



Notice is hereby given in terms of Section 29 of the Local Government: Municipal Structures Act, Act 117 of 1998, that a **COUNCIL MEETING** of the 2016/2021 term of the Garden Route District Municipality will be held **via Zoom**, on **WEDNESDAY, 30 SEPTEMBER 2020** at **11:00** to consider the items as set out in the agenda.

*Kennis geskied hiermee ingevolge Artikel 29 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998, Wet 117 van 1998, dat 'n **RAADSVERGADERING** van die 2016/2021 termyn van die Garden Route Distriksmunisipaliteit gehou sal word **via Zoom** op **WOENSDAG, 30 SEPTEMBER 2020** om **11:00** ten einde oorweging aan die items soos in die agenda uiteengesit, te skenk.*

KuKhutshwe isaziso ngokwemiqathango yoMhlathi 29 woRhulumente Basekhaya: Umthetho Wezolawulo loMasipala, 1998, uMthetho 117 wango 1998, sokuba **INTLANGANISO** yexesha lika 2016/2021 loMasipala Wesithili se Garden Route izakubanjelwa ngobuxhakaxhaka **be Zoom NGOLWESITHATHU, 30 KWEYEMSINTSI 2020** ngentsimbi ye **11:00** ukuqwalasela imiba ebekwe kwi agenda.

BHJ GROENEWALD
SPEAKER
SPEAKER
SOMLOMO

MG STRATU
Municipal Manager
Munisipale Bestuurder
Mphathi Masipala

Date: 22 SEPTEMBER 2020

A G E N D A

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2. SILENT PRAYER / STILLE GEBED / UMTHANDAZO OTHULEYO
3. ATTENDANCE OF MEMBERS / BYWONING VAN LEDE / AMALUNGU AKHOYO
 - 3.1 COUNCILLORS PRESENT / RAADSLEDE TEENWOORDIG / OOCEBA ABAKHOYO
 - 3.2 COUNCILLORS WITH LEAVE / RAADSLEDE MET VERLOF / OOCEBA ABAKWIKHEFU
 - 3.3 COUNCILLORS WITHOUT LEAVE / RAADSLEDE SONDER VERLOF / OCEBA ABANGEKHO KWIKHEFU
4. NOTING THE PROVISIONS OF SCHEDULE 1 (CODE OF CONDUCT FOR COUNCILLORS) OF THE LOCAL GOVERNMENT MUNICIPAL SYSTEMS ACT, 2000 / KENNISNAME VAN DIE VOORSKRIFTE VAN SKEDULE 1 (GEDRAGSKODE VIR RAADSLEDE) VAN DIE PLAASLIKE REGERING MUNISIPALE STELSELSWET, 2000 / UQWALASELO LWEMITHETHO-NEMIMISELO YOLUHLU 1 (INDLELA YOKUZIPHATHA KOCEBA) LOMTHETHO WENKQUBO ZORHULUMENTE BASEKHAYA, 2000
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8	COMMUNICATIONS BY THE MUNICIPAL MANAGER / MEDEDELINGS DEUR DIE MUNISIPALE BESTUURDER / UNXIBELELWANO LOMPHATHI MASIPALA
9	APPROVAL OF MINUTES OF COUNCIL MEETING / GOEDKEURING VAN NOTULES VAN RAADSVERGADERING / UKWAMKELWA KWEMIZUZU YENTLANGANO ZEBHUNGA
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Rdl / Cllr CN Lichaba
 Ald S De Vries
 Rdl / Cllr NF Kamte
 Rdl / Cllr MP Mapitiza
 Rdl / Cllr SF May
 Rdl / Cllr D Saayman
 Rdl / Cllr BN Van Wyk
 Rdl / Cllr RE Spies
 Adl JL Hartnick
 Rdl / Ald M Booysen
 Rdl / Cllr AJ Rossouw
 Rdl / Cllr KS Lose
 Rdl / Cllr JP Johnson
 Rdl / Cllr IT Mangaliso
 Rdl / Cllr GL Boezak **(as at 30 June 2020)**
 Rdl / Cllr SS Mbandezi
 Ald BHJ Groenewald
 Rdl / Cllr E Meyer
 Ald RH Ruiters
 Ald IC Kritzing **(as at 30 June 2020)**
 Rdl / Cllr EH Stroebel
 Ald PJ Van der Hoven
 Rdl / Cllr T Teyisi
 Ald V Gericke
 Rdl / Cllr K Windvogel
 Rdl / Cllr JC Lambaatjeen
 Rdl / Cllr RR Wildschut
 Rdl / Cllr ASM Windvogel
 Rdl / Cllr L Tyokolo
 Rdl / Cllr NV Gungubele (as at 08 Oct 2019)
 Ald GR Wolmarans (as 27 Nov 2019)
 Cllr J Fry **(As at 25 March 2020)**
 Cllr X Matyila **(As at 30 June 2020)**
 Cllr WT Harris **(As at 27 July 2020)**
VACANT



Minutes of a **Council Meeting**
 of the 2016/2021 term of
 Garden Route District Council held **via Zoom**
 on **Tuesday, 25 August 2020** at **14:00**

Notule van 'n Raadsvergadering
van die 2016/2021 termyn
van Garden Route Distriksraad gehou via Zoom
op Dinsdag, 25 Augustus 2020 om 14:00

Imizuzu **Yentlanganiso yeBhunga**
 yexesha 2016/2021 yoMasipala Wesithili se Garden Route
 nebibanjwe ngobuxhakaxhaka be **Zoom**
NgoLwesibini, 25 KweyeThupa 2020 ngo 14:00

**1. OPENING AND WELCOME / OPENING EN VERWELKOMING / UVULO
NOLWAMKELO**

The Speaker, Ald BHJ Groenewald welcomed everybody present and thanked them for their attendance.

2. SILENT PRAYER / STILLE GEBED / UMTHANDAZO OTHULEYO

A moment of silence was observed for all those who have lost their lives due to Covid- 19. The Speaker also requested that all men stand up and observe a moment of silence in support of the fight against gender based violence.

3. ATTENDANCE OF MEMBERS / BYWONING VAN LEDE / AMALUNGU AKHOYO

3.1 COUNCILLORS PRESENT / RAADSLEDE TEENWOORDIG / OOCABA ABAKHOYO

Cllr / Rdl / Ceba BN Van Wyk	DA
Ald M Booysen	DA
Ald JL Hartnick	DA
Cllr / Rdl / Ceba SF May	DA
Cllr / Rdl / Ceba RE Spies	DA
Cllr / Rdl / Ceba AJ Rossouw	DA
Ald S De Vries	ANC
Cllr / Rdl / Ceba MP Mapitiza	ANC
Cllr / Rdl / Ceba WT Harris	ICOSA
Ald PJ Van der Hoven	George Municipality
Cllr / Rdl / Ceba EH Stroebe	George Municipality
Ald IC Krtizinger	George Municipality
Ald V Gericke	George Municipality
Cllr / Rdl / Ceba J Fry	George Municipality
Ald T Teyisi	George Municipality
Ald GR Wolmarans	Knysna Municipality
Cllr / Rdl / Ceba L Tyokolo	Knysna Municipality
Cllr / Rdl / Ceba ASM Windvogel	Bitou Municipality
Cllr / Rdl / Ceba X Matyila	Bitou Municipality

Cllr / Rdl / Ceba GL Boezak
 Cllr / Rdl / Ceba IT Mangaliso
 Ald / Rdl / Ceba RH Ruiters
 Cllr / Rdl / Ceba SS Mbandezi
 Cllr / Rdl / Ceba JP Johnson
 Ald BHJ Groenewald
 Cllr / Rdl / Ceba JC Lambaatjeen

Hessequa Municipality
 Hessequa Municipality
 Mossel Bay Municipality
 Mossel Bay Municipality
 Kannaland Municipality
 Mossel Bay Municipality
 Oudtshoorn Municipality

OFFICIALS / AMPTENARE / AMAGOSA

Ms / Me / Nkzn B Holtzhausen

Executive Manager Corporate
 Services

Mr / Mnr / Mnu C Africa

Executive Manager
 Community Services

Mr / Mnr / Mnu JG Daniels

Executive Manager Roads &
 Transport Planning Services

Mr / Mnr / Mnu T Loliwe

Strategic Manager: Office of
 the Municipal Manager

Mr / Mnr / Mnu L Menze

Acting Municipal Manager

Mr / Mnr / Mnu S Maqekeni

Manager: Integrated Support
 Services & Legal Compliance

Ms / Me / Nkzn N Davids

Manager: Legal Services

Ms / Me / Nkzn IG Saaiman

Manager Performance
 Management

Mr / Mnr / Mnu P Dongi

Manager: Project
 Management

Mr / Mnr / Mnu G Otto

Manager Disaster
 Management

Mr / Mnr / Mnu J Compion

Manager Municipal Health
 and Environmental Services

Mr / Mnr / Mnu R Dyantyi

Manager EPWP

Ms / Me / Nkzn L Hoek

Manager AFS &BTO

Mr / Mnr / Mnu T Mpuru

Manager SCM, Data and
 Stores

Mr / Mnr / Mnu M Hubbe	Manager District Waste Management
Ms / Me / Nkzn M James	Acting District IDP Manager
Mr / Mnr / Mnu S Dladla	Chief of Staff: Office of the Mayor
Mr / Mnr / Mnu H Pieters	Snr Communications Officer
Mr / Mnr / Mnu B Desha	Snr Translator/Intepreter/ Committee Officer
Ms / Me / Nkzn R Matthews	Acting Snr Committee Officer

3.2 **COUNCILLORS WITH LEAVE / RAADSLEDE MET VERLOF / OCEBA ABAKWIKHEFU**

Cllr / Rdl / Ceba NV Gungubele	ANC
Cllr / Rdl / Ceba KS Lose	DA
Cllr / Rdl / Ceba CN Lichaba	ANC
Cllr / Rdl / Ceba NF Kamte	ANC
Cllr / Rdl / Ceba E Meyer	Mossel Bay Municipality
Mr / Mnr / Mnu MG Stratu	Municipal Manager
Mr / Mnr / Mnu J-W de Jager	Executive Manager Financial Services

3.3 **COUNCILLORS WITHOUT LEAVE / RAADSLEDE SONDER VERLOF / OCEBA ABANGEKHO KWIKHEFU**

Cllr / Rdl / Ceba D Saayman	DA
Cllr / Rdl / Ceba NA Tsengwa	Knysna Municipality
Cllr / Rdl / Ceba K Windvogel	Oudtshoorn Municipality
Cllr / Rdl / Ceba RR Wildschut	Oudtshoorn Municipality

C.1 CONFERMENT OF ALDERMANSHIP ON SERVING COUNCILLORS/ BEVESTIGING VAN RAADSHEER / RAADSDAME EER AAN DIENDENDE RAADSLEDE / UNIKEZELO LOBUSIBONDA KOOCEBA BEBHUNGA

Refer: Report (4/2/9) dated 07 August 2020 from the Municipal Manager (MG Stratu (pg 9-11)

That the title of Alderlady be conferred on the following serving Councillor who qualifies in terms of the criteria as contained in the Policy for the conferment of the Alderman/Alderlady honour, and in the manner as contained in this report:

Tobeka Teyisi (ANC)

BESLUIT

Dat die titel van Raadsdame eer op die dienende Raadslid wie kwalifiseer in terme van die kriteria soos vervat in die beleid rakende die bevestiging van Raadsdame eer soos vervat in die verslag:

Tobeka Teyisi (ANC)

ISIGQIBO

Sesokuba iwonga lobubonda linikezelwe kooCeba beBunga ababekwe ngokusemthethweni ngemimiselo equlathwe kumgaqo-nqubo, isivumelwano nokunika imbeko osbonda ngokwendlela equlathwe kulengxelo:

Tobeka Teyisi (ANC)

The Speaker, Executive Mayor, AldV Gericke, Ald PJ van der Hoven and Adl G Wolmarans congratulated the above-mentioned Councilor.

4. NOTING THE PROVISIONS OF SCHEDULE 1 (CODE OF CONDUCT FOR COUNCILLORS) OF THE LOCAL GOVERNMENT MUNICIPAL SYSTEMS ACT, 2000 / KENNISNAME VAN SKEDULE 1 (GEDRAGSKODE VIR RAADSLEDE) VAN DIE PLAASLIKE REGERING MUNISIPALE STELSELSWET, 2000 / UQWALASELO LWEZIBONELELO ZOLUHLU 1 (INDELA YOKUZIPHATHA KOCEBA) LOMTHETHO WENKQUBO ZORHULUMENTE BASEKHAYA, 2000

Noted / Kennis geneem / Luthathelwe ingqalelo

5. DISCLOSURE OF INTERESTS BY COUNCILLORS AND OFFICIALS / VERKLARING VAN BELANGE DEUR RAADSLEDE EN AMPTENARE / UKUCHAZWA KOMDLA NGOOCEBA KUNYE NAMAGOSA

None / Geen / Azikho

NB: The Speaker requested that the Executive Mayor submit his communications first and thereafter the Acting Municipal Manager.

