjoining owners, if any servitudes need to be registered.
12. Any existing servitudes from the title deeds to be maintained.
13. Amendment to Municipal infrastructure to be for the applicant / owner / developer's cost, including all connections and supervision costs.
14. All service standards relating to the development must meet the "Guidelines for the provision of Engineering Services and Amenities in Residential Township Development" and "the latest SABS 1200 Series Standardised Specifications".

Parking and Streets

15. Parking must be at least 5.0 x 2.5 meters in size and clearly defined and demarcated to the satisfaction of the Council.
16. All relevant approvals should be obtained from Department:Transport and Public Works before commencement of any development on the site.

Stormwater and Water

17. Stormwater onto the site and from the site to be handled by the applicant / owner / developer at his own expense.
18. Increasing of the water supply network to be for the applicant / owner / developer's account.

Cleansing and Purification

19. Refuse should be stored at a place to the satisfaction of the building committee and the Head Cleansing and Purification.
20. The applicant / owner / developer is responsible for the provision of refuse containers on site that is aesthetically acceptable to the Aesthetic Committee.

Other departments and institutions

21. Compliance with health requirements as determined from time to time by the Overberg District Municipality: Department of Environmental Health.
22. To comply with the conditions of the Breede Gouritz Catchment Management CMA, namely that:
 - a. *"All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to.*
 - b. *No pollution of surface water or ground water resources may occur due to any activity on the property.*
 - c. *No storm water runoff from any premises containing waste, or water containing waste emanating from industrial activities and premises may be discharged into a water resource. Polluted storm water must be contained.*
 - d. *All relevant sections and regulations of the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) regarding the disposal of solid waste must be adhered to. Solid waste may only be disposed off into an an authorized solid waste facility in terms of abovementioned legislation.*

- e. *The minimizing of waste must be promoted and alternative methods for waste management must be investigated.*
- f. *No permanent structures may be constructed within the 100-year flood line of any watercourse (seasonal or permanent river, stream, etc).*
- g. *No additional use of surface water and/or storage of water is permitted, unless the applicant has formally obtained a license in terms of Section 41 of the National Water Act (Act 36 of 1998) and/or formal authorization in terms of General Authorizations issued under Section 39 (Government Notice 399 dated 26 March 2004), and / or if it is authorized under Schedule 1 of the National Water Act, 1998 (Act 36 of 1998).*
- h. *It is the duty of the Applicant(s) to ensure that all servitudes of aqueduct, access and storage to give effect to the apportionment of water uses has been agreed upon prior amongst the property owners and formally registered with the Deeds office to give effect thereto upon approval of the application.*
- i. *No activities may take place within a buffer area as determined by the freshwater ecologist upstream and downstream of a watercourse and/or any wetland system without formal authorization thereto obtained from this Department.*
- j. *The water provided for domestic use must comply with the SANS 241: 2011 guidelines for drinking water. Regular monitoring must be done to ensure compliance. If the quality of the water is of such a nature that it is a threat to human health, then this Department and the Provincial Department of Health must be informed of the procedures to rectify the problem.*

Disposal of sewage (Conservancy Tank)

- k. *The disposal of sewage must at all times comply with the requirements of Sections 22 and 40 of the National Water Act 36, Act 36 of 1998.*
- l. *When a conservancy tank is used for the disposal of sewerage, this office must be furnished with a signed copy of the contract between the contractor or the municipality which is appointed to pump the conservancy tank and the municipality.*
- m. *The volume of sewage needs to be metered on a monthly basis and removal programme needs to ensure to be scheduled to ensure that the conservancy tank is pumped well within time before overflowing. Alternatively, floating devices should be installed within the tanks that initiate an alarm of 75% full capacity for collection and disposal.*
- n. *The tank must be provided with a fresh air inlet and an intercepting grease trap.*
- o. *The tank must have an airtight manhole cover to allow access to the tank for the removal and safe disposal of the tank contents.*
- p. *No industrial waste or refuse may be discharged into the conservancy tank except by written agreements with the relevant authorities.*
- q. *The size of the conservancy tank must be determined by both the frequency of removal of its contents to the local Wastewater Treatment Works and by the quantity of sewage anticipated from the above project. Written confirmation must be obtained from the local municipality stating that it will provide the service of removal of the tank contents.*
- r. *The contents of the tank must be removed by a vacuum and conveyed to a local Waste Water Treatment Works that is capable of processing the volume and contents of the conservancy tank.*
- s. *The contingency plan must be drawn up to protect against overflow of the conservancy tank. A sump or lined pond can be designed below the conservancy tank to contain overflows.*
- t. *Ingress of storm water into the conservancy tank must be prevented.*
- u. *The conservancy tanks must be located out of the 1:100 year flood line of any water resources.*

