

**Bitou Local Municipality  
Bitou Plaaslike Munisipaliteit  
Umasipala WeBitou**

# Agenda

## SPECIAL MUNICIPAL COUNCIL MEETING

Venue: Council Chambers, Municipal Offices,  
Sewell Street, Plettenberg Bay

**DATE: 30 JUNE 2017**

**Time: 09h00**

# **BITOU LOCAL MUNICIPALITY**

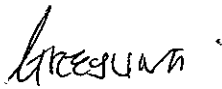
28 June 2017

**The Executive Mayor  
Councillors  
Municipal Manager and Heads of Department**

## **SPECIAL COUNCIL MEETING: FRIDAY, 30 JUNE 2017 AT 9H00**

**NOTICE** is hereby given that a Special Council Meeting will be held in the Council Chamber, Municipal Offices, Plettenberg Bay on **FRIDAY, 30 JUNE 2017 AT 9H00** to discuss the business set forth in the Agenda.

Yours faithfully



**A R OLIVIER**  
**Speaker**

### **Constitution of the Council**

The Speaker, Councillor A R Olivier  
The Executive Mayor, Councillor M P Lobese  
The Deputy Executive Mayor, Councillor J N Kamkam  
Member of the Mayoral Committee, Councillor N Ndayi  
Member of the Mayoral Committee, Councillor W J Nel

Councillor S E Gcabayi  
Councillor N C Jacob  
Councillor X Matyila  
Councillor M M Mbali  
Councillor L M Seyisi  
Councillor D J Swart  
Councillor E V Wildeman  
Councillor A S M Windvogel

### **IMPORTANT NOTICE**

**PLEASE REFER TO THE MAYORAL COMMITTEE AGENDA OF  
29 JUNE 2017 FOR THE ANNEXURES TO THE REPORTS ON THE  
ITEMS AS LISTED**

# Bitou Local Municipality

## Special Council Agenda: 30 June 2017

Time: 9h00

### Order of Business

1. OPENING

2. ATTENDANCE

The Attendance Registers of members of the Municipal Council, Officials and Public will be circulated for signature.

3. APPLICATION FOR LEAVE OF ABSENCE

Application for leave of absence, if necessary, will be considered.

4. STATEMENTS AND COMMUNICATIONS BY:

4.1 The Executive Mayor

4.2 The Speaker

5. PRESENTATIONS

None

6. CONSIDERATION OF REPORTS (NON- DELEGATED MATTERS)

Items for consideration: Schedule of Items attached.

7. URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

None received

Order of business: Special Council Meeting: 30 June 2017

8. **CONSIDERATION OF NOTICES OF MOTION**

None received

9. **CONSIDERATION OF MOTIONS OF QUESTION**

None received

10. **CONSIDERATION OF MOTIONS OF EXIGENCY**

None received

11. **IN-COMMITTEE MATTERS**

None received

12. **RECORDING OF COUNCILLORS PRESENT**

13. **CLOSURE**

**PORTFOLIO INDEX**

**CONSIDERATION OF REPORTS**

**SPECIAL COUNCIL AGENDA**

**30 JUNE 2017**

**6: CONSIDERATION OF REPORTS (NON- DELEGATED MATTERS)**

**SECTION 1: OFFICE OF THE MUNICIPAL MANAGER**

ITEM NO	SUBJECT	FILE REF	MAYCO AGENDA PAGE NO	DATE OF MAYCO MEETING	COUNCIL AGENDA PAGE NO
C/1/33/06/17	RE-COMPOSITION OF MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) MEMBERS	3/2/2/2/4	1 - 36	29-Jun-17	1 - 3
C/1/34/06/17	BITOU MUNICIPALITY THIRD QUARTER (JANUARY - MARCH 2017)SDIBIP REPORT ON PERFORMANCE FOR THE CURRENT FINANCIAL YEAR	5/1/1/4	37 - 45	29-Jun-17	4 - 6

**SECTION 2: FINANCE**

ITEM NO	SUBJECT	FILE REF	MAYCO AGENDA PAGE NO	DATE OF MAYCO MEETING	COUNCIL AGENDA PAGE NO
C/2/46/06/17	ADJUSTMENTS BUDGET FOR THE 2016/2017 MTREF (To be circulated seperately)	9/1/3/4			

**SECTION 3: CORPORATE SERVICES**

ITEM NO	SUBJECT	FILE REF	MAYCO AGENDA PAGE NO	DATE OF MAYCO MEETING	COUNCIL AGENDA PAGE NO
C/3/42/06/17	REVIEW OF NOMINATIONS OF COUNCIL REPRESENTATIVE TO SALGA PROVINCIAL WORKING GROUP	12/2/1/3/1	46 - 56	29-Jun-17	7 - 10
C/3/43/06/17	APPOINTMENT OF A REPRESENTATIVE TO THE EDEN DISTRICT MUNICIPALITY	3/1/10/5	57 - 59	29-Jun-17	11 - 12
C/3/44/06/17	NOMINATION OF POLITICAL REPRESENTATIVE TO THE PROVINCIAL SALGA WOMENS COMMISSION	12/2/1/3/1	60 - 63	29-Jun-17	13 - 14

**SECTION 4: COMMUNITY SERVICES**

ITEM NO	SUBJECT	FILE REF	MAYCO AGENDA PAGE NO	DATE OF MAYCO MEETING	COUNCIL AGENDA PAGE NO
	No Items for consideration				

**SECTION 5: ENGINEERING SERVICES**

ITEM NO	SUBJECT	FILE REF	MAYCO AGENDA PAGE NO	DATE OF MAYCO MEETING	COUNCIL AGENDA PAGE NO
C/5/21/06/17	BITOU MUNICIPALITY: UPGRADING OF KWANOKUTHULA BULK INFRASTRUCTURE: TRANSFER / SALE OF EXISTING ESKOM'S 22kV OVERHEAD LINE FROM SS-FERDINAND TO MARIKANA	16/2/8/1/4 & 12/2/1/4/21	64 - 78	29-Jun-17	15 - 19
C/5/22/06/17	AMENDMENTS TO THE FRAMEWORK AGREEMENT SIGNED WITH THE DEPARTMENT OF ENERGY BASED ON THE ADDITIONAL ALLOCATION OF SOLAR WATER HEATERS	Sec/A/439	79 - 114	29-Jun-17	20 - 23

## SECTION 6: STRATEGIC SERVICES

ITEM NO	SUBJECT	FILE REF	MAYCO AGENDA PAGE NO	DATE OF MAYCO MEETING	COUNCIL AGENDA PAGE NO
C/6/24/06/17	MANDATE TO ADOPT A PROCESS TO IMPLEMENT AN INTEGRATED ZONING SCHEME BYLAW	15/1/16	115 - 119	29-Jun-17	24 - 28
C/6/25/06/17	AUDIT OF MUNICIPAL PROPERTIES WITHIN BITOU MUNICIPAL AREA	7/2/5	120 -151	29-Jun-17	29 - 33

## Section 1

# **Office of the Municipal Manager**

ITEM C/1/33/06/17

**Council**

**RE-COMPOSITION OF MUNICIPAL PUBLIC ACCOUNTS COMMITTEE  
(MPAC) MEMBERS**

**Department:**            **Municipal Manager**            **Demarcation:**            **All Wards**

**File Ref:**                **3/2/2/2/4**

**Attachments:**            **Annexure A: SALGA Guidelines for establishment of  
Municipal Public Accounts Committee (MPAC)**

**Annexure B: Sections 79 of the Local Government, Municipal  
Structures Act, No 117 of 1998**

**Annexure C: National Treasury Guidelines on MPAC**

**Annexure D: Extract from Council resolution C/1/26/02/17**

**Report from:**            **Municipal Manager**

**Author:**                 **Chief Audit Executive**

**Date:**                     **19 June 2017**

**Purpose of the report**

To request Council to re – consider the composition of the members of the Municipal Public Accounts Committee (MPAC) as required by National Treasury. The committee will function the same way as SCOPA does at Provincial and National Departments. It will assist council to ensure the efficient and effective use of municipal resources.

**Background and Discussion**

**1.1    Section 79 (MPAC)**

Municipal Public Accounts Committee is established in terms of Section 79 of the Municipal Structures Act. Its main purpose is to assist council in carrying out its responsibility as outlined in Section 32, 128 and 133 of the MFMA.

The Department of Cooperative Governance jointly with National Treasury issued guidelines for establishment of these committees in all Municipalities.



## Section 1: Office of the Municipal Manager

On 28 February 2017, council established the Municipal Public Accounts Committee (MPAC) through council resolution C/1/26/02/17. The chairperson of this committee is now elected as the speaker of the Council and in terms of the guidelines; she is no longer eligible to serve on this committee. In terms of the MPAC guidelines, it is recommended that only non-executive councillors, excluding chief whips should serve on this committee.

The attached self-explanatory guidelines clearly outline the institutional, functional, composition, membership, work programmed, meeting arrangements and reporting requirements of the MPAC.

In light of the above council is required to re-consider the composition of this committee. In terms of the guidelines, the municipality of our size may elect up to five councilors to serve on this committee.

### **Financial Implications**

None

### **Comments: Chief Financial Officer**

The recommendation by the Municipal Manager is supported.

### **Comments: Head Community Services**

The recommendation by the Municipal Manager is supported.

### **Comments: Head Engineering Services**

The recommendation by the Municipal Manager is supported.

### **Comments: Head Strategic Services**

The recommendation by the Municipal Manager is supported.

### **Comments: Manager Legal Services**

The recommendation by the Municipal Manager is supported.

Section 1: Office of the Municipal Manager

**Recommended by the Municipal Manager**

1. That the current membership of MPAC be reviewed.
2. That the MPAC be consisted of ..... councilors and that the following Councillors, as nominated by the respective political parties be elected to serve on the MPAC:
  - (a) Representative(s) of DA,
  - (b) Representative(s) of ANC
3. That Councillor.....be elected as the chairperson of the Municipal Public Accounts Committee (MPAC).

ITEM C/1/34/06/17

Council

**BITOU MUNICIPALITY THIRD QUARTER (JANUARY – MARCH 2017) SDBIP  
REPORT ON PERFORMANCE FOR THE CURRENT FINANCIAL YEAR**

**Department:** Office of the Municipal Manager  
**File Ref:** 5/1/1/4  
**Attachments:** Annexure “A” - Third Quarter Top Layer SDBIP Report  
**Report from:** Municipal Manager  
**Author:** Strategic Manager  
**Date:** 09 May 2017

**Purpose of the report**

The purpose of the report is to provide a full report on the actual performance results for the third quarter (January – March) of the current financial year (2016/2017).

**Background /Discussion**

MFMA Circular No. 13, Local Government: Municipal Finance Management Act, No.56 of 2003 states the following:

*“The SDBIP is essentially the management and implementation tool which sets in-year information, such as quarterly service delivery and monthly budget targets, and link each service delivery output to the budget of the municipality, thus providing credible management information and a detailed plan for how the municipality will provide such services and the inputs and financial resources to be used. The SDBIP indicates the responsibilities and outputs for each of the senior managers in the top management team, the inputs to be used, and the time deadlines for each output. The SDBIP will therefore determine the performance agreements of the municipal manager and senior managers, including the outputs and deadlines for which they will be held responsible.*

*The SDBIP should also provide all expenditure information (for capital projects and services) per municipal ward, so that each output can be broken down per ward, where this is possible, to support ward councillors in services delivery information. This information is reflected in the monthly reports of the Chief Financial Officer.*

*The SDBIP is also a vital monitoring tool for the mayor and council to monitor in-year performance of the municipal manager and for the municipal manager to monitor the*

## Section 1: Office of the Municipal Manager

*performance of all managers in the municipality within the financial year. This enables the mayor and municipal manager to be pro-active and take remedial steps in the event of poor performance. The SDBIP aims to ensure that managers are problem-solvers, who routinely look out for unanticipated problems and resolve them as soon as possible. The SDBIP also enables the council to monitor the performance of the municipality against quarterly targets on service delivery.*

*The SDBIP is a key management, implementation and monitoring tool, which provides operational content to the end-of-year service delivery targets, set in the budget and IDP. It determines the performance agreements for the municipal manager all top managers whose performance can then be monitored through Section 71 monthly reports, and evaluated through the annual report process”.*

Additionally, Section 53 of the Local Government: Municipal Finance Management Act, 2003, Act 56 of 2003 (MFMA) determines that the Mayor must approve of a plan according to which the performance of the Municipality can be assessed during the financial year. The Accounting Officer must then report thereon to the Mayor at prescribed regular intervals during the year. The SDBIP must also be submitted to Provincial and National Treasury, for auditing purposes in terms of the MFMA.

The SDBIP is defined as: “*Service Delivery and Budget Implementation Plan*” means a detailed plan approved by the mayor of a municipality in terms of Section 53(1)(c)(ii) of the MFMA for implementing the municipality’s delivery of municipal services and its annual implementing the municipality’s delivery of municipal services and which must indicate – (a) projections for each month of (i) revenue to be collected by source; (ii) operational and capital expenditure by vote; (b) service delivery targets and performance indicators for each quarter; and (c) any other matters that may be prescribed, and includes any revisions of such plan by the mayor in terms of Section 54(1)(c) of the MFMA.

This performance report on the third quarter (January – March) of the current financial year (2016/2017) includes the actual performance results against targets for each of the departments.

### **Comments: Chief Financial Officer**

The recommendation by the Municipal Manager is supported.

### **Comments: Head Corporate Services**

The recommendation by the Municipal Manager is supported.

### **Comments: Head Community Services**

The recommendation by the Municipal Manager is supported.

Section 1: Office of the Municipal Manager

**Comments: Head Engineering Services**

The recommendation by the Municipal Manager is supported.

**Comments: Head Strategic Services**

The recommendation by the Municipal Manager is supported.

**Recommended by the Municipal Manager**

That the Municipal Council take note of the performance report on the Service Delivery and Budget Implementation Plan for the third quarter, January to March 2017 of the current (2016/2017) Financial Year.

## Section 3

**Department: Corporate Services**

**ITEM C/3/42/06/17**

**Council**

**REVIEW OF NOMINATIONS OF COUNCIL REPRESENTATIVE TO SALGA PROVINCIAL WORKING GROUPS**

**Department:** Corporate Services      **Demarcation:** All Wards

**File Ref:** 12/2/1/3/1

**Attachment:** Annexure A: Extract of Council resolution C/3/29/03/17 of 14 March 2017  
Annexure B: SALGA Western Cape letter dated 2 March 2017

**Report by:** Head Corporate Services

**Author:** Manager Administration

**Date:** 19 June 2017

**Purpose of the report**

To allow Council to review the nominated official representatives and secondi (Councillors) to the respective Provincial Working Groups of SALGA.

**Background / Discussion**

Council resolved per resolution C/3/29/03/17, clause (1) (i) - (x) to elect the following Councillors as representatives and secondi to serve on the respective Working Groups of SALGA:

- "1. That cognizance be taken of the SALGA Working Groups and that Councillors be nominated by Council to serve on the respective Working Groups of SALGA as follows.

	<i>SALGA Working Group</i>	<i>Councillors Representative</i>	<i>Secundi</i>
(i)	<i>Community Development &amp; Social Cohesion</i>	<i>Councillor L M Seyisi</i>	<i>Councillor J N Kamkam</i>
(ii)	<i>Economic Empowerment and Employment Creation</i>	<i>Alderman E V Wildeman</i>	<i>Councillor W J Nel</i>
(iii)	<i>Environmental Planning &amp; Climate Resilience</i>	<i>Alderman E V Wildeman</i>	<i>Councillor J N Kamkam</i>

Section 3: Corporate Services

(iv)	<i>Human Settlements &amp; Municipal Planning</i>	<i>Councillor L M Seyisi</i>	<i>Alderman E V Wildeman</i>
(v)	<i>Public Transport and Roads</i>	<i>Alderman E V Wildeman</i>	<i>Councillor X Matyila</i>
(vi)	<i>Water, Sanitation and Waste Management</i>	<i>Alderman E V Wildeman</i>	<i>Councillor A S M Windvogel</i>
(vii)	<i>Capacity Building &amp; Institutional Resilience</i>	<i>Councillor S E Gcabayi</i>	<i>Councillor N C Jacob</i>
(viii)	<i>Governance &amp; Intergovernmental Relations</i>	<i>Councillor S E Gcabayi</i>	<i>Councillor A R Olivier</i>
(ix)	<i>Municipal Finance &amp; Fiscal Policy</i>	<i>Councillor M P Lobese</i>	<i>Councillor S E Gcabayi</i>
(x)	<i>Municipal Innovations &amp; Information Technology</i>	<i>Councillor S E Gcabayi</i>	<i>Councillor M M Mbali</i>

”

Subsequent to the above resolution, a new coalition agreement has been signed between the Active United Front (AUF) and the Democratic Alliance (DA) and a new Speaker, Deputy Mayor and members of the Mayoral Committee were elected.

This report is now re-submitted on request of the newly formed coalition between the DA and AUF, in order for Council to review the nominated representatives and secondi.

The original letter dated 2 March 2017 received from the Provincial Executive Officer, SALGA, informing municipalities of the establishment of the respective Provincial Working Groups is circulated herewith for ease of reference, marked Annexure B

The respective SALGA Provincial Working Groups Working Groups now established is reflected below.:

<b>SALGA Working Group</b>	
(i)	Community Development & Social Cohesion
(ii)	Economic Empowerment and Employment Creation
(iii)	Environmental Planning & Climate Resilience
(iv)	Human Settlements & Municipal Planning
(v)	Public Transport and Roads
(vi)	Water, Sanitation and Waste Management
(vii)	Capacity Building & Institutional Resilience
(viii)	Governance & Intergovernmental Relations
(ix)	Municipal Finance & Fiscal Policy
(x)	Municipal Innovations & Information Technology



### Section 3: Corporate Services

#### **Financial implications**

Municipalities are responsible for the Travelling and accommodation expenses for their delegates.

#### **Comments: Chief Financial Officer**

The recommendation by the Municipal Manager is supported.

#### **Comments: Head Community Services**

The recommendation by the Municipal Manager is supported.

#### **Comments: Head Engineering Services**

The recommendation by the Municipal Manager is supported.

#### **Comments: Head Strategic Services**

The recommendation by the Municipal Manager is supported.

#### **Comments: Manager Legal Services**

The recommendation by the Municipal Manager is supported.

#### **Recommended by the Municipal Manager**

1. That clause (1) (i) to (x) of Council resolution C/3/29/03/17 be rescinded.
2. That Councillors be nominated by Council to serve on the respective Working Groups of SALGA as indicated:

	SALGA Working Group	Councillors Representative	Secundis
(i)	Community Development & Social Cohesion		
(ii)	Economic Empowerment and Employment Creation		
(iii)	Environmental Planning & Climate Resilience		
(iv)	Human Settlements & Municipal Planning		

Section 3: Corporate Services

(v)	Public Transport and Roads		
(vi)	Water, Sanitation and Waste Management		
(vii)	Capacity Building & Institutional Resilience		
(viii)	Governance & Intergovernmental Relations		
(ix)	Municipal Finance & Fiscal Policy		
(x)	Municipal Innovations & Information Technology		

ITEM C/3/43/06/17

**Council**

**APPOINTMENT OF A REPRESENTATIVE TO THE EDEN DISTRICT MUNICIPALITY**

**Department:** Corporate Services      **Demarcation:** All Wards  
**File Ref:** 3/1/10/5  
**Attachments:** Annexure A: Council resolution C/3/31/04/17 dated 4 April 2017.  
**Report by:** Head: Corporate Services  
**Author:** Manager: Administration  
**Date:** 20 June 2017

**Purpose of the report**

To inform the Municipal Council of the appointment of a Councillor in terms of Schedule 2 of the Local Government: Municipal Structures Act, 1998, to serve on the Eden District Municipality.

**Relevant Legislation**

Section 23 of the Local Government: Municipal Structures Act, 1998.

**Background/Discussion**

Councillor Memory Booyesen was elected as a representative on the Eden District Council per Council resolution C/3/10/08/16. Councillor N Ndayi replaced Councillor Memory Booyesen when he ceased to hold office of Councillor in Bitou Municipality with effect from 4 April 2017, per resolution C/3/31/04/17.

In view of the fact that Councillor Ndayi has now been appointed as a member of the Mayoral Committee, the governing Coalition partners of Bitou Municipal Council, has proposed that Councillor Windvogel be appointed in terms of Schedule 2 of the Local Government: Municipal Structures Act, 1998, to serve on the Eden District Municipality.

### Section 3: Corporate Services

**Comments: Chief Financial Officer**

The recommendation by the Municipal Manager is supported.

**Comments: Acting Head Community Services**

The recommendation by the Municipal Manager is supported.

**Comments: Head Engineering Services:**

The recommendation by the Municipal Manager is supported.

**Comments: Head Strategic Services:**

The recommendation by the Municipal Manager is supported.

**Comments: Manager: Legal**

The recommendation by the Municipal Manager is supported.

**Recommended by the Municipal Manager**

That a new Councillor be appointed in terms of Schedule 2 of the Local Government: Municipal Structures Act, 1998, to serve on the Eden District Municipality when the vacancy comes into effect at the time the existing incumbent (Councillor N Ndayi) vacates the elected seat on the District Council.

ITEM C/3/44/06/17

**Council**

**NOMINATION OF POLITICAL REPRESENTATIVE TO THE PROVINCIAL SALGA WOMENS COMMISSION**

**Department:** Corporate Services                      **Demarcation:** All Wards

**File Ref:** 12/2/1/3/1

**Attachments:** Annexure A: Letter dated 6 March 2017 received from the Provincial Executive Officer, SALGA

**Report by:** Head Corporate Services

**Author:** Manager: Administration

**Date:** 20 June 2017

**Purpose of the report**

To appoint a Councillor to serve on the Provincial SALGA Women's Commission (SWC).

**Background**

The SWC operates within the constitutional and governance prescripts of SALGA and accordingly, Dr. Annelie Rabie was recently elected at the SALGA Provincial Conference as the Chairperson of the Western Cape SALGA Women Commission.

The Terms of Reference makes provision for each municipality to nominate a political representative to serve on the Provincial SALGA Women's Commission.

Municipalities were invited to complete the attached form indicating the representatives representing their municipality. Due to an oversight this form was never submitted, but the office of the Provincial Executive Officer confirmed that Council can still nominate a representative.

**Comments: Chief Financial Officer**

The recommendation by the Municipal Manager is supported.

### Section 3: Corporate Services

#### **Comments: Acting Head: Community Services**

The recommendation by the Municipal Manager is supported.

#### **Comments: Head Engineering Services**

The recommendation by the Municipal Manager is supported.

#### **Comments: Head: Strategic Services**

The recommendation by the Municipal Manager is supported.

#### **Comments: Manager: Legal**

The recommendation by the Municipal Manager is supported.

#### **Recommended by the Municipal Manager**

That a Councillor be nominated to be elected the representative representing Bitou Local Municipality on the Provincial SALGA Women's Commission.

## Section 5

**Department: Engineering Services**

ITEM C/5/21/06/17

**Council**

**BITOU MUNICIPALITY: UPGRADING OF KWANOKUTHULA BULK INFRASTRUCTURE: TRANSFER / SALE OF EXISTING ESKOM'S 22kV OVERHEAD LINE FROM SS-FERDINAND TO MARIKANA**

**Department:** Engineering Services      **Demarcation:** Ward 5, 6 & 7

**File Ref:** 16/2/8/1/4 & 12/2/1/4/21

**Attachments:**

1. Annexure "A" - Letter dated 19 May 2017 received from Eskom - Asset Transfer of Plettenberg Bay / Robberg 22kv Tie Line
2. Annexure "B" – Drawing No. 10183/E/32 Marikana: MV(11kv) Bulk Connection – Plan Layout & Detail
3. Annexure "C" – ESKOM motivation for selling portion of overhead line

**Report from:** Head Engineering Services

**Author:** Engineering Assistant: L. Matodlana

**Date:** 21 June 2017

**Purpose of the report**

The purpose of this submission is to seek council approval to accepting the transfer of the existing Eskom line between Marikana and Plett's main substation SS-Ferdinand. The new line will provide a reliable and direct supply to the Marikana, Pinetree and Qolweni areas.

**Background /Discussion**

During the electrification of 358 houses at Marikana between 2014/2015 and 2015/16, it was agreed that the supply to Marikana, Pinetree and Qolweni, should be provided directly from the Main Intake Substation "SS-Ferdinand" by extending the 11kV overhead line at Marikana. Currently the supply to Marikana, Pinetree and Qolweni is taken from a 11kV cable that also supplies the Light Industrial Area, New Horizons and



## Section 5: Engineering Services

Ladywood, However, at the time, the private owner of the land between Marikana and SS-Ferdinand did not grant the approval of the application for a right of way for the new 11kV overhead line.

Subsequently, the Municipality's Electrical Department advised that the 11/22kV transformers at SS-Ferdinand have been decommissioned. These transformers were supplying SS-Pharos at 22kV and the Eskom overhead line that was installed as a contingency measure for Eskom to be able to supply to their 22kV network should there be problems at their Robberg Substation. The decommissioning of these transformers rendered the Eskom line un-usable. Accordingly, an application was submitted to Eskom to hand-over this overhead line to the Municipality as it was redundant. This request was approved in principle by Eskom. Refer to the attached Drawing No. 10183/E/32 for Eskom overhead line to be transferred and work required to complete the connection at Marikana and SS-Ferdinand.

The Eskom line links EP2 to EP3 on the attached Drawing No. 10183/E/32. The 11kV underground cable from SS-Ferdinand and EP1 (as shown on attached drawing) and the poles for the overhead line from EP3 to PMT-D at Marikana have already be installed under the Kwanokuthula Bulk Infrastructure project. The supply and installation of the conductors for the new overhead line Marikana, are also covered under the current bulk infrastructure upgrade project.

### **Benefits for the Municipality to take-over the Eskom overhead line**

The takeover of the Eskom lines results in a more optimal route for the overhead line. The original route through the private landowner is longer than the proposed route, utilising the Eskom line. This would have meant that the project would incur additional costs. In addition, the alternate route could have triggered an Environmental Impact Assessment with the associated costs and time delays. The new overhead line will provide a dedicated and reliable supply to the Marikana, Pinetree and Qolweni areas and it will be installed in the existing Eskom servitude.

### **Status of Eskom 22kV overhead line**

The Eskom overhead line is constructed in a horizontal formation using wooden poles and crossarms, copper conductors which are equivalent to 70mm<sup>2</sup>, porcelain insulators, etc. The overhead line is designed for 22kV with adequate spacing provided between the conductors. It will now be operated at 11kV and should pose no problems to the Municipality's network. The overall condition of this overhead line is satisfactory.

The Assets Transfer Regulations stipulates the following regarding donated assets:

#### **“ 7.4 DONATED ASSETS**

##### ***General***

*A donated asset is an item that has been given to the municipality by a third party in government or outside government without paying or actual or implied exchange.*

***Policy***

*Donated assets should be valued at fair value, reflected in the asset register, and depreciated as normal assets.*

***Procedures and Rules***

- *All donated assets must be approved by the Municipal Manager and ratified by Council prior to acceptance.*
- *Management of the municipality must evaluate the future operational costs of donated assets and the effect it might have on future tariffs and taxes, before a donated asset is accepted by the municipality.*
- *The conditions associated with the donation must be agreed upon and signed by the Municipal Manager.*
- *Municipal officers must first get approval from the Municipal Manager prior to accepting any donation.*
- *The Asset Register custodian must be informed in writing of all donated assets approved and accepted by the Municipal Manager.”*

In this instance, ESKOM is lending the use of the overhead line until formal transfer.

**Financial Implication**

The financial implication will be the maintenance cost based on ESKOM’s specifications as attached on their letter. The cost to sell the asset to Bitou is estimated at R40 000 as per the attached annexure from ESKOM.

**Executive Summary**

Eskom have indicated that they have no future plans for the overhead line. Moreover, once the Bitou Municipality accepts the Asset Transfer of Plettenberg Bay / Robberg 22kV Tie Line, letter attached, the Bitou Municipality will be classified as the user of the asset. The Bitou Municipality must as well comply with the requirements of Section 19 of the Electrical Machinery Regulations regarding the maintenance of the Plettenberg Bay / Robberg 22kV Overhead Tie Line. Furthermore, Eskom indicates that while the sale of the 438 metres of overhead line is in the process, and Bitou operates and maintains the said line, Eskom will still be regarded as the asset owner until the sale is concluded.

The consultants, Clinkscales Maughan and Brown, assessed and have confirmed that the Eskom overhead line is in good condition, poles are plumb and there is no visible corrosion against same, connections are still intact.

## Section 5: Engineering Services

This Eskom overhead line has not been decommissioned. It was installed as a back-up, i.e. when Eskom experienced problems at their Robberg Substation, this line provided Eskom with an option to take supply at 22kV via 11/22kV transformer at the Municipality's SS-Ferdinand. Eskom indicated that they have never used this line, i.e. they never had to obtain a supply from Bitou Municipality's substation.

This line became redundant when the Municipality decommissioned their 22kV transformers at SS-Ferdinand. If the Municipality did not need the line, Eskom would then decommission it.

### **Relevant Legislation**

Constitution of the Republic of South Africa, 1996 and Rules  
Local Government: Structures Act no 117 of 1998 and Regulations  
Local Government: Systems Act no 32 of 2000 and Regulations  
Local Government: Municipal Finance Management Act no 56 of 2003 and Regulations  
The Public Finance Management Act  
Occupational Health and Safety Act 85 of 1993 and Regulations  
Regulation 19 of the Electrical Machinery Regulations  
Municipal Assets Transfer Regulations  
Bitou Municipality: System of Delegations  
Bitou Municipality: asset Management Policy

### **Comments: Chief Financial Officer**

The recommendation by the Municipal Manager is supported.

### **Comments: Head Corporate Services**

The recommendation by the Municipal Manager is supported.

### **Comments: Head Community Services**

The recommendation by the Municipal Manager is supported.

### **Comments: Head Strategic Services**

The recommendation by the Municipal Manager is supported.

**Comments: Manager: Legal Services**

The recommendation by the Municipal Manager is supported.

**Recommended by the Municipal Manager**

1. That Council considers and accepts the transfer of the Plettenberg Bay / Robberg 22kV Tie Line from Eskom to the Bitou Municipality.
2. That the municipality operates and maintains the 438 meters of the Plettenberg Bay / Robberg 22kV Tie line as per ESKOMs specifications until the full transfer has taken place.
3. That Council considers proceeding with the procurement of the Plettenberg Bay / Robberg 22kV Tie Line from Eskom as per the Assets Transfer Regulations.
4. That the Accounting Officer be delegated to sign the Transfer of the Plettenberg Bay / Robberg 22kV Tie Line letter from Eskom.

ITEM C/5/22/06/17

**Council**

**AMENDMENTS TO THE FRAMEWORK AGREEMENT SIGNED WITH  
THE DEPARTMENT OF ENERGY BASED ON THE ADDITIONAL  
ALLOCATION OF SOLAR WATER HEATERS**

**Department:**            **Engineering Services**            **Demarcation:**            **All Wards**

**File Ref:**                **Sec/A/439**

**Attachments**            **Annexure “A” Agreement between the Bitou Local  
Municipality and the Dept. of Energy for  
the Solar Water Heaters programme**

**Annexure “B” Confirmation letter from DOE on the  
additional allocation**

**Annexure “C” Council report and resolution number  
C/5/15/03/17**

**Report From:**            **Head of Department**

**Author:**                 **Assistant Manager: Electrical and Mechanical**

**Date:**                     **19 May 2017**

**Purpose of the report**

The purpose of this submission is to seek council approval for the amendment of the Framework Agreement signed between DOE and the Bitou Municipality for an additional allocation from DOE for the rollout of the Solar Water Heaters (SWH) Programme.

**Background /Discussion**

As per Council resolution number C/5/15/03/17 dated 6 April 2017 of meeting held on the 4 March 2017, the attached as per the ‘Annexure C’ was resolved.

A Memorandum of Agreement was subsequently signed between the Department of Energy (DoE) and the municipality for the installation of 3000 SWH within the Bitou Municipality. Subsequently, the DoE indicated that an additional 3000 units have been allocated to the municipality for implementation within the current year.

## Section 5: Engineering Services

Accordingly, the following is sought from Council:

- 1) Acceptance of these additional 3000 units.
- 2) The prioritization of the additional SWH units.

The Minister for the Department of Energy (DoE) had an Imbizo at the municipality on 11 December 2016. The ministerial commitments that were made on the day included a commitment by the DoE's Clean Energy Chief Directorate installing three thousand (3000) Solar Water Heaters within the municipal area. However, there are legalities that need to be observed and some preparatory work undertaken. This includes the adoption of the framework agreement that needs to be agreed upon and entered into by the Department of Energy (DoE) and the Municipality. The precursor to the agreement is a council resolution which accepts the project and indicates the project area i.e. the prioritization of the installation in the various wards. The DoE intends to install two hundred (200) SWH before the end of June 2017 and the remaining two thousand and eight hundred (2800) will be installed during the 2017-18 financial year.

The DoE will be accountable for the project in its entirety, meaning that:

- the appointment of service providers will be done by the DoE
- monitoring and controlling performance will be performed by the DoE

The DoE will collaborate with the Department of Labour, the Department of Higher Education and industry appropriate Skills Education and Training Authorities (SETAs), as well as the Expanded Public Works Programme (EPWP) and Community Work Programme (CWP) located in the Department of Public Works to establish a national training programme to train potential installers and repairers identified by the Municipality.

### **Financial Implication**

No financial implications at this point as DOE will cover all the costs of training, materials, equipment and labour.

### **Executive Summary**

The program has economic and environmental benefits for the residents of Bitou as well as the following advantages:

- Effective and efficient water heating via evacuated tube technology.
- Relies solely on solar energy to heat water thus there is no connection to the grid.
- Funding for the program will be provided by the DoE.
- Improve the quality of life for the beneficiaries of the program

Considering the above statements, it is in the municipality's interest to facilitate the installation of the SWH. It is therefore proposed that Council supports the implementation of the SWH program

## Section 5: Engineering Services

within the municipality and that the implementation must take the sequence shown in the table below.

The prioritization was approved at a Council meeting held on the 14 MARCH 2017. During the kick-off meeting the DoE indicated that they would like to see the number of houses per ward as well as the number of SWH to be installed per ward. Fittingly, the table was altered to include the last columns. The DoE indicated that the numbers the municipality provided are indicative, as the final number will be finalized after the technical feasibility assessment is conducted. The table below provides Wards as prioritized in the previous Council Meeting as well as numbers of households per area.

<b>Priority Ranking</b>	<b>Ward number</b>	<b>Description of Area</b>	<b>Available houses</b>
1	Ward 5	Kwanokuthula Ph 1 and 2	1453
2	Ward 6	Kwanokuthula Ph 3 and 4	2667
3	Ward 3	Qolweni and a Portion of Pine Trees	300
4	Ward 4	New Horizons and a Portion of Pine Trees	1148
5	Ward 2	Bossiesgif, Plett South and Plett North	295
6	Ward 1	Kurland, Keurbooms, Natures Valley, The Crag	660
7	Ward 7	Green Valley, Wittedrift, Kranshoek, Harkerville	1379
<b>Total</b>			<b>7902</b>
<b>DoE SWH to be installed total</b>			<b>6000</b>

The DoE will conduct a technical assessment before the implementation of the SWH. The priority indicated above might vary depending on the outcomes of the assessment. If there are technical constraints in a particular ward, the ward with the next highest ranking would be elevated in terms of priority.

### **Relevant Legislation**

The Constitution

Local Government: Municipal Systems Act

Local Government: Municipal Systems Act

Bitou Municipality: System of Delegations

Bitou Municipality: Integrated Development Plan (IDP)

Bitou Municipality: Service Delivery and Budget Implementation Plan (SDBIP)

## Section 5: Engineering Services

Occupational Health and Safety Act and Regulations  
NHBRC  
Labour Relations Act and Amendments

### **Comments: Chief Financial Officer**

The recommendations of the Municipal Manager are supported

### **Comments: Head Corporate Services**

The recommendation by the Municipal Manager is supported.

### **Comments: Head Community Services**

The recommendations of the Municipal Manager are supported

### **Comments: Head Strategic Services**

The recommendations of the Municipal Manager are supported

### **Comments: Manager: Legal Services**

The recommendations of the Municipal Manager are supported.

### **Recommended by the Municipal Manager**

1. That Council considers acceptance of the additional 3000 units as confirmed by DOE.
2. That the Council re-prioritize if at all possible for the additional 3000 SWH units.
3. That the framework agreement be amended to include or reflect the additional allocation of 3000 of the SWH units
4. That the Accounting Officer be delegated to sign the amended framework agreement based on the additional allocation.
5. The vetting criteria will be applied as per the framework agreement.



## Section 6

**Department: Strategic Services**

ITEM C/6/24/06 /17

**Council**

**MANDATE TO ADOPT A PROCESS TO IMPLEMENT AN INTEGRATED ZONING SCHEME BY-LAW**

**Department:** Strategic Services                      **Demarcation:** All Wards  
**File Ref:** 15/1/16  
**Report From:** Head Strategic Services  
**Author:** Town Planner  
**Date:** 14 June 2017

**Purpose of the report**

The purpose of this report is to obtain a mandate from Council to adopt a process to commence with the implementation of an Integrated Zoning Scheme Bylaw (IZSB) for the Bitou Municipality.

**Background /Discussion**

The Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2014) [SPLUMA], stipulates in Section 24(1) that a municipality must adopt a single land use scheme for its entire municipal area within 5 years from the commencement of said Act. Municipalities thus have until 30 June 2020 to implement such integrated zoning scheme.

Currently the Bitou Municipal area is covered by three different zoning schemes (Section 8 Zoning Scheme, Plettenberg Bay Zoning Scheme, Kwanokuthula Zoning Scheme). Notwithstanding the requirement of SPLUMA, these different zoning schemes are also outdated and did not keep track with the changing development context of the area. As a consequence, these zoning schemes complicate development management to the extent that they hamper development.

Consequently it is necessary to consolidate the different zoning schemes into a single integrated zoning scheme, as well as to modernise the zoning scheme into an innovative tool which is more suited for managing the challenges of development.

A zoning scheme is however a complex legal document that affects the rights of all properties and to develop and introduce a new zoning scheme is a laborious task which requires specialised expertise, and can result in a costly exercise.

### **Financial Implication**

There is currently R2,8 million available on the 2017/18 budget for Town Planning Consultancy fees. The first phase (see “Overview of Proposed Process” below) of the IZSB process (2017/18 Financial Year) is considered to require approximately R350 000 for Consultancy Fees. The required zoning map will be prepared in-house which will save approximately R50 000 in Consultancy Fees.

### **Executive Summary**

In order to assist municipalities, the Western Cape Provincial Government (WCPG) has embarked on a process to develop a Proposed Standard Draft Zoning Scheme By-law (SZSB). During this process many professionals from across the Provincial, Local Government and private sector spheres have participated to develop such model SZSB, which was also fully vetted by a legal team of the PGWC. The SZSB was also already advertised once and all the inputs received were processed.

Municipalities in the Western Cape therefore have three options to adopt an integrated zoning scheme:

- Draft their own unique Integrated Zoning Scheme
- To use the Proposed Draft SZSB as a basis and make any amendments and additions to this scheme to suite any specific needs that the municipality may have;
- To adopt and implement the SZSB without any amendments.

The main objectives of the SZSB were the following:

- To integrate the existing zoning schemes applicable in a municipal area into a single Integrated Zoning Scheme
- To make provision for the present day challenges of land use management in terms of new and modern land use functions
- To devise modern mechanisms to facilitate and fast track desirable development outcomes
- To give recognition to the diversity of communities and areas and its corresponding needs and to make provision to accommodate these scenarios.

A brief overview of the zoning provisions of the SZSB are as follows:

(a) A variety of single residential zonings which caters for:

- variable development parameters in accordance with erf sizes which will allow smaller erven to have more relaxed building lines and other restrictions in order to develop the full potential of such properties;
- different sets of user rights and potential consent rights in accordance with the different needs of communities;

## Section 6: Strategic Services

- (b) A variety of General Residential Zones with varying bulk and height factors for different density zones according to locality considerations.
- (c) Business Zones with different objectives in accordance with locality considerations and its functional role.
- (d) A variety of Industrial, Community, Conservation and Agricultural Zones to match the needs of a modern society,
- (e) And lastly, the IZS includes the provision of Overlay Zones which provides a mechanism with which the Municipality can pro-actively facilitate change.

Whilst the development of this SZSB benefited to a great extent from such collective effort, it also carries the advantage that there are many municipalities who have already indicated that they will adopt the SZSB. It is consequently proposed that the Bitou Municipality adopts the SZSB for the following considerations and reasons:

- The savings in cost and time to adopt the SZSB;
- The SZSB has gone through a laborious process with wide consultation during which many planning professionals from the WCPG, municipalities and consultants have contributed towards the SZSB, and also includes the legal vetting of the product by the PGWC legal team.
- Consultants and developers serving the planning profession will be more readily acquainted with a Standardised Zoning Scheme which will be in force at a number of municipalities, and the adoption of such SZSB may contribute to improve effective and efficient service delivery to all stake holders.
- The municipality will benefit from any future amendments or additions to the Standard Zoning Scheme which the Western Cape Provincial Government (WCPG) will undertake to improve said scheme.
- The municipality will also benefit from any legal action or legal opinions based on the SZSB which any of the participating municipalities may solicit.

### **Overview of Proposed Process**

Following the required mandate from Council, the following process and associated timeframes to finalise and implement the SZSB will be followed in three phases:

#### **Phase 1:**

**Finalise SZSB** – From present up to December 2018

- Scrutinize the content of the SZSB to consider and make sure that it covers any specific needs or challenges that the municipality faces
- Develop zoning transition tables to determine the new zonings
- Prepare Land Use Registers and determine a new zoning in terms of the SZSB for every property with the finalisation of a new associated zoning map.

**Phase 2:**

**Public Participation process for SZSB – January 2019 – June 2019**

- Submit draft SZSB to Council for mandate to release same for purpose of public participation, including the proposed public participation process.
- Undertake Public participation and advertisement campaign, incl. Council workshops
- Evaluate any inputs on SZSB and finalise draft SZSB
- Communicate responses to parties who provided inputs.

**Phase 3 (Final Phase):**

**Approval and Implementation of SZSB – July 2019 – December 2019**

- Finalise SZSB and submit report to Council for final adoption.
- Publish adoption of SZSB [MSA s13(a) promulgation]
- Continue to address any bona fide zoning disputes

**Way Forward**

Following the mandate of the Council to proceed with the process as proposed, the Administration will immediately start with the survey of existing land use rights and uses in order to develop a zoning register and the associated map. This exercise in itself holds great value to the municipality for the following reasons:

- It will provide an accurate land use register to facilitate the effective management of land uses
- It will identify illegal land uses and where appropriate, such illegal land uses can be accommodated and legalised with the appropriate zoning
- The new zonings will result in higher value user rights and the municipality will accordingly capitalize on new revenue sources from:
  - Application fees for land use applications to rectify illegal land uses;
  - Associated building plan fees;
  - Capital contribution payments, as well as higher property rates and service charges for higher value properties.

**Relevant Legislation**

Spatial & Land Use Management Act (Act 16 of 2014)

**Comments: Chief Financial Officer**

The recommendation by the Municipal Manager is supported.

**Comments: Head Corporate Services**

The recommendation by the Municipal Manager is supported.

**Comments: Head Community Services**

It is recommended that the Standard Draft Zoning Scheme By-law be adopted by the Bitou Municipality.

**Comments: Head Engineering Services**

The recommendation by the Municipal Manager is supported.

**Comments Manager: Legal**

The recommendation by the Municipal Manager is supported.

**Recommended by the Municipal Manager**

That **APPROVAL BE GRANTED** to:

- (a) Commence a process as depicted in the subject report for a process to commence to implement an Integrated Zoning Scheme Bylaw (IZSB) for the Bitou Municipality.
- (b) Use the Proposed Draft SZSB (Standard Draft Zoning Scheme By-law) as a basis and make any amendments and additions to this scheme to suite any specific needs that Bitou Municipality may have.

ITEM C/6/25/06/17

**Council**

**AUDIT OF MUNICIPAL IMMOVABLE PROPERTIES WITHIN THE BITOU MUNICIPAL AREA AND OWNED BY THE BITOU LOCAL AUTHORITY**

**Department:** Strategic Services **Demarcation:** All Wards

**File Ref:** 7/2/5

- Attachments**
1. Annexure "A" – Findings and maps
  2. Annexure "B" – Methodology Report

**Report From:** Head Strategic Services

**Author:** Manager Town Planning

**Date:** 14 June 2017

**Purpose of the report**

To inform Council of property owned by Bitou Municipality in order to gain an understanding of which properties could potentially hold inherent value for possible future development or alienation for development purposes. Also to suggest that certain actions be taken as a result of this report i.e. compiling a report identifying properties with certain developmental potential, approaching Ede District Municipality for the transfer of property registered in their name, identifying State - and Provincial land in the municipal area and continuous refining of cadastral data to ensure optimal collection of revenue.

**Background /Discussion**

A land audit, conducted by the Department of Rural Development and Land Reform during 2015, culminated in a report and a presentation of the findings made to the MAYCO. The land audit identified properties in the towns as well as the rural areas, basing the findings on the information from the Office of the Registrar of Deeds, Council's cadastral information and Valuation Role. The audit included all properties and not only municipal owned land. The information obtained from the Deeds Office was taken to be correct, as its origin is a legally binding document registered in the Deeds Office. The Department acknowledged that discrepancies between the information sources existed, which could be attributed to incorrect cadastral information, implying that information obtained from the Deeds Office was not complete, as well as possibly an incomplete valuation role. Correcting this would require further detailed investigation.

## Section 6: Strategic Services

It is pointed out that the audit before Council now pertains only to municipal land and not all properties in the municipal area. Although the land audit by Rural Development addressed all properties, this land audit of only municipal land confirmed that the previous report had omissions pertaining to municipal property. Furthermore, this report addresses only the towns within the Municipal area and not the rural Areas.

### The methodology

In undertaking this land audit, the information contained in the land audit done by Rural Development was used in addition to new cadastral information obtained from the Surveyor General, the Deeds Office, the municipal valuation role and asset register pertaining to municipal properties. Once all the properties were identified using the mentioned sources, every town was mapped identifying the municipal properties within those towns. Thereafter, “institutional knowledge” was harnessed, relying on certain municipal officials who have been in the employ of the municipality for many years to identify municipal land that was not reflected on the maps. From this the maps were updated and all municipal land was tabulated per town or area in a register.

In terms of the old Land Use Planning Ordinance and the current Bitou Municipal Land Use Planning By-law all public open spaces and roads either vest with Council or are transferred to Council. In most cases the open spaces and streets are not transferred as this implies legal costs. This implies that many open spaces and even roads are still registered in the name of typically a developer or a previous landowner. Consequently the information pertaining to open spaces and streets obtained from the Deeds Office used in this report and the previous land audit is not correct as many open spaces are not included. In many instances it entails small snippets of land which were part of developments and streets.

In sourcing and interrogating the Deeds office information it was found that a large number of properties (erven) are registered in the name of the municipality but entail erven to be transferred to recipients of housing allocations. These properties were not taken into account in this report, as they clearly are intended to be transferred to individuals.

### Results / findings

The results as per this land audit are contained in Annexure A which is the consolidation of the asset register information, the General Valuation role, the information from the audit by Rural Development and verification by municipal officials. Erven part of housing projects and still registered in the name of Council as well as open spaces and streets registered in the name of the municipality were also not taken into account.

### Proposed further actions

Based on the information contained in this report as well as the study by Rural Development, certain further actions are suggested to benefit Council.



## Section 6: Strategic Services

Firstly, to identify all properties in the towns that hold potential for Council either by way of alienation or development by Council. This will entail a detailed investigation involving site visits, confirmation of actual uses, confirmation of zoning, determining the size of the property, suggesting potential uses, confirming restrictions in Title Deeds, etc.

Secondly, enter into discussions with Eden District Municipality to transfer all properties in the name of Eden DM or its predecessors to Bitou. From the investigation and the attached report it became apparent that many properties are still registered in the name of Outeniqua Afdelingsraad. If agreed to, these properties would need to be transferred into the name of Bitou Municipality.

Thirdly identify all State – or Provincially owned land. Discussions should be entered into with the relevant Departments to ascertain whether those properties could be transferred to Bitou and if agreed, these should then be transferred to Biotu Municipality.

Lastly, to undertake a cadastral information cleanse to ensure all properties as per SG and Deeds office are on the General Valuation Role. This could potentially lead to identification of properties which are not on the GV and which which would then imply additional revenue.

### **Financial Implication**

This report holds no financial implications as it is a register of all municipal properties located in the towns within the municipal area. However, the subsequent actions as proposed whereby the cadastral data is cleansed will lead to improved collection of revenue as it seems as though not all properties, especially those in the rural areas, are not on the valuation role. This was also pointed out in the land audit done by the Department of Rural Development.

### **Executive Summary**

This land audit of properties owned by Bitou Municipality has resulted in a register of all properties which are then assets which have to be reflected as such. This report was undertake only in relation to properties in the towns and not the rural areas. Information in respect of the rural areas seems insufficient. The data will need to be obtained to confirm ownership. Resulting from the land audit, certain further actions are proposed which will lead to a complete land audit, including the rural area in addition to identifying properties that hold potential for further development or alienation to an outside party.

### **Relevant Legislation**

Municipal Systems Act  
Municipal Financial Management Act  
Municipal Asset Transfer REGulations

**Comments: Chief Financial Officer**

The recommendation by the Municipal Manager is supported.

**Comments: Head Corporate Services**

The recommendation by the Municipal Manager is supported.

**Comments: Head Community Services**

The recommendation by the Municipal Manager is supported.

**Comments: Head Engineering Services**

This report is to reflect all municipal properties with title deeds. The report should also cover municipal property leased to other organizations, business etc, or atleast it should be specified on this report.

There are properties leased to the municipality by other organs of state, these should be included as part of properties to be negotiated with for transfer to the municipality, e.g. the Lookout Restaurant.

Properties registered in the name of the municipality but entail erven to be transferred to recipients of housing allocations. These properties were not taken into account in this report, as they clearly are intended to be transferred to individuals. Question is whether there were agreements signed with those individuals or how the properties were disposed of (whether through SC processes or sale in other forms). Records of these individuals and transactions should be made available to ascertain how they were to be transferred or transferred if at all. An annexure of these properties must be attached

Erven part of housing projects and still registered in the name of Council as well as open spaces should reflect for information purposes to those who are not aware of those properties as an annexure also. There is new Council and new senior management.

With the new office project, it's imperative to be aware of all strategic properties that could be leveraged as part of the unitary cost towards the payment of the projects.

Report on information investigated by Rural Development previously should be annexed for information purposes for new Council. Some councillors might have relevant background knowledge or information of certain properties

**Comments Manager: Legal**

The recommendation by the Municipal Manager is supported.

**Recommended by the Municipal Manager**

1. That cognisance be taken of the municipal properties as listed, located in the towns within Bitou municipal area.
2. That the following actions be undertaken to further complete the municipal land audit:
  - (a) A report be compiled in which all properties in all the towns be identified that hold potential for Council, either by way of alienation or development by Council.
  - (b) Discussion be entered into with Eden District Municipality in order to ascertain whether all properties registered in the name of Eden DM or its predecessors could be transferred into the name of Bitou municipality.
  - (c) All State – or Provincially owned land be identified and that discussions be entered into with the relevant Departments to ascertain whether those properties could be transferred to Bitou.
  - (d) To undertake a cadastral information cleanse to ensure all properties as per Surveyor General and Deeds office are on the General Valuation Role