MINUTES

OF THE

SALDANHA BAY MUNICIPALITY

SPECIAL COUNCIL MEETING

ON

26 MARCH 2020

AT

14:00
SALDANHA BAY MUNICIPALITY

MINUTES OF A SPECIAL COUNCIL MEETING HELD
ON THURSDAY, 26 MARCH 2020 AT 14:00
IN THE COUNCIL CHAMBERS, VREDENBURG

PRESENT

Alderman O Daniels Speaker
Alderman M Koen Executive Mayor
Councillor E Vaughan Executive Deputy Mayor
Councillor W America
Councillor T Khulu
Councillor G Kordom
Councillor J Kotzé
Alderman A Kruger
Councillor E Mankay
Councillor S Mohale
Councillor L Mitchell
Councillor S Mafenuka
Councillor M Makwetu
Councillor T Rossouw
Councillor T Salman
Councillor S Scholtz
Councillor M Schrader
Councillor G Siphole
Alderman SJE Steyn
Councillor A Truter
Councillor C van Nooi
Alderman S van Tura
Councillor A Venter
Councillor A Williams

OFFICIALS

H Mettler Municipal Manager
P Mbaliswana Director: Corporate Services & Public Safety
S Vorster Director: Finance
G Smith Director: Infrastructure & Planning Services
L Volschenk Director: Community & Operational Services
C de Kock Director: Economic Development & Strategic Services
A Meyer Manager: Administrative & Support Services
A van Schalkwyk Committee Officer

OTHER

P Mei Personal Assistant: Office of the Mayor
Col.L Marx Districk Cluster Communication
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OPENING

The Speaker, Alderman O Daniels opened the meeting by welcoming everyone present, citing from Scripture and requesting a minute of silent prayer. She requested that the meeting keep the communities in their thoughts and prayers who had been affected by COVID-19.

OFFICIAL ANNOUNCEMENTS

The Speaker, Alderman O Daniels informed the meeting that the Municipal Manager, Mr H Mettler would provide feedback on the procedures implemented to minimise the impact of the Corona virus directly after the meeting.

The Executive Mayor, Alderman M Koen introduced Colonel Marx from the SAPS who was available to address any queries/concerns of Councillors. He requested all Ward Councillors to assist with discipline in the wards to raise awareness on compliance to the national COVID-19 regulations and ensuring that important information be communicated within the ward.

Councillor Mankay informed the meeting that a shack had burned down in Ward 1 (Joe Slovo area). She reiterated the vulnerability of the communities residing in informal areas and appealed to Council to keep the lives of the most vulnerable residents in consideration with the COVID-19 lockdown arrangements.

Councillor Salman urged the Municipality to expedite communication throughout the communities and to simplify instructions on the payment of accounts.

The Ward Councillors were requested to collect permits for travelling during the lockdown period from the Municipal Manager once the meeting had adjourned.

LEAVE OF ABSENCE

Alderman FJ Schippers
Alderman E Nackerdien
Councillor N Girimane

DECLARATION OF INTEREST WITH REGARDS TO MATTERS FOR CONSIDERATION IN THIS AGENDA

None
Councillor Salman raised the following concerns on behalf of the ANC and confirmed that the ANC’s comment would also be submitted in writing to the Speaker:

- the low capital expenditure;
- the budget did not reflect the needs of the poor;
- the budget did not promote economic development;
- the budget was ward based and too much emphasis was placed on Langebaan;
- the budget was inconsistent with the IDP;
- the budget still reflected a big divide between rich and poor;
- the housing pipeline was not a true reflection of the needs of the community;
- the budget had to address job creation for the unemployed;
- the need to engage with the Budget Steering Committee and raised the ANC’s concerns at the Committee;
- the minimal funding channelled towards Wards 3, 4 and 8;
- the delay in the extension of the Taxi Rank in Vredenburg after the three properties were bought for this purpose as the congestion remained a problem.

Councillor T Khulu left the meeting at 14:21.

Councillor J Kotzé raised his concern regarding public participation processes during the lockdown period. He referred to the comment of the Langebaan Ratepayers and Residents Association on the 2018/19 draft Annual Report.

The Speaker, Alderman O Daniels confirmed that the Finance Department has received a letter from National Treasury indicating the processes in order to deal with Public Participation Processes during this lockdown period and confirmed that the community will be informed accordingly.

The Speaker, Alderman O Daniels requested that it be noted that Councillor T Khulu has left the meeting before this item was voted on.

