



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

Agenda

SPECIAL MUNICIPAL COUNCIL MEETING

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

DATE: 25 FEBRUARY 2015

Time: 12H00

BITOU LOCAL MUNICIPALITY

19 February 2015

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

SPECIAL COUNCIL MEETING: WEDNESDAY, 25 FEBRUARY 2015

NOTICE is hereby given that a Special Municipal Council Meeting will be held in the Council Chamber, Municipal Offices, Plettenberg Bay on **WEDNESDAY, 25 FEBRUARY 2014 AT 12H00** to discuss the business set forth in the Agenda.

Yours faithfully



AR Olivier
Speaker

Constitution of the Council

The Speaker, Councillor AR Olivier
The Executive Mayor, Councillor M Booysen
The Deputy Executive Mayor, Councillor RS Koeberg
Member of the Mayoral Committee, Councillor N M de Waal
Member of the Mayoral Committee, Councillor E E Paulse

Councillor S Besana
Councillor W R Craig
Councillor S E Gcabayi
Councillor SB Farrow
Councillor M M Mbali
Councillor H Plaatjies
Councillor N Ndayi
Councillor L M Seyisi

IMPORTANT NOTICE

**PLEASE REFER TO THE MAYORAL COMMITTEE AGENDA OF
EVEN DATE FOR THE ANNEXURES TO THE REPORTS ON THE
ITEMS AS LISTED**

Bitou Local Municipality

Special Council Agenda: 25 February 2015

Time: 12h00

Order of Business

1. OPENING

2. ATTENDANCE

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

3. APPLICATION FOR LEAVE OF ABSENCE

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

4. STATEMENTS AND COMMUNICATIONS BY:

4.1 The Executive Mayor

4.2 The Speaker

5. CONSIDERATION OF REPORTS

Schedule of Items attached

6. URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

None received

7. CONSIDERATION OF NOTICES OF MOTION

None received

8. CONSIDERATION OF MOTIONS OF QUESTION

None received

Order of business: Special Council Meeting: 25 February 2015

9. **CONSIDERATION OF MOTIONS OF EXIGENCY**

None received

10. **IN-COMMITTEE MATTERS**

None received

11. **RECORDING OF COUNCILLORS PRESENT**

12. **CLOSURE**

PORTFOLIO INDEX**5: CONSIDERATION OF REPORTS: (OPEN)****SPECIAL COUNCIL MEETING AGENDA****25 FEBRUARY 2015**

(The dates & page numbers of the MayCo Agendas are listed for ease of reference)

SECTION 1: OFFICE OF THE MUNICIPAL MANAGER

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

SECTION 2: FINANCE

ITEM NO	SUBJECT	FILE REF	MAYCO AGENDA PAGE NO	COUNCIL AGENDA PAGE NO	DATE OF MEETING
C/2/216/02/15	OUTSTANDING DEBT: DECEMBER 2014	9/1/3/4	1 - 8	1 - 8	25-Feb-15
C/2/217/02/15	REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE QUARTER 01 OCTOBER TO 31 DECEMBER 2014	9/1/3/4	9 - 20	9 - 11	25-Feb-15
C/2/219/02/15	ADJUSTMENTS BUDGET FOR THE 2014/2015 MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF)	9/1/3/4	59 - 60	12 - 13	25-Feb-15

SECTION 3: CORPORATE SERVICES

ITEM NO	SUBJECT	FILE REF	MAYCO AGENDA PAGE NO	COUNCIL AGENDA PAGE NO	DATE OF MEETING
C/3/114/02/15	QUARTERLY REPORT: CORPORATE SERVICES - HUMAN RESOURCES SECTION FOR THE PERIOD 1 OCTOBER 2014 TO 31 DECEMBER 2014	9/1/33	61 - 71	14 - 15	25-Feb-15
C/3/115/02/15	APPROVAL FOR ESTABLISHMENT OF A WARD COMMITTEE FORUM IN BITOU MUNICIPALITY	3/2/2/2/2/4	72 - 74	16 - 18	25-Feb-15

SECTION 4: COMMUNITY SERVICES

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

SECTION 5: ENGINEERING SERVICES

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

SECTION 6: STRATEGIC SERVICES

ITEM NO	SUBJECT	FILE REF	MAYCO AGENDA PAGE NO	COUNCIL AGENDA PAGE NO	DATE OF MEETING
C/6/267/02/15	PROPOSED ALIENATION AND CLOSURE OF UNMADE STRAND STREET: ERF 121: PLETTENBERG BAY - IN PRINCIPLE DECISION	18/121/PB	75 - 83	19 - 22	25-Feb-15
C/6/268/02/15	BUILDING CONTROL SECTION: QUARTERLY REPORT: OCTOBER - DECEMBER 2014	9/1/3/7	84 - 147	23 - 24	25-Feb-15
C/6/269/02/15	TABLING OF APPROVAL OF THE PROPOSED AMENDED TOP-LAYER SDBIP (Service Delivery Budget Implementation Plan)	5/1/4/7	148 - 156	25 - 26	25-Feb-15
C/6/270/02/15	CONSIDERATION OF WARD DELIMITATION PROPOSAL FOR 2016 MUNICIPAL ELECTIONS	12/2/1/1/2	Addendum 1 1 - 12	27 - 29	25-Feb-15
C/6/271/02/15	PRESENTATION TO COUNCIL BY CEMAIR ON THEIR FIRST TEN MONTHS OF OPERATION THROUGH THE PLETTENBERG BAY AIRPORT	17/2/13		30	25-Feb-15

Section 2

Department: Finance

Section 2: Finance

ITEM C/2/216/02/15

Council Meeting

OUTSTANDING DEBT: DECEMBER 2014

Department: Finance **Demarcation:** All Wards

File ref: 9/1/3/4

Report from: Chief Financial Officer

Date: 4 February 2015

Purpose of the Report

The purpose of this report is to inform the Municipal Council regarding the outstanding debt owed to the municipality as at 31 December 2014.

