

**MINUTES OF THE 122<sup>ND</sup> MAYORAL COMMITTEE MEETING OF BITOU LOCAL MUNICIPALITY HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON TUESDAY, 23 FEBRUARY 2021 AT 9H10**

**1. OPENING**

The Executive Mayor welcomed everyone present at 9h10 and requested Councillor L M Seyisi to open the meeting with prayer.

**2. ATTENDANCE**

As per the attached attendance register.

**3. APPLICATION FOR LEAVE OF ABSENCE**

All Mayoral Committee Members present.

**4. CONFIRMATION OF MINUTES**

**4.1 Minutes of the 120<sup>th</sup> Mayoral Committee Meeting: 26 January 2021**

That the minutes of the 120<sup>th</sup> Mayoral Committee Meeting held on 26 January 2021 be and are hereby, **CONFIRMED AND SIGNED.**

**Proposed:** Councillor M M Mbali  
**Seconded:** Councillor S E Gcabayi

*\*\* For the record – to note that Councillor D J Swart be marked as virtual present on the attendance register.*

**5. COMMUNICATIONS BY THE EXECUTIVE MAYOR**

The Executive Mayor, Councillor M P Lobese reminded all the country is still under Lockdown Level 3, and that active cases have declined drastically. He encouraged managers and officials to continue to practice the COVID-19 protocols and to play an active role in educating the community to adhere to the said protocols.

The Mayor mentioned that, at the same time many local developments is taking place. He reminded the acting Municipal Manager that a Seasonal report back report is tabled yearly after seasonal festivities, and that this report is still outstanding, although it was requested in the previous Mayco Meeting. The Honourable requested that the report include highlights of seasonal activities, law enforcement operations, the fencing around beaches and public open spaces.



Mentioning was made around serious challenges with the progress of the Qolweni/Bossiesgif housing development project. The Mayor mentioned that he fears that there might be possible cases of irregular expenditure, and that the project was poorly planned and improperly management. Therefore the executive Mayor proposed a management session to take a relook at the project, before it is too late. He informed the meeting of a recent stakeholder's meeting where gaps were identified, and mentioned that the appointed service provider, Ukhana Projects do as they please, and the same goes for the administration.

The high numbers of unemployment in the town was another great concern, and the Mayor mentioned that the municipality needs to look at ways to mitigate the aforementioned and the impact of the pandemic.

The Mayor was also concerned with the increased reporting of irregular expenditure cases, and asked the Administration to investigate the possibility of utilizing the supply chain Section 32 procurement process, in line with auditor general prescripts, as he observed that departments are underspending on their budgets and also as a result of delays caused during the pandemic period to procure goods and services.

The Executive Mayor commended the acting Municipal Manager, Mrs. Mpahlwa for taking up the acting role, although she is newly appointed as Director Corporate Services. He explained to the meeting that Council has resolved, and is subsequent thereto in the process of submitting an application to the Constitutional court on the case of the Municipal Manager, Advocate L M R Ngoqo.

The Mayor mentioned and noted with concern that serious management challenges do exists in certain departments, and mentioned in specific that the Director Community Services, Mr T M Sompani address challenges within his Waste - , Integrated Human Settlement, Parks and Recreation sections and he also requested that the Director tighten up controls as this is an election year and that community complaints needs to be resolved in general.

The Acting Chief Financial offer was asked to pay particular attention to the ongoing complaints with regards to account enquiries, and that the relevant section must improve on addressing complaints as well as attention that needs to be paid to the meter reading section. He mentioned that a lot of enquiries are received from the community as well as Councillors, and also noted his concern in this regard.

The Project Manager: PMU, Mr M Rhode was requested to ensure that he commence with visible projects as per Council's expectation, since Council wants to leave a legacy prior to their end of term, and that attention needs to be given to Ward related projects. The electrification of Informal settlements, e.g. Qolweni/ Bossiesgif was mentioned as a priority project.

It was requested that Mr Sompani addresses the temporary relocation structures, stored at the Airport as this is becoming an issue.



Lastly, the Executive Mayor mentioned that this is an election year, and that the easiest way for communities to show their dissatisfaction is to take their discontent to the N2 highway which has a national impact.