This matter was voted on: 17 Councillors voted in favour of recommendation 6 Councillors abstained from voting

RESOLVED
i) that the annual tabled budget of the municipality for the financial year 2020/21 and the two outer years 2021/22 and 2022/23 as per Annexure A (Budget schedules A1 to A10 and SA1 to SA37), Annexure B (Capital budget per department), Annexure C (capital budget per ward) and Annexure D (summaries of the capital budget) to the report, be approved;

ii) that the tabled rates and tariffs as contained in Annexure E to the report, for the 2020/21 budget year, be approved;

iii) that it be noted that the electricity tariffs as included in Annexure E to the report have not yet been approved by NERSA and will only be considered at a later stage by NERSA;

iv) that the sensitivity analysis of the proposed rates and tariff increases for consumers as per Annexure F to the report, be noted;

v) that the MFMA Budget Circular 99 attached as Annexure G to the report, be noted;

vi) that the quality certificate signed by the Municipal manager as per Annexure H to the report, be noted;

vii) that the proposed changes to the budget related policies attached in Annexure I to the report, which will discussed during a workshop with Council on 30 April 2020, and again re-submitted to Council on 28 May 2020 for final consideration, be noted;

viii) that the tabled service standards attached as Annexure J to the report, be approved;

ix) that the sector department projects of the Western Cape Provincial Government in Saldanha Bay Municipality for the 3 year 2020/21 MTREF, attached as Annexure K to the report be noted;

x) that the draft Top Layer SDBIP, attached as Annexure L to the report, be approved;

xi) that the list of projects funded from external loans, attached as Annexure M to the report be noted;

xii) that the 2020/21 MTREF Procurement Plan per Annexure N to the report, be approved;

xiii) that it be noted that version 6.4.1 of the mSCOA classification framework was used to prepare the budget;
xiv) that the pre-paid monthly capacity fee for 40 Ampere and 60 Ampere connections be further phased-in, and that the charge for 2020/21 be R105 and R150 (Vat exclusive) respectively.

Councillor T Khulu re-joined the meeting at 14:24.

R 6/3-20 OVERSIGHT REPORT ON THE TABLED 2018/19 DRAFT ANNUAL REPORT
(9/1/1-2018/19)
(Report of the Directorate Economic Development & Strategic Services)
(QR Jordaan)

RESOLVED

i) that the 2018/2019 Oversight Report of the MPAC be noted;

ii) that the Oversight Report on the draft 2018/19 Annual Report as well as the final 2018/2019 Annual Report (including the amendments/comments referred to in the Oversight report) be adopted and approved without reservation.

R 7/3-20 MPAC OVERSIGHT REPORT: 2018/19 ANNUAL REPORT – MARCH 2020
(3/5/16)
(Report of the MPAC Chairperson)
(Councillor T Khulu)

Councillor T Salman raised his concern regarding the lack of punitive measures and consequence management within the organisation.

RESOLVED

i) that the following amendments to the draft 2018/19 annual report be noted;
   a) replacement page for pages 5, 6, 20, 26, 142, 211, 222, 225, 226, 236 & 247-427 Stamp Financial Statements with annexures of the draft 2018/29 Annual Report;
   b) the report from AGSA on the audit outcome, attached as Annexure B to the report be noted and that it be noted that this report replaces the report from AGSA contained in the draft 18/19 Annual report as pages 358-364;

ii) that the comments received from the Langebaan Ratepayers and Resident Association, attached as Annexure A to the report, be noted;
iii) that the comments received from the Western Cape Government Provincial Treasury, attached as Annexure B to the report be noted;

iv) that the report from the Audit committee included as Annexure E to the report, be noted and that it be noted that this report has also been included as Annexure C to the draft 18/19 Annual report as published on 6 February 2020 for comment;

v) that the oversight report on the draft 2018/19 Annual Report as well as the final Annual Report (including the amendments/comments referred to in i)-iv) above) be adopted and approved by Council without reservations;

vi) that the oversight report be made public by the Municipal Manager in accordance with section 129 (3) of the Local Government Municipal Finance Management Act of 2003;

vii) that the corrective action that will be implemented as reflected in the Audit findings (Annexure F to the report), be noted;

viii) that the oversight report and the 2018/19 Annual Report be submitted to the provincial legislature by the Municipal Manager in accordance with section 132(2) of the Local Government Municipal Finance Management Act of 2003.

R 8/3-20 TECHNICAL ASSISTANCE WITH DRAFTING OF CAPITAL EXPENDITURE FRAMEWORK (CEF) (12/1/1/11)

(Report of the Directorate Economic Development & Strategic Services)

(LG Gaffley)

RESOLVED

i) that the report be noted;

ii) that Municipal Manager be hereby authorised to:

a) enter into the Grant Agreement with the Development Bank of South Africa (DBSA) for technical assistance to compile a Capital Expenditure Framework (CEF), a component of the Municipal Spatial Development Framework (MSDF);

b) enter into any other agreements, deeds or documents which may be incidental or related to the Grant Agreement or the transactions contemplated by or the agreements referred to in the Grant Agreement and any addenda to the Grant Agreement required to amplify and/or amend any of the
provisions of the Grant Agreement (collectively referred to as the “Relevant Documents”);

c) negotiate, settle the final terms of, sign and implement the Relevant Documents on behalf of the Municipality;

d) act as the Municipality’s representative to give effect to the above resolutions;

e) do all acts and things so as to give effect to the resolutions contained herein and/or to give or execute all notices, communications, acknowledgements, resolutions or other documents or agreements on behalf of the Municipality in connection with the transactions contemplated thereby;

f) to the extent that the Municipal Manager has already signed any other documents or done any act or thing so as to give effect to the resolutions contained herein, the actions of such Municipal Manager in this regard (to the extent legal possible) be and are hereby retrospectively approved and are ratified and adopted in their entirety.