Background/Discussion

The debt situation for December 2014 is as follows –Also refer to Diagram 1:

1. Debt per Suburb

Suburb	Levied	Payments	Adjustments	Current Month	Previous Month
Plettenberg Bay	18 260 464	18 927 389	-2 484 345	38 071 709	41 222 979
New Horizons	701 202	442 594	-242 723	4 742 428	4 726 543
Kwanokuthula	927 577	309 029	-412 281	12 662 818	12 456 551
Farms	2 054 545	2 116 071	-681 373	10 213 250	10 956 149
Natures Valley	785 766	816 000	-89 920	823 416	943 570
Wittedrift	323 378	311 644	-107 683	675 568	771 517
Keurboomstrand	1 713 628	1 560 964	-309 495	2 700 601	2 857 432
Kranshoek	442 067	64 854	-164 621	10 940 184	10 727 592
Kurland	223 772	30 301	-89 073	4 611 368	4 506 970
Green Valley	70 186	3 453	-43 728	1 270 690	1 247 685
Augmentation					
Total	25 502 585	24 582 299	4 625 242	86 712 032	90 416 988

Note: Comparing debt per suburb November 2014 (previous month) with December 2014 (current month) – debt decreased with an amount of R 3 704 955.75– see also Diagram 1.

Section 2: Finance

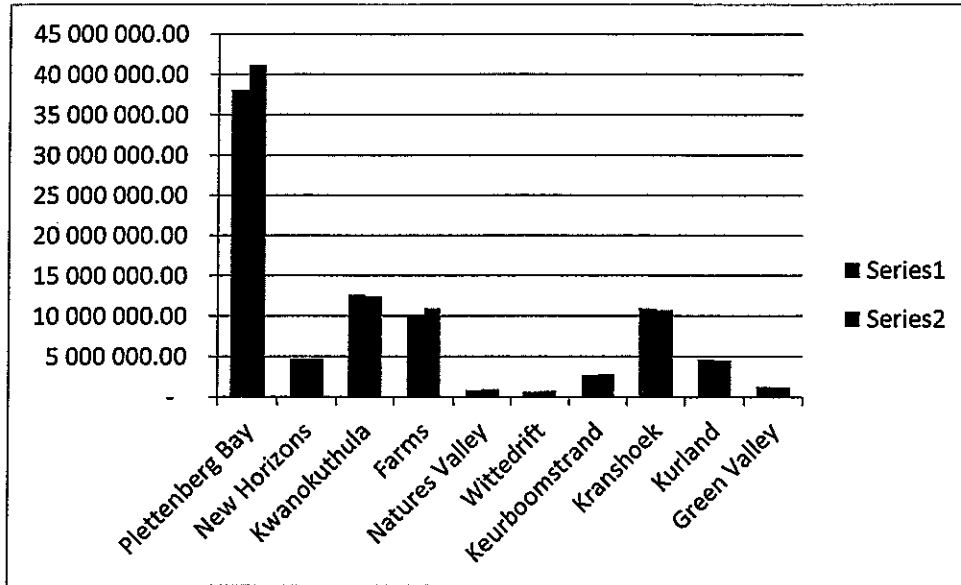


Diagram 1 – Debt per suburb

The number of months needed to pay a municipal account (turnover) from the date the accounts are levied, are as follows:

	Current Month	Previous Month
Plettenberg Bay	2.46	2.39
New Horizons	10.96	9.18
Kwanokuthula	29.03	21.73
Farms	5.55	4.97
Natures Valley	1.30	1.49
Wittedrift	2.89	2.56
Keurboomstrand	1.82	1.84
Kranshoek	42.81	27.64
Kurland	40.94	26.91
Green Valley	53.81	25.85

2. Debt per Ward

	Current Month	Previous Month
Ward 1	17 170 124.18	18 087 966.34
Ward 2	36 375 774.69	39 329 242.81
Ward 3	2 631 384.40	2 601 818.14
Ward 4	5 332 674.61	5 251 187.43
Ward 5	9 398 922.63	9 633 245.00
Ward 6	4 854 289.73	4 777 731.59
Ward 7	10 948 862.30	10 735 796.98
Total	86 712 032.54	90 416 988.29

Note: Comparing debt per service November 2014 (previous month) with December 2014 (current month) – debt decreased with an amount of R 3 704 955.75 – see also Diagram 2.

Section 2: Finance

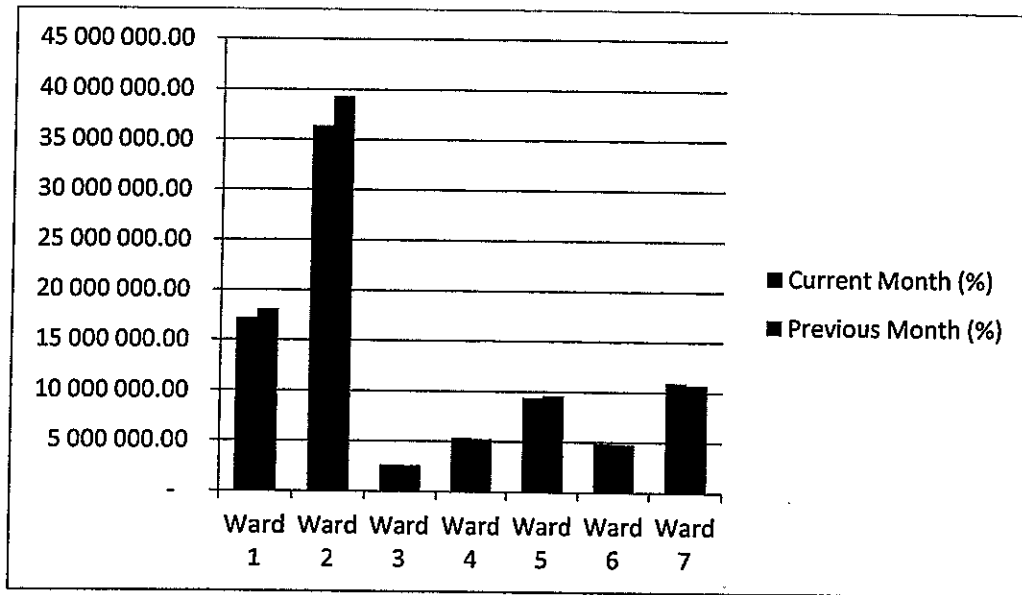


Diagram 2 – Debt per Ward

The number of months needed to pay a municipal account (turnover) is as follows:

	Current Month	Previous Month
Ward 1	5.27	5.08
Ward 2	2.31	2.24
Ward 3	10.87	9.06
Ward 4	8.00	6.12
Ward 5	16.69	13.90
Ward 6	27.04	18.40
Ward 7	42.73	27.61

3. Debt per Service

	Current Month	Previous Month
Water	20 377 393.17	20 575 383.74
Electricity	13 313 492.21	13 682 164.38
Property Rates	25 761 311.44	27 671 050.05
Refuse	13 404 746.56	13 113 000.61
Sewerage	18 081 522.51	18 142 327.04
Other	- 4 226 433.35	- 2 767 392.53
Total	86 712 032.54	90 416 988.29

Note: Comparing debt per suburb November 2014 (previous month) with December 2014 (current month) – debt decreased with an amount of R 3 704 955.75– see also Diagram 3.