Post and Telecommunications

23. Compliance with the conditions for granting a Telkom 'wayleave'. Any electrical work at Telkom poles or overhead cables must meet the requirements of Section 88 of the Act, post offices, Act 44 of 1985 and meet the "Code of Practice for Overhead Lines in South Africa". The conditions for granting a Telkom "wayleave" to be met.
24. The owner / developer to negotiate with the Department of Posts and Telecommunications for the underground installation of a telephone network.

Nuisance

25. No noise may be permitted causing a nuisance to neighbours.
26. No activities resulting in a public nuisance may be exercised.

MANAGEMENT RECOMMENDATION

- (i) That Council approves the proposed development layout and all relevant documents.
- (ii) That an environmental assessment needs to be followed, should it be necessary.

RECOMMENDATION: CORPORATE SERVICES COMMITTEE

- (i) That management recommendation be accepted.
- (ii) That all existing milkwood trees be protected.

RESOLUTION BK109/2016

That the matter be referred to Council for consideration.

6.3.6 WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967): ERF 1017, MARINE WEG, STRUISBAAI (S1017 - BSSB) (WYK 5)

DOEL VAN VERSLAG

Opheffing van beperkende titelvoorwaardes van toepassing op erf 1017, Marine Weg, Struisbaai, ten einde die eienaar in staat te stel om aanbouings op die bestaande eiendom aan te bring. Die straatboulyn beperking sal oorskry word (liggingsplan aangeheg op bladsy 115).

ALGEMENE INLIGTING

Bestaande Sonering	:	Enkel Residensieël
Eienaar	:	Kaap Agulhas Munisipaliteit
Ligging	:	Marineweg 127
Oppervlakte van Erf	:	1476m ²

DIE EIENDOM

Die eiendom word ingevolge die Titellakte beskryf as "erf 1017 Struisbaai, geleë in die gebied van die Struisbaai Plaaslike Oorgangsraad. Afedling Bredasdorp, Provinsie Wes-Kaap; Groot; 1478 (Eenduisend Vierhonderd Ag en Sewentig) vierkante meter;"

AGTERGROND

Die aansoek het die volgende behels:

Opheffing van beperkende titelvoorwaardes van toepassing op erf 1017, Marine Rylaan 27, Struisbaai, ten einde die eienaar in staat te stel om aanbouings op die bestaande eiendom aan te bring. Die straat boulyn beperking sal oorskry word.

Die voorwaardes wat opgehef moet word:

D(iv)(d) no building or structure or any portion thereof except boundary walls and fences, shall be erected nearer than 7,86 metres to the street line which forms a boundary of this erf, nor within 3,15 metres of the rear or 1,57 metres of the lateral boundary common to any adjoining erf provided that with the consent of the Local Authority, an outbuilding not exceeding 3,05 metres in height, measured from the floor to the wall plate and no portion of which will be used for human habitation may be erected within the above prescribed rear space. On consolidation of any two or more erven this condition shall apply to the consolidated area as one erf.

Die terreinplan word aangeheg as Bylaag B op bladsy 116.

ADVERTERING

Die aansoek is op 22 April 2016 in die Provinsiale Koerant en in die plaaslike koerant geadverteer. Skrywes is aan die omliggende eienaars, interne departemente, GPF, Estetiese en Bewaringskomitee, Telkom, Suidpunt Environmental Alliance, Suidpunt Belastingbetalersvereniging, KAM Sakekamer en padnetwerkbestuur gestuur.

KOMMENTAAR

Padnetwerk bestuur

The Property has a 7.86m building line in its Title Deed, which the Applicant wants to remove in order to extend the existing dwelling within 5m of the road reserve boundary.

This branch has no objection to the application

Direkteur: Tegnieese Dienste

Die muur moet gewapende beton wees deur 'n ingenieur goedgekeur.

Finansies (N Viljoen)

Toepaslike nota's ingetik op Notepad op Samras-stelsel op 23/5/2016. Per Collab ontvang op 20/5/2016 in Belastingseksie

Elektromeganiese Dienste

Doesn't have any effect on the electrical infrastructure

Direkteur: Gemeenskapsdienste

No objection

Direkteur: Korporatiewe Dienste

Non objection

Boubeheer

Daar moet bepaal word of die voorstel binne die 100m HWM is, as dit is moet aansoek gedoen word by Omgewingsake vir permit/goedkeurings brief. Dan moet die 17.5m vanaf die middle van die pad beperking gehandhaaf word. Indien aan alles voldoen en die Stadsbeplannings prosesse word gevolg sal die aansoek ondersteun word.

Stads- en Streeksbeplanner

Artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967) maak voorsiening dat die Premier beperkende titelvoorwaardes kan ophef of wysig indien hy/sy tevrede is dat dit wenslik is en:

- in belang van die ontwikkeling of woonbuurt is;
- in belang van die gebied is; en
- in belang van die publiek is.

Vanuit 'n stadsbeplanningsoogpunt word die Opheffing van beperkende titelvoorwaardes en toepassing op Erf 1017, Struisbaai as wenslik beskou, en word die aansoek aanbeveel, weens die volgende redes:

Die voorgestelde aansoek sal geen invloed hê op belanghebbendes se bestaande regte nie. Aangesien daar geen aanbouings voorgestel word wat 'n impak of hoogte, of wat boulyne sal oorskrei nie, het dit geen invloed op enige omliggende eienaar se uitsig of privaatheid nie.

Die area wat voorgestel word vir aanwending as 'n addisionele wooneenheid, is 'n andersins onbenutte area.

GOEDKEURINGSVOORWAARDES

Stadsbeplanning Afdeling

- a) Die hoofgebruik van die erf vir Enkel Residensiele doeleindes sal wees
- b) Aan alle grondgebruikbeperkings in terme van die skemaregulasies voldoen word.

Boubeheer

- c) Bouplanne van alle bestaande strukture by die Raad ingedien word vir oorweging.
- d) Alle advertensie- of toerisme tekens sal volgens die Raad se spesifikasies wees
- e) Op-perseel advertensietekens of soortgelyke kennisgewing van enige aard sal slegs geskied in ooreenstemming met die Raad se beleid.
- f) n Terreinontwikkelingsplan met betrekking tot die voorsiening van voldoende op-perseel parkering, aan die Raad voorsien word.

Parkering en strate

- g) Slegs een enkel toegang vanaf die publieke straat is toelaatbaar. Alle wysigings en skade sal vir die ontwikkelaar se rekening wees.
- h) Toegang vanaf die publieke straat is betaalbaar deur die ontwikkelaar.
- i) Parkeerplekke moet minstens 5.0 x 2.5 meter groot wees en duidelik omlin en afgebaken word tot die bevrediging van die Raad.
- j) Parkering moet voorsien word op terrein en duidelik op grond uitgemerk word.

Algemene Dienste

- k) Die aansoeker op eie koste verantwoordelik sal wees vir alle interne- en eksterne dienste wat uit hierdie aansoek mag voortspruit.
- l) Alle dienstestandaarde met betrekking tot die ontwikkeling moet voldoen word aan die "Guidelines for the provision of Engineering Services and Amenities in Residential Township Development" and "the latest SABS 1200 Series Standardised Specifications".
- m) Alle dienste aan die Direkteur: Siviele Ingenieursdienste en Elektries- en Meganiese Dienste se spesifikasies voldoen word.
- n) Alle dienste (water, riool, elektrisiteit, stormwater, telekommunikasie) moet ondergronds wees, tot die bevrediging van die Raad.

- o) Die aansoeker met die betrokke aangrensende eienaars onderhandel, indien enige serwitute geregistreer moet word.
- p) Enige bestaande serwitute wat uit die titelaktes mag voortspruit gehandhaaf word
- q) Voldoen word aan die gesondheidsvereistes wat van tyd tot tyd deur die Raad neergelê mag word.
- r) Die eienaar verantwoordelik is vir die werklike kostes verbonde aan water- en rioolaansluitings, asook vullisverwydering.
- s) Enige skade wat veroorsaak word gedurende die aanbring van 'n elektriese aansluiting moet tot die Raad se tevredenheid herstel word.
- t) Die toepaslike infrastruktuurbydraes, wat jaarliks eskaleer, ooreenkomstig die tariefvasstelling aan die Raad betaalbaar is, waar van toepassing.

Elektries- en Meganiese Dienste

- u) Alle kostes van enige veranderings sal vir die eienaar se rekening wees.

Stormwater en Water Afdeling

- v) Storting van afvalwater moet in die naaste stormwater sisteem gesit word en sal moet voldoen tot die bevrediging van die Direkteur: Siviele Ingenieurdienste.

Oorlas Aktiwiteite

- w) Geen aktiwiteit wat 'n openbare oorlas tot gevolg kan hê uitgeoefen mag word nie.
- x) Geen geraas plaas vind wat 'n steurnis vir omliggende grondeienaars mag wees nie.

Ander Departemente en Instellings

- y) Voldoen word aan die voorwaardes vir die toekenning van 'n Telkom "wayleave". Enige elektriese werk aan Telkom pale of oorhoofse kables moet aan die vereistes van Artikel 88 van die Wet op Poskantore, Wet 44 van 1985 voldoen en die "Code of Practice for Overhead Lines in South Africa", waar van toepassing.
- z) Die ontwikkelaar is aanspreeklik vir koste van die eksterne opgradering van die elektriese infrastruktuur om elektrisiteit aan die ontwikkeling te voorsien, indien nodig
- aa) Voldoen word aan die gesondheidsvereistes wat van tyd tot tyd deur die Raad neergelê mag word.

BESTUURSAANBEVELING

- (i) Dat die Raad die volgende ondersteun:

Opheffing van beperkende titelvoorwaarde D9 (iv) (d) van toepassing op erf 1017, Struisbaai, ten einde die eienaar in staat te stel om die bestaande woonhuis te vergroot binne die vyf meter straatboulyn.

Onderhewig aan die voorwaardes soos uiteengesit onder stadsbeplanningskommentaar.

- (ii) Dat die aansoeker/eienaar op sy reg tot appél na die Raad gewys word ingevolge die Wet op Plaaslike Regering: Munisipale Stelsels, 2000(Wet 32 van 2000).

AANBEVELING: KORPORATIEWE DIENSTE KOMITEE

Dat die Bestuursaanbeveling aanvaar word.

BESLUIT BK110/2016

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

6.3.7 **VERVREEMDING (RESERVERING) VAN 'N GEDEELTE VAN ERF 857, STRUISBAAI (BSSB - 7/R) (WYK 5)**

DOEL VAN VERSLAG

Om oorweging te skenk aan die versoek van die Suid-Afrikaanse Polisie diens om 'n gedeelte van erf 857, Struisbaai (± 1.5 ha) te vervreem (liggingsplan aangeheg as bylaag A op bladsy 117).

ALGEMENE INLIGTING

Bestaande sonering : Onbepaald
Bestaande grondbesluit : Ou Jukskei-bane
Bestaande oppervlakte : 165.9 Ha
Voorgestelde grondbesluit : Polisie stasie

AGTERGROND

Op 22 Julie 2016 ontvang die Raad die volgende skrywe vanaf die Suid Afrikaanse Polisie diens:

APPLICATION FOR LAND FOR THE ESTABLISHMENT OF A NEW POLICE STATION: PORTION OF ERF 857 STRUISBAAI

The establishment of a new police station to serve Struisbaai has been included into the South African Police Service long term infrastructure development programme.

Further to a discussion held on 20 July 2016 with the Planning Manager of Cape Agulhas Municipality and officials at the Struisbaai Police Station, it was noted that Erf 857 Struisbaai was previously earmarked for a police station development due to it's ideal locality.

A formal application is hereby submitted for the donation of a portion of Erf 857 Struisbaai, measuring approximately 1, 5 hectares for the future establishment of a new police station development.

KOMMENTAAR: BESTUURDER STADS- EN STREEKSBEPLANNING

Deur die grond te skenk aan die Suid-Afrikaanse Polisie diens sal geen inkomste vir die Raad inbring nie, maar deur te onderhandel met Departement van Publieke Werke via SAPD vir die ruil van 'n gedeelte van Erf 857, Struisbaai (± 1.5 Ha) vir Erf 1253, Struisbaai (4.6Ha), kan die Raad in die toekoms wel finansies bekom met die vervreemding van Residensiële erwe.

FINANSIËLE IMPLIKASIES

Erfbelasting en diensterkening kan inkomste vir die Raad verseker.

WETLIKE IMPLIKASIES

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

Council policy	Alienation of land
MFMA	<ol style="list-style-type: none">Sect 14(2)(a): asset not required for minimum level of basic services.Sect 14(2)(b): consider fair market value and economic and community value to be received in exchange for the asset.Items in 1 and 2 only to be complied with if the asset to be transferred is a high value asset (see definition of MATR below).Sect 33: Contracts having long term financial implications.

MATR	<p>1. Definition of "high value asset": <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. Definition of "realisable value": fair market value <u>less</u> estimated costs of completion.</p> <p>3. Definition of "right to use, control or manage": when granting such rights do not amount to permanent transfer or disposal.</p> <p>4. Regulation 5 (decision-making).</p> <p>5. Regulation 6 (public participation)</p>
SCM Regulations SCM Policy	Regulation 40: (Disposal Management) Project for job creation, skills development, poverty alleviation and economic growth
Systems Act (public participation)	Section 21A: (1) All documents that must be made public by a municipality in terms of a requirement of this Act, the Municipal Finance Management Act or other applicable legislation, must be conveyed to the local community: (a) by displaying the documents at the municipality's head and satellite offices and libraries; (b) by displaying the documents on the municipality's official website, if the municipality has a website as envisaged by section 21 B; and (c) by notifying the local community, in accordance with section 21, of the place, including website address, where detailed particulars concerning the documents can be obtained.

BESTUURSAANBEVLING

Aangesien die eiendom nie ingevolge Art 14(2)(a) van die Plaaslike Regering: Munisipale Finansiële Bestuurswet vir die lewering van die minimum vlak van basiese dienste benodig word nie, die Raad inbeginsel-goedkeuring verleen vir die vervreemding van 'n gedeelte van Erf 857 Struisbaai vir die gebruik daarvan vir polisiestatie doeleindes, op voorwaarde dat:

1. Alle wetlike vereistes vir vervreemding, stadsbeplanning en boubeheer nagekom word.
2. Die aansoek na afhandeling van die stadsbeplanning en boubeheer prosesse weer na die Raad verwys word vir finale oorweging.
3. Oordrag sal plaasvind sodra alle wetlike prosesse afgehandel is.

AANBEVELING: KORPORATIEWE DIENSTE KOMITEE

- (i) Dat die Bestuursaanbeveling aanvaar word.
- (ii) Dat onderhandelings met Departement Openbare Werke in aanvang neem vir die ruiling van erf 1253, Struisbaai.

BESLUIT BK111/2016

Dat die aangeleentheid na die Raad verwys word vir oorweging.

7. ITEMS NA DIE UBK VERWYS VIR OORWEGING

7.1 VERSLAG VAN DIE DIREKTEUR: FINANSIËLE DIENSTE VIR AUGUSTUS 2016 REPORT FROM THE DIRECTOR: FINANCIAL SERVICES FOR AUGUSTUS 2016

Aangeheg op bladsy 118 tot 160. / *Attached on page 118 to 160.*

BESTUURSAANBEVELING / MANAGEMENT RECOMMENDATION

Dat die maandverslag van die Direkteur: Finansiële Dienste vir Augustus 2016 aanvaar word. / *That the monthly report of the Director: Financial Services for August 2016 be accepted.*

BESLUIT BK112/2016

Dat die Bestuursaanbeveling as besluit van die Burgemeesterskomitee aanvaar word.

