



KAAP AGULHAS MUNISIPALITEIT  
CAPE AGULHAS MUNICIPALITY  
U MASIPALA WASECAPE AGULHAS

**NOTULE VAN 'N BURGEMEESTERSKOMITEE VERGADERING GEHOU OM 09:00 OP  
DINSDAG 19 SEPTEMBER 2017 IN DIE MUNISIPALE RAADSAAL TE BREDASDORP**

**MINUTES OF A MAYORAL COMMITTEE MEETING HELD ON TUESDAY,  
19 SEPTEMBER 2017 AT 09:00 IN THE MUNICIPAL COUNCIL CHAMBERS, BREDASDORP**

**RAADSLEDE**

MNR	P J SWART	Uitvoerende Burgemeester
ME	Z TONISI	Uitvoerende Onder-Burgemeester
ME	M OCTOBER	Lid van die Uitvoerende Burgemeesterskomitee
MNR	C J JACOBS	
MNR	D JANTJIES	
ME	E C MARTHINUS	
MNR	J G A NIEUWOUDT	
ME	E L SAULS	

**AMPTENARE**

Mnr D O'Neill	Munisipale Bestuurder
Mnr H Van Biljon	Direkteur: Finans- en IT Dienste
Mnr K Mrali	Direkteur: Bestuursdienste
Mnr S Cooper	Bestuurder: Elektrotegniese Dienste
Mnr G M Moelich	Bestuurder: Administrasie
Me N Mhlati-Musewe	Divisional Head: HR Services & Organisational Development
Me T Stone	Afdelingshoof: Strategiese Dienste
Mnr B Swart	Interne Ouditeur

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1. **OPENING**

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

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

Raadslid G D Burger      Lid van die Uitvoerende Burgemeesterskomitee

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

Geen.

4. **NOTULES VAN VORIGE VERGADERINGS VOORGELê VIR BEKRAGTIGING**

4.1 **NOTULE VAN BURGEMEESTERSKOMITEE VERGADERING GEHOU OP:**

21 Augustus 2017

**BESLUIT BK149/2017**

Bogenoemde Notule word as korrek en volledig bekragtig.

5. **SAKE VOORTSPRUITEND UIT NOTULE**

Geen.

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

6.1 **BRIEWE VAN DANK**

Geen.

6.2 **FUNKSIES VIR DIE MAAND**

Raadslid Tonisi versoek Raadslede om betrokke te wees by môre se "Thusong Outreach" wat plaasvind by die Glaskasteel.

7. **VERSLAE**

**Bladsy: Agenda**

7.1 **VERSLAG VAN DIE INFRASTRUKTUURDIENSTE KOMITEE**

7.1.1 **Elektrotegniese Dienste / *Electro Technical Services***

Maandverslag: Augustus 2017

3 - 4

7.1.2 **Infrastruktuurdienste / *Infrastructure Services***

Maandverslag: Augustus 2017

4

7.2 **VERSLAG VAN DIE BESTUURSDIENSTE KOMITEE**

7.2.1 **Direkteur: Bestuursdienste / *Director: Management Services***

Maandverslag: Augustus 2017

4 - 5

7.2.2 **Kantoor van die Munisipale Bestuurder / *Office of the Municipal Manager***

Maandverslag: Augustus 2017

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7.2.3 **Oornag verblyf: Struisbaai Oord - 7 Oktober 2017 (Strand Rugby Klub)**

6

Bladsy: Agenda

7.3 **VERSLAG VAN DIE FINANS- EN IT DIENSTE KOMITEE**

7.3.1	Maandverslae: Augustus 2017	6 - 7
7.3.2	Ontbinding van Grondvervreemdingskomitee	7 - 8
7.3.3	Prosesplan vir Grondoudit	9 - 10
7.3.4	Vervreemding: Ged erf 809, Bredasdorp	10 - 12
7.3.5	Extension of lease: Portion 857, Struisbaai	12 - 15
7.3.6	Heroorweging: Erf 1257, Struisbaai	15 - 17
7.3.7	Voorstelle: Straatname - Area H, Bredasdorp	17 - 18

8. **AANVULLENDE ITEMS DEUR DIE RAAD HANTEER**

- 8.1 Establishment of Municipal Socio-Economic and Moral Regeneration  
Advisory Structures

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

Geen.

10. **OORWEGING VAN KENNISGEWING VAN MOSIES**

Geen.

11. **OORWEGING VAN KENNISGEWING VAN VRAE**

Geen.

12. **OORWEGING VAN DRINGENDE MOSIES**

Geen.

13. **VERSLAG DEUR MUNISIPALE BESTUURDER OOR DIE UITVOERING VAN UBK BESLUIE**

Lys van onafgehandelde besluite word aangeheg op **bladsy 19** van hierdie Agenda.

14. **IN-KOMITEE VERSLAE**

Die In-Komitee items word vertroulik hanteer.

15. **SLUITING**

Die vergadering verdaag om 09:35

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## 7. VERSLAE

### 7.1 INFRASTRUKTUURDIENSTE KOMITEE / INFRASTRUCTURE SERVICES COMMITTEE

#### 7.1.1 VERSLAG VAN DIE BESTUURDER: ELEKTROTEGNIESE DIENSTE VIR AUGUSTUS 2017 / REPORT FROM THE MANAGER: ELECTRO TECHNICAL SERVICES FOR AUGUST 2017

##### DOEL VAN VERSLAG

Oorweging van die maandverslag vanaf die Bestuurder: Elektrotegniese Dienste vir Augustus 2017.

##### AGTERGROND

Verslag word aangeheg op *bladsy 1 tot 10*.

##### BESTUURSAANBEVELING / MANAGEMENT RECOMMENDATION

Dat die maandverslag van die Bestuurder: Elektrotegniese Dienste vir Augustus 2017 aanvaar word.  
*That the monthly report from the Manager: Electro Technical Services for August 2017 be accepted.*

##### AANBEVELING: INFRASTRUKTUURDIENSTE KOMITEE / RECOMMENDATION: INFRASTRUCTURE SERVICES COMMITTEE

- (i) Dat die Bestuursaanbeveling aanvaar word. / *That Management's recommendation be accepted.*
- (ii) Die Komitee neem kennis van die onderhandelinge met Eskom insake die instandhouding op Klipdale, Protem en Waenhuiskrans.

##### BESLUIT BK150/2017

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

#### 7.1.2 VERSLAG VAN DIE AFDELING INFRASTRUKTUURDIENSTE VIR AUGUSTUS 2017 / REPORT FROM THE DIVISION INFRASTRUCTURE SERVICES FOR AUGUST 2017

##### DOEL VAN VERSLAG

Oorweging van die maandverslag van die afdeling Infrastruktuurdiens vir Augustus 2017.

##### AGTERGROND

Verslae word soos volg aangeheg:

Bladsy / Page

- |      |  |         |
|------|--|---------|
| (i)  | Infrastruktuurdiens / <i>Infrastructure Services</i> | 11 - 19 |
| (ii) | Boubeheer / <i>Building Control</i>                  | 20 - 24 |

##### BESTUURSAANBEVELING / MANAGEMENT RECOMMENDATION

Dat die maandverslag van die afdeling Infrastruktuurdiens vir Augustus 2017 aanvaar word.  
*That the monthly reports from the division Infrastructure Services for August 2017 be accepted.*

**AANBEVELING: INFRASTRUKTUURDIENSTE KOMITEE / RECOMMENDATION: INFRASTRUCTURE SERVICES COMMITTEE**

- (i) Dat die Bestuursaanbeveling aanvaar word. / *That Management's recommendation be accepted.*
- (ii) Die Komitee neem kennis van 'n ongeluk by die stortingsterrein wat plaasgevind het op 15 Augustus 2017 (een persoon is beseer).
- (iii) Dat ondersoek dringend gedoen word na die fasilitering van 'n strategiese waterbestuurs-werkswinkel.

**BESLUIT BK151/2017**

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

7.2 **BESTUURSDIENSTE KOMITEE / MANAGEMENT SERVICES COMMITTEE**

7.2.1 **VERSLAE VAN DIE DIREKTEUR: BESTUURSDIENSTE VIR AUGUSTUS 2017 / REPORTS FROM THE DIRECTOR: MANAGEMENT SERVICES FOR AUGUST 2017**

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**DOEL VAN VERSLAG**

Oorweging van die maandverslag vanaf die Direkteur: Bestuursdienste vir Augustus 2017.