R 9/3-20   ADVERTISING OF THE DRAFT SALDANHA BAY MUNICIPALITY INTEGRATED ZONING SCHEME BYLAW

(15/4/7)

(Report of the Directorate Economic Development & Strategic Services)

(G Tomlinson)

RESOLVED

That the undertaking of a public participation process for the draft Saldanha Bay Municipality Integrated Zoning Scheme Bylaw, including advertisement and circulation to interested and affected parties, in order to facilitate submission of a final document to Council for approval during June 2020, be approved.

R 10/3-20  APPROVAL OF HUMAN RESOURCES POLICY: STAFFING POLICY

(4/3)

(Report of the Directorate Corporate Services & Public Safety)

(G Botha)

RESOLVED

i) that the report be noted;

ii) that the Staffing Policy be approved with the following amendment to paragraph 10.6: “One representative from a recognized trade union of the SALGBC”.

9
The Whip of the DA, Alderman A Kruger confirmed that the DA was not in favour of extending the hours and proposed that all previous extensions be reviewed and amended to 2 o’clock.

Councillor T Salman informed the meeting that the ANC was in favour of extending the hours to 4 o’clock, due to possibility of job losses should the trading hours not be extended. Councillors Salman and Mankay requested the DA to reconsider the matter in favour of the extended hours.

Councillor T Khulu stated that the urgency of the extended hours was unclear and suggested that the item be dealt with upon conclusion of the lockdown period.

This item was voted on: 17 Councillors voted against the extension of the liquor trading hours

6 Councillors voted in favour of the extension of the extension of the liquor trading hours

1 Councillor abstained from voting on the matter

RESOLVED

i) that the report be noted;

ii) that the extension of trading hours in terms of the sale and consumption of liquor as specified in the Saldanha Bay Municipality By-Law on Liquor Trading Days and Hours, not be extended for the following business as follows:

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<td>Funky Lemon</td>
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iii) that the applicant be informed of the right to appeal to the Municipal Manager in terms of Section 62 of the Municipal Systems Act, Act 32 of 2000.
Councillor T Salman made reference to the late submission of the item, but stated that he was delighted with the fact that additional funding would be channeled to the housing pipeline.

RESOLVED

i) that the contents of the report be noted;

ii) that approval be granted that the municipality may enter into a contract which proposed contract will impose financial obligations on the municipality beyond the three years covered in the annual budget for the financial year for the following projects:
    a. Laingville 309: Construction of houses;

iii) that expenditure be limited to available budgets;

iv) that Council authorizes the Municipal Manager to sign the contract on behalf of the municipality.

R13/3-20 COVID-19: MUNICIPAL RELIEF FUND (12/1/1/10)

(Report of the Office of the Municipal Manager)
(H Mettler)

Councillor M Makwetu expressed his concern regarding sanitation and the limited ablution facilities in Kanini and. He reiterated that he had repetitively raised the matter at the portfolio committee meetings. He highlighted the restricted access to water as there were only 4 communal taps. He referred to workers of the fish factories in St Helena Bay and their need for transport and protective clothing.

The Speaker, Councillor O Daniels confirmed that Councillor Makwetu had raised his concern regarding Kanini’s limited ablution and water capacity at previous portfolio committee meetings.

The whip of the DA, Alderman A Kruger acknowledged Councillor Makwetu’s concerns and stated that it could be raised at the briefing session with the Municipal Manager after the Special Council meeting.

Councillor T Khulu mentioned that the R10 000 000 funding made available was appreciated, but that he would prefer to know what the funding would be used for and whether it would be used for the most vulnerable residents.

The Speaker, Alderman O Daniels expressed her discontent with the fact that the toilets in Kanini had not yet been repaired and requested the Municipal Manager to address the matter.

The Executive Mayor, Alderman M Koen left the meeting at 14:50.
RESOLVED

i) that the report be noted;

ii) that approval be granted by Council to make R10 million available in terms of regulation 2(4) issued in terms of section 27(2) of the Disaster management Act, 2002;

iii) that a project be created under the cost centre of the Chief Financial Officer for the administration of the funds;

iv) that the expenditure reallocations to the correct cost centre/s and line items be made when the National Disaster has been revoked;

v) that savings be identified and that virements be processed in order to fund this R10 million budget allocation when the National Disaster has been revoked;

vi) that a report be tabled in Council detailing all expenditure incurred when the National Disaster has been revoked.

The meeting adjourned at 14:51.

Confirmed.

________________________________________  _________________________
SPEAKER                                     DATE