6. **PRESENTATIONS**

None

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**7. CONSIDERATION OF REPORTS (OPEN)****Section 1: Office of the Municipal Manager**

**Recommendation C/1/198/02/21**

**INFORMATION REGARDING THE APPOINTMENT OF AUDIT AND  
PERFORMANCE AUDIT COMMITTEE MEMBERS**

**Department: Office of the Municipal Manager    Demarcation: All Wards  
Portfolio Comm: Strategic Services                      Delegation: Council  
File Ref: 3/2/2/1/2**

**Recommended by the Executive Mayor**

1. That Council note that Mr. M.F. Hennessy accepted the appointment as a member of the Audit and Performance Audit Committee, effective 1 January 2021.
2. That Council sympathetically note that Mr. J.Z.A Vumazonke passed away which leaves a vacant members position on the Audit and Performance Audit Committee.
3. That Council approve that the vacant position as mentioned in clause 2 above, be advertised, and that the Interim Committee (as per Council Resolution C/1/148/03/20), comprising of the Speaker, the Chairpersons of the Finance and Engineering Portfolio Committee, Municipal Public Accounts Committee and Audit Committee respectively, the Municipal Manager and the Chief Audit Executive”, be delegated to evaluate possible applicants and to make a recommendation for appointment to Council.
4. That the Municipal Manager address a letter to the family of Mr J Z A Vumazonke expressing the municipality’s condolences with his passing away.

**Proposed: Councillor M M Mbali  
Seconded: Councillor S E Gcabayi**

For Actioning refer to Council Resolution



<b>Recommendation C/1/204/02/21</b>
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\* Item was circulated as Addendum 2

<b>TABLING OF THE PROPOSED AMENDED 2020/2021 TOP-LAYER SDBIP (SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN)</b>
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<b><u>Directorate:</u></b>	<b>Office of the Municipal Manager</b>	<b><u>Demarcation:</u></b> All Wards
<b><u>Portfolio Comm:</u></b>	<b>Strategic Services</b>	<b><u>Delegation:</u></b> Council
<b><u>File Ref:</u></b>	<b>5/1/1/4</b>	

**Recommended by the Executive Mayor**

That the Amended 2020/2021 Top Layer SDBIP be referred back in order to allow Directors to do the necessary amendments and then be resubmitted to the Council Meeting scheduled for Friday, 26 February 2021.

**Proposed:** Councillor M M Mbali  
**Seconded:** Councillor S E Gcabayi

For Actioning refer to Council Resolution

**Section 2: Directorate Financial Services**

<b>Recommendation C/2/214/02/21</b>
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<b>REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE 2<sup>ND</sup> QUARTER 01 OCTOBER TO 31 DECEMBER 2020</b>
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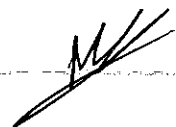
<b><u>Directorate:</u></b>	<b>Finance</b>	<b><u>Demarcation:</u></b> All Wards
<b><u>Portfolio Comm:</u></b>	<b>Finance &amp; Engineering</b>	<b><u>Delegation:</u></b> Council
<b><u>File Ref:</u></b>	<b>8/1/5/5/2</b>	

**Recommended by the Executive Mayor**

1. That Council notes the Supply Chain Management Implementation Report for the 2nd Quarter, 01 October to 31 December 2020, of the 2020/21 financial year in terms of Section 6(3) of the SCM Policy.
2. That Council recommends the Potential Irregular Expenditure for the period 01 October to 31 December 2020, to the Municipal Accounts Committee (MPAC) for further investigation and appropriate action.
3. That the Municipal Manager consult the relevant labour legislation and investigate possible solutions to lawfully explore the best means to run the Supply Chain Management Section in the absence of the Supply Chain Manager.

