

# Mayoral Committee meeting

23 February 2021

## Addendum 4:

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## Section 4: Community Services

ITEM C/4/96/02/21

### REPORT ON IMPLEMENTATION OF THE 169 HOUSING PROJECT IN QOLWENI/BOSSIESGIF AND PINETREE AREAS.

**Directorate:** Community Services **Demarcation:** Ward 2 & 3  
**Portfolio Comm:** Corporate & Community Services **Delegation:** Mayoral

**File Ref:** 17/6/3/2/8

**Attachments:** None

**Report from:** Director: Community Services

**Author:** Acting: Chief Housing Officer; Technical Services

**Date:** 22 February 2021

#### 1. PURPOSE:

The purpose of this report is to inform the Executive Mayoral Committee/Council on the implementation of the 169 Housing Project in Qolweni/Bossiesgif and Pinetree areas.

#### 2. INTRODUCTION

##### 2.1 PHASE 1: THE FIRST DECANTING PROCESS: 5<sup>th</sup> NOVEMBER 2020 AND THE EVENTS THAT LED THE EARLY STARTING OF DECANTING PROCESS.

The Qolweni/Bossiesgif Concerned Residents or Pressure Group approached the Bitou Municipality during their toyi-toyi action urging the Municipality to provide them with the housing delivery plan in order for them to open the N2 National Road for the motorist to pass. The closed N2 National Road which blocked the passing motorists, the marchers were throwing stones to the passing motorist as a result N2 Road was totally closed.

This approach by the pressured group was a mechanism to pressurize the Province and the Municipality to expedite the implementation of Qolweni / Bossiesgif Phase 3A Housing Project.

The Bitou Municipality responded to the concerned residence call by embarking into a counter demand to open N2 road.

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### 3. **BACKGROUND:**

#### 3.1 **REMOVAL AND RELOCATION OF THE BENEFICIARIES: ENUMERATION AND PROFILING OF STRUCTURES.**

The survey conducted by PEP at Qolweni, Bossiesgif and Pinetree has revealed that there are 164 qualifying beneficiaries to be removed and relocated at the new TRA and there are 224 non-qualifiers to be removed and relocated to the various identified suitable areas.

#### 3.2 **REMOVAL AND RELOCATION OF 32 STRUCTURES**

The Bitou Municipality instructed Community Services Department: Parks and Recreation Section to remove and relocate qualifiers currently residing in the Phase 3A area, which started on the 5th November 2020 to remove the 32 structures of the qualifying beneficiaries from Phase 3A area utilizing the truck and staff members from Parks & Recreation in assisting with the removal and relocation of these qualifying beneficiaries from Qolweni/Bossiesgif Phase 3A to Minaar land TRA. The approved plan prioritized the removal and relocation of the 32 qualifying beneficiaries, the Parks & Recreation Section has managed to remove and relocate only 23 qualifying families from Qolweni Phase 3A area to Minaar land Temporary Residential Area (TRA).

It came to light that the progress on removal and relocation programme is moving slowly because the Parks and Recreational staff starts with their own daily municipal routine function before they can attend the removal and relocation of the Qolweni Phase 3A qualifying beneficiaries. Parks and Recreational Services leave the sites and vacated structures after finishing one or two houses at 16h30, with everything laying around and structures unattended as results criminal element seize the opportunity and steal any item at their disposal. There is nine (9) remaining qualifying beneficiaries which were not yet removed.

#### 3.3 **PHASE 2: THE SECOND DECANTING PROCESS AS MANDATED BY MSCOA CIRCULAR NO.9**

The Bitou Municipality received a Circular from the Department of National Treasury dated 9<sup>th</sup> June 2020 named “MSCOA Circular No.9, the Minister of Finance issued a conditional Exemption Notice in terms of Section 177 (1) (b) of the Municipal Finance Management Act No .56 of 2003 (MFMA) on the 30<sup>th</sup> March 2020.

MSCOA Circular No.9 facilitate and enable to performance of legislative responsibilities by the municipalities during the National state of Disaster and to respond to the COVID-19 Pandemic.

The Municipalities may be required to expand their scope of basic services and free basic services to respond directly to the socio-economic impacts of the Pandemic and prevent the transmission of communicable diseases; Emergency Water Supply; temporary relocation areas; decanting of informal Settlements; installation of VIP toilets (informal settlements) just to name the few.

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The Bitou Municipality responded to the Circular from the Department of National Treasury dated 9<sup>th</sup> June 2020 named “MSCOA Circular No.9 by implementing the actions enshrined in the circular by adding the removal and relocating of the 224 non qualifiers.

### **3.4 THE NEED TO PROVIDE PUBLIC SAFETY BY PROCURING OF SECURITY SERVICES.**

The Bitou Municipality started removing and relocating the 32 qualifying beneficiaries from Qolweni/Bossiesgif Phase 3A area then a problem started when Bitou Municipality: Parks and Recreation Services staff members leaves the Qolweni/Bossiesgif area with demolished Building material from informal Structures unattended then the people start stealing this material and sometimes they attack who ever try to stop them, the Qolweni/Bossiesgif Community Leadership requested the Municipality to provide the security services for Public Safety.

The Qolweni/Bossiesgif Community Leadership requested the Municipality to provide the security services for the Community/Public Safety. The Integrated Human Settlement division responded to the request of the Community Leadership by submitting a request to Supply Chain Management Services to consider the provision of security services to Qolweni/Bossiesgif Phase 3A area. The Integrated Human Settlement division and Supply Chain Management Services resolved to provide and approve the request in order to complete the Decanting and Relocation of the 224 structures including families and furniture. The request approval was based on the Bitou Council Supply Chain Management Policy Section 52 (3) (c).

#### **3.4.1 PROVISION SECURITY SERVICES: SHELF PLETT 40 CC T/A ISOLOMZI.**

The Bitou Municipality through its own Supply Chain Management processes entered into a contract agreements with **Shelf Plett 40 cc t/a Isolomzi Security Services** under contract number **SCM/2017/76/COMM: PROVISION OF SECURITY SERVICES** for the Bitou Municipal properties. the Bitou Municipality has extended the scope of the current security services contract to accommodate the request made by Qolweni/Bossiesgif Community Leadership which stands as follows:

#### **3.4.2 DE-DENSIFICATION OF THE CONGESTED INFORMAL HOUSING STRUCTURES BY REMOVING AND RELOCATION OF 224 NON-QUALIFIERS STRUCTURES.**

The Bitou Municipal Council resolved to prevent spreading of Covid-19 virus through decongestant/social distancing of informal housing structures, this was anticipated via removal and relocation of the non-qualifiers beneficiaries to the identified suitable open spaces within Qolweni/Bossiesgif and Pinetrees areas.

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The Qolweni/Bossiesgif Community Leadership requested the Municipality to provide the TRA/Informal Housing Structures for the non-qualifying beneficiaries at the identified suitable pieces of land.

The Integrated Human Settlement division responded to the request of the Community Leadership by submitting a request to Supply Chain Management Services to consider the provision of building material to Qolweni/Bossiesgif Phase 3A area. The Integrated Human Settlement division and Supply Chain Management Services resolved to provide and approve the request in order to complete the Decanting and Relocation of the 224 structures and the families. The request approval was based on the Bitou Council Supply Chain Management Policy Section 52 (3) (c).

### **3.4.3 PROVISION OF BUILDING MATERIAL BY SIDOMELA TRADING ENTERPRISE:**

Sidomela Trading Enterprise collects the building material from the municipal storage facility as requested by the local SMME/LIC's transport and delivered to the required construction site.

#### **Relevant Legislation**

- The Constitution of the Republic of South Africa: No. 108 of 1996 And Regulations; Section 26: Housing.
- Housing Act, No 107 of 1997 and Housing Act, No 50 of 1999
- Local Government: MFMA Act No. 56 of 2003
- Intergovernmental Fiscal Relations Act, No 97 of 1997
- National Housing Code 2009
- Western Cape Informal Settlement Strategic Framework (ISSF): Implementation Plan 2016-2030

#### **Comments Director Financial Services**

The recommendations of the Municipal Manager supported.

#### **Director: Economic and Development Planning**

It should be mentioned/noted that Ukhana has ceded the contract to Hammond & Hammond Transactional Law Clinic. A possible problem that needs to be addressed is the contract period. The tender award letter refers to 18 month period, while the tender stipulation was apparently a 13 month period.

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### **Director: Engineering and Infrastructure**

Civil services is available on Qolweni phase 3A site. Basic Civil services can be extended onto the old sports field. Electrical Services requires a contractor to be appointed for the Qolweni Phase 3A project. The SCM process for the appointment of the contractor is currently at BAC. Electrical Services for the Sports field was going to be done internally, but the department could not find materials to do the work. Community Services took it upon themselves to approach a local contractor, Hashtag Electrical (Mr Welsh) to do the project under the supervision of Ukhana. The electrical department committed to assist Hashtag with Quality/Standards control of the project.

### **RECOMMENDED BY THE MUNICIPAL MANAGER**

That the Executive Mayoral Committee / Council note the report on implementation of the 169 Housing Project in Qolweni/Bossiesgif and Pinetree Areas.



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At the Bitou Municipal Council meeting held on the 27<sup>th</sup> November 2020, the Council discussed and approved the proposal on decanting plan: **ITEM C/4/92/11/20**.

- Removal and relocation of 164 Qualifying beneficiaries
- Removal and relocation of 224 Non-Qualifying beneficiaries
- The monitoring, controlling and management of the decanting process.

### **2.3 PROJECT OBLIGATION TO DEVELOP LOCAL SMME's/LIC's**

No	Project Deliverables	Quantity	Responsible Person or Entrepreneur	Duration
1	Local SMME's Sub Contracting 30%.	51 units	Local SMME's	13 months.
2	Local suppliers 10%	Supply of building Material by Local SMME's 17 Units	Local SMME's	13 months.
3	Removal and Relocation of furniture and families	224	Labour Intensive Construction	13 months.
4	Clearing, Cleaning of earth works of the 224 sites	224	Labour Intensive Construction	13 months.
5	Construction of Wooden Floors at Old Sports Field	40	Labour Intensive Construction	13 April 2021
6	Construction of Concrete Floors at infills	184	Labour Intensive Construction	13 April 2021
7	Construction of Supper Structure	224	Labour Intensive Construction	13 months.
8	Dismantling, removal and reconnection of prepaid Electric boxes 224	224	Registered Qualified Electrician	13 April 2021
9	Dismantling, removal, relocation and reconnection of toilet Structures	Toilets from the vacated areas	Local SMME's	13 Months

### **2.4 BITOU MUNICIPALITY: INTEGRATED HUMAN SETTLEMENT SERVICES**

*The Contract Agreement between Western Cape Department of Human Settlements and Bitou Municipality, section 4 state that "the Developer (Bitou Municipality) must ensure the following":-*

#### **(i) STANDARD AND COMPLIANCE**

**QUOTE:** "4.7 The Developer is to ensure that it complies with the necessary Guidelines for the Implementation of Labour-Intensive Infrastructure Projects under the **Expanded Public Works Programme (EPWP), 2<sup>nd</sup> Edition (July 2005)**. Notwithstanding the afore-mentioned, the Developer (Bitou Municipality) must ensure compliance with the following":



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**QUOTE:** “4.7.3 Those activities to be carried out using Labour Intensive Construction (LIC) methods are to be identified; and

*A description and the value of the EPWP component of the works must be identified and provided to the Department’s Project Manager within fourteen (14) days of the Signature Date of this Agreement.”*

**QUOTE:** “4.7.4 The EPWP portion of the work must be significant and the value of the LIC components should not be less than 10% of the Project value for the services portion. All unskilled hand labour for the construction of Top Structures will be deemed to be classified as LIC. The contract The Tender number SCM/2020/54/COMM state that the local SMME’s is entitled to 30% labours and 10% Building Material Supply.

### (ii) **DAILY WAGE/STIPEND**

**QUOTE:** “4.7.6 All EPWP registered work is to comply with the Guidelines for the Implementation of Labour Intensive Infrastructure Projects under the Expanded Public Works Programme and Basic Conditions of Employment Act, 1997. Workers daily wages should be a minimum of R70.00 and a maximum of R200.00”.

## 3. **FINANCIAL IMPLICATION**

Human Settlements budget

### **Relevant Legislation**

- The Constitution of the Republic of South Africa: No. 108 of 1996 And Regulations; Section 26: Housing.
- Housing Act, No 107 of 1997 and Housing Act, No 50 of 1999
- Local Government: MFMA Act No. 56 of 2003
- Intergovernmental Fiscal Relations Act, No 97 of 1997
- National Housing Code 2009
- Western Cape Informal Settlement Strategic Framework (ISSF): Implementation Plan 2016-2030

### **Comments by Acting Director Financial Services**

The recommendations by the Municipal Manager are supported.

## **Section 4: Community Services**

### **Director: Economic and Development Planning**

It should be mentioned/noted that Ukhana has ceded the contract to Hammond & Hammond Transactional Law Clinic. A possible problem that needs to be addressed is the contract period. The tender award letter refers to 18 month period, while the tender stipulation was apparently a 13 month period.

### **3.1 Director: Engineering and Infrastructure**

Civil services is available on Qolweni phase 3A site. Basic Civil services can be extended onto the old sports field. Electrical Services requires a contractor to be appointed for the Qolweni Phase 3A project. The SCM process for the appointment of the contractor is currently at BAC. Electrical Services for the Sports field was going to be done internally, but the department could not find materials to do the work. Community Services took it upon themselves to approach a local contractor, Hashtag Electrical (Mr Welsh) to do the project under the supervision of Ukhana. The electrical department committed to assist Hashtag with Quality/Standards control of the project.

### **RECOMMENDED BY THE MUNICIPAL MANAGER**

That the Executive Mayoral Committee / Council note the report regarding the preparation for the commencement of work on Qolweni/Bossiesgif and Pinetree areas regarding the implementation of 169 Housing Project (Progress report is submitted separately).