**AGTERGROND**

Verslae word soos volg aangeheg:

**Bladsy / Page**

- |       |  |         |
|-------|--|---------|
| (i)   | Publieke Dienste / Public Services       | 25 - 32 |
| (ii)  | Behuising / Housing                      | 33 - 35 |
| (iii) | Biblioteekdienste / Library Services     | 36 - 41 |
| (iv)  | Beskermingsdienste / Protection Services | 42 - 49 |

**BESTUURSAANBEVELING / MANAGEMENT RECOMMENDATION**

Dat die maandverslag van die Direkteur: Bestuursdienste vir Augustus 2017 aanvaar word.  
*That the monthly report from the Director: Management Services for August 2017 be accepted.*

**AANBEVELING: BESTUURSDIENSTE KOMITEE / RECOMMENDATION: MANAGEMENT SERVICES COMMITTEE**

- (i) Dat die Bestuursaanbeveling aanvaar word. / *That Management's recommendation be accepted.*
- (ii) Dat dringend aandag gegee word aan die ontwikkeling en skoonmaak van piekniek areas in Struisbaai, L'Agulhas en Waenhuiskrans.
- (iii) Die Komitee neem kennis van 'n besering wat plaasgevind het op 11 September 2017 by die Bloekomlaan speelpark in Bredasdorp.

**BESLUIT BK152/2017**

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

7.2.2 **VERSLAE UIT DIE KANTOOR VAN DIE MUNISIPALE BESTUURDER VIR AUGUSTUS 2017  
REPORTS FROM THE OFFICE OF THE MUNICIPAL MANAGER FOR AUGUST 2017**

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**DOEL VAN VERSLAG**

Oorweging van die maandverslae uit die kantoor van die Munisipale Bestuurder vir Augustus 2017.

**AGTERGROND**

Verslae word soos volg aangeheg:

**Bladsy / Page**

- |  |                |
|--|----------------|
| (i) Menslike Ontwikkeling / <i>Human Development</i>           | <b>50 - 56</b> |
| (ii) Sosio Ekonomiese Dienste / <i>Socio Economic Services</i> | <b>57 - 65</b> |

**BESTUURSAANBEVELING / MANAGEMENT RECOMMENDATION**

Dat die maandverslae uit die kantoor van die Munisipale Bestuurder vir Augustus 2017 aanvaar word.  
*That the monthly reports from the office of the Municipal Manager for August 2017 be accepted.*

**AANBEVELING: BESTUURSDIENSTE KOMITEE / RECOMMENDATION: MANAGEMENT SERVICES COMMITTEE**

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

**BESLUIT BK153/2017**

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

7.2.3 **OORNAG VERBLYF TE STRUISBAAI OORD: 7 OKTOBER 2017 (STRAND RUGBY KLUB) (MB)**

**DOEL VAN VERSLAG**

Om oorweging te skenk aan die toestaan van korting op oornag verblyf aan Strand Rugby Klub op 7 Oktober 2017 te Struisbaai Karavaanpark.

**AGTERGROND**

'n E-pos is op 29 Augustus 2017 vanaf Strand Rugby Klub ontvang waarin hulle aansoek doen om gratis verblyf by Struisbaai Karavaanpark op 7 Oktober 2017.

Daar is 'n bespreking gemaak vir 11 x 6-bed chalets teen R760,00 per nag asook 'n breekskade deposito betaalbaar per chalet.

Volgens die goedgekeurde tariewe vir 2017/2018 begroting, word daar voorsiening gemaak vir 'n 25% korting. Die aansoek vanaf Strand Rugbyklub was vir gratis verblyf, maar die Burgemeester beveel 'n 50% korting aan, daarom word die item na die Raad verwys.

**FINANSIËLE IMPLIKASIES**

**Huurgelde:** 11 chalets x R760,00 per nag = R8 360,00  
**Breekskade deposito:** R450,00 per chalet x 11 chalet's = R4 950,00

**BESTUURSAANBEVELING**

- (i) Dat 50% afslag toegestaan word, of dat die geriewe gratis beskikbaar gestel word.
- (ii) Dat die bedrag van R380,00 per chalet betaalbaar sal wees.
- (iii) Die breekskade deposito is betaalbaar in kontant en sal in kontant terugbetaal word nadat inspeksie op elke chalet uitgevoer is.

**AANBEVELING: BESTUURSDIENSTE KOMITEE**

- (i) Dat 50% korting toegestaan word op die toepaslike huurgeld.
- (ii) Die volle breekskade deposito is betaalbaar in kontant en sal elektronies terugbetaal word nadat inspeksie op elke chalet uitgevoer is.

**BESLUIT BK154/2017**

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

7.3 **FINANS- EN IT DIENSTE KOMITEE / FINANCE- AND IT SERVICES COMMITTEE**

7.3.1 **MAANDVERSLAG: FINANSIES- EN IT DIENSTE / MONTHLY REPORT: FINANCE- AND IT SERVICES**

**DOEL VAN VERSLAG**

Oorweging van die maandverslag vanaf departement Finansies- en IT Dienste vir Augustus 2017.

**AGTERGROND**

Verslae word soos volg aangeheg:

(i)	<b>Kantoor van die Munisipale Bestuurder / Office of the MM</b>	<b><u>Bladsy / Page</u></b>
	• Strategiese Dienste / <i>Strategic Services</i>	66 - 72
	• Administrasie / <i>Administration</i>	73 - 76
	• Stadsbeplanning / <i>Town Planning</i>	77 - 81
	• Menslike Hulpbonne / <i>Human Resources</i>	82 - 97
(ii)	<b>Finansiële Dienste en Tesourie / Finance and Treasury</b>	<b><u>Bladsy / Page</u></b>
	• Supply Chain & Fleet Management	98 - 113
	• ICT	114 - 132

**BESTUURSAANBEVELING / MANAGEMENT RECOMMENDATION**

Dat die maandverslag vanaf departement Finansies- en IT Dienste vir Augustus 2017 aanvaar word.  
*That the monthly report from the department Finance- and IT Services for August 2017 be accepted.*

**AANBEVELING: FINANS- EN IT DIENSTE KOMITEE / RECOMMENDATION: FINANCE- AND IT SERVICES COMMITTEE**

- (i) Dat die Bestuursaanbeveling aanvaar word. / *That Management's recommendation be accepted.*
- (ii) Dat ondersoek ingestel word na 'n alternatiewe datum vir die oorweging van finansiële verslae wat aan die Raad voorgelê moet word.

**BESLUIT BK155/2017**

Dat die Finansies- en IT Dienste Komitee se aanbeveling as besluit van die Burgemeesterskomitee aanvaar word.

### 7.3.2 ONTBINDING VAN GRONDVERVREEMDINGSKOMITEE (MB: STRATEGIES)

#### DOEL VAN VERSLAG

Om kennis te neem van die afstelling van 'n Grondvervreemdingkomitee.

#### AGTERGROND

Die Raad van Kaap Agulhas Munisipaliteit het die Grondvervreemdingkomitee op 29 Junie 2011 ingestel (Raadsbesluit 135/2011) om die Munisipale Bestuurder by te staan met die alokering van versoeke vir grond en die toekenning van grond.

#### **Die komitee is ingestel met die doel om:**

In terme van Deel 22 van die Verkrygingsbestuursbeleid en Stelsels en die bepalings van die Munisipale Batebestuur Raamwerk, was 'n Grondvervreemdingkomitee saamgestel. Die Grondvervreemdingkomitee se lede en voorsitter word deur die Rekenpligtige Beampte aangewys.

Die Grondvervreemdingskomitee het die magtiging gehad om grondvervreemding of -verhuring deur die Munisipaliteit te evalueer en analiseer en mag enige lid van die bestuur versoek om vergaderings by te woon en advies of inligting te verskaf wat hul mag benodig om hul funksies uit te voer.

#### **Die komitee het:**

1. Die Munisipale Bate Bestuursplan hersien en advies verskaf.
2. Die kategorisering en manier van vervreemding of verhuring van alle munisipale eiendom oorweeg en aanbevelings in die verband maak.
3. Die aansoeke om vervreemding of verhuring van alle munisipale eiendom oorweeg.
4. Die kommentaar ontvang rondom die verhuring en vervreemding van munisipale eiendom oorweeg.
5. Die vervreemding of verhuringsmetode van alle munisipale eiendom, soos bevestig deur die Raad, bestuur.
6. Alle onderhandelinge rondom die ooreenkomste vir vervreemding of verhuring van munisipale eiendom hanteer.

#### **Die funksies van die Komitee was om:**

1. Aanbevelings te maak en oorweging te skenk aan die Munisipaliteit se Onroerende Bate Bestuursplan en strategie.
2. Aanbevelings te maak en oorweging te skenk aan aangeleenthede rondom die vervreemding of verhuring van munisipale eiendom.
3. Oorweging te skenk aan en aanbevelings te maak rondom die kategorieë van munisipale eiendom en die beste wyse om eiendom te vervreem of te verhuur.
4. Die munisipaliteit se prestasie rondom onroerende batebestuur te monitor en te rapporteer.
5. Die Grondvervreemdingbeleid se implementering te monitor en koördineer.
6. Ten minste jaarliks, die Grondvervreemdingbeleid te hersien teen die agtergrond van ander beleide en praktyke te oorweeg en aanbevelings oor aanpassings, waar nodig, te maak vir goedkeuring deur die Rekenpligtige Beampte en Raad.

#### **Die Munisipale Bestuurder, as Rekenpligtige Beampte, het aanvanklik die volgende persone op die Grondvervreemdingskomitee aangewys:**

H Schlebusch	:	Hoof Finansiële Beampte <b>(Reeds diens verlaat)</b>
N Swartbooi	:	Senior: Behuising Beampte
O January	:	Bestuurder: Kommunikasie
B Hayward	:	Stadsbeplanning
E Phillips	:	Bestuurder: Plaaslike Ekonomiese Ontwikkeling <b>(Reeds diens verlaat)</b>
J Diedericks	:	Korporatiewe dienste



A Voster : Admin (Reeds diens verlaat)  
P Valentine : Kantoor van die Bestuurder  
S Ngwevu : Direkteur: Korporatiewe Dienste (Reeds diens verlaat)

Mnr Ngwevu word aangewys as voorsitter van die Grondvervreemdingkomitee.

**Die rede vir die ontbinding van die komitee is soos volg:**

1. Die oorwegings van die komitee vertraag die prosesse om die grond toegeken te kry, sodat die voornemende huurder/koper besit kan neem.
2. Dit was moeilik om 'n kworum vir die betrokke komitee te kry.
3. Verskeie van die lede het reeds die raad se diens verlaat. (o.a. die voorsitter)

**Prosedures wat voortaan gevolg sal word:**

1. Aansoek word deur eiendomsadministrasie ontvang.
2. Alle inligting word deur eiendomsadministrasie ingewin. (Interne inligting, dienste beskikbaar, markwaardes, grond groottes, sonerings, ens)
3. 'n Volledige agendapunt word vir die Finansies- en IT Dienste portefeulje komitee van die raad voorberei.
4. Maak 'n aanbeveling vir die wyse van vervreemding, asook die advertering van die proses wat gevolg is, o.a. Voorneme om verhuring, verkoop per tender, ens..
5. Komitee kan die aangeleentheid oorweeg en na die Uitvoerende Burgemeesterskomitee verwys vir toekenning.
6. Eiendomsadministrasie gee uitvoering aan die besluit (kontraktering of korrespondensie terug na die aansoeker.)
7. Gaan deur alle wetlike prosesse wat gevolg moet word tov verhuring en vervreemding.

**BESTUURSAANBEVELING**

- (i) Dat die Raad kennis neem van die afstelling van die Grondvervreemdingkomitee.
- (ii) Dat die Raad se Verkrygingsbestuursbeleid en -stelsels en die bepalinge van die Munisipale Batebestuur Raamwerk, hersien word om "nie meer voorsiening te maak vir die Grondvervreemdingkomitee" nie .
- (iii) Dat die Munisipale Bestuurder die komiteelede van die ontbinding in kennis stel.
- (iv) Dat die raad kennis neem van prosedure hoe "grondvervreemdingaansoeke" voortaan handteer sal word.

**AANBEVELING: FINANS- EN IT DIENSTE KOMITEE / RECOMMENDATION: FINANCE- AND IT SERVICES COMMITTEE**

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

**BESLUIT BK156/2017**

Dat die Finansies- en IT Dienste Komitee se aanbeveling as besluit van die Burgemeesterskomitee aanvaar word.

7.3.3 **PROSESPLAN VIR GRONDOUDIT (MB: STRATEGIES)**

**DOEL VAN VERSLAG**

Om die raad in te lig en goedkeuring te kry vir die daarstelling van 'n prosesplan wat uitgevoer moet word om eiendomsadministrasie te verbeter.

**AGTERGROND**

Daar is reeds 'n Prosesplan vir 'n volledige Grondoudit op 22 Oktober 2012 aan die raad voorgelê, maar die raad het dit nie goedgekeur nie, a.g.v. die tekort aan mannekrag en befondsing.

In die SDBIP vir 2017/18 is 'n KPA gelys met die volgende beskrywing: (D190)

*“Strategic and Risk: Administration: Compile a process Plan for the completion of the land audit of the municipality and submit to council for approval by 30 September 2017.”*

Die raad ontvang deurlopende aansoeke van persone wat grond benodig om te huur, te koop of te ontwikkel. Grond word toegeken aan persone en dan word daar na die tyd agtergekom dat die betrokke erf (of gedeelte grond) nie geregistreer of reg gehersoneer is nie. Alle aansoek word tans re-aktief gedoen, met ander woorde die raad kan nie proaktief 'n spesifieke stuk grond beskikbaar stel vir verhuring of verkoop nie. (Dit sluit darem residensiele erwe uit). In sommige gevalle word die eienaarskap van grond ook betwis en bevrageteken. Die Provinsiale Department “Department of Rural Development and Land Reform” is ook besig om opnames in die Wes-Kaap te doen.

Binne die raad se Strategiese Afdeling, onder Administratiewe Ondersteuning: Eiendomsadministrasie is daar 1 persoon wat in die seksie werksaam is, daarom kan die grondoudit nie intern gedoen word nie. Infinity Environmental Consulting is tans besig met 'n “Vacant Municipal Land Study”.

**Die prosedureplan wat voorgestel word, lyk soos volg:**

Nr	AKSIE	VERANTWOORDELIKE PERSOON	ROLSPELERS	SPERDATUM
1.	Prosesplan deur die raad oorweeg	BAO	Komitees, UBK, Raad	30 September 2017
2.	Prysvasstelling vir Uitkontrakteuring: voorbereiding van 'n tenderdokument  Gaan uit op tender: Tender word goedgekeur	SCM, BAO	SCM, Strategiese dienste, Finansies	31 November 2017  31 Januarie 2018 28 Februarie 2017
3	Vasstelling van eienaarskap (raadsdokumente)	Finansies, Strategies en Diensverskaffer	Finansies, waardeerder/ Strategiese Dienste, Diensverskaffer  Sluit in: Bateregister, finansiëlestelsel, waardasierol	Julie 2018 –Aug 2018
4	Voorlegging / terugvoer aan die raad.	BAO	RAAD	September 2018
5	Samestelling van die raad se Eiendomsregister (bestaande uit: Erfnr, grootte, Ligging, hersonering, Munisipale waardasie, doel waarvoor aangewend, potensiele gebruik, aanbring op dorpskaarte)	Finansies, Strategies en Diensverskaffer	Finansies, Strategiese Dienste, alle departemente, Diensverskaffer	September 2018 – Oktober 2018
6	Vasstelling van eienaarskap : aktekantoor (geregistreerde eienaar)	Diensverskaffer	Diensverskaffer en AKTEKANTOOR	November 2018
7	Voorlegging / terugvoer aan Raad	BAO	RAAD	Desember 2018
8	Samestelling van die eiendomsregister	Finansies, Strategies en Diensverskaffer	Finansies, Strategies en Diensverskaffer	Januarie 2019 – Februarie 2019
9	Voltooiing van die prosesplan: grondoudit	Finansies, Strategies en Diensverskaffer	Finansies, Strategies en Diensverskaffer	Maart 2019
10	Identifiseer van grond deur 3de partye besit vir moontlik oordrag na KAM, nl ODM, Afdelingsrade, Staatsdepartemente, Provinsiale Regerings ens.	Finansies, Strategies en Diensverskaffer	Raad, ODM, Provinsie, Strategies, en alle interne departemente	April 2019

Nr	AKSIE	VERANTWOORDELIKE PERSOON	ROLSPELERS	SPERDATUM
11	Identifiseer van grond wat nie meer deur die raad benodig word nie (en moontlik vervreemd kan word)	Finansies, Strategies en Diensverskaffer	Raad, Strategies, en alle interne departemente	April 2019
12	Werkswinkels/ gemeenskapskakeling om grond tot volle potensiaal aan te wend.	Finansies, Strategies en Diensverskaffer (Saam met Imbizo's)	RAAD	Mei 2019
13.	Inwerkingstelling van die volledige Eiendomsplan	Finansies, Strategies en Diensverskaffer	RAAD	1 Julie 2019.

### **FINANSIËLE IMPLIKASIE**

Daar is nie in die 2017/18 begroting enige voorsiening gemaak vir die projek nie. In 2012 het die volledige projek bykans R500 000,00 beloop.

Beraamde koste - 2018/2019: R750 000,00

### **BESTUURSAANBEVELING**

- (i) Dat die Raad die Grondoudit prosesplan oorweeg.
- (ii) Dat daar in die 2018/2019 begroting voorsiening gemaak word om sodanige plan te finaliseer en in werking te stel.

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

- (i) Dat die Komitee die Bestuursaanbeveling ondersteun.
- (ii) Dat ondersoek gedoen word vir finansiële ondersteuning van buite organisasies.

### **BESLUIT BK157/2017**

Dat die Finansies- en IT Dienste Komitee se aanbeveling as besluit van die Burgemeesterskomitee aanvaar word.

## 7.3.4 **AANSOEK OM VERVREEMDING (HUUR) GEDEELTE ERF 809, BREDASDORP (COLLAB: 174680)**

### **DOEL VAN VERSLAG**

Om oorweging te skenk aan die versoek van mnr M Ken ten einde 'n gedeelte erf 809, Bredasdorp te huur ten einde vir 'n karwas besigheid aan te wend (liggingsplan aangeheg op **bladsy 133**).

### **ALGEMENE INLIGTING**

Eienaar : KAM  
 Eiendom : Erf 809, Bredasdorp  
 Ligging : Kerkstraat, Bredasdorp  
 Huidige sonering : Parkering  
 Erf grootte : 1133m<sup>2</sup>  
 Voorgestelde grootte : 25m<sup>2</sup>

### **AGTERGROND**

Die Raad het op 25 April 2017 (besluit 77/2017) goedkeuring aan mnr Ken gegee vir die huur van gedeelte erf 270, Bredasdorp vir 'n termyn van 9 jaar en 11 maande met die opsie om die huur vir 'n verdere tydperk te verleng.

Mnr Ken het egter die huurooreenkoms van die hand gewys en 'n skriftelike versoek soos aangeheg op **bladsy 134 tot 142** is van mnr Ken ontvang om 'n gedeelte erf 809, Bredasdorp by die Raad te huur ten einde vir 'n karwas besigheid aan te wend.

**MARKWAARDASIE**

R900,00 per maand.

**FINANSIËLE IMPLIKASIE**

Huurinkomste vir die Raad.

**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>
MATR	<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) R50 million;</li> <li>b) One percent of the total value of the capital assets of the municipality....</li> <li>c) An amount determined by resolution of the council of the municipality ..... which is less than (a) or (b).</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>
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)	<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>
Town Planning legislation	All surrounding property owners be informed of the temporary use of the site.

**DEPARTEMENTELE KOMMENTAAR**

**MUNISPALE BESTUURDER**

Volg korrekte prosedure.

**DGD**

No objections.

**EMD**

Electrical connection for tenants account.

**DFD**

None

**BSD**

The proposed area is one of the sites identified for a future market. If the application is approved, it should be limited to a short term contract that can be terminated should the Municipality wish to use the land for alternate purposes.

**BAD**

Ek kan so ooreenkoms ondersteun. Daar moet net spesifieke bepalings wees tov, watergebruik, elektrisiteitsgebruik, asook die wegdoening van "motor-olie" wat in die wasproses verwyder word. 'n Verdere versoek wat hieruit mag voortspruit, is die oprigting van afdakke.

**BW&R**

'n Aparte watermeter moet vir die motorwassery voorsien word.

**BS&S**

Voorsien geen wesentliche probleem.

**BESTUURSAANBEVELING**

Aangesien die eiendom, ingevolge Art 14(2)(a) van die Plaaslike Regering: Munisipale Finansiële Bestuurswet nie vir die lewering van die minimum vlak van basiese dienste benodig word nie, in-beginsel-goedkeuring verleen word vir die verhuring van gedeelte erf 809, Bredasdorp vir 'n termyn van 3 jaar met die opsie om die huur 'n verdere tydperk te verleng vir 'n karwas besigheid, op voorwaarde dat -

- (i) Alle wetlike vereistes vir die verhuring nagekom word.
- (ii) Die ooreenkoms onmiddelik gekanselleer word indien daar 'n verbreking van enige bepaling daarvan is.
- (iii) 'n Bedrag van R900,00 per maand betaalbaar sal wees met 'n eskalاسie van 8% per jaar.

**AANBEVELING: FINANS- EN IT DIENSTE KOMITEE / RECOMMENDATION: FINANCE- AND IT SERVICES COMMITTEE**

- (i) Dat die Bestuursaanbeveling aanvaar word.
- (ii) Dat die bedrag van R300,00 per maand voorgestel word, met 'n eskalاسie van 8% per jaar.

**BESLUIT BK158/2017**

Dat die Finansies- en IT Dienste Komitee se aanbeveling as besluit van die Burgemeesterskomitee aanvaar word.

7.3.5 **APPLICATION FOR THE EXTENSION OF CURRENT LEASE CONTRACT FOR THE PORTION OF ERF 857, STRUISBAAI (WATER AND ACTIVITY FUN PARK)**

**PURPOSE OF REPORT**

To consider the request of mr G Eyles to extend the current lease agreement for erf 857, Struisbaai.

**GENERAL INFORMATION**

Owner : KAM  
Location : Portion of Erf 857, Struisbaai  
Current Zoning : Undetermined

## BACKGROUND

The request of the Lessee is as follows:

*"Thru this email we would like to officially apply for the extension of our current lease contract for the portion of Erf 857 used for the Struisbaai Water and Activity Fun Park as per stipulated in point 3 of the attached contract. Our current lease contract of 3 years comes to end on the 30 September 2019 and we request to amend this to a 9 Year and 11 Month term contract.*

*Thru the past 8 months of actual operation of the park we have come to the decision that this business warrants a further investment in the region of around R500k for the setup of a Super Tube water slide and more features over and above the already invested R1m. The current size / area of the park is of sufficient size to allow the building of a Super Tube and in such we will not require more space for this. However in order to further invest we require to have more long term security to allow for our growth and development.*

*Although still in its teething phase the business has grown substantially and so too have the possibilities increased substantially to make the park truly viable and an integrated benefit to Struisbaai and surrounding areas. To date we have received a substantially amount of very positive comments from both local residents and visitors to the area, thanking us for our efforts in giving children something else to do and in such giving reason to continue visiting the area.*

*It remains our wish that as the business grows to further intensify our efforts in setting up a training program for our children whereby they can learn the basic skills associated with the hospitality and tourism industry. These basic skills are not limited to but are largely associated with the interaction with guests enhancing their confidence and respect for others, skills that will be greatly beneficially in their advancement thru life thru their interaction with people.*

*Although not our intention to have a full blown restaurant we have found the demand is there to offer more of the basics in terms of food. With our more than 30 years experience in catering we plan to skilfully offer more items with the least amount formality associated with a restaurant. We have already started to increase what we offer in building our own pizza oven and plan to further add items that can either be prepared in the pizza oven or do not require any form of cooking. This area will also open the doors for further training possibility as well as job creation that will assist in empowering our youth of today.*

*We have planted more than 15 trees and have over 250 cuttings that we are now nurturing with the intention of creating a substantial perimeter hedge around the park and within. These hedges / plants will assist substantially in the overall wind protection and aesthetic appeal of the park and main road entrance to Struisbaai. Our main concentration and selection of plants that we have focused on are of a hardy type that can withstand the elements of the region that will not require vast amounts of watering and further nourishments in such making them ideal. Examples planted are Hibiscus, Hydrangeas, Bougainville, Geranium, Roses and many more, plants that offer a variety of colour and with the ability to increase the aesthetic appeal.*

*Should it be possible in about 3 years then we would like to increase our operations further as initially indicated in our proposals. Our current plan includes utilizing the area directly behind the park developing the current storm water drain area into a bird sanctuary and open tranquillity area where we would like place emphasis on a plant nursery with a tea / coffee shop. The emphasises of this development would be to maintain the current green belt open space of this area by establishing bird hides and gardens in a tranquil hidden oasis atmosphere. In doing this we aim to prevent negative interference to the current residentially properties bordering this area by rather enhancing the tranquillity in creating a buffer zone between existing residential and future development.*

*We trust that this request for an extension meets with your approval and in such will be granted at your earliest convenience. Should there be any further questions please advise so we may positively address any and all concerns to the positive benefit of all."*

**FINANCIAL IMPLICATIONS**

Rental income for the Council.

**LEGAL IMPLICATIONS**

Council policy	Alienation of land
<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 (public participation)</b>	<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>	All surrounding property owners be informed of the temporary use of the site.

**DEPARTMENTAL COMMENTS**

**MUNICIPAL MANAGER**

There are two things here that we need to take into account when commenting. The legal opinion on Vishuis regarding the use of public property for commercial purposes, and confirmed by the NT, which constitutes a PPP, as well as the application for the purchase of the land for the development of a mini mall and parking area.

**TOWN PLANNING**

Ek ondersteun glad nie die verlenging nie. Die ontwikkeling is glad nie op 'n standaard wat mens by die ingang van die dorp wil sien nie. Dit doen estetie afbreek aan die waarde van die omgewing.

**BAO**

Die verlenging word nie ondersteun nie. Daar moet eers in globaal na die hele stuk grond gekyk en 'n ontwikkelingsplan opgestel word en daarna kan die Raad weer besin oor die hele terrein.

**MANAGEMENT RECOMMENDATION**

- (i) That a site development plan (SDP) for the whole site be drawn up and submitted to Council for approval.
- (ii) That Council only considers any applications for the renting of sale of land after the SDP has been approved.

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

That Management's recommendation be accepted.

**RESOLUTION BK159/2017**

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

7.3.6 **HEROORWEGING: AANSOEK OM MUNISIPALE GROND VIR GEMEENSKAPSONTWIKKELING - ERF 1257, STRUISBAAI (SUIDPUNT VIS EN VARSPRODUKTE CO-OP) (R THOMPSON) (DKD/LDC)**

**DOEL VAN VERSLAG**

Om die versoek van mnr R Thompson, voorsitter van die Suidpunt Vis & Vars Produkte Co-op Struisbaai te heroorweeg, om 'n gedeelte van erf 1257, Struisbaai te huur ten einde vir die vestiging van 'n gemeenskapsontwikkelingsprojek (mushrooms). Liggingsplan aangeheg op **bladsy 143**.

**ALGEMENE INLIGTING**

Bestaande sonering	:	Onbepaald
Bestaande grondbesluit	:	Vakant
Bestaande oppervlakte	:	25.7 ha
Voorgestelde grondbesluit	:	Gemeenskapsontwikkelingsprojek
Voorgestelde oppervlakte	:	4 ha

**MARKWAARDASIE**

R750,00 per maand.

**AGTERGROND**

'n Skriftelike versoek, soos aangeheg op **bladsy 144** is van mnr Thompson ontvang om 'n gedeelte van erf 1257, Struisbaai by die Raad te huur ten einde vir 'n gemeenskapsontwikkelingsprojek (mushrooms) aan te wend.

**Die Raad het op 31 Maart 2015 die volgende besluit geneem:**

- (i) *Dat die gedeelte (±4Ha) soos versoek deur mnr Thompson nie gunstig oorweeg word nie, maar dat 'n gedeelte aangrensend aan die bestaande Industriële gebied (maksimum ±5000m<sup>2</sup>) in Struisbaai gebruik word vir die voorgestelde gemeenskapsontwikkelingsprojek.*
- (ii) *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, die Raad in-beginsel-goedkeuring verleen vir die verhuring van 'n gedeelte van Erf 1256, Struisbaai aan mnr Thomson vir 'n termyn van 9 jaar en 11 maande met die opsie om die huur vir 'n verdere tydperk te verleng, vir die bedryf van 'n gemeenskaps-ontwikkelingsprojek (groentemark) op voorwaarde dat:*



1. *Alle wetlike vereistes vir langtermyn verhuur nagekom word.*
2. *Die aansoek na afhandeling van die wetlike proses na die Raad verwys word vir finale oorweging.*
3. *Alle stadsbeplanningsaansoeke en omgewingsprosesse sal vir die aansoeker se rekening wees (dus moet die grond deel vorm van die voorgestelde uitleg).*
4. *Die gemeenskapswaarde van die projek en die feit dat die aansoeker volle verantwoordelikheid vir die opgradering van die grond vat en instandhouding van die toekomstige geboue en strukture aanvaar vir die volle termyn van die huurooreenkoms in ag geneem word met die bepaling van die markverwante huur met 'n eskalاسie van 10% per jaar.*
5. *Die geboue en strukture onmiddellik na die Raad terugval en die ooreenkoms gekanselleer word indien die projek in verwaarloosing verval of die geboue nie langer vir gemeenskapsdoeleindes soos gespesifiseer in die aansoek, aangewend word nie.*
6. *Alle strukturele werk en opgraderings wat aan die eindom gedoen word, moet voldoen aan die wetlike vereistes en moet met die toestemming van die Boubeheerafdeling opgerig word.*
7. *'n Moniteringskomitee bestaande uit die volgende rolspelers saamgestel word vir jaarlikse monitoring van die impak van hierdie projek op ekonomiese groei in die algemeen en die verbetering van lewensomstandighede van die Struisbaai gemeenskap: Die Hoof Uitvoerende Beampte Kaap Agulhas Toerisme, die Bestuurder: PEO, die Bestuurder: Publieke Dienste en die aansoeker.*
8. *Geen vergoeding aan die aansoeker betaalbaar sal wees vir enige verbeteringe aan die eiendom aangebring tydens die verhuurtydperk nie.*
9. *Die huurtermyn sal 9 jaar en 11 maande wees, met die opsie om te verleng.*
10. *Die beskikbaarstelling van 'n volledige sakeplan asook 'n verslag vanaf die betrokke staatsdepartement wat die projek ondersteun.*

'n Advertensie met die Raad se voorneme is in die plaaslike pers geplaas op 1 Mei 2015.

**Die volgende besluit (LD 13/2017) is op 3 Februarie 2017 tydens die "LDC" geneem:**

*"Dat goedkeuring verleen word vir 'n gedeelte grond aangrensend aan die bestaande Industriële gebied in Struisbaai (erf 1256)."*

**BESTUURSAANBEVELING: RAADSVERGADERING: 25 APRIL 2017**

*"Aangesien die eiendom, ingevolge Art 14(2)(a) van die Plaaslike Regering: Munisipale Finansiële Bestuurswet, nie vir die lewering van die minimum vlak van basiese dienste benodig word nie, die Raad in-beginsel-goedkeuring verleen vir die verhuur van 'n gedeelte van Erf 1257, Struisbaai aan mnr Thompson vir 'n termyn van 9 jaar en 11 maande met die opsie om die huur vir 'n verdere tydperk te verleng, vir die bedryf van 'n gemeenskapsontwikkelingsprojek (groentemark), op voorwaarde dat:*

- (i) *Alle wetlike vereistes vir langtermyn verhuur nagekom word.*
- (ii) *Die gemeenskapswaarde van die projek en die feit dat die aansoeker volle verantwoordelikheid vir die opgradering van die grond moet aanvaar vir die volle termyn van die huurooreenkoms, word die huur bepaal op R750,00 per maand vooruitbetaalbaar met 'n eskalاسie van 10% per jaar."*

**AANBEVELING - KORPORATIEWE DIENSTE KOMITEE: 25 APRIL 2017**

*"Die Komitee ondersteun die Bestuursaanbeveling en dat die aangeleentheid na die Raad verwys word vir oorweging."*

**RAADSBESLUIT 80/2017: 25 APRIL 2017**

*"Dat die aangeleentheid terugverwys word vir verdere ondersoek en gesprekvoering."*

Na aanleiding van die Land Disposal Komitee se besluit (LD 41/2017), word die volgende aanbeveel:

**BESTUURSAANBEVELING**

- (i) Dat die gedeelte ( $\pm 4$ Ha) van erf 1257, Struisbaai soos versoek deur mnr Thompson nie gunstig oorweeg kan word nie as gevolg van SAHRA se bekommernis oor moontlike steuringe by Hotagterklip.
- (ii) Dat 'n gedeelte aangrensend aan die bestaande industriële gebied (maksimum  $\pm 5\,000\text{m}^2$ ), Struisbaai (erf 1256) gebruik word vir die voorgestelde gemeenskapsontwikkelingsprojek.

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

- (i) Dat die Bestuursaanbeveling aanvaar word.
- (ii) Dat dringende gesprekvoering met die aansoekers en Departement van Landbou sal plaasvind oor die plasing van die projek.

**BESLUIT BK160/2017**

Dat die Finansies- en IT Dienste Komitee se aanbeveling as besluit van die Burgemeesterskomitee aanvaar word.

7.3.7 **VOORSTELLE VIR DIE BENOEMING VAN STRAATNAME EN WOONBUURTNAAM VIR AREA H TE BREDASDORP (15/5/R- BSSB) (WYK 2)**

**DOEL VAN VERSLAG**

Die benoeming van die nuwe woonarea en straatname in Bredasdorp (Area H - Fases 1 en 2) .

**AGTERGROND**

'n Kennisgewing/Uitnodiging is in die Suidernuus geplaas vir persone om voorstelle in te dien vir die benoeming van die nuwe behuisingsarea sowel as voorstelle vir straatname.

'n Totaal van 6 strate moet benoem word in Fases 1 en 2 van Area H.

**Die sluitingsdatum was 7 Augustus 2017 en voorstelle is as volg ontvang:**

<b>VOORSTELLE ONTVANG VIR AREA H BREDASDORP</b>		
<b>VOORSTELLER</b>	<b>VOORSTEL VIR AREA</b>	<b>VOORSTEL VIR STRAATNAAM</b>
J C Mageni		J C Magenistraat
S September	Thusong Park Thusong Parkville	<ul style="list-style-type: none"><li>• Johannesstraat</li><li>• Slammatstraat</li><li>• Dyersstraat</li><li>• Septemberstraat</li><li>• Visagiestraat</li><li>• Siljeurstraat</li><li>• Juluisstraat</li><li>• Orangestraat</li><li>• Stallsstraat</li><li>• James Summersstraat</li></ul>

VOORSTELLER	VOORSTEL VIR AREA	VOORSTEL VIR STRAATNAAM
P D Olivier		Pat Olivierstraat
Sollie Adams	Valley Park Julius Park	<ul style="list-style-type: none"> <li>• De Jagerstraat</li> <li>• Oostendorpstraat</li> <li>• Paperstraat</li> <li>• Dyersstraat</li> <li>• Mentoorastraat</li> <li>• Davidsstraat</li> </ul>
Wilfred Julius		Juliusstraat

### **BESTUURSAANBEVELING**

- (i) Dat die Raad 6 straatname kies van die volgende lys:
- J C Magenstraat
  - De Jagerstraat
  - Oostendorpstraat
  - Paperstraat
  - Dyersstraat
  - Mentoorastraat
  - Davidsstraat
  - Johannesstraat
  - Slammatstraat
  - Dyersstraat
  - Septemberstraat
  - Visagiestraat
  - Siljeurstraat
  - Juluisstraat
  - Orangestraat
  - Stallsstraat
  - James Summersstraat
  - Pat Olivierstraat
  - Juliusstraat
- (ii) Dat die Raad 'n woonbuurtname kies van die volgende voorstelle:
- Thusong Park
  - Thusong Parkville
  - Valley Park
  - Julius Park
- (iii) Dat die wykskomitee dienooreenkomstig ingelig word.
- (iv) Dat die algemene planne en GIS stelsel opgegradeer word.
- (v) Dat die kontrakteurs voortgaan met die oprigting van die straatnaamborde.

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

- (i) Dat die Bestuursaanbeveling nie aanvaar word nie.
- (ii) Dat die aangeleentheid na die Wykskomitee verwys word wat die name sal oorweeg en met motivering aan die Raad sal voorlê vir aanvaarding.

### **BESLUIT BK161/2017**

- (i) Dat die Finansies- en IT Dienste Komitee se aanbeveling oorsaak.
- (ii) Dat 'n dringende vergadering met inwoners van die area gehou word om straatname te identifiseer en daarna na die Raad verwys vir oorweging.

8. **AANVULLENDE ITEMS DEUR DIE RAAD HANTEER**

8.1 **ESTABLISHMENT OF MUNICIPAL SOCIO-ECONOMIC AND MORAL REGENERATION ADVISORY STRUCTURES**

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

**PURPOSE OF REPORT**

To solicit Council's support and a resolution on the establishment of an integrated Socio Economic Municipal Advisory Forum, which will be supported by Social, Economic and Moral Regeneration Advisory Boards, as well as the implementation of the Moral Regeneration Agenda as a civil society driven partnership led by the Cape Agulhas Religious Sector, who we assume are the custodians of morality and spirituality within the communities of Cape Agulhas Municipality.

**BACKGROUND**

**1. National Context**

In 1997 former President Nelson Mandela identified that our nation and its new democratic dispensation were under threat due to the rising levels of moral decay within our families, communities and government. He then suggested and called for the coming together of both religious and political leaders to develop a national programme and campaign for moral regeneration in our country.

A number of national consultative meetings and workshops were held culminating in the national launch of the Moral Regeneration Movement (MRM) at Waterkloof Air Force Base in 2002. Since then structures for Moral Regeneration were established in all Provinces and a programme of action was rolled out.

However, 15 years later, it became clear that the programme has not received the necessary attention and the levels of immorality and corruption were escalating. In all provinces the programme and its structures was collapsing. As a result, the national leadership of Moral Regeneration Movement embarked on a review, which recommended the restructuring and revitalisation of the Moral Regeneration Movement in all provinces, districts, local municipalities and communities.

**Definition and Understanding of Morality and Moral Decay:**

- The Moral Regeneration Movement (MRM) espouses values that act as a spiritual glue in society, irrespective of our traditions, ideologies or political party. Professor David Kelly's definition captures this so aptly:

*"Morals are beliefs people have about right and wrong; good and bad; their aspirations for their lives; the virtues they practice and vices they denounce; the responsibilities and obligations they accept; the things they feel entitled to; the standards that govern their sense of fair play; the ideals that shape their sense of what is worthy"*

- In 1997 Nelson Mandela warned us against unethical behaviour which negated the fundamental objective of the national democratic revolution. He singled out:

*"Corruption, criminality, tax evasion, venality, theft, disrespect for human life, fraud, rape, the abuse of women and children, unbridled self-gratification, drunkenness, extortion and family breakdown, much of it touched by violence, the outward forms of a diseased social climate which affects all of us" Today we would add the cancer of rampant materialism in the list.*

The Moral Regeneration National leadership undertook an internal investigation and reflection on the performance and internal capacity of the Moral Regeneration Movement since adoption of its programme of action at the Waterkloof launch. The outcomes of the internal organisational diagnosis by the national leadership was as follows:

- There is a perception that MRM is a government led programme.
- Organisational structures across the country are weak or have collapsed.
- There is a great need for organisational capacity in terms of systems for it to achieve its set objectives.
- There is a need to revisit and revive stakeholder relations and practices.
- There is a need to make MRM more visible and effective at local community level.
- There is a need to ensure that the current programme of action is implemented concurrently with the restructuring process.
- The starting point for restructuring should be at provincial level and then municipal local levels.

## 2. Provincial Context

It is against the above background that the Western Cape Provincial Government through the office of the Premier was then approached and requested to embark on a similar review and revitalisation process to address issues of moral decay within families, communities and government in the Province.

On the 29<sup>th</sup> August 2016, a presentation was made to the office of the Deputy Director General in the Office of the Premier on the restructuring and revitalisation of the Moral Regeneration Agenda in the Western Cape. The purpose of the presentation was as follows:

- To appraise the Office of the Premier on the restructuring and revitalisation process of the MRM
- To solicit support and buy-in for the Office of the Premier to be part of the restructuring and revitalisation of the Western Cape Provincial MRM structures and programme
- To agree on a short term programme of action to implement the restructuring and revitalisation process.
- To agree on a proper communication and management strategy of the process.

After discussion and engagement about the history of the programme and the proposed process of revitalisation it was resolved that the matter be tabled at the Premier's Coordinating Forum (PCF) and South African Local Government Association (SALGA) for a buy-in by the Provincial Government and municipalities.

On the 22<sup>nd</sup> September 2016, the restructuring and revitalisation process and programme was presented at the Premier's Coordinating Forum. This is the forum where all MECs, Heads of Government Departments, SALGA Provincial Leadership, Mayors, and Municipal Managers of districts and local municipalities were also represented.

### **After serious discussions on the matter, it was resolved that:**

- The revitalisation programme be accepted and that municipalities be requested to take the challenge and engage with the programme and its implementation as they are the sphere that is closest to the people, where moral decay and related social ills can be better addressed.
- The PCF also recommended that the religious sector should play a central role in driving the programme as the custodian of morality in our communities.
- The recommendations of the Premier's Coordinating Forum be referred to the Provincial Cabinet for noting.

## 3. Local Context

The Cape Agulhas Municipal Council adopted a socio-economic development focussed organisational approach in order to integrate social development and economic development initiatives and implementation plans.

This was reflected in the new 2017/18 – 2021/22 Integrated Development Plan as well as the revised organisational structure, which made provision for a Socio-economic Division within the Office of the Municipal Manager.

One of the strategic objectives identified which fall within the office of The Municipal Manager is the broadening of public participation and governance platforms to encourage effective and efficient participation of communities in the affairs of the Municipality. This includes, formulating sectoral public participation programmes, developing appropriate institutional mechanisms for public participation, providing support and establishing partnerships with local CBOs, NGOs and other local stakeholder institutions.

Prior to and subsequent, to the adoption of the new IDP, the office of the Executive Mayor supported by the Human/Social and Local Economic Development units that now constitute the new Socio-Economic Division initiated adhoc consultative meetings with various stakeholder organisations and strategic partners with the intention of establishing Social and Economic Advisory Boards.

On the 25<sup>th</sup> July 2017 a Social Cluster Stakeholder Consultative Meeting was convened at the Thusong Centre. All sectors belonging to the social cluster were invited to participate in the establishment of the Social Cluster Advisory Board. These sectors include:

1. Women
2. Youth
3. Children
4. People with Disabilities
5. Elderly
6. Arts and Culture
7. Religion
8. Sport and Recreation

**This meeting formally resolved to:**

1. Establish the Cape Agulhas Social Cluster Advisory Board.
2. Develop clear terms of reference for the Social Cluster Advisory Board.
3. Consult with all six ward committees to ensure integration and alignment of programmes.
4. Convene individual sector meetings and assist them in identifying their niche and developing their own programmes.

It is out of these sector specific consultative meetings that the religious sector identified their primary focus area as Moral Regeneration, Community Governance, Poverty and Unemployment. An appropriate institutional mechanism anchored around Moral Regeneration Agenda was then proposed to formulate and implement a municipal wide programme of action for moral regeneration.

**THE MANDATE OF MORAL REGENERATION**

1. The mandate of the Moral Regeneration Agenda goes beyond dealing with the moral crisis and its manifestations (violent crime and murder, sexual immorality, women and children abuse, drug and substance abuse, corruption and other social ills within our communities)
2. It is intended to harness the moral wealth that exists in our nation by mobilising significant sectors of our nation.
3. To build ethical and morally conscious communities throughout SA by positioning civil society organisations at the centre of collective activism for moral renewal.
4. To boost the moral fibre of our nation by leading a public discourse on issues of shared values.
5. To promote national advocacy for a society that is ethical, caring, and corruption free.
6. To promote values contained in its Charter of Positive Values, making these part of SA's consciousness.
7. To re - ignite the spirituality of the South African People- RDP of the Soul.

### **The Charter of Positive Values**

To advance the Moral Regeneration Programme the 2003 National Summit also endorsed a framework discussion document followed by a Charter of Positive Values. The following are the positive values that underpin the National Moral Regeneration Programme:

1. Respect human dignity and equality
2. Promote responsible freedom, the rule of law and democracy
3. Improve material well-being and economic justice
4. Enhance sound family and community values
5. Uphold honesty, integrity and loyalty
6. Ensure harmony in culture, belief and conscience
7. Show respect and concern for all people
8. Strive for justice, fairness and peaceful co-existence
9. Protect the environment

### **General Motivation**

This proposal emerged out of years of observation and prayer relating to the management of municipalities and the role that communities in general, and churches in particular should play in deepening democracy through practical involvement in defining the political, social, economic and spiritual environment of our municipalities. The practical questions or issues that this proposal seeks to address are:

1. Why rural and urban communities are not impacted by the spiritual, moral regeneration and ethical conduct that elders of the church and community leaders claim to be preaching and promoting?
2. Why development initiatives and settlements of our communities remain disintegrated, despite the much publicized integration approaches to development planning.
3. Why is corruption the most frequently presented picture in the administration and governance of our municipalities?
4. Why is government not achieving reasonable level of success in her much publicized campaign against corruption?
5. Why are armed robbery, ritual killings, prostitution, disorderliness, occultism, witchcraft, violence against women and children, increasing rate in HIV and AIDS, sexual immorality, murder, drugs and substance abuse, and general moral degeneration is growing at an alarming rate in our cities?
6. Why poverty levels and inequalities between rich and poor continue to rise and are widening in our municipalities
7. Why there is inadequate, lack, deteriorating levels of service delivery despite the much publicized integrated development plans in our municipalities.
8. Why the problem of bad leadership, political and governance instability is still an unresolved and recurring crisis in our municipalities.
9. What is the mandate of the church, the community, and how can this be enhanced to support the developmental agenda of our municipalities?

### **LEGISLATIVE AND POLICY FRAMEWORK**

#### **1. The Constitution**

The constitutional and local government legal framework governing municipalities provides for the formal and semi- formal establishment of institutional mechanisms and policy guidelines to encourage participation of communities in municipal affairs.

#### ***Chapter 7 of the Constitution of the Republic of South Africa, 1996***

Section 151 stipulates that:

- (1) The local sphere of government consists of municipalities, which must be established for the whole territory of the Republic.
- (2) The executive and legislative authority of the municipality is vested in its municipal council.

- (3) A municipality has the right to govern on its own initiative, the local government affairs of its own community, subject to national and provincial legislation, as provided for in the constitution.
- (4) The national or a provincial government may not compromise or impede a municipality's ability or right to exercise its powers or perform its functions.

**Section 152(1) states that the objectives of local government are:**

- (a) to provide democratic and accountable government for local communities;
- (b) to ensure provision of services to communities in a sustainable manner;
- (c) to promote social and economic development;
- (d) to promote a safe and healthy environment; and
- (e) to encourage involvement of communities and community organizations in matters of local government.

Section 152(2) further stipulates that, a municipality must strive within its financial and administrative capacity to achieve objects set out in subsection (1)

**2. Municipal Systems Act (Act 32 of 2000)**

Chapter 4, of the Municipal Systems Act provides a regulatory framework that defines, encourages and provides municipalities with a legal mandate and obligation to create institutional mechanisms and funding to ensure public participation and community involvement in the affairs of the municipality:

Section 16 states that:

A municipality must develop a culture of municipal governance that complements the formal representative government with a system of participatory governance and must for this purpose -

- (a) encourage and create conditions for the local community to participate in the affairs of the municipality including in-**
  - (i) the preparation, implementation and review of its integrated development plan in terms of chapter 5;
  - (ii) the establishment, implementation, and review of its performance management system in terms of chapter 6;
  - (iii) the monitoring and review its performance including the outcomes and impact of such performance;
  - (iv) the preparation of its budget; and
  - (v) the strategic decisions relating to the provision of municipal services in terms of chapter 8.
  - (vi)
- (b) contribute to building the capacity of-**
  - (i) the local community to enable it to participate in the affairs of the municipality; and
  - (ii) councillors and staff to foster community participation; and
- (c) use its resources and annually allocate funds in its budget, as may be appropriate for the purpose of implementing paragraphs (a) and (b).**

*Section 17(4) states that, a municipal council may establish one or more advisory committees consisting of persons who are not councillors to advise council on any matter within the council's competence. When appointing such a committee, gender representation must be taken into consideration. This section **must not be interpreted as permitting interference with the municipal council's right to govern and exercise its executive and legislative authority of the municipality.***



### 3. Prevention and Combating of Corrupt Activities Act, 2004

Local Government Anti- Corruption Strategy seeks to promote good governance and accountability by applying a sector-wide approach aimed at improving accountability, and efficient and effective administration within municipalities. The Cape Agulhas Religious Sector must carry this mandate and responsibility to promote righteousness and justice in the administration of our municipalities and communities through municipal advisory councils and boards.

#### POLICY GUIDELINES

1. **The Draft National Policy Framework for Public Participation, 2005** defines Public Participation is defined as “An open, accountable process through which individuals and groups within selected communities can exchange views and influence decision-making. Public participation is designed to promote good governance and human rights. It must be acknowledged as a fundamental right of all people to participate in the governance system. National government has developed this policy framework upon which provinces and local municipalities should base and adopt their own public participation policies.

2. **Circular 45/13 on SALGA Guideline on Enhancing Public Participation.**

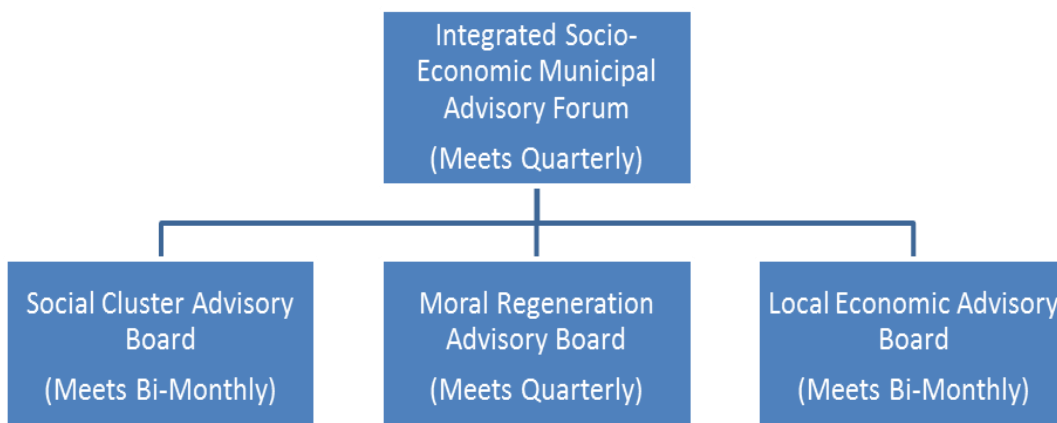
The South African Local Government Association issued guidelines for the broadening of public participation mechanisms in addition to the ward committee system to all municipalities. These guidelines obligate municipalities to take into account the interests and concerns of the residents when it crafts by-laws, policy and implements its programmes.

It defines rights and responsibilities of the members of the community; calls for the municipalities to adhere to the legal requirements of chapter 4 of the Municipal Systems Act; and to institutionalise public participation plans, and approaches by adopting a public participation policy for the municipality. The guidelines also emphasize the importance of ensuring the involvement of communities, and interest groups in the formulation of public participation policy.

#### INSTITUTIONAL ARRANGEMENT

It is proposed that in cognisance of the work already done, and that as part of a broader public participation policy and strategy, an Integrated Socio-Economic Municipal Advisory Forum be established which meets quarterly, and which is supported by Social and Local Economic Advisory Boards which shall meet bi monthly and a Moral Regeneration Advisory Board which shall also meet quarterly. This structure is reflected in the diagram below.

It is envisaged that once set up this Integrated Socio-Economic Municipal Advisory Forum be regarded as a Municipal Wide Forum for purposes of the IDP consultative process in place of the CAMAF.



### **BROAD TERMS OF REFERENCE**

1. Each public participation structure will have its own specific terms of reference, purpose and agenda.
2. All individual sectors will develop, implement and report on their own programmes and plans.
3. Advisory boards will prepare reports and present them to the Integrated Socio-Economic Municipal Advisory Forum which will meet quarterly.
4. The Integrated Socio-Economic Municipal Advisory Forum will submit consolidated quarterly reports to the Municipal Council for either noting or adoption.
5. The Agenda for the integrated Socio-Economic Municipal Advisory Forum will be determined by the prevailing and critical issues on the ground, and shall be centred around IDP and LED, social development, service delivery, performance, budget process, good governance, moral renewal and core municipal programmes and processes.

### **FINANCIAL IMPLICATIONS**

The current budget allocation given to both Social Development and Local Economic Development programmes will have to accommodate some of the activities emanating from the plan. It is envisaged that when the institutional arrangement to run with these programmes is setup and projects for respectively sectors are identified and endorsed by stakeholders and Council, funding proposals will then be developed, funding sources identified and departments, and other private sector strategic partners engaged with to finance various projects.

### **MANAGEMENT RECOMMENDATION**

- (i) That Council approve the establishment of an Integrated Socio-Economic Municipal Advisory Forum which meets on a quarterly basis.
- (ii) That this Forum be supported by:
  - A Social Advisory Board which shall meet bi-monthly.
  - A Local Economic Advisory Board which shall meet bi-monthly.
  - A Moral Regeneration Advisory Board which shall meet quarterly, to be driven by the Cape Agulhas Religious Sector.
- (iii) That the Cape Agulhas Religious Sector in partnership with the municipality and local stakeholders convenes a Moral Regeneration Consultative Summit to formulate and adopt the programme of action, terms of reference and the envisaged institutional mechanism to drive moral renewal within Cape Agulhas.
- (iv) That the Council in partnership with the religious sector and other local stakeholders develop a joint programme of action to implement and institutionalise moral regeneration within the Cape Agulhas Municipality.
- (vi) That a Public Participation policy and strategy be developed that reflects the structures referred to in paragraph 1 and 2 above.

### **RESOLUTION 162/2017**

- (i) That Management recommendation be accepted as a resolution of the Mayoral Committee.
- (ii) That a policy be drafted and submitted to Council for consideration.

13. **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>Tydens 'n vergadering tussen DEA, KAM, ODM en die Morawiese Kerk het die kerk besluit dat die stortingsterrein gesluit word. Vullis word per bakke karwy na Bredasdorp stortingsterrein.</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.</i>	DSID
BK141/2016	Erf 17, Swartstraat, Bredasdorp Behuising	(i) Dat die Land Disposal Committee 'n terplaatsse ondersoek doen op erf 17, Bredasdorp (bekend as Swartstraat 17, Bredasdorp). (ii) Dat die Komitee met 'n voorstel na die Raad kom oor die toekoms van die genoemde terrein. (iii) Dat geen toekenning van huise gedoen word alvorens die Raad die verslag van die Land Disposal Committee oorweeg het nie. (iv) Dat die twee beskikbare huisies aan die volgende persone op die waglys beskikbaar gestel word.		LDC/DKD
BK18/2017	Publieke strate en oopruimtes: Suiderstrand	Dat 'n prokureur aangestel word om die geïdentifiseerde eiendomme aan die munisipaliteit oor te dra in terme van 'n endossement van die gemelde Art 16 van die Wet op Registrasie van Aktes.		BSSB

**BESTUURSAANBEVELING**

Dat die Komitee kennis neem van die onafgehandelde besluite.

**BESLUIT BK163/2017**

- (i) Dat die Bestuursaanbeveling as besluit van die Burgemeesterskomitee aanvaar word, nadat die Munisipale Bestuurder terugvoer gee.
- (ii) Dat kennis geneem word dat besluit BK11/2014 en BK141/2016 afgehandel is.

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

BEKRAGTIG op hierdie

dag van

**2017**

\_\_\_\_\_  
BURGEMEESTER

DATUM: