

**MINUTES OF THE SPECIAL COUNCIL MEETING OF BITOU LOCAL MUNICIPALITY HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON WEDNESDAY, 24 FEBRUARY 2016 AT 14H20**

**1. OPENING**

The Speaker, Councillor AR Olivier declared the meeting open at 14h20 and welcomed everyone present.

She then requested Councillor ST Besana to open the meeting.

**2. ATTENDANCE**

The Attendance Registers of members of the Municipal Council, Officials and Public are attached hereto as annexures.

**3. APPLICATION FOR LEAVE OF ABSENCE**

No application for leave of absence was received.

**4. STATEMENTS AND COMMUNICATIONS BY:**

**4.1 The Executive Mayor**

None

**4.2 The Speaker**

The Executive Mayor emphasis the matter of racism

**5. PRESENTATION**

None

6. **CONSIDERATION OF REPORT**

**Section 1: Office of the Municipal Manager**

Resolution C/1/111/02/16

INAUGURAL MAYORAL JAZZ FESTIVAL AT CENTRAL BEACH ON 19 – 20 MARCH 2016

**Department:** Municipal Manager's Office      **Demarcation:** All Wards

**File Ref:** 11/2/14

**Resolved**

1. That a business plan on the feasibility, financial implications which includes a risk assessment for the staging of the event be submitted to the Municipal Manager and the Chief Financial Officer for a joint decision on the feasibility for staging the event.
2. That Council authorizes the Municipal Manager to enter into a Memorandum of Understanding with the event organizers after they considered the Business Plan submitted.
3. That the Memorandum of Understanding must make provision for the indemnification of Council against any possible claims which may arise out of any eventuality in respect of the event including but limited to:
  - 3.1 protection of intellectual rights concerning the event in favor of the Municipality.
  - 3.2 Mal-performance on the part of the event organizers,
  - 3.2 Mal-performance on the part of any participant in the event.
  - 3.3 Mal-performance on the part of any other party to the event including, sponsors and/or any other stakeholders.
  - 3.4 Compliance with all statutory provisions including but not limited to;
    - 3.4.1 LUPA, Municipal By-Laws and regulations
    - 3.4.2 National Building Regulations and Buildings Standards Act,
    - 3.4.3 NEMA and Coastal Management Act,
    - 3.4.4 South African Music Rights Organisation (SAMRO licensing) etc.



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- 3.5 The Municipality's equitable share in the revenue generated by the event,
- 3.6 Legal costs, if any, for the drafting of the MOU be borne by the event organizer.
- 3.7 Adequate Third Party Liability Insurance for any eventuality arising before, during or after event at the cost of the event organizer.
- 3.8 Any other matter incidental to the event not listed herein which, at the discretion of the Municipal Manager is material and or essential to the MOU.
- 3.9 That all adjacent restaurants and hotels in the vicinity of central beach be briefed by the event committee.
- 3.10 That the final Memorandum of Understanding and Business Plan be circulated to all Councillors for information.
- 3.11 That all future requests for events be submitted via a central point on a standardised template and that Ward Councillors be notified of events being planned within their wards prior to the event.

Proposed: Councillor W R Craig  
Seconded: Councillor S B Farrow

**To be Actioned by: The Municipal Manager**

**Section 2: Finance**

**Resolution C/2/275/02/16**

**TABLING OF A LIST OF ALL EXEMPTIONS, REBATES AND REDUCTIONS,  
AS REQUIRED BY SUBSECTION 15 (3) OF THE MUNICIPAL PROPERTY  
RATES ACT, ACT 6 OF 2004**

**Department: Finance                      Demarcation: All Wards**

**File Ref: 5/6/1/2/5**

**Resolved**

That the Municipal Council takes note of the list of exemptions, rebates and reductions granted by the municipality for the 2014/15 Financial Year.

Proposed: Councillor S B Farrow  
Seconded: Councillor N Ndayi

**For information**

**Resolution C/2/276/02/16**

**IRREGULAR, FRUITLESS AND WASTEFUL EXPENDITURE AS AT 30 JUNE 2015**

**Department:** Finance **Demarcation:** All Wards

**File Ref:** 5/15/5/1

**Resolved**

1. That the Municipal Council take note of the circumstances and reasons of the Irregular Fruitless and Wasteful expenditure to the amount of R 361 664.00 due to reasons stated in the report and as reported in note 44.02 and 44.03 of the (2014/15) Financial Statements.
2. That the writing off of irregular, fruitless and wasteful expenditure as reported here and contained in the Audited Annual Financial Statements for the year ended 30 June 2015 be referred to the MPAC Committee to consider the outcomes of the investigations and recommend to Council the appropriate action to be taken.
3. That all relevant Human Resources processes be followed subsequent to the outcome of the Council resolution.

Proposed: Councillor M M Mbali  
Seconded: Councillor S B Farrow

**To be Actioned by: Chief Financial Officer**

**Resolution C/2/277/02/16**

**PROGRESS REPORT ON IMPLEMENTATION OF mSCOA AS AT 31 JANUARY 2016**

**Department:** Finance **Demarcation:** All Wards

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

**Resolved**

1. That cognisance be taken of the mSCOA implementation progress report as at 31 January 2016.

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2. That a special workshop be arranged in the Council Chambers on 8 March 2016 for Councillors and Audit Committee Members on the implications of mSCOA.

Proposed: Councillor E E Paulse  
Seconded: Councillor N Ndayi

To be Actioned by: Chief Financial Officer

Resolution C/2/279/02/16

**DETERMINATION OF DATE OF VALUATION 2017 - 2021 GENERAL VALUATION ROLL**

**Department:** Finance **Demarcation:** All Wards

**File Ref:** 5/3/2/7

**Resolved**

That the date of valuation, for the purpose of compiling the general valuation roll for the period 1 July 2017 to 30 June 2021 be determined as 1 July 2016.

Proposed: Councillor R S Koeberg  
Seconded: Councillor S B Farrow

**For information**

Resolution C/2/280/02/16

**OUTSTANDING DEBT: JANUARY 2016**

**Department:** Finance **Demarcation:** All Wards

**File ref:** 9/1/3/4

**Resolved**

That the Credit Control & Debt Collection statistics for January 2016 be noted.

Proposed: Councillor H Plaatjies  
Seconded: Councillor N M de Waal

**For information**

**Resolution C/2/281/02/16**

**REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE QUARTER 01 OCTOBER TO 31 DECEMBER 2015**

**Department:** Finance                      **Demarcation:** All Wards

**File Ref:** 9/1/3/4

**Resolved**

1. That the Municipal Council notes the Supply Chain Management Implementation Report for the 2<sup>nd</sup> Quarter, October to December 2015, of the 2015/16 financial year in terms of Section 6(3) of the SCM Policy.
2. That the Municipal Council notes the Deviations approved by the Municipal Manager for the 2<sup>nd</sup> Quarter, October to December 2015, of the 2015/16 financial year, in compliance with Section 36(2) of the SCM Policy.

Proposed: Councillor N M de Waal

Seconded: Councillor N Ndayi

**To be Actioned by: Chief Financial Officer**

**For information**

**Resolution C/2/282/02/16**

**ADJUSTMENTS BUDGET FOR THE 2015/2016 MTREF**

**Department:** Finance                      **Demarcation:** All Wards

**File Ref:** 9/1/3/4

The Executive Mayor tabled the Adjustments Budget for 2015/2016 MTREF before the Municipal Council for consideration and approval and informed the meeting that his speech is reflected on pages 5 and 6 of the Adjustments Budget.

**Resolved**

1. That it be noted from the Mid-Year Report tabled in Council on 21 January 2016, an adjustment budget is necessary.
2. That the Annual Adjustments Budget of Bitou Municipality for the Financial Year 2015/2016, as set-out in the schedules contained in Section 4, circulated with the agenda be considered as contained in the following prescribed budget tables;
  - (i.) Table B1: Adjustments budget summary



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- (ii.) Table B2: Adjustments Budget Financial Performance( expenditure by standard classification)
  - (iii.) Table B3: Adjustments Budget Financial Performance (expenditure by municipal vote)
  - (iv.) Table B4: Adjustments Budget Financial Performance( revenue by source)
  - (v.) Table B5 to B10
  - (vi.) Supporting tables SB1 to SB19
3. That the following adjustments permitted in terms of Section 28(2) of the Municipal Finance Management Act and reflected in the tables referred to in resolution (a) above be approved:
- (i.) That those additional revenues that have become available over and above those anticipated in the Annual Budget be appropriated, but only to revise or accelerate spending programmes already budgeted for.
  - (ii.) That the utilisation of projected savings in one vote toward spending under another vote be authorised.
  - (iii.) That any errors in the Annual Budget be corrected.
4. That revision to the monthly and quarterly service delivery targets and performance indicators in the Service Delivery and Budget Implementation Plan is approved to correspond with the approval of the Adjustments Budget.

Proposed: Councillor S B Farrow  
Seconded: Councillor N M de Waal

**To be Actioned by: Chief Financial Officer**

**Section 3: Corporate Services**

**Resolution C/3/146/02/16**

**MONTHLY REPORT: CORPORATE SERVICES - HUMAN RESOURCES  
SECTION FOR THE PERIOD OF 01 JANUARY 2016 UNTIL 31 JANUARY 2016**

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

**File Ref: 9/1/33**

**Resolved**

1. That the Municipal Council takes note of the content of the monthly Human Resources Report for the period 1 January 2016 until 31 January 2016.



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2. That the administration be urged to ensure compliance with every aspect of the Employment Equity plan.
3. That a comprehensive report be submitted to the Mayoral Committee on the electrical disciplinary matters reported on to include the following:
  - (a) the cost of the disciplinary action exercise
  - (b) the cost implications to the Council regarding the salaries of the people employed as well as those of the employees on suspension
  - (c) the duration of the cases
  - (d) in the cases that were withdrawn whether or not criminal charges were laid against offenders i.e. landlords
  - (e) why alternative measures were not taken in that the Heads of Departments were not utilised as presiding officers

Proposed: Councillor E E Paulse  
Seconded: Councillor R S Koeberg

**To be Actioned by: Chief Financial Officer**

**Section 4: Community Services**

No Items for consideration

**Section 5: Engineering Services**

No Items for consideration

**Section 6: Strategic Services**

**Resolution C/6/308/02/16**

**AMENDMENT OF CONDITIONS OF APPROVAL: PORTION 3 OF THE FARM  
MATJESFONTEIN NR.304, BITOU MUNICIPALITY**

**Department: Strategic Services**

**Demarcation: Ward 1**

**File Ref: 18/3/304**

**Resolved**

1. That the Mayoral Committee recommend the deletion of Condition 4(xx) of the Conditions of approval for Portion 3 of 304 dated 29 April 2013 (M6/152/04/13) on the following condition:



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- a.) *That a suitable road surface (to be approved by Engineering Services) on the newly aligned public servitude road be provided at the cost of the developer over Portion 3 up to where the road intersects with Portion 168 and Portion 32.*
2. That no clearance certificates will be issued on any property until such time as the requirement of clause 1(a) above have been completed to the satisfaction of the Head Engineering Services.

**Reasons for Approval:**

1. The proposed deletion of the condition will have no impact on the desirability of the development.
2. The provision of a suitable road surface by the developer on the public servitude road is considered a sufficient provision of "public amenities".

Proposed: Councillor S B Farrow  
Seconded: Councillor N M de Waal

**To be Actioned by: Head Strategic Services; Town Planner (A Stander)**

Resolution C/6/311/02/16

**MUNICIPAL PROPERTY AUDIT**

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

**File Ref: 15/1/4**

**Resolved**

1. That the properties identified above be submitted to the Transaction Advisers as part of Council's property portfolio dealing with the feasibility study for the proposed municipal building at Ladywood.
2. That subsequent to the outcome of the feasibility study by the Transaction Advisors, a report be submitted to Council by the end of March 2016 for further consideration of alienation of land.

Proposed: Councillor R S Koeberg  
Seconded: Councillor S B Farrow

**To be Actioned by: Manager Town Planning**

Resolution C/6/314/02/16

**TABLING OF THE PROPOSED AMENDED TOP-LAYER SDBIP (SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN)**

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

**File Ref:** 5/1/1/4

**Recommended by the Executive Mayor**

1. That the Municipal Council approves the amendments to the 2015/2016 Top-Level SDBIP (Service Delivery and Budget Implementation Plan).
2. That all the statutory process be followed, for submission thereof to the relevant state bodies.
3. That the amended Top-Level SDBIP be placed in the local media on the municipal website

Proposed: Councillor W R Craig

Seconded: Councillor N Ndayi

**To be Actioned by: Principal Officer: PMS, SDBIP & Compliance**

7. **URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER**

None received

8. **CONSIDERATION OF NOTICES OF MOTION**

None received

9. **CONSIDERATION OF MOTIONS OF QUESTIONS**

None received

10. **CONSIDERATION OF MOTIONS OF EXIGENCY**

None received



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11. **IN-COMMITTEE MATTERS**

No Items for consideration

12. **RECORDING OF COUNCILLORS PRESENT**

All Councillors present.

13. **CLOSURE**

The Speaker declared the meeting closed at 15h30.

**CONFIRMED AND SIGNED**

**DATE:** **31 MARCH 2016**


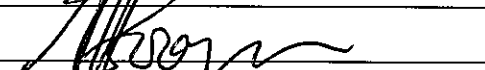
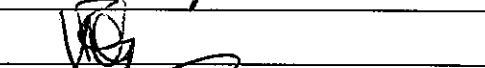
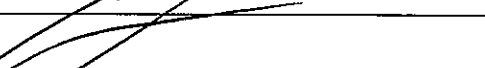
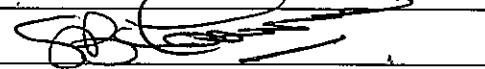
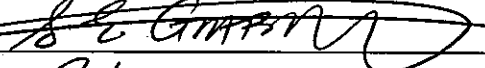


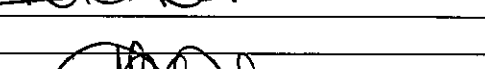
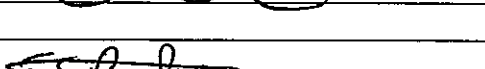
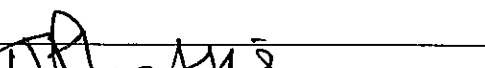
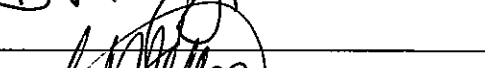

**SIGNATURE:**

A handwritten signature in black ink, consisting of a circular initial followed by a cursive name, positioned above a horizontal line.

**ATTENDANCE REGISTER**

**BITOU LOCAL MUNICIPALITY**

**SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBER,  
MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON  
WEDNESDAY, 24 FEBRUARY 2016 AT 14H00**

<u>NAME</u>	<u>SIGNATURE</u>
COUNCILLOR S BESANA	
COUNCILLOR M BOOYSEN	
COUNCILLOR WR CRAIG	
COUNCILLOR N M DE WAAL	
COUNCILLOR S FARROW	
COUNCILLOR S E GCABAYI	
COUNCILLOR R S KOEBERG	
COUNCILLOR M M MBALI	
COUNCILLOR N NDAYI	
COUNCILLOR A R OLIVIER	
COUNCILLOR E E PAULSE	
COUNCILLOR H PLAATJIES	
COUNCILLOR L M SEYISI	


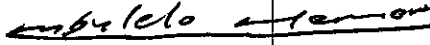


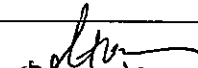
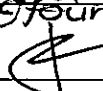
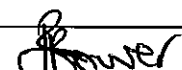
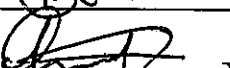
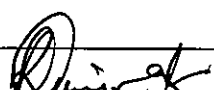
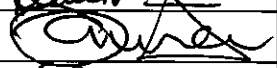

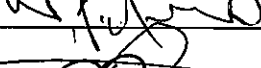





ATTENDANCE REGISTER

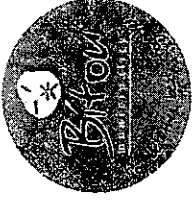
BITOU LOCAL MUNICIPALITY

SPECIAL COUNCIL COMMITTEE MEETING HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON WEDNESDAY, 24 FEBRUARY 2016 AT 14H00

OFFICIALS

<u>NAME</u>	<u>DESIGNATION</u>	<u>SIGNATURE</u>
Municipal Manager		
Mr. A A Paulse	Municipal Manager	
Heads of Department		
Mr F M Lötter (Mbukelo Memoni)	Chief Financial Officer (Acting)	
Mr. R Smit	Head Corporate Services	
Mr. D Friedman	Head: Strategic Services	
Me P Nggumshe	Head: Engineering Services	
Mr. M Stratou	Acting Head: Community Services	Apologies 
Managers		
Mr T Loliwe	Chief Internal Auditor	
Ms A A Greyling	Manager: Administration	
E. Fourie	Manager - Deputy	
Mr A Crouz	Manager Legal Services	
Mr S Dladla	Manager: Office of the Mayor	
Mr M Fourie	Manager: Housing, Beaches & Parks	
Mr A Sakati R. Bauer	Manager: Public Safety <sup>waste management</sup>	
Mr A Sakati	Manager: Public Safety	
Mr M Fourie	Manager: Housing	
Mrs VR Cunningham	Acting Executive Manager: HR	
Mrs JJ Jansen	Principal Admin Officer	
Ms M Nel	Clerk/Administrator	
WILLIAM CLOETE	LABOUR RELATIONS OFFICER	
PEDRO PETERS	MANAGER: SCM	
Gavin Gresse	ICT Manager	
MANFRED VAN ROOYEN	MAYORAL SPOKESPERSON	

# Bywoningsregister / Attendance Register



## Interested members of the Public

Thank you for attending.

Dankie vir u belangstelling.

Naam Name	Contact No Kontak Nr	Email address or fax Epos adres of faks	Representing	Signature
CHRISTO VLOK	533 5155	christo.vlok@telkomsa.net	PLETT RATERPAYERS	