Section 2: Finance

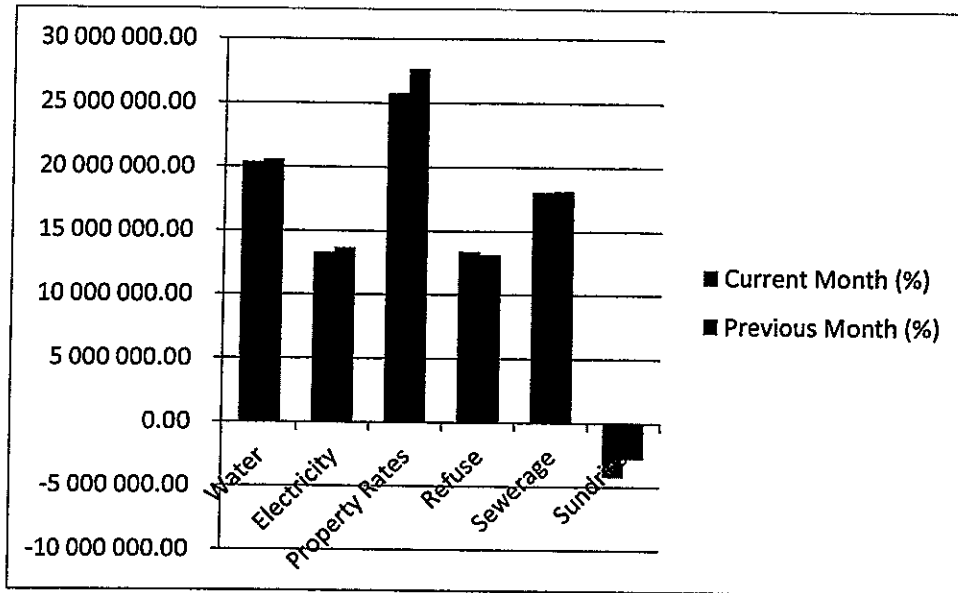


Diagram 3 – Debt per Service

4. Debt per Customer Type

	Current Month	Previous Month
Government	257 257.16	2 227 295.28
Business	5 863 654.70	5 685 618.66
Households & Sundries	80 591 120.68	82 504 074.35
Total	86 712 032.54	90 416 988.29

Note: Comparing debt per suburb November 2014 (previous month) with December 2014 (current month) – debt decreased with an amount of R 3 704 955.75– see also Diagram 4.

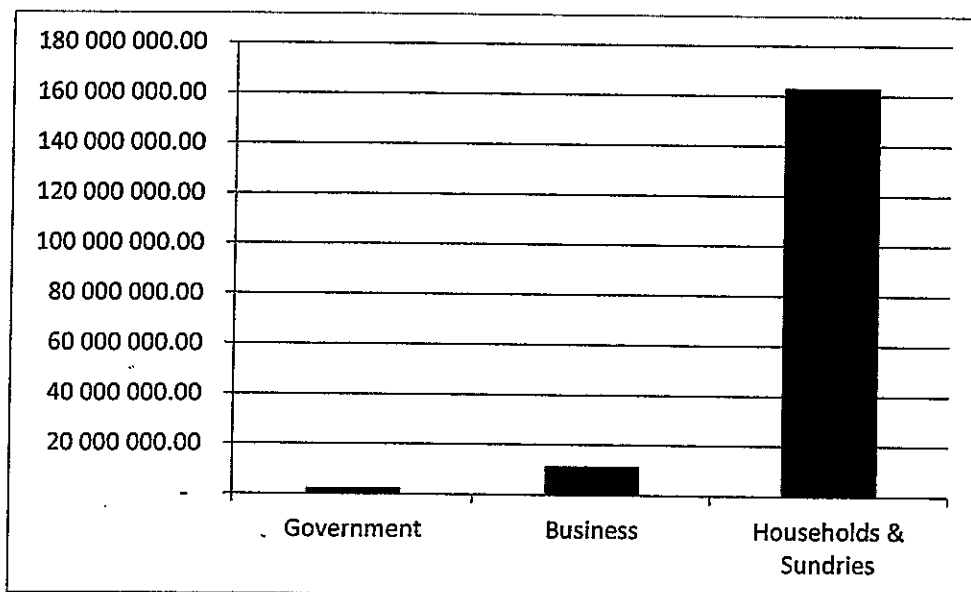


Diagram 4 – Debt per Customer

5. Debt per Age

	Current Month	Previous Month
Future (Advance payments)	-6 545 723.56	-4 641 132.98
0 - 30 days	20 909 944.78	23 622 616.14
31 – 60 days	6 061 757.47	5 018 085.61
61 – 90 days	3 323 805.28	3 129 562.06
91 – 120 days	2 484 598.66	3 257 965.49
Over 120 days	60 477 649.91	60 029 891.97
Total	86 712 032.54	90 416 988.29

Note: Comparing debt per suburb November 2014 (previous month) with December 2014 (current month) – debt decreased with an amount of R 3 704 955.75– see also Diagram 5.

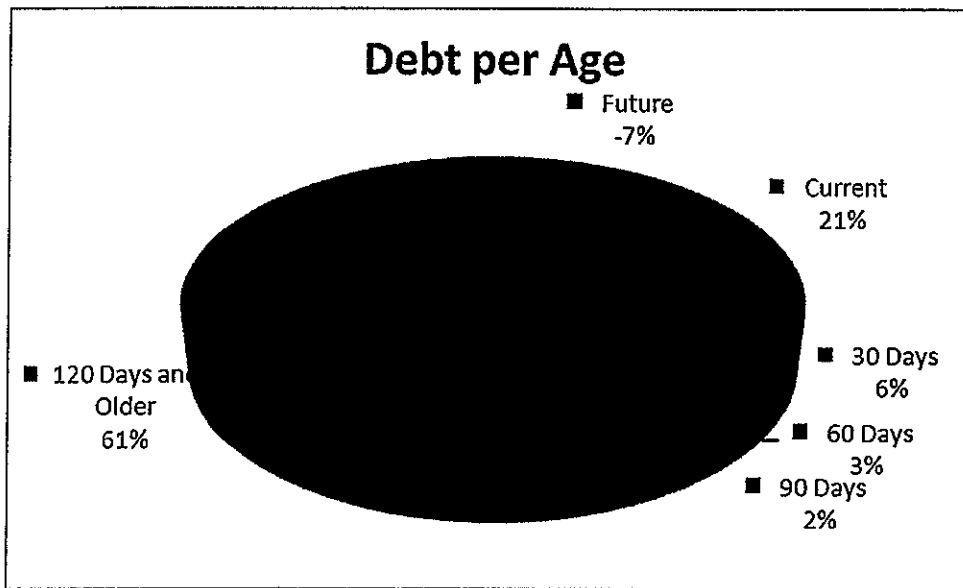


Diagram 5 - Debt per Age

6. Debt Collection Initiatives

The following debt collection initiatives were undertaken during December 2014 (current month), namely:

	Current Month	Previous Month
Electricity Disconnections	-	-
Electricity Pre-Paid Blocking	-	-
Final Notices	11 (R 2 437 556.66)	202 (R 4 711 087.86)
Handovers	138 (R 2 918 506.66)	-
Recovery via Prepaid	R 83 998.03	R 95 077.49

The disconnection/blocking of electricity could not be carried out due to the inability to update consumers accounts paying via EFT.

The following credit control and debt collection initiatives still needs to be finalized:

- Credit listing (2014/2015 financial year).

Section 2: Finance

7. Collection of debt via Panel of Attorneys

	Current Month	Previous Month
Final Notices	R 2 437 556.66	R 4 711 087.86
Hand Overs	R 2 918 506.66	R 0

Accounts will only be handed over for properties with a municipal valuation of higher than R350, 000.

The current collection performance of attorneys for December 2014 amounts to 2.67% collected of handed over amounts (previous 2.79%) – the proposed norm = 5% collection per month on handed over amounts.

The collection cost for December 2014 amounts to R 24 827.06 (11.58% of amount collected); (previous R 43 747.10 (18.97% of amount collected) – the proposed norm = 5%.

8. Staff- and Councillor Arrears:

	Current Month	Previous Month
Staff	R 34 049.05	R 34 828.09
Councillors	R 0	R 0

In terms of the Credit Control and Debt Collection policy, the municipal accounts of staff and councillors must be deducted from their salary and/or allowances. Arrears will be collected in terms of the Code of Conduct (MFMA).

9. Payment Ratio

The following year to date payment ratios (ability to pay monthly billings) was recorded:

December 2014 99.29%

The cumulative year to date payment rate is in line with projected revenue targets.

The following annual payment ratios were recorded:

2009/2010	93.95%
2010/2011	95.43%
2011/2012	89.41%
2012/2013	102.21%
2013/2014	100.25%

The following monthly payment ratios were recorded:

July 2014	121.00%
August 2014	58.00%
September 2014	118.00%
October 2014	121.00%
November 2014	115.77%
December 2014	99.29%

10. Debt collection Target and Performance (Refer to point 9)

The calculated target (debtor balance) for December 2014 was set at R 69 870 926.65 (outstanding balance less current of November) based on a minimum collection of 100 % of the current of the previous month (November 2014). The calculated debt balance less current (to be paid during December 2014) amounts to R 70 204 039.54, meaning a shortfall of R 333 112.89.

11. Potential Debt Collection problems

The following are the 3 (three) most important electricity problems hampering the debt collection initiatives and need to be addressed by the Chief Electricity Service in the 2014/2015 Financial year, namely:

- Replacement of faulty prepaid meters (currently legally bypassed)
- Meters not numbered in kiosk.
- Electricity meters not accessible for disconnection purposes be moved or re-located to the electricity kiosk.
- Unaffordability of indigent consumers registered on conventional metering system

The utilisation of water restriction, as a debt collection mechanism in Eskom distribution areas, is of the utmost importance to ensure the effective collection of outstanding debt. Item 1 above highlights the fact that the monthly turnover of these areas is very high comparing to the other suburbs.

Legal Requirements

Credit Control and Debt Collection Policy and By-Law. Approved By-Law published in Provincial Gazette 6668 dated 20 October 2009.

Financial Implication

Effective Credit Control & Debt Collection contributes to an enhanced cash situation.

Comments: Head Corporate Services

The recommendation by the Municipal Manager is supported

Comments: Head Community Services

The recommendation by the Municipal Manager is supported

Comments: Head Engineering Services

The recommendation by the Municipal Manager is supported

Section 2: Finance

Comments: Acting Head Strategic Services

The recommendation by the Municipal Manager is supported

Recommended by the Municipal Manager

That the Credit Control & Debt Collection statistics for December 2014 be noted.

Section 2: Finance

ITEM C/2/217/02/15

Council Meeting

**REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN
MANAGEMENT POLICY FOR THE QUARTER 01 OCTOBER TO 31
DECEMBER 2014**

Department: Finance **Demarcation:** All Wards

File Ref: 9/1/3/4

Attachment:

1. **Annexure A: Tenders and Quotations Awarded for the period October 2014 to December 2014**
2. **Annexure B: Comparative Tender Schedule**
3. **Annexure C: Deviations approved by delegated officials**

Report from: Chief Financial Officer

Date: 10 February 2015

Purpose of the report

Report on the Implementation of the Supply Chain Management Policy, for the Quarter, 01 October 2014 to 31 December 2014.

Relevant Legislation

- Local Government: Municipal Finance Management Act 2003, (Act 56 of 2003)
- Local Government: Municipal Finance Management Act 2003, (Act 56 of 2003):
Municipal Supply Chain Management Regulations
- Bitou Municipality Supply Chain Management Policy, as amended

Background

Section 6(3) of the Bitou Supply Chain Management Policy (SCM Policy) requires that the Accounting Officer submits a quarterly report on the implementation of the Supply Chain Management Policy to the Executive Mayor.

The report must contain information about operational activities within the Supply Chain Management Section. In order to comply with this requirement attach as **Annexure A**, schedules of Tenders and Quotations Awarded, as well as Deviations from the SCM

Section 2: Finance

Policy, considered and approved by the delegated officials, per Annexure C for the 2nd Quarter of the 2014/15 Financial Year, **01 October 2014 to 31 December 2014.**

1. Tenders Awarded: Competitive Bidding for Contracts valued more than R30,000

1.1. The competitive bidding process and bid committee structures are functioning effectively. Members of the Bid Committees are required to declare to undertake the following:

- 1.1.1. That all information, documentation and decisions regarding any matter before the committee is confidential and undertakes not to make known anything in this regard;
- 1.1.2. To treat all service providers and potential service providers equitably and will not purposefully favour or prejudice anybody; and
- 1.1.3. To make known details of any private or business interest he or she or any close family member, partner or associate may have in any proposed procurement or disposal of, or in any award or contract that they will immediately withdraw from participating in any matter whatsoever.

1.2. The awards made by bid committees or the delegated officials, attached per Annexure A, are valued in excess of R 50 million for 21 Tenders & Formal Written Price Quotations awarded:

#	Tenders processed	2 nd Quarter
1	Tenders Awarded	21
2	Contracts resulting from the tenders (Individual suppliers or service providers appointed as a result of the tenders awarded)	41
3	Estimated Value of Tenders Awarded	R 50 855 082
4	Number of Appeals Received	3(Under consideration)
5	Number of successful appeals	0

1.3. All tenders are opened in public and the results of the opening is recorded in a Bid Opening Register and placed on the Municipal Website. A schedule attached as Annexure B, details the bids awarded versus the unsuccessful competitive bids as per additional Council oversight request.

2. Deviations from the SCM Policy

2.1. Section 36 of Council's Supply Chain Management Policy allows the Accounting Officer to dispense with the official procurement processes under certain circumstances. Deviations of R3,783million (55 Applications) were considered and approved as per Annexure C, in the following categories in terms of Section 36 of the SCM Policy:

Section from SCM Policy	Categories	# of Awards	Value
36(1)(a)(i)	Emergency	5	R 107 970.10

Section 2: Finance

36(1)(a)(ii)	Sole Supplier	7	R 217 231.21
36(1)(a)(iv)	Exceptional case and it is impractical or impossible to follow the official procurement processes.	40	R 3 457 628.36
		52	R 3 782 829.67

2.2. The applications for deviations are closely monitored in order to reduce the occurrence of applications and competitive bidding processes are instituted immediately upon identification of recurring deviations.

2.3. This is evident in the downward trend compared to the 1st Quarter from 68 applications, but still disconcerting as the value is up from R 3.652 million.

Comments: Head Corporate Services

The recommendation by the Municipal Manager is supported.

Comments: Head Community Services

The recommendation by the Municipal Manager is supported.

Comments: Head Engineering Services

The recommendation by the Municipal Manager is supported.

Comments: Head Strategic Services

The recommendation by the Municipal Manager is supported.

Recommended by the Municipal Manager

That the Municipal Council notes the Supply Chain Management Implementation Report for the 2nd Quarter of the 2014/15 Financial Year, October to December 2014.

ITEM C/2/219/02/15

Council Meeting

ADJUSTMENTS BUDGET FOR THE 2014/2015 MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF)

Department: Finance **Demarcation:** All Wards
File Ref: 9/1/3/4
Report from: Chief Financial Officer
Attachments: Adjustment Budget Report for the 2014/2015 MTREF (To be circulated separately)
Date: 16 February 2014

Purpose of the report

This report is submitted for consideration by the Municipal Council to approve an Adjustments Budget for the 2014/2015 Financial Year, as determined in Chapter 4 of the MFMA and Municipal Budget and Reporting Regulations.

Background/Discussion

The adjustments budget which consists of a capital and operating budget was compiled within the legal provisions as set out above. The effect as a result of the adjustments budget is covered in detail in the adjustments budget report, with recommendations for the consideration and approval by Council.

Legal requirements

The compilation of an adjustments budget is given in sections 28, 54 and 72(3)(b) of the Municipal Finance Management Act and the Municipal Budget and Reporting regulations.

Recommended by the Municipal Manager

1. That it be noted from the Mid-Year Assessment Report, an adjustment budget is necessary.

Section 2: Finance

2. That the Annual Adjustments Budget of Bitou Local Municipality for the Financial Year 2014/2015, as set-out in the schedules contained in Section 4, circulated with the agenda be considered as contained in the following prescribed budget tables;
 - (a) Table B1: Adjustments budget summary
 - (b) Table B2: Adjustments Budget Financial Performance (expenditure by standard classification)
 - (c) Table B3: Adjustments Budget Financial Performance (expenditure by municipal vote)
 - (d) Table B4: Adjustments Budget Financial Performance (revenue by source)
 - (e) Table B5 to B10 as well as 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:
 - (a) 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.
 - (b) That the utilisation of projected savings in one vote toward spending under another vote be authorised.
 - (c) That any errors in the annual budget be corrected.
4. That the revision to the monthly and quarterly service delivery targets and performance indicators in the Service Delivery and Budget Implementation Plan be approved to correspond with the approval of the adjustments budget.
5. That the unauthorised expenditure with regard to the Kwanokuthula Sports field be authorised through this adjustments budget.

Section 3

Department: Corporate Services

Section 3: Corporate Services

ITEM C/3/114/02/15

Council Meeting

**QUARTERLY REPORT: CORPORATE SERVICES - HUMAN RESOURCES
SECTION FOR THE PERIOD 1 OCTOBER 2014 TO 31 DECEMBER 2014**

Department: Corporate Services Demarcation: All Wards
File Ref: 9/1/33
**Attachments: Annexure "A" – Human Resources Quarterly Report: Period 1
October 2014 to 31 December 2014**
Report from: Manager: Human Resources
Date: 10 February 2015

Purpose of report

To inform Council on various human resources matters that were actioned during the period 1 October 2014 to 31 December 2014.

Background

There was a high appointment rate during September 2014, as a result of the placement processes that was concluded at the Local Labour Forum meeting of 20 July 2014.

A total number of 43 temporary staff were placed permanently through the consultative labour forum process.

Applicable Legislation / Collective Agreement

Recruitment and Selection Policy 2013
Municipal Systems Act, Act 32 of 2000
Employment Equity Act, Act 55 of 1998
Labour Relations Act, Act 66 of 1995
Skills Development Act, Act 97 of 1998
Basic Conditions of Employment Act, Act 75 of 1997

Section 3: Corporate Services

Financial Implication

The cost implication employee related cost i.e. basic salary and fringe benefits.

Recommended by the Municipal Manager

That the Municipal Council takes note of the content of the Quarterly Report from the Human Resources Section for the period 1 October 2014 to 31 December 2014.

Section 3: Corporate Services

ITEMC/3/115/02/15

Council Meeting

APPROVAL FOR ESTABLISHMENT OF A WARD COMMITTEE FORUM IN BITOU MUNICIPALITY

Department: Corporate Services **Demarcation:** All Wards
File Ref: 3/2/2/2/2/4
Report by: Head: Corporate Services
Date: 12 February 2015

Purpose

To seek approval for the Establishment of a Ward Committee Forum.

Background

During the ward committee training programme held on 20 - 22 November 2014, the need for the establishment of a ward committee forum was identified. The purpose of the forum is to speed up and unblock service delivery issues by channeling proposals to service delivery departments and council. This was also discussed at the last Provincial Public Participation and Communication Forum on 26-27 November 2014.

Composition of the Ward Committee Forum

Speaker – Chairperson
Ward Councillors
Municipal Manager
Heads of Departments
Relevant external stakeholders (e.g. Government Departments, NGO's, etc.)
Two (2) representatives from each Ward Committee
The forum will meet quarterly, just after the ward committee meetings. The minutes and general ward issues will be discussed at this forum.

Operational Benefits

The establishment of such a forum will enhance strategic relationships between the Bitou communities and the municipality. The forum can be used as a platform for all stakeholders to unblock service delivery issues as well as to improve ward committee functionality. This will reflect that Bitou Local Municipality maintains the ideal co-

Section 3: Corporate Services

operational approach towards operational and geographical solutions. The management team of Bitou municipality will gain hands on experience on what the needs and challenges of the Bitou community are.

The establishment of the forum will maximize administrative and operational efficiency and provide for adequate checks and balances.

Financial implications

Minimal: the cost of facilitating the meeting will be funded from the *transport of ward committee members, training & catering vote; 104 30523 and the stipend fee will be funded from ward committee sitting allowance vote: 104 10695*

Relevant Legislation

Constitution of South Africa, 1996
Local Government Municipal Systems Act, 32 of 2000
Local Government Municipal Finance Management Act

Comments: Head: Community Services

The recommendation by the Municipal Manager is supported as it is my considered opinion that this will enhance understanding within stakeholders. This may also be the best platform where issues, especially service delivery operational issues can be dealt with properly.

Comments: Head: Engineering Services

The recommendation by the Municipal Manager is supported.

Comments: Head: Strategic Services

The recommendation by the Municipal Manager is supported.

Recommended by the Municipal Manager

1. That the establishment of a Ward Committee Forum, under the guidance of the Speaker, be approved.
2. That the members of the Ward Committee Forum consist of;
 - a) All Ward Councilors
 - b) The Municipal Manager and the Head of Departments
 - c) Two representatives of each ward nominated by such ward

Section 3: Corporate Services

3. That the Ward Committee Forum meets quarterly.
4. That an additional R100-00 per meeting be paid over and above their monthly stipend fee to each ward committee member represented on the forum.

Section 6

Department: Strategic Services

ITEM C/6/267/02/15

Council Meeting

**PROPOSED ALIENATION AND CLOSURE OF UNMADE STRAND STREET:
ERF 121: PLETTENBERG BAY – IN PRINCIPLE DECISION**

Department: Strategic Services **Demarcation:** Ward 2

File Ref: 18/121/PB

- Attachments:**
1. Annexure “A” - Locality Plan
 2. Annexure “B” - Sketch Plan
 3. Annexure “C” - Proposal by Owner of Erf 121, Plettenberg Bay
 4. Annexure “D”- Indicative Valuation

Report from: Acting Head: Strategic Services

Date: 2 February 2015

Purpose of the Report

To submit and provide background to the application for the closure of the unmade road (Strand Street) in accordance with the layout plan. The portion of road will be alienated and consolidated with adjoining Erf 121 and be rezoned as single residential erf. This decision is an in-principle decision only. Formal applications in accordance with relevant legislation will be submitted if this application is supported.

Background

The portion of unmade Strand Street on the corner of Strand and Duminy streets, has historically been on the Municipal record as a street and has been allocated at various times to the adjoining erf 121 since 1969.

It is not clear whether a formal lease was ever entered into, as the Municipal files and records in the Town Planning office do not reflect any information in this regard.

A survey of the section of Strand Street was conducted and a locality plan (Annexure A) indicates where the subject property is located. The survey done reflects the situation in February 1999, illustrating the fence and walkway and the section of Strand Street being enclosed as used as part of erf 121. The plan is enclosed as Annexure B. In addition, the Surveyor General Diagram No. B4195/1920 of erf 121 is enclosed.

In the recent past the walkway has been closed by a fence. Currently there is no pedestrian access from the unmade section of Strand Street to Duminy Street. This is due to security risk and vagrants utilising this walkway as a thoroughfare.

Section 6: Strategic Services

Status of the unmade portion of Strand Street

The Council's resolution for temporary closure of the road for a period of six months for further decisions dated 24 February 1999 appears to have never been finalised. As stated, the area under discussion has been enclosed and is used as part of erf 121.

Various meetings were held with the Town Planning Department and the files on record in the Municipality were perused and investigated leading to a brief synopsis of the history of the section of street.

It is clear that the unmade portion of Strand Street adjacent to erf 121 has a long Municipal history commencing from 1969. The last date pertaining to the unmade road and lease thereof on Municipal record is February 1999.

Further the Title Deed does not reflect an endorsement of a lease (notarially or otherwise). The Council resolution of 1999 states that the lease agreement is at Councils 'pleasure' therefore it would be advantageous to formalise the situation on a permanent basis. The application is for the section of Strand Street to be consolidated with erf 121, which would entail the closure of the street, subdivision, rezoning and consolidation thereof with erf 121. This will entail applications to the Surveyor General for a status report, advertising the proposal, obtaining three valuations for the area under discussion and the formalisation of the entire process by submission to Council.

The Applicant gave an assurance that all Municipal services in the area will be protected by means of surveyed and registered servitudes.

Relevant Legislation

Municipal Assets Transfer Regulation

Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA)

Municipal Ordinance, 1974 (Ord. 20 of 1974) (Ord. 20)

Policy Framework on the Administration of Council's Immovable Property

Land Use Planning Ordinance, 1985

Comments: Acting Head: Strategic Services

The section of Strand Street between erven 121 and 2943 is an unmade street, due to the steep drop down to Duminy Street to the east. It is this section that is the subject of this application for alienation as submitted by the owner of erf 121. From the records on file the section has been the subject of a lease agreement in the past, although the exact current status is unknown. The area in question has been walled / fenced by the owner of erf 121 and is used as part of the property, probably due to the historical lease agreement. It is evident that the street will never be constructed while alternative pedestrian access to Central Beach is used along Odland Street. Municipal services (if any) within the area should be relocated at the costs of the applicant or be secured by way of a servitude in favour of Council. The section of street will have to be "closed" as such, subdivided from the remaining street, rezoned and consolidated with erf 121. The application for alienation and consolidation is supported, subject to compliance with all relevant legislation i.e. MFMA, Land Use Planning Ordinance, etc.

The Municipal Valuer (DDP Valuers) has provided an indicative value for the approximate 520 square metres of street under discussion. The land is valued at R 90 000 by DDP Valuers. If the application to alienate is approved, further formal valuations by independent valuers will have to be provided by the applicant. The valuation is attached as Annexure "D".

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Disposal of public land, which also entails closure of a street, requires a complicated process. The Council must first decide about disposal of the land in terms of Section 14 of the MFMA. This is the first of two decisions, namely to confirm whether or not a process may be entered into to dispose of the land, or whether Council requires the land for the provision of services. Subsequent thereto, the applicant must submit a status report on the street, which the Surveyor General must issue in terms of the Land Survey Act, 1997 (Act 8 of 1997), together with a closure diagram, to the Municipality. The application, status report and diagram are then advertised for public comment and notice of the intended closure is given to the public, by means of a repeat process. The intended closure of the section of street must also comply with the requirements of the Supply Chain Policy which provides for a call for tenders from the public in general. Should there be no objection to the proposal and no other member of the public has an interest in tendering for the land, Council then decides whether or not to close the street and advises the Surveyor General to amend the survey records if the decision is to close the section of Strand Street.

Provision is made in the Policy Framework on the Administration of Council's Immovable Property that "*closed streets ... which can be of no practical use to any other person may be sold/leased out of hand to adjoining property owners*". Prior to approval of such disposal the Municipality has to comply with the provisions of the MFMA and all other statutory requirements, amongst others to determine a value for the land. Formal valuations are undertaken to determine the appropriate value. This determination can be delegated to the accounting officer. Formal comment by the other municipal departments will form part of the process.

Financial Implications

There is no immediate implication to this recommendation. Should the final outcome be the sale of the land, this would imply revenue from the sale of the land and future rates and taxes. All costs pertaining to applications, advertisements etc are for the account of the applicant and not Council.

Comments: Chief Financial Officer

The property referred to, do not form part of roads infrastructure. The portion of land referred to in the report do not carry a separate value in the fixed asset register of the municipality.

Comments: Head: Community Services

The recommendation by the Municipal Manager is supported.

Comments: Head Corporate Services

I have no objection against the proposal. The Asset Transfer Regulations must be followed and disposal must take place in line with the governing policies of this council.

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Comments: Head: Engineering Services

There are no services other than a stormwater channel within the area under discussion, which should be protected by a servitude in favour of the Municipality.

The fair market value as determined by the municipal valuer should be used as reserve price when disposing of the property in accordance with the SCM processes of the municipality.

Recommended by the Municipal Manager

1. That the Municipal Council confirms in terms of Section 14 of the MFMA that the portion of unmade street at the corner of Strand - and Duminy Streets is not required for the provision of services.
2. That the Head Strategic Services be authorised to conduct the required public participation and other processes for the closure, subdivision, and rezoning and all other legal prescripts pertaining to the matter. All costs incurred in all processes are to be carried by the applicant.
3. That after the conclusion of the public participation processes as referred to in recommendation 2 above, the property be disposed of in accordance with the disposal management system as contained in the Supply Chain Policy of the municipality and that the reserve price be determined to be equal to the market related value of the property.

ITEM C/6/268/02/15

Council Meeting

BUILDING CONTROL SECTION: QUARTERLY REPORT: OCTOBER – DECEMBER 2014

Department: Strategic Services Demarcation: All Wards

File Ref: 9/1/3/7

- Attachments:**
1. Annexure “A” - Daily Inspections (Oct - Dec)
 2. Annexure “B” - Scrutiny letters (Oct - Dec)
 3. Annexure “C” - Occupancies issued (Oct – Dec)
 4. Annexure “D” - Contravention letters (Oct – Dec)
 5. Annexure “E” - Plan submissions (Oct - Dec)
 6. Annexure “F” - Plan approval (Oct - Dec)
 7. Annexure “G” - Building Stats Survey (Oct - Dec)

Report from: Manager Building Control

Date: 04 February 2015

Purpose of the Report

Building Control Quarterly Report for Council information, as prescribed in Section 6 of National Building Regulations and Standards Act, regarding non-compliance with any condition on which approval was granted.

Background/Discussions

This report is to inform this local authority of the current applications received as well as approved relating to the National Building Regulations.

Relevant Legislation

National Building Regulations and Standards Act (Act 103 of 1977).

Financial Implications

Income generated over the quarter (Oct – Dec 2014).

Comments: Chief Financial Officer

The recommendation by the Municipal Manager is supported.

Comments: Head: Corporate Services

The recommendation by the Municipal Manager is supported.

Comments: Head: Community Services

The recommendation by the Municipal Manager is supported.

Comments: Head: Engineering Services

The recommendation by the Municipal Manager is supported.

Recommended by the Municipal Manager

That cognizance be taken of the quarterly report from the Building Control Section for the period October to December 2014.

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The SDBIP should also provide all expenditure information (for capital projects and services) per municipal ward, so that each output can be broken down per ward, where this is possible, to support ward councillors in service delivery information.

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

Comments: Chief Financial Officer

The recommendation by the Municipal Manager is supported.

Comments: Head: Corporate Services

The recommendation by the Municipal Manager is supported.

Comments: Head: Community Services

The recommendation by the Municipal Manager is supported.

Comments: Head: Engineering Services

The recommendation by the Municipal Manager is supported.

Recommended by the Municipal Manager

1. That the Municipal Council approves the amendments to the 2014/2015 Top-Level SDBIP (Service Delivery 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 and on the municipal website.

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ITEM C/6/270/02/15

Council Meeting

CONSIDERATION OF WARD DELIMITATION PROPOSAL FOR 2016 MUNICIPAL ELECTIONS

Department: Office of the Executive Mayor **Demarcation:** All Wards

File Ref: 12/2/1/1/2

Attachments:

1. Annexure "A" – Proposed Ward Maps
2. Annexure "B" – Proposed Ward Voter Numbers
3. Extract from the unconfirmed minutes of Council C/3/110/12/14

Date: 18 February 2015

Purpose of the report

To submit to the Municipal Council for consideration the ward maps as proposed, for the 2016 Municipal elections and the rescinding of the decision taken at the meeting held on 2 December 2014.

Background /Discussion

At a meeting held on 2 December 2014, Council resolved to accept the delimitation proposals as prepared by the Demarcation Board, with the exception that the existing boundary between wards 6 and 7 be moved in order to exclude the portion of Kwanokuthula which is currently reflected in ward 7.

Subsequent to that meeting and the Council resolution taken to agree to all ward maps proposed by the Demarcation Board, with the exception mentioned, the criteria and practical implications thereof were reviewed, which lead to amendments to the proposed wards due to errors of compliancy. The proposed ward maps, as attached in Annexure "A", are discussed and motivated in a paragraph below.

It is a requirement of the Municipal Demarcation Board that Council first consider the ward maps submitted by the Board before the ward maps can be considered by the Board

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and thereafter submitted for public consultation. In this instance the ward maps as proposed by the Board have been amended and a decision regarding the approval thereof must be taken. This would imply that the previous decision be rescinded should the proposals be now submitted, be approved.

Proposed Wards

Reference to “compliance” refers to adherence to the voter norms set by the Demarcation Board as per “Annexure “B”.

WARD 1

Stays the same. Compliant. Refer to map for Ward 1(Annexure “A”)

WARD 2

The proposal by the Demarcation Board(DMB) which takes out Formosa Garden Village(FGV) and places it in Ward 3 is not supported on the following grounds:

- Formosa Garden Village (FGV) is a gated highly secured retirement village of 184 residents, 115 cottages and a 27 bed frail care centre. It has always been part of the current Ward 2 and the elderly residents have voted at the Plettenberg Bay Primary School VD 97220088 since 1995. Their family, cultural and physical ties are in Ward 2 and they are served by the Ward 2 councillor.
- Ward 3 Qolweni/Bossiesgif (Q/BG) is a large sprawling informal settlement with a shifting population estimated at more than 5000 with nearly 3400 voters compared with the 184 residents and approx. 170 voters of FGV. There is no cultural, physical or even access contact between the two communities. The concerns and needs of the two communities are totally different and would make it very difficult for the Ward 3 councillor to serve FGV.

The revised map for Ward 2 placing FGV back in Ward 2 VD Plettenberg Bay Primary School. Compliant. Refer to map for ward 2 (refer to map for ward 2 (annexure “A”)

WARD 3

A revised map for Q/BG consisting of VD CDC Bicycle Shed plus a split of 400 voters out of Ward 2. Compliant. Refer to map for ward 3 (Annexure “A”)

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WARD 4

Same as DMB consisting of VDs New Horizons Community Hall & Child Welfare SA Plettenberg Bay. Compliant. Refer to map for ward 4 (Annexure "A")

WARD 5

The proposal by the Demarcation Board is not supported. A revised map is submitted for Ward 5 consisting of 3 VDs – Municipal Offices, St Monica's Church, Full Gospel Church. Compliant. Refer to map of ward 5 (Annexure "A")

WARD 6

A revised map is submitted for Ward 6 consisting of 3 VDs – Murray High School, Kwanokuthula Community Hall, Assembly of God. Exceeds Max Norm by 18 voters. Condonation for this is requested. Refer to map of ward 6 (Annexure "A")

Notes. The Assembly of God VD is taken out of Ward 7 and placed in Ward 6. This VD currently in Ward 7 has been problematic as it has no physical or access contacts with Kranshoek and Harkerville. A deep gorge is a geographical barrier with no access across it. Access to Kranshoek is along the N2 and the Airport Rd, some 20 kms. The Ward Committee has not functioned to serve the interests of the Assembly of God voters.

WARD 7

A revised map for Ward 6 consisting of VDs Harkerville Primary School, Kranshoek Multipurpose Centre and a split of 220 voters out of Ward 2 is submitted. Compliant. Refer to map of ward 7 (Annexure "A")

Recommended by the Executive Mayor

1. That the Municipal Council resolution C/3/110/12/14 be rescinded.
2. That the Municipal Council consider and approve the proposed new ward maps as attached as Annexure "A" hereto.

ITEM C/6/271/02/15

Council Meeting

PRESENTATION TO COUNCIL BY CEMAIR ON THEIR FIRST TEN MONTHS OF OPERATION THROUGH THE PLETTENBERG BAY AIRPORT

Department: Strategic Services

Demarcation: All Wards

File Ref: 17/12/3

Report from: Head: Strategic Services

Date: 25 February 2015

Purpose of the Report

To schedule a time for a presentation by CemAir to do a presentation to Council regarding their first ten months of CemAir scheduled flight operations through Plettenberg Bay to Johannesburg and Cape Town

Mr Miles van der Molen has been invited to do a presentation to Council, and the time has been scheduled for 12h00.

Recommended by the Municipal Manager

That cognisance be taken of the presentation to be done by the representatives from CemAir.