**Proposed:** Councillor M M Mbali  
**Seconded:** Councillor L M Seyisi

For Actioning refer to Council Resolution



<b>Recommendation C/2/215/02/21</b>
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<b>STATUS OF MUNICIPAL FINANCIAL POSITION FOR THE QUARTER ENDING 31 DECEMBER 2020</b>
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<u>Directorate</u>	Finance	<u>Demarcation</u> All Wards
<u>Portfolio Comm:</u>	Finance & Engineering Services	<u>Delegation</u> Council
<u>File Ref</u>	9/1/3/4	

**Recommended by the Executive Mayor**

1. That cognisance be taken of the second quarter financial report ending 31 December 2020.
2. That a consolidated departmental overview report, which addresses human capital concerns and the performance of various functionalities be submitted to the next meeting.

**Proposed:** Councillor M M Mbali**Seconded:** Councillor L M Seyisi

For Actioning refer to Council Resolution

<b>Recommendation C/2/216/02/21</b>
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<b>LIST OF WITHDRAWALS FROM MUNICIPAL BANK ACCOUNT FOR THE QUARTER ENDED 31 DECEMBER 2020</b>
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<u>Directorate</u>	Finance	<u>Demarcation</u> All Wards
<u>Portfolio Comm</u>	Finance & Engineering	<u>Delegation:</u> Council
<u>File Ref</u>	5/15/6	

**Recommended by the Executive Mayor**

1. That the Municipal Council confirms the withdrawals that were made in terms of Section 11 (1) (b) to (j) of the Local Government: Municipal Financial Management Act, 2003 for the quarter October 2020 to December 2020.
2. That the report accordingly be presented to the Provincial Treasury: Western Cape and Auditor – General, as determined by Section 11(4) (b) of the Local Government: Municipal Finance Management Act, 2003.

**Proposed:** Councillor M M Mbali**Seconded:** Councillor S E Gcabayi

For Actioning refer to Council Resolution

<b>Recommendation C/2/217/02/21</b>
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<b>VIREMENT REPORT FOR THE QUARTER ENDING 31 DECEMBER 2020</b>
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<b><u>Directorate</u></b>	<b>Finance</b>	<b><u>Demarcation</u></b>	<b>All Wards</b>
<b><u>Portfolio Comm</u></b>	<b>Finance &amp; Engineering</b>	<b><u>Delegation</u></b>	<b>Council</b>
<b><u>File Ref</u></b>	<b>9/1/3/4</b>		

**Recommended by the Executive Mayor**

1. That note be taken of the Virement Report for the quarter ended 31 December 2020.
2. That all departments ensure that proper budget planning for overtime is done to avoid Virement and Adjustment budgets throughout the year.
3. That the Virement applications be submitted to the respective Portfolio Chair and the Executive Mayor for scrutiny, before submission to the Mayoral Committee Meeting.

**Proposed:** Councillor S E Gcabayi**Seconded:** Councillor M M Mbali

For Actioning refer to Council Resolution

<b>Recommendation C/2/218/02/21</b>
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\* Item was circulated as Addendum 1

<b>SPECIAL ADJUSTMENT BUDGET 2020-21</b>
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<b><u>Directorate:</u></b>	<b>Financial Services</b>	<b><u>Demarcation:</u></b>	<b>All Wards</b>
<b><u>Portfolio Comm:</u></b>	<b>Finance &amp; Engineering Services</b>	<b><u>Delegation:</u></b>	<b>Council</b>
<b><u>File Ref:</u></b>	<b>9/1/3/4</b>		

**Recommended by the Executive Mayor**

1. That the Council approves the Adjustment Budget report as per attached Annexure A.
2. That Council approves the Adjustments Budget supporting documentation as per Annexure B.
3. That Council approves the rollover of MIG of R5.4 million and R359 000 additional Libraries Conditional grant as per annexure C.
4. That the projects in the detailed capital schedule on Annexure D be approved.
5. That Council approves the unforeseen and unavoidable expenditure of R3.5 million will be added on security services which was incurred during the community unrest in October 2020.

6. That Council approved the revised FMG support 2020/21 plan as per attached Annexure E.

**Proposed:** Councillor M M Mbali  
**Seconded:** Councillor S E Gcabayi

For Actioning refer to Council Resolution

Resolution M/2/219/02/21

*\* Item was circulated as Addendum 1*

**SECTION 71 REPORT FOR THE MONTH 31 JANUARY 2021**

**Directorate:** Finance  
**Portfolio Comm** Finance & Engineering

**Demarcation:** All Wards  
**Delegation** Council

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

**Resolved:**

That the Mayoral Committee take note of financial report for the month ending January 2021.

**Proposed:** Councillor M M Mbali  
**Seconded:** Councillor L M Seyisi

EXECUTION: Manager: Budget and Reporting  
Cc: Acting Chief Financial Officer





**Section 3: Directorate Corporate Services**

**Recommendation C/3/205/02/21**

**REPORT BACK ON OUTSTANDING FEEDBACK OR PARTIALLY IMPLEMENTED RESOLUTIONS OF MAYORAL AND COUNCIL RESOLUTIONS (CONFIRMED MINUTES)**

<b><u>Directorate:</u></b>	<b>Corporate Services</b>	<b><u>Demarcation:</u> All Wards</b>
<b><u>Portfolio Comm:</u></b>	<b>Corporate &amp; Community Services</b>	<b><u>Delegation:</u> Council</b>
<b><u>File Ref:</u></b>	<b>3/2/3</b>	

**Recommended by the Executive Mayor**

1. That cognisance be taken of the outstanding feedback and partially implemented resolutions by the various Directorates and Managers.
2. That all Directorates ensures that the implementation of resolutions are monitored and the feedback register on Collaborator Decision Management System are updated on a regular basis.

**Proposed: Councillor M M Mbali**  
**Seconded: Councillor S E Gcabayi**

For Actioning refer to Council Resolution

**Recommendation C/3/206/02/21**

**QUARTERLY REPORT HUMAN RESOURCES MANAGEMENT FOR THE PERIOD OF 01 OCTOBER 2020 – 31 DECEMBER 2020**

<b><u>Directorate:</u></b>	<b>Corporate Services</b>	<b><u>Demarcation:</u> All Wards</b>
<b><u>Portfolio Comm:</u></b>	<b>Corporate &amp; Community Services</b>	<b><u>Delegation:</u> Council</b>
<b><u>File Ref:</u></b>	<b>9/1/33</b>	

**Recommended by the Executive Mayor**

1. That Council take note of the content of the quarterly Human Resources Management Report for the period 01 October 2020 until 31 December 2020.
2. That a revised Organisational structure be submitted to the next Mayoral committee meeting.

3. That the Municipal Manager investigate the possibility of developing a Promotion Policy in Line with the relevant legislation.

**Proposed:** Councillor S E Gcabayi

**Seconded:** Councillor M M Mbali

For Actioning refer to Council Resolution

**Recommendation C/3/207/02/21**

**EMPLOYMENT EQUITY PROFILE OF BITOU MUNICIPALITY PER DIRECTORATE AS AT FEBRUARY 2021**

**Directorate:** Corporate Services

**Portfolio Comm:** Corporate & Community Services

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

**Demarcation:** All Wards

**Delegation:** Council

**Recommended by the Executive Mayor**

That Council takes note of the content of the Employment Equity Profile/Status of each Directorate as at February 2021.

**Proposed:** Councillor S E Gcabayi

**Seconded:** Councillor M M Mbali

For Actioning refer to Council Resolution

**Recommendation C/3/208/02/21**

**CUSTOMER CARE SECTION: REPORT FOR JANUARY 2021**

**Directorate:** Corporate Services

**Portfolio Comm:** Corporate & Community Services

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

**Demarcation:** All Wards

**Delegation:** Council

**Recommended by the Executive Mayor**

1. That the report of the Customer Care Section for the month of January 2021 be noted.
2. That it be noted that the Councillors and officials Customer Care Workshop is still outstanding.

**Proposed:** Councillor S E Gcabayi

**Seconded:** Councillor X Matyila

For Actioning refer to Council Resolution





**Section 5: Engineering Services**

Recommendation C/5/134/02/21
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<b>CAPITAL PROJECTS IMPLEMENTATION PLAN (CPIP): PROGRESS REPORT FOR PERIOD ENDING DECEMBER 2020</b>
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<b><u>Directorate:</u></b>	<b>Engineering Services</b>	<b><u>Demarcation:</u></b> All Wards
<b><u>Portfolio Comm:</u></b>	<b>Finance &amp; Engineering</b>	<b><u>Delegation:</u></b> Council
<b><u>File Ref:</u></b>	<b>5/7/1/12</b>	

**Recommended by the Executive Mayor**

That Council takes cognizance of the Capital Project Implementation Plan (CPIP) for the period ending December 2020 and progress recorded therein.

**Proposed:** Councillor M M Mbali  
**Seconded:** Councillor L M Seyisi

For Actioning refer to Council Resolution

**Section 6: Economic Development & Planning**

Resolution M/6/129/02/21
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<b>PROPOSED REGIONAL CEMETERY: PORTION 33 OF FARM HILLVIEW 437: STATUS REPORT</b>
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<b><u>Directorate:</u></b>	<b>Economic Development &amp; Planning</b>	<b><u>Demarcation:</u></b> Ward 7
<b><u>Portfolio Comm:</u></b>	<b>Strategic Services</b>	<b><u>Delegation:</u></b> MayCo
<b><u>File Ref:</u></b>	<b>18/33/437</b>	

**Resolution by the Executive Mayor**

1. That the Mayoral Committee notes the status of the process to establish a regional cemetery on Portion 33 of the Farm Hill View.
2. That the Planning tribunal finalise the rezoning application by March 2021.
3. That a letter be prepared to request SANRAL to donate Portion 33 of the Farm Hillview 437, to Bitou Municipality at no cost, due to the increase in COVID-19 related deaths as well as a low revenue collection rate related to COVID-19 which positioned the municipality not being financially able to purchase the property.



4. That the letter in 3 above be forwarded to the Provincial Minister of Transport and Public Works, Mr Bonginkosi Madikizela, National Health Minister: Mr Zweli Lawrence Mkhize, Premier of the Western Cape: Mr Alan Winde and the Western Cape Provincial Minister of Local Government, Environmental Affairs and Development Planning: Mr Anton Bredell.

**Proposed:** Councillor M M Mbali

**Seconded:** Councillor L M Seyisi

EXECUTION: Director Economic Development & Planning

Cc: Municipal Manager

Recommendation C/6/130/02/21

**PROPOSED HOUSING DEVELOPMENT: ERF 4367 PLETTENBERG BAY (SHELL ULTRA)**

**Directorate:** Economic Development & Planning

**Demarcation:** Ward 2

**Portfolio Comm:** Strategic Services

**Delegation:** Council

**File Ref:** 18/4367/PB

**Recommended by the Executive Mayor**

1. That the Council confirms the concept of FLISP and/or Social Housing for the proposed development of Erf 4367, Plettenberg Bay.
2. That an implementation report, with timeframes, in respect of the Housing project on Erf 4367, be submitted to the next meeting.
3. That a Committee be established to oversee the key service delivery components of this project.
4. That specific areas be identified on Erf 4367 for FLISP and social housing development purposes respectively.
5. That a call for proposal process be initiated for the future development of Erf 4367, Plettenberg Bay (Shell Ultra).
6. That a letter be addressed to the Provincial Government to inform them that Bitou Municipality's will continue with the housing project and awaits their response as soon as possible.
7. That a database be developed for local middle income groups interested in the housing development.



8. That the housing development not be limited to the Shell Ultra sites but that other sites also be considered for such development.

**Proposed:** Councillor M M Mbali  
**Seconded:** Councillor S E Gcabayi

For Actioning refer to Council Resolution

**Resolution M/6/131/02/21**

*Please note that the Item reference has changed from a "C" to a "M" as the Item was referred back*

**PROPERTY MANAGEMENT: PROPERTY DISPOSAL POLICY AND PROPERTY ENCROACHMENT POLICY: ESTABLISHMENT OF A DISPOSAL COMMITTEE AND DELEGATIONS**

**Directorate:** Economic Development & Planning      **Demarcation:** All Wards  
**Portfolio Comm:** Strategic Services                      **Delegation:** Council  
**File Ref:** 15/1/P

**Resolution by the Executive Mayor**

That the Item be referred back in order for the Municipal Manager to deal with this matter and subsequently be resubmitted to Council.

**Proposed:** Councillor M M Mbali  
**Seconded:** Councillor S E Gcabayi

EXECUTION: Director: Economic Development & Planning  
Cc: Municipal Manager

8. **IN – COMMITTEE ITEMS**

Please refer to the In-Committee Minutes of even date.

9. **CLOSURE**

The Executive Mayor declared the Open Meeting closed at 12h56.

**CONFIRMED AND SIGNED**



**DATE:**

23 March 2021

**SIGNATURE:**



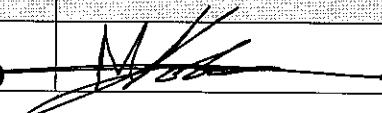
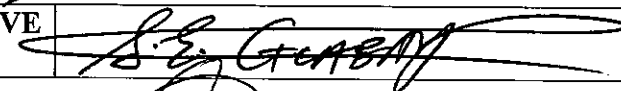
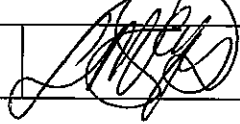
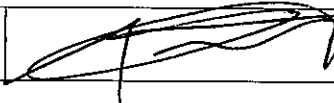
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**The Executive Mayor: Councillor M P Lobese**

**ATTENDANCE REGISTER: MAYORAL COMMITTEE**

**BITOU LOCAL MUNICIPALITY**

**MAYORAL COMMITTEE MEETING HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON TUESDAY, 23 FEBRUARY 2021 AT 9H00**

<b><u>NAME</u></b>	<b><u>SIGNATURE</u></b>
COUNCILLOR M P LOBESE (EXECUTIVE MAYOR)	
COUNCILLOR S E GCABAYI (DEPUTY EXECUTIVE MAYOR)	
COUNCILLOR L M SEYISI	
COUNCILLOR M M MBALI	
<b><u>NON - MEMBERS</u></b>	<b><u>SIGNATURE</u></b>
COUNCILLOR J N KAMKAM	
COUNCILLOR X MATYILA	
COUNCILLOR N NDAYI	
COUNCILLOR W J NEL	
COUNCILLOR A R OLIVIER	
COUNCILLOR D SWART	VIRTUAL
ALDERMAN E V WILDEMAN	
COUNCILLOR V P M VAN RHYNER	
COUNCILLOR A S M WINDVOGEL	



ATTENDANCE REGISTER

BITOU LOCAL MUNICIPALITY

MAYORAL COMMITTEE MEETING HELD IN THE COUNCIL CHAMBER,  
MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON TUESDAY, 23  
FEBRUARY 2021 AT 9H00

OFFICIALS

<u>DESIGNATION</u>	<u>NAME</u>	<u>SIGNATURE</u>
Acting Municipal Manager / Director: Corporate Services	Mrs M S Mpahlwa	M. P. Mpahlwa
<b>DIRECTORS</b>		
Acting Director: Financial Services	Mr N Maredi	N. Maredi
Director: Economic Development and Planning/ Acting Municipal Manager	Mr. L Gericke	L. Gericke
Director: Community Services	Mr T Sompani	T. Sompani
Acting Director: Engineering Services	Mr M Rhode	M. Rhode
<b>MANAGERS</b>		
Manager: Administration	Ms T Wildeman	T. Wildeman
Chief Executive Audit	Ms H Bester	H. Bester
Manager Legal Services	Mr L Loliwe	
Manager: Deputy Executive Mayor	Mr A Gungubele	
Manager: Office of the Speaker	Mr H M Smith	
Political Officer in Mayor's Office	Mr M Mana	
Manager: Communications	Mr A Namntu	
Manager: Office of the Mayor	Ms M Busakwe	M. Busakwe
Administrative Officer	Ms J Jansen	J. Jansen
Committee Clerk	Ms T Mpembe	
Senior Manager: Governance & Compliance	E. S. Zingene	E. S. Zingene
CHIEF RISK OFFICER	Mrs. C. van Steeden	C. van Steeden