7.2 **MONTHLY REPORT: SUPPLY CHAIN MANAGEMENT FOR THE MONTH ENDED ON 31 AUGUST 2016 (5/27 - DFS)**

PURPOSE OF REPORT

To report on:

1. Awards made to suppliers of goods and services in terms of the Supply Chain Management and Policy and Regulations.
2. Relevant reports under the Supply Chain Management - Regulations and Policies.

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 30 June 2015 states that several reports must be submitted to the Council, accounting Officer and the Chief Financial officer. In order to create a transparent image to all processes in the Supply Chain Management Division, a full report is submitted to the Council.

MANAGEMENT RECOMMENDATION

The following reports on page 161 to 213 are submitted for notification / approval:

1. Petty Cash Purchases (SCM Regulations 15 (d))
2. Final awards made for a value above R30 000 up to R10 million (SCM Regulations 5 (4))
3. Final awards made above R100 000 submitted to Provincial & National Treasuries
4. Written Quotations awarded without obtaining three quotations (SCM Regulations 16 (c)) & 17 (c)
5. Deviations from Minor Breaches of the Supply Chain Management Policy (SCM Regulations 36 (1) (a), (b) & (c))
 - 5.1 Under R30 000
 - 5.2 Above R30 000
 - 5.3 Above R200 000 (Regulations 36)
6. Written & Formal Written Quotations awarded (all awards) (SCM Regulations 5 (3), 5 (4) (a) & (b) & 18(1)(d), 17(2))
 - 7.1 Report on Awards made to persons in service of the state (SCM Regulations 44)
 - 7.2 Report on awards made to close family members of persons in service of the state (SCM Regulations 44)
8. Report on Projects on i-Tender in terms of the CIDB Regulation 18(1)
9. Report on Registrations on Suppliers Database

RESOLUTION BK113/2016

That the Management's recommendation be accepted as resolution of the Mayoral Committee.

7.3 **ANNUAL SUPPLY CHAIN MANAGEMENT IMPLEMENTATION AND OVERSIGHT REPORT FOR THE YEAR ENDED 30 JUNE 2016 (5/27 - DFS)**

PURPOSE OF REPORT

The accounting officer must, within 30 days of the end of the financial year, 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(2)(a)(i) of the Supply Chain Management Regulations on the implementation of the Supply Chain Management Policy for the year ending 30 June 2016, in order to strengthen Council's oversight role.

BACKGROUND

See page 214 to 231 for the Implementation and Oversight Report.

MANAGEMENT RECOMMENDATION

That Council take note of the Supply Chain Management Implementation and Oversight Report for the year ended 30 June 2016.

RESOLUTION BK114/2016

That the Management's recommendation be accepted as resolution of the Mayoral Committee.

12. **ONAFGEHANDELDE UBK BESLUITE**

Besluit Nr	Onderwerp	Verkorte Besluit	Vordering	Verantwoordelike persoon
BK195/2013	Oorname van Elim Stortingsterrein (16/5/R)	(i) Met ODM onderhandel word alvorens oordrag plaasvind. (ii) Na 2014/2015 begroting verwys word.	<i>Skrywe van ODM ontvang vir spoedige oordrag - Besig met oorname proses.</i>	DSID
BK11/2014	Pad na Suiderstrand (16/3/3/2)	(i) In gesprek getree word met relevante rolspelers vir oorweging van 'n moontlike memorandum van ooreenkoms. (ii) Na afhandeling van die memorandum van ooreenkoms daar by die Provinsiale Minister van Publieke Werke aansoek gedoen word vir eksterne befondsing om die pad te herstel.	<i>SANPARKE gaan 1,2km van die pad plavei binne 2016/17 finansiële jaar. Wyksraadslid het reeds versoek om befondsing aan die minister gerig. SANPARKE wil vergadering reël vir 4 Mei 2016.</i>	DSID

BESTUURSAANBEVELING

Dat die Komitee kennis neem van die onafgehandelde besluite.

BESLUIT BK115/2016

Dat die Bestuursaanbeveling as besluit van die Burgemeesterskomitee aanvaar word.

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

BEKRAGTIG op hierdie

dag van

2016

BURGEMEESTER

DATUM: