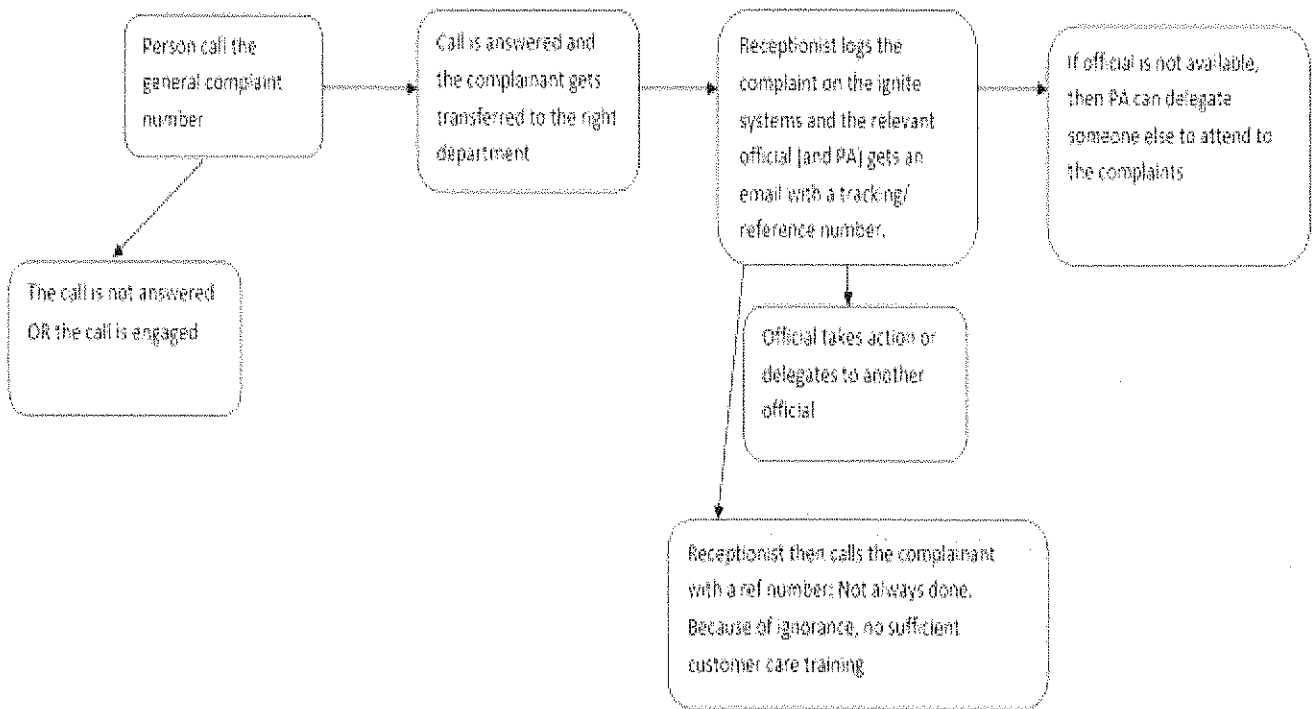


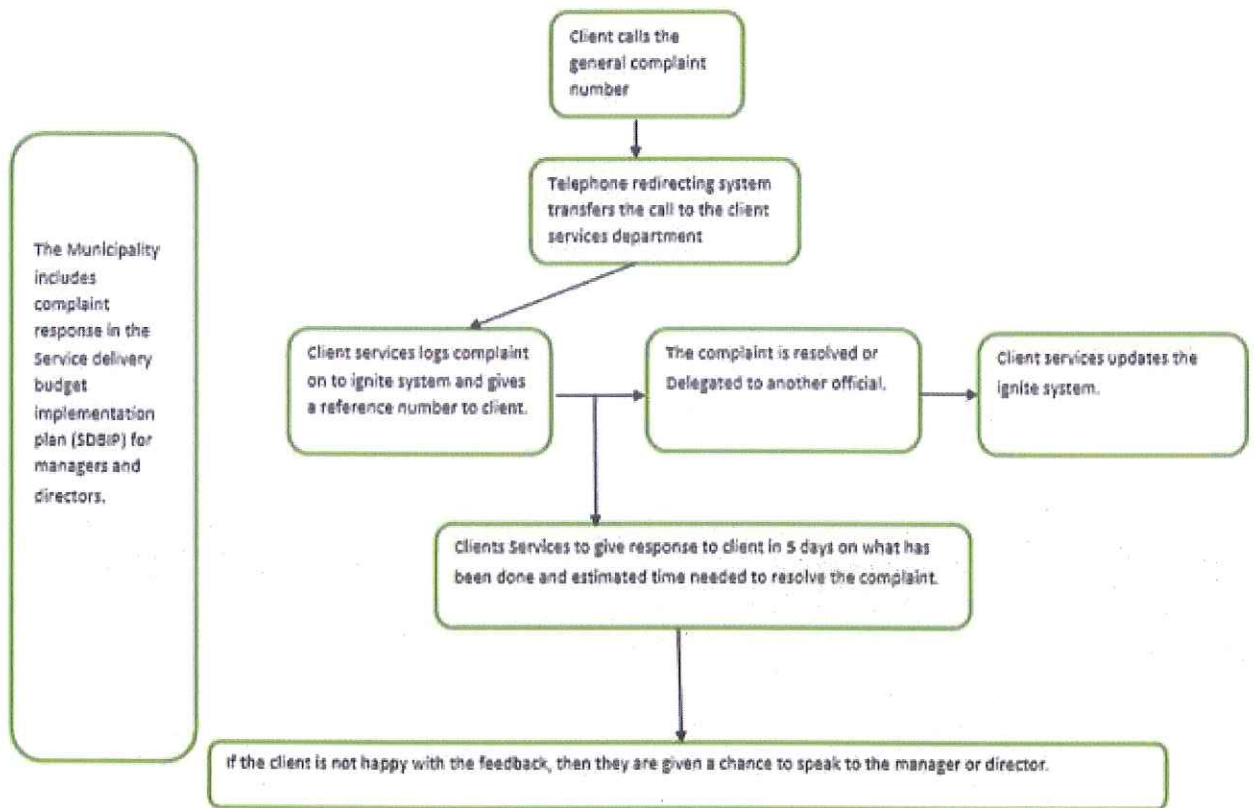
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Figure 2: "As Is" Municipal Complaint System



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Figure 3: "To Be" Process: Municipal Complaint Management Process



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DEPARTMENT OF ECONOMIC DEVELOPMENT AND TOURISM
 RED TAPE REDUCTION - CAPE AGULHAS MUNICIPALITY

17 OCTOBER 2014 @ 13H00

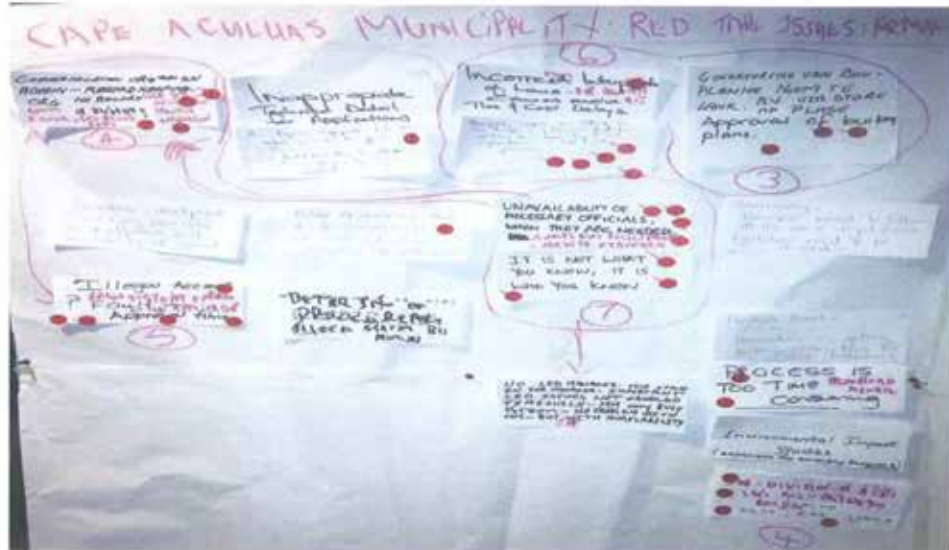
ATTENDANCE REGISTER

NO	SURNAME	NAME	ORGANISATION	EMAIL ADDRESS	SIGNATURE
1	Van Gize	HANNES	KAM	hannet@capetown.gov.za	[Signature]
2	Hayward	BERTUS	CAM	bertus@capetown.gov.za	[Signature]
3	KOTZE	NOBUCCO	CAM	nohuco@capetown.gov.za	[Signature]
4	M. BRIS	WYBURGH	CAM	wyburgh@capetown.gov.za	[Signature]
5	O'NEILL	JEAN	CAM (AM)	jean@capetown.gov.za	[Signature]
6	P. KRUGER	PIET	CAM	piet@capetown.gov.za	[Signature]
7	WOLPE	RAE	Impact Economix	rae@impacteconomix.com	[Signature]
8	ELLI	MICHELLE	Impact Economix	michelle@impacteconomix.com	[Signature]

4. Workshop Discussion Notes/Charts

A. Red tape Identification workshop

Workshop Formal Business Participant Red Tape Input Summary



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Workshop Notes: Action Plan 1: Improving the enforcement and management of illegal business land uses:

CAPE AGULHAS RED TAPE ACTION PLAN - LAND USES

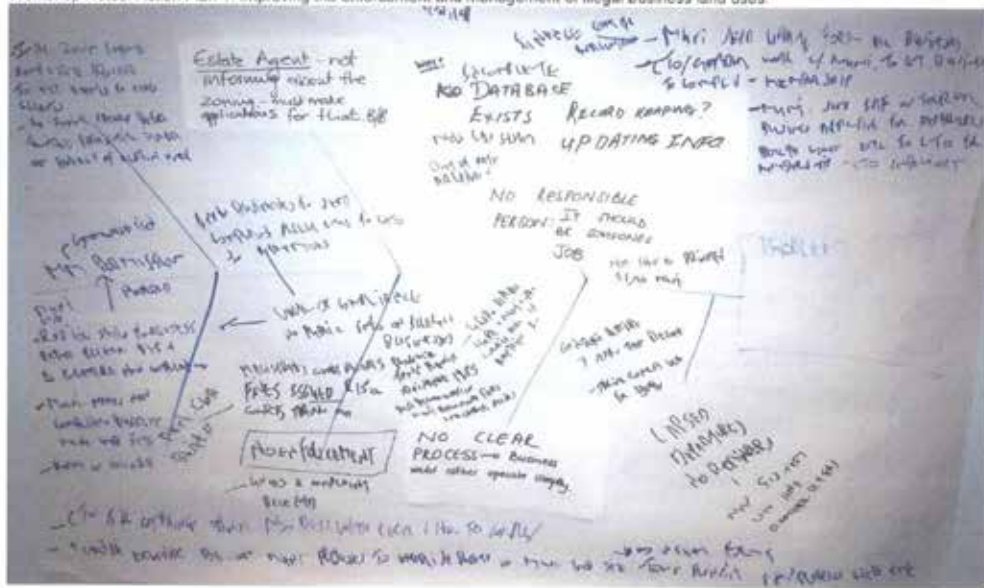
PROBLEM: Businesses not known to municipalities - so who taking value process?

- identify and manage:
 - DENYING LAND?
 - DENYING SAFETY, SECURITY REQUESTS
 - DENYING PRICE AND SERVICE THROUGH REGISTRATION
 - DENYING LEGAL STANDARDS - MUST GO LOCAL
- Check with what legal
- DENYING + enforcement/registration/PROPERTY
- Lost time fees for council/District + not same fee for Municipality/Business
- Create Plan for tourists - more accommodation
- PRODUCTS - Pool cost experience - some restrictions
 - not - update rules - may require some other APPROVAL/REGUL./ANALYSIS
- DIST. COSTS COMPLETE BUSINESS - not - complete requirements business - affect local business
- SPREAD THEM OUTSIDE OF DISTRICTS
- not - have multi. know who is local to apply
- Be - Zoning, SDF + DEPARTMENTS (COURT CASES) + PATROL REQUIREMENTS (SAFETY ISSUES)
- SP Local Business
- 2 - structure for RATER
- HEALTH/SAFETY/ - Multi/DISTRICTS POLICE CAPACITY - FEE
- LEAK/SPREAD
- DIST. CHANGE STRATEGY

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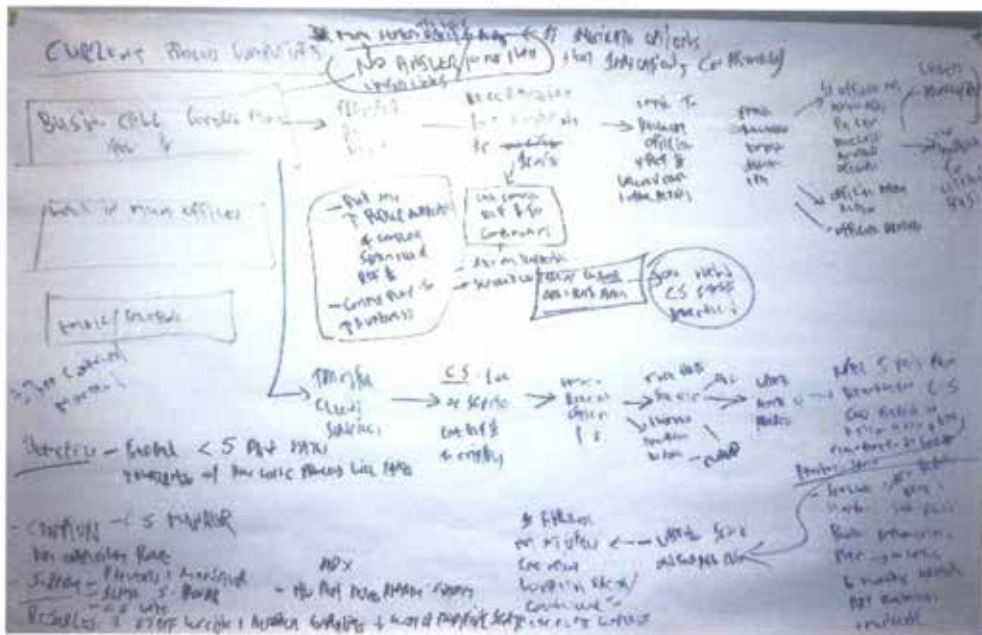
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Workshop Notes: Action Plan 1: Improving the enforcement and management of illegal business land uses:



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Figure 6. Workshop Notes: Action Plan 2: Improving the municipal complaints system



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Annexure 3: Two Case Studies

Case Study Title:

Western Cape Municipal Red Tape Reduction Case Study: Cape Agulhas Municipality's system to manage and respond to citizen and business queries and complaints.

Document Author	Author Name: Rae Wolpe Organisation: Impact Economix Telephone: 021 685 9663 Email: rae@impacteconomix.com Web: www.impacteconomix.com	18 February 2015
Document Owner	Western Cape Provincial Government: Department of Economic Development and Tourism	
Purpose:	The purpose of this case study is to share with other municipal stakeholder's steps that the Cape Agulhas Municipality is taking to improve its systems and processes to effectively and efficiently respond to and resolve queries or complaints submitted by citizens and businesses to the municipality.	
Target Audience:	Municipalities.	
Glossary:	WCG: Western Cape Government. CAM: Cape Agulhas Municipality.	

1 Basic Information

Institution Name	Cape Agulhas Municipality
Province	Western Cape
Contact	Name: Mr Sam Ngwevu. Position: Director: Corporate Services. Tel: : 028 425 5500. Cell: 082 909 0155. E-mail: samn@capeagulhas.gov.za
Key Themes	Red Tape Reduction, Municipal complaints system.

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2 The Case Study Story

<p>Background / Context:</p>	<p>Ensuring that citizens and businesses can communicate efficiently and effectively with a municipality is challenging for a number of reasons. These include the wide variety of functions performed and services offered by municipalities, the size of these organisations, the numerous communication channels available to the public and which need to be monitored (and which now increasingly include social media), and the need to ensure clear management and work flow processes and a monitoring and reporting system to track this communication from receipt all the way to resolution.</p> <p>The CAM currently received about 300 complaints a month. These complaints are submitted and received through a variety of communication channels including the following: municipal telephonic reception, Facebook, Twitter, help sms system and a complaint email address (which is posted on its website: complaints@capeagulhas.com). The municipal website also has a complaint form/ comment form. Each complaint submitted using this form will go directly to the IT unit which forwards the complaint to the relevant official who handles the issue. Receptionists in the Municipal departments are responsible for logging in client complaints on the Ignite system. The Ignite system currently makes provision for the following data fields: Name, address, phone number, person responsible for complaint, urgency of the matter, and status of the complaint resolution (in progress or resolved).</p> <p>As part of the complaints monitoring process, the Municipal Manager sends a weekly complaints summary report to managers and every month a report on the relevant ward is sent to ward councilors indicating resolved and outstanding complaints.</p> <p>However, the systems and processes require improvements as businesses complain that they are still unclear on how long it will take to resolve submitted issues and it can sometimes take up to a year before responses are received or issues are resolved.</p>
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<p>Problem Statement including key causes</p>	<p>Businesses have reports the following challenges with the current municipal complaints system and processes:</p> <ul style="list-style-type: none"> • There is no clear process of giving feedback to clients who submit complaints. • When a complaint is received, there is no indicative time frame provided regarding how the estimated time-frame for resolving the issues. • There do not appear to be consequences for when a department does not respond to a complaint in time. It is therefore not clear how performance in meeting standardised response times for queries or complaints is linked to the municipal performance management system. • When businesses/ citizens phone the municipal reception, they frequently either do not obtain an answer or have to wait for an answer in excess of ten minutes because of the limited lines available. <p>Some of the causes underlying the above problems include the following:</p> <ul style="list-style-type: none"> • The Municipality does not yet have a Service Charter (although it has begun work on the service charter) which specifies standardised response time for different categories of service delivery requests, applications, and communications. • There is a lack of consequence management where official's performance in responding to and resolving complaints is not sufficiently evaluated by management as part of the performance management system and individual performance reviews. • Municipal receptionists do not always know which specific issues should be referred to which departments and officials. The municipal telephone system is also outdated. • Municipal officials are not all well trained in the use of the Ignite system to log and monitor queries and complaints.
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<p>Improvement and innovation</p>	<p>In order to address the challenges previously outlined, the Municipality is currently centralising Client Services and complaints into one corporate unit within the office of the Municipal Manager to help manage and track client complaints better (this involves restructuring of 5 departments). This will ensure that all complaints are entered properly into the Ignite system and that there can be more effective monitoring. Client services will then be responsible for ensuring that feedback is provided to the citizen or business submitting an issue regarding what actions has been taken to address the issues and an estimated time-frame by which the issues can be expected to be resolved by.</p> <p>In addition, CAM is developing a Citizen Service Charter which will contain minimum service levels and response times for commonly used municipal services.</p> <p>In addition, CAM has identified a range of additional improvement actions which include the following:</p> <ul style="list-style-type: none"> • Training to improving municipal staff awareness of what departments and officials are responsible for what services (especially receptionists who are often asked to refer people to the relevant official) so that complaints can be referred to the correct person who can address the problem • Developing a 1-2 page municipal official directory page with user friendly descriptions of main services dealt with by different departments/ branches for use by receptionists and personal assistants. • Training relevant officials in customer care and how to use the Ignite system to improve customer feedback. • Use of the local media (as well as the bulk sms system if possible) and municipal functions to increase public awareness of the municipal complaints system and the importance of always obtaining a reference number once a complaint is submitted so that progress with the complaint can be monitored/ followed up easily. • Including a complaints progress report in the managers Key Performance Indicator report which is sent to the Municipal Manager and is part of the six monthly Director evaluation process. • Training of new customer service staff in the Ignite system. • The IT unit to investigate phone call redirecting options and the cost implications so that officials who are out of office can be easily contacted
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<p>Positive Results</p>	<p>Improving the submission, management and monitoring of citizen and business queries and complaints will support more effective communication with the municipality. There will be improved communication and feedback to businesses/ citizens on progress with their complaint as well as an estimated time-frame to resolve the issues within five days. This will reduce the business' time involved in following up progress with submitted complaints so that businesses can focus on running their businesses.</p> <p>Improved citizen/ business awareness of how long a complaint should take to be resolved should reduce the number of complaints/ follow ups submitted to the municipality and potentially the amount of staff time spent on responding to follow ups on complaints progress. Businesses will be able to plan more effectively, take appropriate actions, and manage their businesses</p> <p>Finalising a Citizen Services Charter will make service levels and response times clear to both the public and municipal officials and allow for performance to be monitored and more effectively managed.</p> <p>Improved resolution of business complaints should improve municipal-business relationships and enhance the potential for cooperation and joint initiatives/ partnerships between the municipality and businesses to enhance the local economy.</p>
<p>Challenges</p>	<p>The Ignite system will require modifications to support the improved submission, monitoring and reporting processes (as well as aligning this to the Citizen Service Charter minimum service standards when these are approved by Council).</p> <p>Monitoring and reporting processes may need to be strengthened to ensure that the municipality's performance in responding to and resolving queries and complaints is effectively monitored and managed and link to the performance management system.</p>

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Further Information	Name: Mr Sam Ngwevu. Position: Director: Corporate Services. Tel: : 028 425 5500. Cell: 082 909 0155. E-mail: samn@capeagulhas.gov.za.
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Case Study Title:

Western Cape Municipal Red Tape Reduction Case Study: Cape Agulhas Municipality and effectively identifying and managing illegal land-uses.

Document Author	Author Name: Rae Wolpe Organisation: Impact Economix Telephone: 021 6859663 Email: rae@impacteconomix.com	Creation Date	18 February 2015
Document Owner	Western Cape Provincial Government Department of Economic Development and Tourism		

Purpose:	The purpose of this case study is to share with other municipal stakeholders steps the Cape Agulhas Municipality is taking to effectively identify and manage illegal land-uses.
Target Audience:	Municipalities:
Glossary:	CAM: Cape Agulhas Municipality. GIS: Geographic Information System. LTO: Local Tourism Organisation. LUPA: Western Cape Land-use Planning Act (2014). WCG: Western Cape Government.

1 Basic Information

Institution Name	Cape Agulhas Municipality.
Province	Western Cape.
Contact	Name: Bertus Hayward. Department: Town Planning. Position: Manager: Town Planning. Tel: (028) 425 1019. Cell: 083 632 7367. Email: bertush@capeagulhas.com
Key Themes	Red Tape Reduction, Illegal land-use.

2 The Case Study Story

Background / Context:

Businesses require the appropriate zoning and approval from municipalities before they can operate from a particular building or site. In Cape Agulhas, a number of challenges have been experienced in the tourism industry with respect to Bed and Breakfasts not always operating from premises which have the required zoning approval. This situation is creating a number of challenges and negative impacts on the competitiveness, growth and sustainability of the local tourism industry, including the following:

- Illegal and unregistered businesses create room for bad customer service in the accommodation industry for instance, some tourists have complained about poor accommodation services. This can give the area a bad reputation and undermine the overall tourism industry when customers report or post negative experiences using social media etc.
- Illegal businesses do not have the same costs as legal businesses because they do not pay business rates and taxes. This is creating an uneven playing field for businesses which subsequently affects job creation in the area and can negatively impact on the sustainability of legally operating tourism businesses.
- Some illegal businesses are creating challenges for other related industries. For instance when an illegal business comes to the local radio station to advertise, the radio station is not sure whether it should allow the business to advertise or not
- Businesses operating illegally sometimes do not have guest insurance cover for guests, which creates problems for the health and safety of tourists.
- The illegal businesses do not necessarily comply with parking regulations and this can create a public safety hazard.

The municipality has sent letters to illegal businesses regarding illegal land uses in an attempt to start addressing this issue. Fines for illegal land use are determined under the Western Cape Land-Use Planning Act of 1985. The municipality is currently working on recommendations to improve this act.

In terms of the Western Cape Land-use Planning Act (2014) (LUPA), municipalities will have more power (including establishing a Municipal Tribunal) to deal with the enforcement of town planning regulations including illegal land-use infringements once regulations have been approved.

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<p>Problem Statement including problem causes</p>	<p>There is a need for the CAM to have a system and set of processes in place which ensure that there is consistent and pro-active enforcement of illegal land-uses by the municipality. This means that the CAM should not only rely on members of the public to report illegal land-uses.</p> <p>When people purchase properties in the area, estate agents do not always inform these buyers of the current zoning and/or zoning regulations as well as the zoning processes which need to be followed to amend a property's zoning. Buyers are sometimes unaware of the zoning issues involved. The rezoning process is also not clearly communicated by the CAM or easy to understand and this discourages compliance.</p> <p>There is also no effective enforcement system against businesses operating without the required land use permissions. The courts of law do not necessarily take the illegal operation of business seriously, making it difficult for the municipality to take effective legal action against illegal businesses. The illegal businesses know about this and they are not afraid to be taken to court for their illegal operations. For instance, illegal businesses are fined an averaged of R1500, an amount which is very small and does not encourage an illegal business to register. Most businesses continue operating illegally even after they have been fined.</p> <p>Weaknesses in the ability of the municipality to identify and businesses operating without either the required zoning or departures undermine existing businesses which do comply with these regulations and cause a range of potential side-effects which can undermine the tourism attractiveness of the area into the future. The quality of the CAM's Geographic Information System (GIS) and the maintaining the accuracy of the GIS information (including information on what businesses are operating on what erven) needs to be improved.</p> <p>The CAM is losing out on potential revenue from illegal businesses (revenue can be about R4000/ business for land-use permission as well as higher municipal rates and other tariffs (e.g. electricity) which are payable by businesses). Illegal businesses are still paying household rates when they should be paying businesses rates.</p> <p>In addition, some businesses that have applied for re-zoning complain that the process can take up to ten months (instead of the three expected months). However, this lengthy time-frame is sometimes linked to the need to also apply for departures before the business is allowed to operate. Some businesses receive temporary departures but do not monitor the departure expiry date and do not receive a reminder from the CAM about the expiry date and, as a result, they end up operating</p>
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<p>Improvement and innovation</p>	<p>The CAM is taking action to improve and maintain its GIS system and database of land-use / zoning information including a record of where businesses operate. Actions that CAM can take to improve the identification of businesses operating without the required zoning, as well as improve compliance with zoning regulations include the following:</p> <ul style="list-style-type: none"> • CAM Finances department to send an update form to all businesses to update land-use and other relevant contact and compliance information in order to improve business compliance with land-use and other relevant regulations. The municipality should could create a comprehensive database of all businesses operating in the municipal areas and design a verification process to verify which businesses comply with zoning and zoning regulations. • The local business chamber and Local Tourism Organisation (LTO) will work with and assist the municipality by communicating this process and circulate the update form to all their members and encourage members to comply and submit the requested information. • CAM can send information on how tourism businesses can apply for departures to the LTO. The LTO can then inspect their premises. The Business chamber can also assist the municipality in distributing information on the procedure to apply for business departures, procedure to apply for business and health licenses and other approvals required, to LTO members and other tourism businesses. • CAM can use the municipality's slot on the local community radio station and inform people in the area of the need to report unregistered businesses and processes that need to be followed. • The municipality should close businesses operating illegally by cooperating with the police who are responsible for the closure of illegal businesses. • The municipality should consider a name and shame system using the municipal website or radio station to expose illegal businesses in the area. The MM should give permission to have a link on the website where business that are not registered are listed. • Businesses should report non-compliant business on the Hello Peter website as well as to the municipality (for attention: Town Planning Manager). Individual complaints about illegal tourism businesses should also be sent via the LTO. • Estate Agents should inform clients wishing to purchase properties about zoning process that need to be followed. For instance, the estate agent can provide a list of requirements that each new property owner should be aware of and/or follow. This should include the municipality's Integrated Zoning Scheme compliance brochure. This brochure already exist. The municipality needs to ensure that estate agents are aware of it ad have copies of it to give to potential and actual property buyers. • Estate agents should encourage potential and actual property buyers to approach the municipality to clarify zoning issues and processes. Potential buyers should be encouraged to fund the re-zoning process before the property transfer process is initiated.
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Positive Results	<p>If there is consistent and effective enforcement of zoning regulations, a number of positive impacts on the CAM and local economy can be expected, including:</p> <ul style="list-style-type: none"> • The quality of the tourism experience will be improved and the overall tourism reputation and sustainability and growth will improve. Registration also helps the accommodation businesses to be graded by the grading agency. Tourists take the grading system seriously and a graded accommodation business will most likely get more clients. The tourism experience will more likely be a positive one where their expectations are met and positive tourist experiences will enhance the overall reputation and perception of the area as a tourism destination. This will assist with overall job creation. • Municipal revenue will grow and be enhanced through both land-use and departure application fees, as well as correct business rates and service charges being charged to businesses. This will raise additional revenue for service delivery and infrastructure which can enhance the overall community's development and quality of the business environment.
Challenges	<p>Draft national regulations (in terms of the Spatial Planning and Land Use Management Act (16/2013) are still in the process of finalisation and this process may go beyond the initially planned deadline of July 2015. This has implications for finalising Western Cape Regulations in terms of LUPA and this impacts on the role of municipality's in enforcing town planning regulations including zoning schemes (and levying of fines for example).</p> <p>Within Cape Agulhas, close cooperation between the local business chamber, Local Tourism Office, local businesses, and local law enforcement is required to improve consistent enforcement of zoning regulations.</p>
Further Information	<p>Name: Bertus Hayward. Department: Town Planning. Position: Manager: Town Planning. Tel: (028) 425 1019. Cell: 083 632 7367. Email: bertush@capeagulhas.gov.za.</p>

END

Annexure 4: Overberg Red Tape Reduction Overview Article

Managing illegal land-uses in the Cape Agulhas Municipality

Challenges in identifying businesses which operate from properties that do not have the required zoning rights or other departure permissions are threatening the health of the tourism industry in the Cape Agulhas municipal Area. This challenge can only be effectively addressed through closer cooperation and partnership initiatives between the Cape Agulhas Municipality, the local tourism industry (represented by the Local Tourism Organisation) (LTO), the local business chamber, and estate agents involved in the sale and purchase of properties.

So what kinds of problems arise when tourism businesses such as Bed and Breakfasts operate without the required zoning and/or planning departure permissions? Potential problems include the following:

- Illegal and unregistered businesses create room for bad customer service in the accommodation industry for instance. Some tourists have complained about poor accommodation services. This can give the area a bad reputation and undermine the overall tourism industry when customers report or post negative experiences using social media etc.
- Illegal businesses do not have the same costs as legal businesses because they do not pay business rates and taxes. This is creating an uneven playing field for businesses which subsequently affects job creation in the area and can negatively impact on the sustainability of legally operating tourism businesses.
- Some illegal businesses are creating challenges for other related industries. For instance when an illegal business comes to the local radio station to advertise, the radio station is not sure whether it should allow the business to advertise or not.
- Businesses operating illegally sometimes do not have guest insurance cover for guests, which creates problems for the health and safety of tourists.
- The illegal businesses do not necessarily comply with parking regulations and this can create a public safety hazard.

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All of these challenges can negatively impacts on the growth and sustainability of the local tourism industry. In addition, the Municipality is losing out on additional municipal revenue from re-zoning applications (revenue can be about R4000/ business for land-use permission) as well as higher municipal rates and other tariffs (e.g. electricity) which are payable by businesses). Illegal businesses are still paying household rates when they should be paying businesses rates, which it should be generating from businesses operating with the correct zoning. This reduces the municipality's budget available to deliver basic services and infrastructure.

Municipalities face a number of challenges in ensuring illegal land-uses are firstly identified, and secondly in ensuring that effective actions can be taken to ensure and improve compliance with the regulations. One challenge is that the fines for illegal land use are relatively small (for example are around R1,500) and often do not serve as an effective deterrent. The level of these fines are determined under the Western Cape Land-Use Planning Act of 1985. Municipalities are currently working on recommendations to improve this Act which has recently been replaced by the Western Cape Land-use Planning Act (2014) (LUPA). In terms of LUPA, municipalities will have more power (including establishing a Municipal Tribunal) to deal with the enforcement of town planning regulations including illegal land-use infringements (once the new regulations have been approved later in 2015).

Other challenges to more effective enforcement include the following:

- When people purchase properties in the area, estate agents do not always inform these buyers of the current zoning and/or zoning regulations as well as the zoning processes which need to be followed to amend a property's zoning. Buyers are sometimes unaware of the zoning issues involved. The re-zoning process is also not clearly communicated by municipalities, nor is it easy to understand by the lay person and this discourages compliance.
- Municipalities need to manage and maintain accurate information on the use of properties in their area using a Geographic Information System (GIS). As this information is frequently changing, the design of effective processes to identify these changes and include it in the GIS system exists.

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The Cape Agulhas Municipality, together the LTO and Business Chamber has identified a range of actions to improve the situation. These include:

- Improving the quality of information in the municipal GIS system and database of land-use / zoning information including a record of where businesses operate.
- Municipal Finances Finance Department will send an update form to all businesses to update land-use and other relevant contact and compliance information in order to improve business compliance with land-use and other relevant regulations.
- The local business chamber and LTO will work with and assist the municipality by communicating this process and circulate the update form to all their members and encourage members to comply and submit the requested information.
- The Municipality will send information on how tourism businesses can apply for departures to the LTO. The LTO can then inspect their premises. The Business chamber can also assist the municipality in distributing information on the procedure to apply for business departures, the procedure to apply for business and health licenses and other approvals required, to LTO members and other tourism businesses.
- The Municipality will close businesses operating illegally by cooperating with the police who are responsible for the closure of illegal businesses.
- The Municipality will consider implementing a "name and shame" system using the municipal website or radio station to expose illegal businesses in the area.
- Businesses should report non-compliant business on the Hello Peter website as well as to the municipality (for attention: Town Planning Manager). Individual complaints about illegal tourism businesses should also be sent via the LTO.
- Estate Agents should inform clients wishing to purchase properties about zoning process that need to be followed. For instance, the estate agent can provide a list of requirements that each new property owner should be aware of and/or follow. This should include the municipality's Integrated Zoning Scheme compliance brochure. This brochure already exists but and the municipality needs to ensure that estate agents are aware of it and have copies of it to give to potential and actual property buyers.
- Estate agents should encourage potential and actual property buyers to approach

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the municipality to clarify zoning issues and processes. Potential buyers should be encouraged to fund the re-zoning process before the property transfer process is initiated.

- The Municipal website should also include clear and accessible information about municipal land-use/ town planning/ transport/ health and other district and provincial approvals and processes that need to be followed when starting different types of businesses. Much of this information is already available in a municipal brochure/ document. The relevant business application forms should also be made available on the municipal website.
- The LTO can design, plan and implement an information/ marketing campaign on what approvals are needed for starting and operating a business and what the application procedures and processes are (and relevant contact information for different approvals required).

The effective implementation of these actions by the Cape Agulhas Municipality, Local Tourism Organisation, Local Business Chamber and other stakeholders will improve the consistent and effective enforcement of zoning regulations which should improve the quality of the tourism experience and the overall tourism reputation of the region. More tourism accommodation businesses will become graded making it easier for tourists to select appropriate accommodation. The tourism experience will more likely be a positive one where the expectations of tourists are met.

In addition, municipal revenue will grow and be enhanced through both land-use and departure application fees, as well as correct business rates and service charges being charged to businesses. This will raise additional revenue for service delivery and infrastructure which can enhance the overall community's development and quality of the business environment.