7. COMMUNICATIONS BY THE EXECUTIVE MAYOR / MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER / UNXIBELELWANO LUKA SODOLOPHU

The Executive Mayor thanked all the front line workers who are fighting against Covid-19 and he also reported that the GRDM is also the fastest growing area in terms of active cases.

The Executive Mayor informed Council that the district hosted both the Minister of Public Works and Transport and the Minister of Health. He also reported that the GRDM will host the Premier's office on 26 August 2020 and on 27 August 2020 the GRDM will host the Minister of Human Settlements, all part of efforts to try to deal with Covid-19.

The Executive Mayor, informed the Councillors that various COVID -19 awareness campaigns will be taking place in the Garden Route District. Various areas, especially the hotspots within the Garden Route will be visited.

The Executive Mayor reported that those who have lost their lives due to Covid-19 will never be forgotten and we are grateful for those that survived the virus. The Executive Mayor informed Council that Gender Based Violence is still increasing and a woman was murdered by her partner in our area and this is very concerning.

The Executive Mayor also informed Council that the Deputy Executive Mayor has lost her sister and expressed his sincere condolences on behalf of Council to her family.

Under the communications of the Executive Mayor, Ald PJ van der Hoven and Gericke communicated the following:

Both Alderman expressed their sincere condolences to Deputy Mayor Ald R Ruiters on the loss of her family member.

6. COMMUNICATIONS BY THE SPEAKER / MEDEDELINGS DEUR DIE SPEAKER / UNXIBELELWANO LIBAMBELA LOSOMLOMO

The Speaker congratulated Cllrs BN van Wyk who is celebrating his birthday today. The Speaker informed the Councillors that George Municipality also has a Council meeting scheduled for today, and that all Councillors that serve at George municipality requested to excuse themselves at 15:00 today.

The Speaker congratulated the following Councillors who will be celebrating their birthdays in September: Cllrs SS Mbandezi, JP Johnson, NA Tswenga and J Fry.

8. COMMUNICATIONS BY THE MUNICIPAL MANAGER / MEDEDELINGS DEUR DIE MUNISIPALE BESTUURDER / UNXIBELELWANO LOMPHATHI MASIPALA

The Acting Municipal Manager, Mr Menze communicated the following:

The Acting Municipal Manager, echoed what the Executive Mayor said about Covid- 19 and mentioned that the President made a declaration that our country is on level 2.

The Acting Municipal Manager informed the Councillors that from 31 August 2020 all the staff members would return to the various offices and that all the necessary safety measures have been put in place to ensure the safety of all.

The Acting Municipal Manager informed the Councillors that 31 Covid-19 cases were reported within the municipality and that 28 have recovered, one active case and unfortunately two fatalities.

The Acting Municipal Manager reported that a revised proces plan for the annual report is on the agenda today, which has been prompted by the two months extension that was granted by the Minister of Finance, with regards to the submission of the annual financial statements and annual report due to challenges with Covid- 19. The Auditor General has also indicated that they currently busy with PFMA Audits, therefore they will only issue MFMA Audit reports in February or March 2021.

9. APPROVAL OF MINUTES OF COUNCIL MEETINGS / GOEDKEURING VAN NOTULES VAN RAADSVERGADERINGS / UKWAMKELWA KWEMIZUZU YENTLANGANO YEBHUNGA

- 9.1 Council meeting dated 27 July 2020 / Raadsvergadering gedateer 27 Julie 2020 / Intlanganiso yeBhunga ngomhla 27 KweyeKhala 2020 (pg 12-50)

RESOLVED

That the minutes of the Council meeting dated 27 July 2020, be approved, with the following correction:

"That the minutes of the Mayoral Committee dated 30 June 2020 be noted and not approved".

BESLUIT

Dat die notule van die Raadsvergadering gedateer 27 Julie 2020, goedgekeur word, met die volgende korreksie:

"Dat die notule van die Burgemeesterskomitee vergadering gedateer 30 Junie 2020 kennis geneem word en nie goedgekeur word nie".

ISIGQIBO

Seskuba imizuzu yentlangano yeBhunga yangomhla 27 KweyeKhala 2020, iphunyezwe.

"Sesokuba imizuzu yeKomiti Kasodolophu yangomhla 30 kweyeSilimela 2020 ithathele ingqalelo hayi ba iphunyezwe".

10. MINUTES OF MAYORAL COMMITTEE MEETING/ SECTION 79 COMMITTEES AND OTHER COMMITTEES (FOR NOTIFICATION) / NOTULE VAN DIE BURGEMEESTERSKOMITEEVERGADERING/ ARTIKEL 79 KOMITEES EN ANDER KOMITEES (VIR KENNISNAME) / IMIZUZUZ YEKOMITI KASODOLOPHU KUNYE NEZINYE IKOMITI ZOMHLATHI 79 (ITHATHELWE INGQALELO) (pg 50-77)

- 10.1 Mayoral Committee meeting dated 30 June 2020 / *Burgemeesterskomitee vergadering 30 Junie 2020* / Intlanganiso yeBhunga ngomhla 30 KweyeSilimela 2020.

RESOLVED

That the minutes of the Mayoral Committee meeting dated 30 June 2020, be noted.

BESLUIT

Dat kennis geneem word van die notule van die Burgemeesterskomiteevergadering gedateer 30 Junie 2020.

ISIGQIBO

Sesokuba imizuzu yentlangano Ekhethekileyo Yekomiti kaSodolophu nebibanjwe ngomhla 30 KweyeSilimela 2020 ithathelwe ingqalelo.

11. MINUTES OF SECTION 79 / OVERSIGHT COMMITTEE COMMITTEES (FOR NOTIFICATION) / NOTULES VAN 79 / OORSIG KOMITEE VERGADERINGS (VIR KENNISNAME) / IMIZUZU YOMHLATHI 79/LINTLANGANISO ZEKOMITI EJONGENE NOMSEBENZI UKUZE ITHATHELWE INGQALELO (pg 78-136)

- 11.1 Budget Steering Committee (24 March 2020) Education, Training and Development (28 May 2020), Occupational Health and Safety (14 May 2020), APAC (30 April 2020) and MPAC (02 March 2020) (pg 50-77)

RESOLVED

That the minutes of the Budget Steering Committee (24 March 2020) Education, Training and Development (28 May 2020), Occupational Health and Safety (14 May 2020), APAC (30 April 2020) and MPAC (02 March 2020), be noted.

BESLUIT

Dat kennis geneem word van die notules van die Begrotingsloodskomitee (24 Maart 202) Onderrig, Opleiding-en Ontwikkelingskomitee vergadering (28 Mei 2020), Beroepgesondheids-en Veiligheidskomitee (14 Mei 2020) OPOK (30 April 2020) en MPRK (20 Maart 2020).

ISIGQIBO

Sesokuba imizuzu yeKomiti Yolawulo Lolwabiwo-Mali(24 kweyoKwindla 2020)iMfundo, uQeqesho kunye Nophuhliso(28 Canzibe 2020), Ezempilo Kwindawo Yempangelo kunye Nokhuseleko(14 Canzibe 2020)APAC(30 kuTshazimpuzi 2020) kunye ne MPAC(02 kweyoKwindla 2020), ithathelwe ingqalelo.

12 STANDING ITEMS / STAANDE ITEMS / IMIBA EMISIWEYO

12.1 APPOINTMENTS, SERVICE EXITS AND LABOUR RELATIONS INFORMATION FOR JULY AND AUGUSTUS 2020 / AANSTELLINGS, UITDIENSTREDINGS EN ARBEIDSVERHOUDINGE INLIGTING VIR JULIE EN AUGUSTUS 2020 / ABAQASHIWEYO, ABASHIYE UMSEBENZI KUNYE NEMICIMBI YEZABASEBENZI KWINYANGA KWEYEKHALA KUNYE KWEYETHUPA 2020 (1079743)

Refer: Report (9/3/1) dated 04 August 2020 from the Executive Manager: Corporate Services (B Holtzhausen) / Acting Manager Human Resources (WS Maqekeni)(pg 137-143)

RESOLVED

That the information on the appointments, service exits and labour relations matters for July and August 2020, be noted.

BESLUIT

Dat kennis geneem word van die aanstellings, uitdienstredings en arbeidsverhoudinge inligting vir Julie en Augustus 2020.

ISIGQIBO

Sesokuba ulwazi ngokuqashwa, ukuphuma kwinkonzo kunye nemicimbi yezabasebenzi kwinyanga KweyeKhala kunye KweyeThupa 2020 kuthathelwe inqgalelo.

A. ITEMS FROM THE SPEAKER / ITEMS VANAF DIE SPEAKER / IMIBA EVELA KWIBAMBELA SOMLOMO

A.1 None / Geen / Azikho

B. ITEMS FROM THE EXECUTIVE MAYOR/ ITEMS VOORGELÊ VANAF DIE UITVOERENDE BURGEMEESTER / IMIBA EVELA KUSODOLOPHU

B.1 REPORT: SECTION 52 – RESPONSIBILITIES OF MAYOR / VERSLAG: ARTIKEL 52 VERANTWOORDELIKHEDE VAN DIE BURGEMEESTER / INGXELO: U MHLATHI 52 - UXANDUVA LUKA SODOLOPHU (1077150)

Refer: Report (6/18/7) dated 15 July 2020 from the Executive Mayor (Cllr M Booysen) (pg 83-144)

RESOLVED

That Council takes note of the quarterly report on the implementation of the budget and the financial affairs of the municipality for the year to date and the quarter ending 30 June 2020.

BESLUIT

Dat die Raad kennis neem van die kwartaalverslag rakende die implementering van die begroting en die finansiële posisie van die munisipaliteit vir die jaar tot datum en die kwartaal geëinding 30 Junie 2020.

ISIGQIBO

Sesokuba iBhunga lithathele ingqalelo ingxelo ngokumiselwa kolwabiwo-mali kunye nemicimbi yezemali zomasipala zonyaka uzakuthi ga ngoku kunye nexesha eliphela ngomhla 30 kweyeSilimela 2020.

B.2 2021/2022 IDP BUDGET/PMS PROCESS PLAN AND TIME SCHEDULE / 2021/2022 GOP BEGROTINGS PROSESPLAN EN TYDSKEDULE/ IZICWANGCISO ZOPHUHLISO LWENDIBANISELWANO (IDP) EZIHLENGAHLENGISIWEYO NEZICWANGCISO ZOMSEBENZI KUNYE NOKUQWALASELWA KWAKHONA KWE IDP/UHLAHLOLWABIWO MALI NENKQUBO EZICETIWEYO KU 2020/2022

Refer: Report (16/8/2) dated 11 August 2020 from the Executive Mayor (Adl M Booysen) / Executive Manager: Economic Development and Planning (L Menze) / Acting District IDP Manager (M James)) (pg 184-213)

RESOLVED

That Council approves the 2021/22 IDP/Budget and PMS process plan and Time Schedule.

BESLUIT

Dat die Raad die 2021/22 Geïntegreerde Ontwikkelingsplan (GOP) Begroting en prestasie bestuur prosesplan en Tydschedule, goedkeur.

ISIGQIBO

Sesokuba I Bhunga liphumeze ezi zicwangciso zilandelayo zenkqubo zohlengahlengiso ze IDP ku 2020/21.

B.3 REVISED ANNUAL REPORT PROCESS PLAN FOR 2019/20 FINANCIAL YEAR /HERSIENE JAARVERSLAG PROSES PLAN VIR 2019/20 FINANSIËLE JAAR /INGXELO YONYAKA KUNYAKA MALI KA 2019/20 YESICWANGCISO SENKQUBO

Refer: Report (16/8/2) dated 11 August 2020 from the Executive Mayor (Adl M Booysen) / Executive Manager: Economic Development and Planning (L Menze) / Acting District IDP Manager (M James)) (pg 214-218)

RESOLVED

That Council approves the Revised 2019/2020 Annual Report Process Plan as set out in Circular 63 of the Local Government: Municipal Finance Management Act 56 of 2003.

BESLUIT

Dat die Raad die Hersiene 2019/2020 Jaarverslag proses plan goedkeur soos vervat in Omsendskrywe 63 van die Munisipale Finansiële Bestuurswet, Wet 56 van 2003.

ISIGQIBO

Sesokuba ibhunga liphumeze isicwangciso ngengxelo yonyaka ka 2019/20, ngokomthetho wokulawulwa kwezimali zoomasipala u 53 wonyaka 2003.

C. ITEMS FROM THE OFFICE OF THE MUNICIPAL MANAGER / ITEMS VANAF DIE KANTOOR VAN DIE MUNISIPALE BESTUURDER / IMIBA ENGXAMISEKILEYO EVELA KUMPHATHI MASIPALA

C.2 REPORT ON THE 2020/2021 COMMUNICATION POLICY / VERSLAG RAKENDE DIE 2020/2021 KOMMUNIKASIEBELEID / INGXELO NGOYILO LOMGAQO WONXIBELELWANO 2020/2021

Refer: Report (11/4/P) from the Municipal Manager (MG Stratu) / Strategic Manager in the Office of the Municipal Manager (T Loliwe) / Senior Communications Officer (H Pieters)(pg 219-240)

RESOLVED

That Council approves the 2020/2021 Communication Policy.

BESLUIT

Dat die Raad die 2020/2021 Kommunikasiebeleid goedkeur.

ISIGQIBO

Sesokuba iBhunga liphumeze uYilo Lomgaqo Wonxibelelwano ka 2020/2021.

C.3 CODE OF ETHICS POLICY / ETIESE KODE BELEID / UMGGAQO WOKUZIPHATHA

Refer: Report (14/1) dated 12 August 2020 from the Municipal Manager (MG Stratu) / Manager Legal Services (N Davids)(pg 241 - 248)

RESOLVED

That Council approves the Code of Ethics Policy.

BESLUIT

Dat die Raad die Etiese Kode-beleid goedkeur.

ISIGQIBO

Sesokuba iBhunga liphumeze uMgaqo Wokuziphatha.

C.4 ANNUAL PERFORMANCE REPORT 2019/2020 WITH DRAFT FINANCIAL INFORMATION / VERSLAG – JAARLIKSE PRESTASIE BESTUURSVERSLAG 2019/2020 MET KONSEP FINANSIËLE INFORMASIE / INGXELO YONYAKA YOMSEBENZI KA 2019/2020 KUNYE NOYULO LWENCUKACHA NGEZEMALI (1089284)

Refer: Report (9/11/1) dated 11 August 2020 from the Municipal Manager (MG Stratu) / Manager Performance Management (IG Saaiman) (pg 249-381)

RESOLVED

That Council takes note of the Annual Performance Report for the 2019/2020 financial year.

BESLUIT

Dat die Raad kennis neem van die Jaarlikse Prestasie Verslag vir die 2019/2020 finansiële jaar.

ISIGQIBO

Sesokuba iBhunga lithathele ingqalelo iNgxelo Yomsebenzi Wonyaka kunyakamali ka 2019/2020.

D. ITEMS FROM THE FINANCIAL SERVICES DEPARTMENT / ITEMS VANAF DIE FINANSIËLE DIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZEMALI

D.1 COST CONTAINMENT REPORTING – QUARTER 4 OF 2019/2020/ KOSTE INPERKINGSVERSLAG – KWARTAAL 4 VAN 2019/2020 / INGXELO YOKUNCIPHISA INDLEKO-IKOTA YESINE KA 2019/2020

Refer: Report (6/18/7) dated 31 July 2020 from the Executive Manager Financial Services (JW de Jager)(pg 382-385)

RESOLVED

That Council notes the measures implemented and aggregate amounts saved in quarter four of the current financial year through the implementation of cost containment measures.

BESLUIT

Dat die Raad kennis neem van die besparings soos identifiseer in kwartaal vier van die huidige finansiële jaar as gevolg van die implementering van die GRDM Koste Inperkingsbeleid.

ISIGQIBO

Sesokuba iBhunga lithathele ingqalelo amanyathelo amiselweyo kunye nemali eziye zongiwa kwikota yesine yonyakala mali omileyo ngokumisela indlela zokonga zokunciphisa indleko.

D.2 DEVIATION REPORT: IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 01 JULY 2020 TO 31 JULY 2020/ AFWYKINGSVERSLAG: IMPLEMENTERING VAN DIE VOORSIENINGSKANAALBELEID VIR DIE PERIODE 01 JULIE TOT 31 JULIE 2020 / INGXELO YOTYESHELO: UKUMISELWA KOMGAQO WOLAWULO LWENCITHO KWIXESHA UMHLA 01 KWEYEKHALA 2020 UYAKUTSHO KUMHLA WE 31 KWEYEKHALA 2020

Refer: Report (9/8/2) dated 04 August 2020 from the Executive Manager Financial Services (JW de Jager) (pg 386-393)

RESOLVED

1. That the implementation of Section 36 of the Municipal Supply Chain Regulation in terms of the deviations for the period 1 July 2020 up to 31 July 2020, be noted.
2. That it be noted that in terms of Section 114 of the Municipal Finance Management Act, Act 56 of 2003, there was no approval of tenders not recommended in the normal course of implementing Supply Chain Management policy of a municipality.

BESLUIE

1. *Dat die kennis geneem word van die implementering van Artikel 36 van die Voorsieningskanaal beleid in terme van die afwykings vir die periode van 01 Julie 2020 tot 31 Julie 2020.*
2. *Dat kennis geneem word dat in terme van Artikel 114 van die Munisipale Finansiële Bestuurswet, Wet 56 van 2003, daar geen goedkeuring was van tenders wat nie toegeken is in die normale implementering van die Voorsieningskanaalbeleid van die munisipaliteit nie.*

ISIGQIBO

1. Sesokuba ukumisela koMhlathi 36 Wemiqathango Yomthetho Wezencitho zoMasipala kutyeshelo ukususela kumhla 1 ngeyeKhala 2020 uyakutsho kumhla 31 ngeyeKhala 2020, kuthathelwe ingqalelo.

2. Sesokuba ngokwemiqathango yoMhlathi (114) yoLawulo Lwezemali zikaMasipala, uMthetho 56 wango (2003), uthathelwe ingqalelo ukuba akukhange kuphunyezwe zinikisi maxabiso ezingandululwanga kwinkqubo efanelekileyo ekumiselweni kwencitho yomgaqo wolawulo lomasipala.

D.3 SUPPLIER PERFORMANCE REPORT: IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 01 JULY 2019 TO 30 JUNE 2020/ PRESTASIEVERSLAG: IMPLEMENTERING VAN DIE VOORSIENINGSKANAALBELEID VIR DIE PERIODE 01 JULIE 2019 TOT 30 JUNIE 2020 / INGXELO NGOMSEBENZI WABANIKEZELONKONZO: UKUMISELWA KOMGAQO WOLAWULO LWEZENCITHO KWIXESHA LOMHLA 01 KWEYEKHALA 2019 UKUYA 30 KWEYESILIMELA

Refer: Report (9/8/2) dated 08 July 2020 from the Executive Manager Financial Services (JW de Jager) (pg 394-414)

RESOLVED

1. That the implementation of Section 40(B) & 44 of the Municipal Supply Chain Regulation in terms of the Contract Management for the period 1 July 2019 to 30 June 2020, be noted.
2. That it be noted that in terms of Section 114 of the Municipal Finance Management Act, Act 56 of 2003, there was no approval of tenders not recommended in the normal course of implementing Supply Chain Management policy of a municipality.
3. That the next report include the BBEE levels of the suppliers.

BESLUIT

1. *Dat die kennis geneem word van die implementering van Munisipale Voorsieningskanaal Regulasies 40(B) en 44 in terme van Kontrakbestuur vir die periode 1 Julie 2019 tot 30 Junie 2020.*

2. *Dat kennis geneem word dat in terme van Artikel 114 van die Munisipale Finansiële Bestuurswet, Wet 56 van 2003, daar geen goedkeuring was van tenders wat toegeken is in die normale implementering van die Voorsieningskanaalbeleid van die munisipaliteit nie.*
3. *Dat die volgende verslag die BBEE vlakke van die diensverskaffers aandui.*

ISIGQIBO

1. Sesokuba ukumiselwa koMhlathiu 40(B) kunye 44 Womthetho Wezencitho Zonaniselwano zoMasipala ngokwemigqaliselo yoLawulo Lwezivumelwano kwixesha lomhla 01 kweyeKhala 2019 ukuya 30 kweyeSilimela 2020, kuthathelwe ingqalelo.
2. Sesokuba kuthathelwe ingqalelo ukuba ngokwemigqaliselo yoMhlathi 114 yoMthetho Wolawulo Lwemali zoMasipala, uMthetho 56 wango 2003, akukhange kubekho kuphunyezwa kwaziniki maxabiso ezingakhange zindululwe ngokwenkqubo eqhelekileyo yokumiselwa komgaqo Wolawulo Lonaniselwano Lwencitho zomasipala.
3. Sesokuba ingxelo elandelayo iqulathe amabakala e BBEE abanikezeli benkonzo.

D.4 DEVIATION REPORT: IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 01 JULY 2020 TO 31 JULY 2020/ AFWYKINGSVERSLAG: IMPLEMENTERING VAN DIE VOORSIENINGSKANAALBELEID VIR DIE PERIODE 01 JULIE TOT 31 JULIE 2020 / INGXELO YOTYESHELO: UKUMISELWA KOMGAQO WOLAWULO LWENCITHO KWIXESHA UMHLA 01 KWEYEKHALA 2020 UYAKUTSHO KUMHLA WE 31 KWEYEKHALA 2020

Refer: Report (9/8/2) dated 04 August 2020 from the Executive Manager Financial Services (JW de Jager) (pg 386-393)

RESOLVED

1. That the implementation of Section 36 of the Municipal Supply Chain Regulation in terms of the deviations for the period 1 July 2019 to 30 June 2020, be noted.

2. That it be noted that in terms of Section 114 of the Municipal Finance Management Act, Act 56 of 2003, there was no approval of tenders not recommended in the normal course of implementing Supply Chain Management policy of a municipality.
3. Noting of the Reporting on Emergency procurement in response to National State of Disaster – Covid-19, National Treasury (NT) Circular 102/103 of MFMA.

BESLUIITE

1. *Dat die kennis geneem word van die implementering van Artikel 36 van die Voorsieningskanaal beleid in terme van die afwykings vir die periode van 01 Julie 2019 tot 30 Junie 2020.*
2. *Dat kennis geneem word dat in terme van Artikel 114 van die Munisipale Finansiële Bestuurswet, Wet 56 van 2003, daar geen goedkeuring was van tenders wat toegeken is in die normale implementering van die Voorsieningskanaalbeleid van die munisipaliteit nie.*
3. *Dat kennis geneem word van die rapportering van noodgevalaankope met betrekking tot die Nasionale Ramptoeestand – Covid-19, Nasionale Tesourie (NT) Circular 102/103 of MFMA.*

ISIGQIBO

1. Sesokuba ukumisela komhlathi 36 kwemiqathango Womthetho Wezencitho zoMasipala kutyeshelo ukususela kumhla 1 kweyeKhala 2019 uyakutsho kumhla 30 kweyeSilimela 2020, kuthathelwe ingqalelo.
2. Sesokuba ngokwemiqathango yoMhlathi (114) yoLawulo Lwezemali zikaMasipala, uMthetho 56 wango 2003, uthathelwe ingqalelo ukuba akukhange kuphunyezwe zinikisi maxabiso ezingandululwanga kwinkqubo efanelekileyo ekumiselweni kwencitho yomgaqo wolawulo lomasipala.

3. Sesokuba kuthathelwe ingqalelo ingxelo ngokusetyenziswa kwemali kwizinto ezingxamisekileyo ngokukhawulelana Nesimo Sentlekele Sikazwelonke-Covid19, iSazinge Sikanondyebo kaZwelonke 102/103 se MFMA.

NB: Ald V Gericke left the meeting at 15:43.

E. ITEMS FROM THE CORPORATE SERVICES DEPARTMENT / ITEMS VANAF DIE KORPORATIEWE DIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZOLAWULO

E.1 RULES OF ORDER FOR THE PROCEDURES AND MAINTENANCE OF ORDER AT MEETINGS OF THE GARDEN ROUTE DISTRICT COUNCIL 2020 / STANDAARDVERORDENINGE INSAKE DIE PROSEDURES EN HANDHAWING VAN ORDE OP VERGADERINGS VAN DIE GARDEN ROUTE DISTRIKSMUNISIPALITEIT 2020 / IMITHETHO NEZOCWANGCO NGENKQUBO NOKUGCINA UCWANGCO KWINTLANGANISO ZEBHUNGA

Refer: (4/1/1/3) Report dated 09 July 2020 from the Executive Manager Corporate Services (B Holtzhausen)(pg 452-514)

RESOLVED

1. That the Council takes note that the public was invited to comment on the Rules of Order and no comments were received.
2. That Council approves the Rules of Order for the procedures and maintenance of order at meetings of the Garden Route District Municipality policy (2020).
3. That the Rules of Order regulating the conduct of meetings, promulgated as by-law in Provincial Gazette 6469 on 28 September 2007, be revoked.

BESLUIT

1. *Dat die Raad kennis neem dat die publiek uitgenooi was om kommentaar te lewer op die Standaardverordeninge vir 'n period van een-en-twintig (21) dae en geen kommentaar is ontvang nie.*

2. *Dat die Raad die Standaardverordeninge insake die prosedures en handhawing van orde op vergaderings van die Garden Route Distriksmunisipaliteit (2020) goedkeur.*
3. *Dat die Standaardverordeninge insake die prosedures en handhawing van orde by vergaderings soos aangekondig as verordening in die Provinsiale Koerant 6469 van 28 September 2007, herroep word.*

ISIGQIBO

1. Sesokuba iBhunga lithathele ingqalelo ukuba uluntu lwamenywa ukuba luvakalise izimvo zalo Kwimithetho Yocino Cwangco lanikwa ixesha lentsuku ezingamashumi amabini ananye(21) kwaye akuzange kufunyanwe mpendulo.
2. Sesokuba iBhunga liphumeze Imithethoi Yocino Cwangco yenkqubo kunye nokugcina ucwangco kwiintlanganiso zoMasipala Wesithili se Garden Route (2020).
3. Sesokuba Imithethio Yocino Cwnagco nelawula ukubanjwa kwentlanganiso, nokuqulunqwe njengomthethwana Kwincwadi Yephondo 6469 ngomhla 28 kweyoMsintsi 2007, isuswe.

E.2 HUMAN RESOURCE POLICIES FROM THE CORPORATE SERVICES DEPARTMENT 2020 / MENSLIKE HULPBRONNE BELEIDE VAN DIE KORPORATIEWE DIENSTE DEPARTEMENT 2020 / IMIGAQO YEZENGESHO NESUKA KWISEBE LENKONZO ZOLAWULO

Refer: (9/4/B) Report dated 05 August 2020 from the Executive Manager Corporate Services (B Holtzhausen) / Acting Manager Human Resources (S Maqekeni)(pg 515-609)

RESOLVED

That the following Human Resource Policies be approved by Council:

- Disability Policy
- Incapacity/ILL Health Policy
- Bouquet Policy
- Unauthorised Absence Policy

- Grievance Procedure Policy
- Draft GRDM Covid –19 Policy
- Health and Safety Policy
- Health and Safety Representative Policy

BESLUIT

Dat die volgende Menslike Hulpbron beleide goedgekeur word deur die Raad.

- *Gestremdheidsbeleid*
- *Ongeskiktheid-/Swak Gesondheid beseringsbeleid*
- *Ruikerbeleid*
- *Ongematigde Afwesigheidsbeleid*
- *Griewe Prosedurebeleid*
- *GRDM COVID -19 beleid*
- *Gesondheid en Veiligheidsbeleid*
- *Gesondheid en Veiligheid verteenwoordigersbeleid*

ISIGQIBO

Sesokuba lemiGaqo Yezengqesho ilandelayo iphunyezwe liBhunga:

- Disability Policy
- Incapacity/ILL Health Policy
- Bouquet Policy
- Unauthorised Absence Policy
- Grievance Procedure Policy
- Draft GRDM Covid – 19 Policy
- Health and Safety Policy
- Health and Safety Representative Policy

E.3 REPORT ON AMENDMENT ON MICRO ORGANISATIONAL STRUCTURE OF GARDEN ROUTE DISTRICT MUNICIPALITY 2020/2021 / VERSLAG RAKENDE WYSIGING VAN DIE MIKRO- ORGANISASIE STRUKTUUR VAN GARDEN ROUTE DISTRIKSMUNISIPALITEIT 2020/2021 / INGXELO NGESIPHAKAMISO SOKUTSHINTSHA ISIMO SOLAWULO SOMASIPALA WESITHILI SE GARDEN ROUTE

Refer: (9/8/2) Report dated 17 August 2020 from the Executive Manager Corporate Services (B Holtzhausen) / Acting Manager Human Resources (S Mapekeni) (pg 610-612)

RESOLVED

That the proposed amendments for the 2020/2021 structure of the Planning and Economic Development Department be approved.

BESLUIT

Dat die voorgestelde wysigings vir die 2020/2021 Organisasie Struktuur van die Beplanning en Ekonomiese Ontwikkeling Departement goedgekeur word.

ISIGQIBO

Sesokuba isiphakmiso solungiso lwesimo solawulo sika 2020/2021.

F. ITEMS FROM THE COMMUNITY SERVICES DEPARTMENT / ITEMS VANAF DIE GEMEENSKAPSDIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZOLUNTU

F.1 REPORT ON THE POLICY FRAMEWORK FOR DISASTER MANAGEMENT VOLUNTEERS / VERSLAG RAKENDE DIE BELEIDSRAAMWERK VIR RAMPBESTUUR VRYWILIGERS / INGXELO NGOMGAQO WOBUME BOKUSEBENZA NGOKUZHETHELA YOLAWULO LWEZENTLEKELE

Refer: Report (11/4/P) dated 12 August 2020 from the Executive Manager Community Services (C Africa) / Manager Disaster Management (G Otto) (pg 613-644)

RESOLVED

That Council approves the Disaster Management Volunteers Policy.

BESLUIT

Dat die Raad die Rampbestuur Vrywiligersbeleid goedkeur.

ISIGQIBO

Sesokuba iBhunga liphumeze uMgaqo Wolawulo Lwentlekele lwabasebenza Ngokuzikhetela.

F.2 EFFECTIVE CLEARING AND MANAGEMENT OF ILLEGAL DUMPING IN COVID-19 HOTSPOTS – FIRST PHASE: THEMBALETHU AND PACALTSDORP / EFFEKTIEWE OPRUIMING EN BESTUUR VAN ONWETTIGE STORTINGS IN COVID-19 FOKUS AREAS – EERSTE FASE: THEMBALETHU EN PACALTSDORP/ UKUCOCWA OKUFANELEKILEYO KUNYE NOKULAWULWA KOKULHLWA KWENKUNKUMA OKUNGEKHOMTHETHWENI KWINDAWO EKUGXILWE KUZO NGE COVID-19-IBAKALA LOKUQALA: THEMBALETHU NASE PACALTSDORP

Refer: Report (7/5/1/1) dated 20 August 2020 from the Executive Manager Community Services (C Africa) Manager Waste Management (M Hubbe) (pg 645-670)

RESOLVED

1. That Council approves the suggested implementation of the Effective Clearing and Management of Illegal Dumping in Covid-19 Hotspots – Phase 1 Thembaletu and Pacaltsdorp Residential Areas that will be executed in collaboration with the George Municipality.
2. That the Effective Clearing and Management of Illegal Dumping in Covid-19 Hotspots – Phase 1 Thembaletu and Pacaltsdorp Residential Areas business plan is discussed with the George Municipality to obtain their buy-in and support.
3. That Council approves the required cost of R 2 427 743.00 to implement the project as indicated in the Effective Clearing and Management of Illegal Dumping in Covid-19 Hotspots – Phase 1 Thembaletu and Pacaltsdorp Residential Areas business plan.

BESLUIT

1. *Dat die Raad die voorgestelde implementering van die Effektiewe Opruiming en Bestuur van Onwettige Afval Stortings in Covid-19 Fokus Areas – Eerste fase: Thembaletu en Pacaltsdorp Residensiele areas besigheidsplan goedkeur wat in samewerking met die George Munisipaliteit uitgevoer sal word.*

2. *Dat die Effektiewe Opruiming en Bestuur van Onwettige Afval Stortings in Covid-19 Fokus Areas – Eerste fase: Thembaletu en Pacaltsdorp Residensiele areas bespreek word met die bestuur van die George Munisipaliteit ten einde hulle inkoop en ondersteuning te verkry.*
3. *Dat die Raad die koste wat benodig word van R 2 427 743.00 vir die implementering van die Effektiewe Opruiming en Bestuur van Onwettige Afval Stortings in Covid-19 Fokus Areas – Eerste fase: Thembaletu en Pacaltsdorp Residensiele areas goedkeur.*

ISIGQIBO

1. Sesokuba iBhunga liphumeze isiphakamiso sokumiselwa Kokucocwa Okufanelekileyo kunye Nolawulo Lokulahlwa Kwenkunkuma Ngokungekho Mthethweni wkondawo eziphambili nge Covid-19-iBakala 1 e Thembaletu nase Pacaltsdorp phakathi kwezindlu nokuzakumiselwa ngobambiswano noMasipala wase George.
2. Sesokuba Ukucocwa Okufanelekileyo kunye Nolawulo Lokulahlwa Kwenkunkuma Ngokungekho Mthethweni kwindawo eziphambili nge Covid-19-iBakala 1 e Thembaletu nase Pacaltsdorp phakathi kwezindlu, isicwangciso sezoshishiuno kuye kwaxoxwa kunye noMasipala wase George ukufumana inxaso yabo kunye nongenelelo.
3. Sesokuba iBhunga liphumeze imali efanelekileyo neyi R 2 427 743.00 yokumisela lenkqubo njengoko kuphawulwe kwisicwangciso sezoshishino soKucocwa Okufanelekileyo kunye Nolawulo Lokulahlwa Kwenkunkuma Ngokungekho Mthethweni kwindawo eziphambili nge Covid-19-iBakala 1 e Thembaletu nase Pacaltsdorp phakathi kwezindlu.

NB: Ald T Teyisi left the meeting at 15:56.

F.1 UPDATE REPORT ON THE ACTIONS TAKEN BY THE DISTRICT COVID-19 COMMAND COUNCIL TO ADDRESS THE COVID-19 PANDEMIC / OPDATERINGSVERSLAG RAKENDE DIE AKSIE STAPPE WAT REEDS DEUR DIE COVID-19 DISTRIK BEHEERRAAD IN PLEK GESTEL IS OM DIE CORONAVIRUS (COVID-19) PANDEMIE AAN TE SPREEK/ INGXELO ENTSHA NGAMANYATHELO AYE ATHATYATHWA LIBHUNGA LOLAWULO LESITHILI SE COVID-19 OKUJONGANA NOBHUBHANE COVID-19

Refer: Report (18/R) dated 20 August 2020 from the Executive Manager Community Services (C Africa) / Manager Disaster Management (G Otto) (pg 671-709)

RESOLVED

That Council takes note of the report.

BESLUIT

Dat die Raad kennis neem van die verslag.

ISIGQIBO

Sesokuba iBhunga lithathele ingqalelo ingxelo.

NB: Ald S de Vries, IC Kritzingen and Cllr IT Mangaliso left the meeting at 16:10.

G. ITEMS FROM THE ROADS AND TRANSPORT PLANNING SERVICES DEPARTMENT / ITEMS VANAF DIE PAAIE EN VERVOER BEPLANNINGSDIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZENDLELA KUNYE NEZICWANGCISO KWEZOTHUTHO

G.1 NONE / GEEN / AZIKHO

H. ITEMS FROM THE PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT / ITEMS VANAF DIE BEPLANNING EN EKONOMIESE DIENSTE DEPARTEMENT / IMIBA YESEBE LEZOCWANGCISO KUNYE NOPHUHLISO LOQOQOSHO

H.1 AGREEMENT(S) TO DEVELOP, MANAGE AND OPERATE KLEINKRANTZ PROPERTY / OORENKOMS OM KLEINKRANTZ EIENDOM TE ONTWIKKEL, BESTUUR EN TE BEDRYF/ OPERATISI/IZIVUMELWANO SOKUPHUHLISA,ULAWULO KUNYE NOKUQHUBA KUMHLABA WASE KLEINKRANTZ

Refer: Report (7/4/3/1) dated 11 August 2020 from the Executive Manager Planning Economic Development (L Menze) Project Manager (P Dongji) (pg 710-805)

RESOLVED

1. That Council notes the proposed development for the Kleinkrantz property.

2. That the municipality embark on a process soliciting public views and comments on the proposed long-term lease agreements for Kleinkrantz.
3. That the property is not required for the provision of basic municipal services as contemplated in section 14 (1) of the Municipal Finance Management Act 56 of 2003.
4. That the asset transfer regulations process be followed for this proposed development.

BESLUIE

1. *Dat die Raad kennis neem van die voorgestelde ontwikkeling vir die Kleinkrantz eiendom.*
2. *Dat die munisipaliteit begin met 'n proses om kommentaar in te win oor die voornemende langtermyn-huurooreenkomste vir Kleinkrantz.*
3. *Dat die eiendom nie nodig is vir die voorsiening van basiese munisipale dienste soos genoem in artikel 14 (1) van die Wet op Munisipale Finansiële Bestuur 56 van 2003.*
4. *Dat die proses van bate-oordragregulasies gevolg word vir hierdie voorgestelde ontwikkeling.*

ISIGQIBO

1. Sesokuba iBhunga lithathele ingqalelo isiphakamiso sophuhliso kumhlaba wase Kleinkrantz.
2. Sesokuba umasipala angenele kwiphulo lokufuna izimvo kunye nembonozoluntu ngesiphakamiso sokuqeshisa ixesha elide e Kleinkrantz.
3. Sesokuba lomhlaba awumiselwanga ukunikezela iinkonzo ezingundoqo zomasipala njengoko kufunwa ngumhla 14(1) woMthetho woLwulo Lwemali zoMasipala uMthetho 56 wango 2003.

4. Sesokuba inkqubo zemithetho yonikezelo lwempahla ilandelwe malunaga nesi siphakamiso sezophuhliso.

**H.2 HOUSING ACCREDITATION LEVEL ONE (1) APPLICATION PROGRESS REPORT /
VERSOEK VIR BEHUISINGS-AKKREDITASIE (VLAK EEN [1]) AANSOEK / INGXELO
NGOKUQHUBEKA KWISICELO SONIKEZELO LWEZINDLU LWEBAKALA LOKQALA (1)**

Refer: Report (20/5/12) dated 14 August 2020 from the Executive Manager Planning Economic Development (L Menze) Project Manager (P Dongi)) (pg 806-813)

RESOLVED

1. That Council takes note of the progress undertaken by Management to apply for Housing Accreditation.
2. That Council supports deployment of Human Settlements Officials to assist with accreditation process and take notes the proposed reconfiguration of the organisational structure to accommodate the new section/unit/division.
3. That Management must continue to submit progress reports to Council on a regular basis.

BESLUIE

1. *Dat die Raad kennis neem van die vordering deur Bestuur om aansoek te doen vir Behuising Akkreditasie.*
2. *Dat die Raad ondersteuning verleen vir die ontplooiing van die Menslike Ontwikkelings-amptenare om te assister met die akkreditasie-proses en kennis neem van die voorgestelde herstrukturering van die organogram om voorsiening te maak vir die nuwe afdeling/eenheid/departement.*
3. *Dat Bestuur moet voortgaan om die Raad op 'n gereelde basis van vorderingsverslae te voorsien.*

ISIGQIBO

1. Sesokuba iBhunga lithathele ingqalelo umsebenzi osele wenziwe ngabaPhathi wokufaka isicelo Sokumisela Izindlu.

2. Sesokuba iBhunga lixashe ukumiselwa Kwamagosa Ozunziso Loluntu ukuncedisana nenkqubo yokumiselwa kwaye kuthathelwe ingqalelo isiphakamiso ulungelwaniso lwesimo solawulo ukwamkela icandelo/sebe elitsha.
3. Sesokuba aBalawuli kufuneka baqhubekeke njalo banikezele rhoqo ngengxelo yokuqhubekayo kwiBhunga.

H.3 REPORT ON THE EXPANDED PUBLIC WORKS PROGRAMME (EPWP) ANNUAL PERFORMANCE FOR THE GARDEN ROUTE DISTRICT MUNICIPALITY ON TARGETS FOR THE PHASE 4 PROTOCOL AGREEMENT/ VERSLAG RAKENDE DIE UITGEBREIDE PROGRAM VIR OPENBARE WERKE (UOWP) JAARLIKSE PRESTASIE VIR DIE GARDEN ROUTE-DISTRIK MUNISIPALITEIT OP TEIKENS VIR DIE FASE 4-PROTOKOL-OOREENKOMS / INGXELO MALUNGA NEKQUBO EYANDISIWEYO YOMSEBENZI WOLUNTU(EPWP)UMSEBENZI WONYAKA WOMASIPALA WESITHILI SE GARDEN ROUTE NGENJONZO ZEBAKALA 4 NGENJONZO ZEBAKALA 4 ISIBHALO SOMNQOPHISO

Refer: Report (17/8/1) dated 25 August 2020 from the Executive Manager Planning Economic Development (L Menze) Manager EPWP (R Dyantyi) (pg 814-823)

RESOLVED

That the Council takes note of the Fourth (4th) Quarterly Expanded Public Works Programme (EPWP) Annual performance for the period 01 April 2019 – 31 March 2020 for Garden Route District Municipality as obtained from the Western Cape Department of Transport and Public Works.

BESLUIT

Dat die Raad kennis neem van die vierde kwartaallikse Uitgebreide Openbare Werke Program (UOWP) se jaarlikse prestasie vir die periode 01 April 2019 – 31 Maart 2020 vir die Garden Route Distriksmunisipaliteit, soos verkrygbaar by die Wes-Kaapse Departement van Vervoer en Openbare Werke.

ISIGQIBO

Sesokuba iBhunga lithathele ingqalelo Ingxelo Yekota Yesine(4) Yenqubo Eyandisiweyo Yomsebenzi Woluntu(EPWP) yoMsebenzi Wopnyaka wexesha langomhla 01 kuTshazimpuzi 2019 ukuya 31 kweyoKwindla 2020, woMasipala Wesithili se Garden Route njengoko ifunyenwe kwiSebe Lezothutho Nenkonzo Yoluntu kwiPhindo leNtshona Koloni.

I. MOTIONS OF EXIGENCY / DRINGENDE MOSIES / IMIBA ENGXAMISEKILEYO

I.1 NONE / GEEN / AYIKHO

J. NOTICES OF MOTIONS / KENNISGEWINGS VAN MOSIES / ISAZISO SEZIPHAKAMISO

J.1 NONE / GEEN / AYIKHO

IN COMMITTEE / IN-KOMITEE / EKHUSINI

K.1 NONE / GEEN / AYIKHO

CLOSURE / SLUITING / UQUKUNJELO

The meeting closed at 16:40 with 24 Councilors present / *Die vergadering sluit om 16:40 met 24 Raadslede teenwoordig* / Intlanganiso ivalwe ngo 16:40 inooceba abayi 24.

.....
SPEAKER: CLLR BHJ GROENEWALD

.....
DATE / DATUM / UMHLA

BACK TO AGENDA



Minutes of a
Mayoral Committee meeting
 held via Zoom,
 on **Monday, 27 July 2020 at 09:00**

Notule van 'n **Burgemeesterskomiteevergadering**
 gehou via Zoom,
Maandag, 27 Julie 2020 om 09:00

Imizuzu
yeKomiti Kasodolophu nebibanjwe
 ngobuxhakaxhaka be Zoom
ngoMvulo, 27 KweyeKhala 2020 ngo 09:00

1. OPENING AND WELCOME / OPENING EN VERWELKOMING / UVULO NOLWAMKELO

The Executive Mayor, Cllr M Booysen, opened the meeting and welcomed everyone present.

2. SILENT PRAYER / STILLE GEBED / UMTHANDAZO OTHULEYO

A moment of silence was observed.

3. ATTENDANCE OF MEMBERS / BYWONING VAN LEDE / AMALUNGU AKHOYO

3.1 MEMBERS: PRESENT / LEDE: TEENWOORDIG / AMALUNGU: AKHOYO

Ald M Booysen	Executive Mayor
Ald RH Ruiters	Deputy Executive Mayor
Cllr / Rdl / Ceba RE Spies	
Cllr / Rdl / Ceba KS Lose	
Cllr / Rdl / Ceba JP Johnson	
Cllr / Rdl / Ceba E Meyer	
Cllr / Rdl / Ceba JC Lambaatjeen	
Ald IC Kritzing	

AMPTENARE / OFFICIALS / AMAGOSA

Mr M Stratu	Municipal Manager
Ms B Holtzhausen	Executive Manager Corporate Services
Mr C Africa	Executive Manager Community Services
Mr JW de Jager	Executive Manager Financial Services
Mr L Menze	Executive Manager Planning & Economic Development
Mr JG Daniels	Executive Manager Roads and Transport Services
Mr T Loliwe	Strategic Manager: Office of the Municipal Manager
Mr S Maqekeni	Manager: Integrated Support Services & Legal Compliance

Ms N Davids	Manager: Legal Services
Ms P Lufele	Chief Audit Executive
Mr P Dongi	Project Manager
Mr G Otto	Manager Disaster Management
Mr J Compion	Manager Environmental Health Services
Ms M Wilson	Manager: Economic Development and Tourism
Ms R Matthews	Acting Senior Committee Officer

3.2 MEMBERS: ABSENT WITH LEAVE / LEDE: AFWESIG MET VERLOF / AMALUNGU: ABEKWIKHEFU

None / Geen / Azikho

3.3 MEMBERS: ABSENT WITHOUT LEAVE / LEDE: AFWESIG SONDER VERLOF / AMALUNGU: ANGEKHO KWIKHEFU

None / Geen / Azikho

13.1 INAUGURATION OF COUNCILLOR: GARDEN ROUTE DISTRICT COUNCIL: CLLR W.T. HARRIS / INHULDIGING VAN RAADSLID: RDL W.T. HARRIS/ UKUFUNGISWA KOCEBA WE DA: IBHUNGA LESITHILI SE GARDEN ROUTE: UCEBA W.T. HARRIS

Refer: Report (4/2/9) dated 20 May 2020 from the Municipal Manager (MG Stratu) (pg 8-12)

RESOLVED TO RECOMMEND TO COUNCIL

1. That cognizance be taken of the notice from the IEC.
2. That the following Councillors be inaugurated as Councillors of the Garden Route District Council:
 - 2.1 Cllr. Wilbert Terence Harris, be inaugurated with effect from 11 June 2020.
 - 2.2 That Cllr Wilbert Terence Harris be requested to take the Oath of Office, as required in terms the Municipal Structures Act, 1998.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

1. Dat kennis geneem word van die kennisgewings van die OVK.
2. Dat die volgende Raadslid ingehuldig word as Raadslede van die Garden Route Distriksmunisipaliteit:

2.1 Rdl Wilbert Terence Harris, ingehuldig word met ingang vanaf 11 Junie 2020.

2.2 Dat Rdl Wilbert Terence Harris versoek word om 'n eed van die kantoor te neem, soos vereis ingevolge die Wet op Munisipale Strukture, 1998.

ISIGQIBO SOKUNDULULA KWIBHUNGA

1. Sesokuba Kuthathwe inqgalelo isaziso se IEC.
2. Esokuba ooCeba abalandelayo bafungiswe njengooCeba beBhunga LoMasipala Wesithili se Garden Route.

2.1 Ceba. Wilbert Terence Harris, afungiswe ukususela ngomhla 11 kweyeSilimela 2020.

2.2. Sesokuba Wilbert Terence Harris, acelwe ukuba bathathe isifungo Se Ofisi Njengoko kufunwa yi Municipal Structures Act, 1998.

13.2 CONFERMENT OF ALDERMANSHIP ON SERVING COUNCILLORS/ BEVESTIGING VAN RAADSHEER / RAADSDAME EER AAN DIENDENDE RAADSLEDE / UNIKEZELO LOBUSIBONDA KOOCEBA BEBHUNGA

Refer: Report (4/2/9) dated 20 May 2020 from the Municipal Manager (MG Stratu) (pg 13-15)

RESOLVED TO RECOMMEND TO COUNCIL

That the title of Alderman or Alderlady be conferred on the following serving Councillors who all qualify in terms of the criteria as contained in the Policy for the conferment of the Alderman/Alderlady honour, and in the manner as contained in this report:

Jennifer Hartnick (DA)

Iona Kritzingner (DA)

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat die titel van Raadsheer /Raadsdame eer op die diende Raadslede wie kwalifiseer in terme van die kriteria soos saam gevat in die beleid beleid rakende die bevestiging van Raadsheer Raadsdame eer:

Jennifer Hartnick (DA)

Iona Kritzingner

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iwonga lokuNgusibonda/Isibondakazi linikezelwe kwabaCeba balandelayo nekufanelekileyo ngokwemimiselo yoMgaqo yokongiwa ngewonga lokuba nguSibononda/Sbondakazi, ngokwalendlela iqilathwe kwingxelo:

Jennifer Hartnick (DA)

Iona Kritzinger (DA)

4. **NOTING THE PROVISIONS OF SCHEDULE 1 (CODE OF CONDUCT FOR COUNCILLORS) OF THE LOCAL GOVERNMENT MUNICIPAL SYSTEMS ACT, ACT 32 OF 2000 / KENNISNAME VAN DIE VOORSKRIFTE VAN SKEDULE 1 (GEDRAGSDKODE VIR RAADSLEDE) VAN DIE PLAASLIKE REGERING MUNISIPALE STELSELSWET, WET 32 VAN 2000 / UQWALASELO LWEZIBONELELO ZOLUHLU 1 (INDELA YOKUZIPHATHA KOCEBA) ZE LOCAL GOVERNMENT MUNICIPAL SYSTEMS ACT, ACT 32 OF 2000**

Noted / Kennis / Ithathelwe ingqalelo

5. **DISCLOSURE OF INTERESTS BY COUNCILLORS AND OFFICIALS / VERKLARING VAN BELANGE DEUR RAADSLEDE EN AMPTENARE / UKUCHAZWA NGOKUBANOMDLA NGOCEBA KUNYE NAMAGOSA**

None / Geen / Azikho

6. **COMMUNICATIONS BY THE EXECUTIVE MAYOR / MEDEDELINGS DEUR DIE UITVOERENDEBURGEMEESTER / UNXIBELELWANO LUKA SODOLOPHU**

None / Geen / Azikho

7. **COMMUNICATIONS BY THE MUNICIPAL MANAGER / MEDEDELINGS DEUR DIE MUNISIPALE BESTUURDER / UNXIBELELWANO LOMPHATHI MASIPALA**

The Municipal Manager informed the Mayco that he and the Executive Mayor attended the funeral service of the late Mr Mzukisi Cekiso in the Eastern Cape this weekend and that all Covid 19 protocols in terms of funerals, were adhered to.

8. INTRODUCTION OF NEWLY APPOINTED STAFF / BEKENDSTELLING VAN NUWE PERSONEEL / UKWAZISWA KWABASEBENZI ABASANDOKUQASHWA

(As per report on page 41 – 45)

9. CONFIRMATION OF MINUTES: 30 JUNE 2020/ BEKRAGTIGING VAN NOTULE GEDATEER: 30 JUNIE 2020 / UKUQINISEKISWA KWEMIZUZU: 30 KWEYESILIMELA 2020 (pg. 16-40)

RESOLVED

That the Executive Mayoral Committee approves the minutes of the Executive Mayoral Committee meeting dated 30 June 2020.

BESLUIT

Dat die Uitvoerende Burgemeesterskomitee die notule van die Uitvoerende Burgemeesterskomiteevergadering gedateer, 30 Junie 2020, goedkeur

ISIGQIBO

Sesokuba iKomiti Kasododlophu Obekekileyo iphumeze imizuzu yentkangansio yekomiti Kasodolophu Obekekileyo yangomhla 30 kweyeSilimela 2020.

10. MINUTES OF SECTION 79 COMMITTEES (FOR NOTIFICATION) / NOTULES VAN ARTIKEL 79 KOMITEES (VIR KENNISNAME) / IMIZUZUZ YEKOMITI KASODOLOPHU KUNYE NEZINYE IKOMITI ZOMHLATHI 79 (ITHATHELWE INGQALELO)

None / Geen / Azikho

11. STANDING ITEMS / STAANDE ITEMS / IMIBA EMISIWEYO

11.1 APPOINTMENTS, SERVICE EXITS AND LABOUR RELATIONS INFORMATION FOR JULY 2020 / AANSTELLINGS, UITDIENSTREDINGS EN ARBEIDSVERHOUDINGE INLIGTING VIR JULIE 2020 / ABAQASHIWEYO, ABASHIYE UMSEBENZI KUNYE NEMICIMBI YEZABASEBENZI KWINYANGA KWEYEKHALA 2020 (179743)

Refer: Report (9/3/1) dated 01 June 2020 from the Executive Manager: Corporate Services (B Holtzhausen) / Acting Manager Human Resources (S Maqekeni (pg 41-45)

RESOLVED TO RECOMMEND TO COUNCIL

That the information on the appointments, service exits and labour relations matters for July 2020, be noted.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat kennis geneem word van die aanstellings, uitdienstredings en arbeidsverhoudinge inligting vir Julie 2020.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba ulwazi ngokuqashwa, ukuphuma kwinkonzo kunye nemicimbi yezabasebenzi kwinyanga KweyeKhala 2020 kuthathelwe ingqalelo.

MATTERS FOR CONSIDERATION / SAKE VIR OORWEGING / IMIBA EKUFUNeka IQWALASELWE

12 ITEMS FROM THE EXECUTIVE MAYOR / ITEMS VOORGELÊ VANAF DIE UITVOERENDE BURGEMEESTER / IMIBA ESUKA KUSODOLOPHU OBEKEKILEYO

12.1 REPORT: SECTION 52 – RESPONSIBILITIES OF MAYOR / VERSLAG: ARTIKEL 52 VERANTWOORDELIKHEDE VAN DIE BURGEMEESTER / INGXELO: U MHLATHI 52 - UXANDUVA LUKA SODOLOPHU (1077150)

Refer: Report (6/18/7) dated 15 July 2020 from the Executive Mayor (Cllr M Booyesen) (pg 46-107)

RESOLVED TO RECOMMEND TO COUNCIL

That Council notes the quarterly report on the implementation of the budget and the financial affairs of the municipality for the year to date and the quarter ending 30 June 2020.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat die Raad kennis neem van die kwartaalverslag rakende die implementering van die begroting en die finansiële posisie van die munisipaliteit vir die jaar tot datum en die kwartaal geëindig 30 Junie 2020.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iBhunga lithathele ingqalelo ingxelo ngokumiselwa kolwabiwo-mali kunye nemicimbi yezemali zomasipala zonyaka uzakuthi ga ngoku kunye nexesha eliphela ngomhla 30 kweyeSilimela 2020.

13 ITEMS FROM THE MUNICIPAL MANAGER / ITEMS VANAF DIE MUNISIPALE BESTUURDER / IMIBA ESUKA KUMPHATHI MASIPALA

13.3 RENEWAL AND RECRUITMENT OF AUDIT & PERFORMANCE AUDIT COMMITTEE MEMBERS / HERNUWING EN WERWING VAN KONTRAKTE VAN LEDE VAN DIE OUDIT & PRESTASIE OUDITKOMITEE / UKUVUSELELWA NOKUFUNWA KWAMALUNGU EKOMITI YEZOPHICOTHO KUNYE NOPHICOTHO LOMSEBENZI (1074366)

Refer: Report (4/1/2/4/1) dated 08 July 2020 from the Municipal Manager (MG Stratu) / Chief Audit Executive P (Lufele) (pg. 108-110)

RESOLVED TO RECOMMEND TO COUNCIL

1. That Council approves the re-appointment of Mr G Stenekamp, effective from 01 September 2020 until 31 December 2020.
2. That Council approves the recruitment of two (2) APAC members for a period of three (3) years.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

1. *Dat die Raad die heraanstelling van Mr G Stenekamp as lid van die Oudit en Prestasieoudit Komitee goedkeur, effektief 1 September 2020 tot 31 Desember 2020.*
2. *Dat die Raad die werwing van twee OPOK-lede vir 'n periode van drie (3) jaar goedkeur.*

ISIGQIBO SOKUNDULULA KWIBHUNGA

1. Sesokuba iBhunga liphumeze ukuvuselelwa kwengqesho ka Mnu G Stenekamp ususela ngomhla 1 kweyoMsintsi 2020 uyakutsho 31 kweyoMnga 2020.
2. Sokuba iBhunga liphumeze ukufunwa kawamalungu amabini e-APAC kangangesithuba seminyaka emithathu (3).

13.4 APAC PERFORMANCE MANAGEMENT REPORT TO COUNCIL FOR THE PERIOD 1 JULY 2019 TO 31 DECEMBER 2019 / OPOK PRESTASIEBESTUURVERSLAG AAN RAAD VIR DIE PERIODE 1 JULIE 2019 TOT 31 DESEMBER 2019 / INGXELO YE APAC YOLAWULO LOMSEBENZI KWIBHUNGA KWIXESHA LOMHLA 01 KWEYEKHALA 2019 UKUYA KUHLA 31 KWEYOMNGA 2019 (1075582)

Refer: Report (4/1/2/4/1) dated 09 July 2020 from the Municipal Manager (MG Stratu) / Chief Audit Executive (P Lufele) (pg. 108-110)

RESOLVED TO RECOMMEND TO COUNCIL

That Council notes the Performance Management report from the Audit and Performance Audit Committee for quarter 1 and 2 of the 2019/20 financial year.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat die Raad kennis neem van die Prestasiebestuurverslag van die Oudit en Prestasie Ouditkomitee vir kwartaal 1 en 2 van die 2019/2020 finansiële jaar.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iBhunga lithathele ingqalelo ingxelo Yolawulo Lomsebenzi esuka kwi Komiti Yezophicotho kunye Nophicotho Lomsebenzi kwikota 1 kunye neye 2 kunyakamali ka 2019/2020.

13.5 APAC REPORT ON INTERNAL AUDIT ACTIVITY / OPOK VERSLAG OOR DIE INTERNE OUDITAKTIWITEIT / INGXELO YE-APAC MALUNGA NOMSEBENZI WOPHICHO THO ZINCWADI LWANGAPHAKATHI (1075679)

Refer: Report (4/1/2/4/1) dated 09 July 2020 from the Municipal Manager (MG Stratu) / Chief Audit Executive (P Lufele) (pg 119-125)

RESOLVED TO RECOMMEND TO COUNCIL

That Council takes note of the report.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat die Raad kennis neem van die verslag.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iBhunga lithathele ingqalelo lengxelo.

13.6 ANTI-FRAUD AND CORRUPTION POLICY / ANTI-BEDROG EN TEEN-KORRUPSIE / UMGAQO OCHASENE NOBUQHOPHOLOLO NORHWAPHILIZO

Refer: Report (14/1) dated 21 July 2020 from the Municipal Manager (MG Stratu) / Manager Legal Services (N Davids) (pg 126-148)

RESOLVED TO RECOMMEND TO COUNCIL

That Council approves the Anti-Fraud and Corruption Policy.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat die Raad die Anti -Bedrog en Teen- Korruptsie Beleid goedkeur.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iBhunga liphumeze uMgaqo Ochasene Nobuqhophololo kunye Norhwaphilizo.

14 ITEMS FROM THE FINANCIAL SERVICES DEPARTMENT / ITEMS VANAF DIE FINANSIËLE DIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZEMALI

14.1 DEVIATION REPORT: IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 01 JUNE 2020 TO 30 JUNE 2020/ AFWYKINGSVERSLAG: IMPLEMENTERING VAN DIE VOORSIENINGSKANAALBELEID VIR DIE PERIODE 01 JUNIE TOT 30 JUNIE 2020 / INGXELO YOTYESHELO: UKUMISELWA KOMGAQO WOLAWULO LWENCITHO KWIXESHA UMHLA 01 NGEYESILIMELA 2020 UYAKUTSHO KUMHLA WE 30 NGEYESILIMELA 2020 (1069240)

Refer: Report (9/8/2) dated 02 July 2020 from the Executive Manager Financial Services (JW de Jager) (pg. 149-157)

RESOLVED TO RECOMMEND TO COUNCIL

That Councils approves the write-off of debtors balances outstanding per category with a total of R 518 152,50.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat die Raad goedkeuring verleen vir die afskrywing van debiteure met balanse uitstaande per kategorie met 'n totaal van R 518 152,50.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iBhunga liphumeze ukucinywa kwamatyala angekahlawulwa ngokwebakala nafikelela kwi R 518 152,50.

14.2 DEVIATION REPORT: IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 01 MAY 2020 TO 31 MAY 2020/ AFWYKINGSVERSLAG: IMPLEMENTERING VAN DIE VOORSIENINGSKANAALBELEID VIR DIE PERIODE 01 MEI TOT 31 MEI 2020 / INGXELO YOTENXO: UKUMISELWA KOMGAQO WOLAWULO LWENCITHO KWIXESHA UMHLA 01 KUCANZIBE 2020 UYAKUTSHO KUMHLA WE 31 KUCANZIBE 2020 (105373)

Refer: Report (9/8/2) dated 04 June 2020 from the Executive Manager Financial Services (JW de Jager) (pg. 89-95)

RESOLVED TO RECOMMEND TO COUNCIL

1. That the implementation of Section 36 of the Municipal Supply Chain Regulation in terms of the deviations for the period 1 June 2020 up to 30 June 2020, be noted.
2. That it be noted that in terms of Section 114 of the Municipal Finance Management Act, Act 56 of 2003, there was no approval of tenders not recommended in the normal course of implementing Supply Chain Management policy of a municipality.
3. Noting of the Reporting on Emergency procurement in response to National State of Disaster – Covid 19, National Treasury (NT) Circular 102/103 of MFMA.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

1. *Dat die kennis geneem word van die implementering van Artikel 36 van die Voorsieningskanaal beleid in terme van die afwykings vir die periode van 01 Junie 2020 tot 30 Junie 2020.*
2. *Dat kennis geneem word dat in terme van Artikel 114 van die Munisipale Finansiële Bestuurswet, Wet 56 van 2003, daar geen goedkeuring was van tenders wat nie toegeken is in die normale implementering van die Voorsieningskanaalbeleid van die munisipaliteit nie.*
3. *Dat kennis geneem word van die rapportering van noodgevalaankope met betrekking tot die Nasionale Ramptoeestand – Covid 19, Nasionale Tesourie (NT) Omsendskrywe 102/103 of MFMA.*

ISIGQIBO SOKUNDULULA KWIBHUNGA

1. Sesokuba ukumisela koMhlathi 36 Wemiqathango Yomthetho Wezencitho zoMasipala kutyeshelo ukususela kumhla 1 ngeyeSilimela 2020 uyakutsho kumhla 30 ngeyeSilimela (2020), kuthathelwe ingqalelo.
2. Sesokuba ngokwemiqathango yoMhlathi (114) yoLawulo Lwezemali zikaMasipala, uMthetho 56 wango (2003), uthathelwe ingqalelo ukuba akukhange kuphunyezwe zinikisi maxabiso ezingandululwanga kwinkqubo efanelekileyo ekumiselweni kwencitho yomgaqo wolawulo lomasipala.
3. Sesokuba kuthathelwe ingqalelo ingxelo ngokusetyenziswa kwemali kwizinto ezingxamisekileyo ngokukhawulelana Nesimo Sentlekele Sikazwelonke-Covid19, iSazinge Sikanondyebo kaZwelonke 102/103 se MFMA.

14.3 YEARLY REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE YEAR 01 JULY 2019– 30 JUNE 2020/ JAARLIKS VERSLAG IMPLEMENTERING VAN DIE VOORSIENINGSKANAALBELEID VIR DIE JAAR 01 JULIE 2019 - 30 JUNIE 2020 /INGXELO YONYAKA NGOKUMISELWA KOMGAQOO WOLAWULO LWENCITHO MALI NGONYAKA KUMHLA 01 KWEYEKHALA 2019 – 30 KWEYESILIMELA 2020 (1076462)

Refer: Report (6/18/7) dated 10 July 2020 from the Executive Manager Financial Services (JW de Jager) (pg. 192-579)

RESOLVED TO RECOMMEND TO COUNCIL

That the yearly report regarding the implementation of Council's Supply Chain Management Policy for the period 01 July 2019 to 30 June 2020, be noted.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat kennis geneem word van die jaarlikse verslag rakende die implementering van die Raad se Voorsieningskanaalbeleid vir die periode 01 Julie 2019 tot 30 Junie 2020 .

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba ingxelo yonyaka ukususela kumhla 01 kweyeKhala 2019 ukuya 30 kweyeSilimela 2020 ngokumiselwa komgaqo weBhunga Ngolawulo Lwencitho Mali ithathelwe ingqalelo.

14.4 ANNUAL INVENTORY COUNT: CORRECTION OF QUANTITIES / JAARLIKSE STOORTELLING: REGSTEL VAN HOVEELHEID ITEMS / UBALO LONYAKA LWEZINTO EZISELUGCINENWENI: ULUNGISO LWEZINTO (1078613)

Refer: Report (8/2/3) dated 17 July 2020 from the Executive Manager Financial Services (JW de Jager) (pg. 580-584)

RESOLVED TO RECOMMEND TO COUNCIL

That Council approves the correction of inventory to the amount of R23 870.53

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat die Raad goedkeuring verleen vir die regstel van die voorraad ten bedrae van R23 870.53.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iBhunga liphumeze ulungiso lwemali yempahala ekhoyo neyi R23 870.53.

15 ITEMS FROM THE CORPORATE SERVICES DEPARTMENT / ITEMS VANAF DIE KORPORATIEWE DIENSTE DEPARTEMENT / IMIBA EVELA KWISEBE LENKONZO ZOLAWULO

15.1 REPORT FROM DEPARTMENT CORPORATE SERVICES: AUXILIARY SERVICES SECTION TO RESCIND THE COUNCIL RESOLUTION – EXTENSION OF CURRENT HYGIENE SERVICES TENDER / VERSLAG VAN KORPORATIEWE DIENSTE DEPARTEMENT: ONDERSTEUNINGS DIENSTE AFDELING RAKENDE DIE KANSELLERING VAN RAADSBESLUIT -UITBREIDING VAN DIE HIGIENIESE DIENSTE TENDER / INGXELO ESUKA KWISEBE LENKONZO ZOLAWULO: ICANDELO LENKONZO ZOGCINO NGOKURHOXISA ISIGQIBO SEBHUNGA-UKWANDISWA KWENKONZO YESINIKI MAXABISO EQHUBEKAYO YEZOCOCEKO (1073347)

Refer: Report (8/2/3) dated 25 May 2020 from the Executive Manager Corporate Services (B Holtzhausen) (pg. 100-115)

RESOLVED TO RECOMMEND TO COUNCIL

That the Council resolution to expand the current hygiene services tender for an amount of R 429 828, 36, be rescinded.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat die Raadsbesluit om uitbreiding op die huidige higiene dienste tender vir 'n bedrag van R429 828, 36, herroep word.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba isigqibo seBhunga sokwandiswa kwesiniki maxabiso senkonzo eqhubayo yezococeko sokuqashisa nesiymali eyi R429 828, 36, sirhoxiswe.

15.2 SALGBC: EXTENSION OF MAIN COLLECTIVE AGREEMENT / SALGBC: VERLENGING VAN HOOF KOLLEKTIEWE OOREENKOMS / SALGBC: UKWANDISWA KWESIVUMELWANI ESINGUNDOQO (1072108)

Refer: Report (9/2/5) dated 01 June 2020 from the Executive Manager Corporate Services (B Holtzhausen) / Acting Manager Human Resources (S Maqekeni) (pg. 596 - 602)

RESOLVED TO RECOMMEND TO COUNCIL

1. That Circular 10/2020 from the Bargaining Council, be noted.
2. That the extension of the Main Collective Agreement until 30 June 2022, be noted.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

1. *Dat kennis geneem word van Omsendskrywe 10/2020 vanaf die Bedingingsraad.*
2. *Dat kennis geneem word dat die Hoof Kollektiewe Ooreenkoms verleng word tot 30 Junie 2022.*

ISIGQIBO SOKUNDULULA KWIBHUNGA

1. Sesokuba isazinge 10/2020 esisuka kwiBhunga Legqugula, sithathelwe ingqalelo.
2. Sesokuba ukwandiswa Kwesivumelwano Esingundoqo sandiswe de ibengumhla 30 kweyeSilimela 2020, kuthathelwe ingqalelo.

15.3 REPORT ON THE HOME-BASED CARE/RECYCLING PROPOSAL/ VERSLAG RAKENDE DIE TUISVERSORGING/HERWINNINGS VOORLEGGING/ INGXELO NGESIPHAKAMISO SONAKEKELO-OLWAYAMANISA NAMAKHAYA/ UKUSETYENZISWA NGOKUTSHA (1077153)

Refer: Report (9/4/4/1) dated 13 July 2020 from the Executive Manager Corporate Services (B Holtzhausen) / Acting Manager Human Resources (S Maqekeni) (pg. 603 - 631)

RESOLVED TO RECOMMEND TO COUNCIL

1. That Council discusses the report;
2. That Council supports the project;

3. That the Municipal Manager signs a letter of support for the submission of the Proposal.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

1. Dat die Raad die verslag bespreek;
2. Dat die Raad die projek ondersteun;
3. Dat die Munisipale Bestuurder 'n brief ter ondersteuning van die projek onderteken.

ISIGQIBO SOKUNDULULA KWIBHUNGA

1. Sesokuba iBhunga lixoxe ngalengxelo.
2. Sesokuba ibhunga liyixhase lenkqubo.
3. Sesokuba uMphathi Masipala atyikitye ileta yenxaso yokunikezelwa kwesiPhakamiso.

15.4 REPORT ON THE PROPOSAL FROM SALGA REGARDING SHARED SERVICES WITH REFERENCE TO TRAINING AND DEVELOPMENT COOPERATION WITHIN THE GARDEN ROUTE DISTRICT / VERSLAG RAKENDE DIE VOORSTEL VANAF SALGA TEN OPSIGTE VAN GEDEELTE DIENSTE MET BETREKKING TOT OPLEIDING EN ONTWIKKELING SAMEWERKING IN DIE GARDEN ROUTE DISTRIK / INGXELO NGESIPHAKAMISO ESIVELA KU SLAGA MALUNGA NOLWABELWANO LWENKONZO NGOKUBHEKISE KUQEQUESHO KUNYE NOPHUHLISO LOBAMBIWANO KWISITHILI SE GARDEN ROUTE (1077807)

Refer: Report (9/4/4/1 dated 13 July 2020 from the Executive Manager Corporate Services (B Holtzhausen) / Acting Manager Human Resources (S Maqekeni) (pg 632-645)

RESOLVED TO RECOMMEND TO COUNCIL

1. That the Council discusses the content of the report.
2. That approval be granted to enter into a Memorandum of Agreement with Salga and other B-municipalities within the region to work together on skills development projects.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

1. Dat die Raad die verslag bespreek.

2. *Dat 'n die Raad goedkeuring verleen om in 'n samewerking ooreenkoms te tree met Salga asook B-munisipaliteite ten opsigte van opleiding en ontwikkeling projekte binne die streek.*

ISIGQIBO SOKUNDULULA KWIBHUNGA

1. Sesokuba iBhunga lixoxe ngomongo wengxelo.
3. Sesokuba kunikezwe imvumo yokungenelela Kwisivumelwano Sokuqondana nabakwa SALGA kunye nabanye ooMasipala basekuhlaleni kwingingqi ukuze kusetyenziswane nabo kwiinkqubo yophuhliso lwezakhono.

15.5 REPORT ON THE TRAINING PROPOSAL SUBMITTED TO THE NATIONAL SKILLS FUND (NSF) FOR POSSIBLE FUNDING / VERSLAG RAKENDE DIE OPLEIDINGSVOORSTEL WAT INGEDIEN WAS NA DIE NASIONALE VAARDIGEHEIDSFONDS VIR MOONTLIKE BEFONDSING / INGDLO NGESIPHAKAMISO SEZOQEQESHO NESINIKEZELWE KWINGXOWA YEZOBONELELO ZEZOKHONO KUZWELONKE UKUZE KUKWAZI KUFUNYANWE IMALINXASO (1077147)

Refer: Report (9/4/4/1) dated 15 July 2020 from the Executive Manager Corporate Services (B Holtzhausen) / Acting Manager Human Resources (S Maqekeni) (pg. 646-703)

RESOLVED TO RECOMMEND TO COUNCIL

1. That the Council takes note of the content of the report.
2. That Council give their support to the program.
3. That a formal supply chain process be followed by GRDM to appoint training service provider/s for the project.
4. That Municipal Manager be mandated with the sourcing of the necessary external capacity for the NSF projects as the project includes a project management fee.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

1. *Dat die Raad kennis neem van die verslag.*
2. *Dat die Raad die program ondersteun.*

3. *Dat 'n formele tender proses gevolg word deur GRDM om 'n diensverskaffers vir die projek aan te stel.*
4. *Dat die Munisipale Bestuurder gemandatiseer word om oorweging te skenk aan die aanstelling van 'n eksterne projekbestuurder vir die projek van die NSF omdat die projek 'n projekbestuurdersfooi insluit.*

ISIGQIBO SOKUNDULULA KWIBHUNGA

1. Sesokuba iBhunga lithathele ingqalelo umongpo wengxelo.
2. Sesokuba iBhunga linikezele inxaso yalo yale nkqubo.
3. Sesokuba inkqubo efanelekileyo yezencitho ilandelwa nguMasipala ukuze kuchongwe umnikezelo nkonzo wezoqeqesho walenkqubo.
4. Sesokuba uMphathi Masipala anikwe igunya lokufuna inxaso yangaphandle enamava enkqubo ze NSF njengoko lenkqubo iquka imali ntlawulo yolawuylo lwenkqubo.

15.6 REPORT ON THE EXTERNAL BURSARIES FOR THE ACADEMIC YEAR 2020 / VERSLAG RAKENDE DIE EKSTERNE BEURSE VIR 2020 AKADEMIESE JAAR / INGXELO NGE BHASARI ZANGAPHANDLE KUNYAKA WEZIFUNDO KA 2020 (1077149)

Refer: Report (9/4/4/1 dated 15 July 2020 from the Executive Manager Corporate Services (B Holtzhausen) / Acting Manager Human Resources (S Maqekeni) (pg.704 - 716)

RESOLVED TO RECOMMEND TO COUNCIL

That the Council takes note of the report.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat die Raad kennis neem van die verslag.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iBhunga lithathele ingqalelo umongpo wengxelo.

15.7 REPORT ON THE INTERNAL BURSARIES FOR THE ACADEMIC YEAR 2020 / VERSLAG RAKENDE DIE INTERNE BEURSE VIR 2020 AKADEMIESE JAAR / INGXELO NGEHBASARI ZANGAPHAKATHI ZONYAKA WEZIFUNDO KA 2020 (1077152)

Refer: Report (9/4/4/1 dated 15 July 2020 from the Executive Manager Corporate Services (B Holtzhausen) / Acting Manager Human Resources (S Maqeken) (pg. 717-724)

RESOLVED TO RECOMMEND TO COUNCIL

That the Council takes note of the report.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat die Raad kennis neem van die verslag.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iBhunga lithathele ingqalelo umongpo wengxelo.

15.8 SALGA: SALARY AND WAGE REVIEW 2020/2021 / SALGA: SALARIS- EN LOON HERSIENING 2020/2021 / SALGA: UQWALASELO LWEMIVUMO NEMIRHOLO KA 2020/2021 (1072106)

Refer: Report (9/4/4/1 dated 03 July 2020 from the Executive Manager Corporate Services (B Holtzhausen) / Acting Manager Human Resources (S Maqeken) (pg. 725-738)

RESOLVED TO RECOMMEND TO COUNCIL

1. That circular 22/2020 from SALGA, be noted.
2. That Council note that the salary increases for 2020/2021 of 6.25% have been included in the budget approved on 27 May 2020 and that it has been implemented.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

1. *Dat kennis geneem word van omsendskrywe 22/2020 vanaf SALGA.*
2. *Dat die Raad kennis neem dat die 2020/2021 salarisverhogings van 6.25% ingesluit is in die begroting wat op 27 Mei 2020 goedgekeur was en dat dit geïmplementeer was.*

ISIGQIBO SOKUNDULULA KWIBHUNGA

1. Sesokuba isazinge 22/2020 esivela ku SALGA sithathelwe ingqalelo.
2. Sesokuba iBhunga lithathele ingqalelo ukuba uchatha wemivuzo ka 2020/2021 womyinge we 6.25% sele ufakiwe kulwabiwo-mali olwaphunyezwa ngomhla 27 KuCanzibe 2020 kwaye sele umiselwe.

15.9 PROPOSED STANDBY POLICY / VOORGESTELDE BYSTANDBELEID / UYILO LOMGAQO WOKULINDELA (1074683)

Refer: Report (9/2/5) dated 08 July 2020 from the Executive Manager Corporate Services (B Holtzhausen) / Acting Manager Human Resources (S Maqeken) (pg.739-746)

RESOLVED TO RECOMMEND TO COUNCIL

That the proposed Standby Policy be approved.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat die voorgestelde Bystandbeleid goedgekeur word.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba isiphakamiso soMgaqo Wokulindela uphunyezwe.

15.10 NOMINATION OF COUNCIL REPRESENTATIVES TO SALGA PROVINCIAL WORKING GROUPS/ NOMINASIE VAN RAADSLID VERTEENWOORDIGERS OP SALGA SE PROVINSIALE WERKSKOMITEES / UKUCHONGWA KOMMELI WEBHUNGA KUMAQELA ASEBENZAYO E SALGA KWIPHONDO (1075727)

Refer: Report (13/R/133) dated 27 June 2020 from the Executive Manager Corporate Services (B Holtzhausen)(pg 747-752)

RESOLVED TO RECOMMEND TO COUNCIL

1. That a nomination and replacement be made for a Councillor to serve on the below mentioned respective Salga Working Groups:

Capacity Building and Institutional Resilience

Official Representative: Cllr. IC Kritzinger

Secundis: Cllr RH Ruiters

Municipal Official: Ms B Holtzhausen

Community Development and Social Cohesion

Official Representative: Cllr K Lose

Secundis: Cllr E Meyer

Municipal Official: Mr C Africa

Economic Empowerment and Employment Creation

Official Representative: Cllr RH Ruiters

Secundis: Cllr K Lose

Municipal Official: Mr L Menze

Environmental Planning and Climate Resilience

Official Representative: Cllr E Meyer

Secundis: Cllr K Lose

Municipal Official: Dr J Schoeman

Governance and Intergovernmental Relations

Official Representative: Cllr BHJ Groenewald

Secundis: Cllr RH Ruiters

Municipal Official: Mr L Menze

Human Settlements and Municipal Planning

Official Representative: Cllr JP Johnson

Secundis: Cllr IC Kritzing

Municipal Official: Mr L Menze

Municipal Finance and Fiscal Policy

Official Representative: Rdl JC Lambaatjeen

Secundis: Rdl RE Spies

Municipal Official: Mnr JW De Jager

Municipal Innovations and Information Technology

Official Representative: Cllr IC Kritzing

Secundis: Cllr RH Ruiters

Municipal Official: Mr K Nieuwoudt

Public Transport and Roads

Official Representative: Cllr RE Spies

Secundis: Cllr JP Johnson

Municipal Official: Mr JG Daniels

Water, Sanitation and Waste Management

Official Representative: Cllr K Lose

Secundis: Cllr E Meyer

Municipal Official: Mr M Hubbe

2. That it be noted that subsistence and travelling costs for the SALGA Provincial Working Group meetings will be covered by SALGA.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

1. Dat die onderstaande raadslede en secondi op die volgende werksgroepe dien:

Kapasiteitsbou en Institusionele Bestendigheid

Amptelike Verteenwoordiger: Rdl IC Kritzinger

Secundis: Rdl RH Ruiters

Munisipale Amptenaar: Me B Holtzhausen

Gemeenskapsontwikkeling en Sosiale Samehorigheid

Amptelike Verteenwoordiger: Rdl K Lose

Secundis: Rdl E Meyer

Munisipale Amptenaar: Mnr C Africa

Ekonomiese Bemagtiging en Werkskepping

Amptelike Verteenwoordiger: Rdl RH Ruiters

Secundis: Rdl K Lose

Munisipale Amptenaar: Mnr L Menze

Omgewingsbeplanning en klimaatbestendigheid

Amptelike Verteenwoordiger: Rdl E Meyer

Secundis: Rdl K Lose

Munisipale Amptenaar: Dr J Schoeman

Regering en inter-regeringsverhoudinge

Amptelike Verteenwoordiger: Rdl BHJ Groenewald

Secundis: Rdl RH Ruiters

Munisipale Amptenaar: Mnr I Menze

Menslike Nedersettings en Munisipale Beplanning

Amptelike Verteenwoordiger: Rdl JP Johnson

Secundis: Rdl IC Kritzinger

Munisipale Amptenaar: Mnr L Menze

Munisipale Finansies en Fiskale Beleid

Amptelike Verteenwoordiger: Rdl JC Lambaatjeen

Secundis: Rdl R Spies

Munisipale Amptenaar: Mnr JW De Jager

Munisipale Innovasies en Inligtingstechnologie

Amptelike Verteenwoordiger: Rdl IC Kritzinger

Secundis: Rdl RH Ruiters

Munisipale Amptenaar: Mnr K Niewoudt

Openbare Vervoer en Paaie

Amptelike Verteenwoordiger: Rdl RE Spies

Secundis: Rdl J Johnson

Munisipale Amptenaar: Mnr JG Daniels

Water, Sanitasie en Afvalbestuur
 Amptelike Verteenwoordiger: Rdl K Lose
 Secundis: Rdl E Meyer
 Munisipale Amptenaar: Mnr M Hubbe

2. Dat kennis geneem word dat SALGA verantwoordelik is vir die uitgawes verbonde aan reis- en verblyfkoste vir die bywoning van bogenoemde vergaderings.

ISIGQIBO SOKUNDULULA KWIBHUNGA

1. Sesokuba abaceba balandelayo kunye namasekela bachongwe ukuba bahlalale kuMaqela Asebenzayo e Salga:

Ukwakhiwa Kwezakhono kunye Neziko Lokomeleza
 U Meli Osemthethweni: Ceba IC Kritzinger
 Isekela: Ceba RH Ruiters
 Igosa loMasipala: Nkszn B Holtzhausen

Uphuhliso Loluntu kunye Nobambiswano Ngokwasekuhlaleni
 U Meli Osemthethweni: Ceba K Lose
 Isekela: Ceba E Meyer
 Igosa loMasipala: Mnu C Africa

Uphuhliso Lwezogogqosho kunye Nouveliswa koMsebenzi
 U Meli Osemthethweni: Ceba RH Ruiters
 Isekela: Ceba K Lose
 Igosa loMasipala: Mnu L Menze

Izicwangciso Ngokusingqongileyo kunye Nozinzo Kwimozilu
 U Meli Osemthethweni: Ceba E Meyer
 Isekela: Ceba K Lose
 Igosa loMasipala: Gqirha J Schoeman

Ulawulo kunye Nemicimbi Yentibaniselwanoyolawulo
 U Meli Osemthethweni: Ceba BHJ Groenewald
 Isekela: Ceba RH Ruiters
 Igosa loMasipala: Mnu L Menze

Indawo Zoluhlaliswa Koluntu kunye Nezicwangciso zoMasipala
 U Meli Osemthethweni: Ceba JP Johnson
 Isekela: Ceba IC Kritzinger
 Igosa loMasipala: Mnu L Menze

Imali Zomasipala kunye Nomgaqo Wemali zikaRhulumente
 U Meli Osemthethweni: Ceba JC Lambaatjeen
 Isekela: Ceba RE Spies
 Igosa loMasipala: Mnu JW De Jager

Ezongenelelo zoMasipala kunye Nobuchwephesha Ngolwazi

U Meli Osemthethweni: Ceba IC Kritzinger

Isekela: Ceba RH Ruiters

Igosa loMasipala: Mnu K Niewoudt

Ezothutho Zoluntu kunye Nezendlela

U Meli Osemthethweni: Ceba RE Spies

Isekela: Ceba JP Johnson

Igosa loMasipala: Mnu JG Daniels

Amanzi, Uguntyulo kunye Nolawulo Lwenkunkuma

U Meli Osemthethweni: Ceba K Lose

Isekela: Ceba E Meyer

Igosa loMasipala: Mnu M Hubbe

2. Sesokuba kuthathelwe ingqalelo ukuba indleko zohambo kunye nesibonelelo zeentlanganiselo zeQela Elisebenzayo le SALGA kwiPhondo zizakuhlululelwa ngu SALGA.

15.11 RESTRUCTURING OF SECTION 79 AND 80 COMMITTEES / HERSAMESTELLING VAN ARTIKEL 79 EN 80 KOMITEES / ULUNGELELWANISO LWEKOMITI ZOMHLATHI 79 KUNYE 80 (1075919)

Refer: Report (13/R/133) dated 27 June 2020 from the Executive Manager Corporate Services (B Holtzhausen)(pg. 753 - 759)

RESOLVED TO RECOMMEND TO COUNCIL

1. That Council approves the nominated names of members to serve on the Section 79 and 80 Committees of Garden Route District Council in terms of Section 79 of the Local Government: Municipal Structures Act, 1998 Act 117 of 1998.
2. That Cllr D Saayman's name be added to the Local Labour Forum.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

1. *Dat die Raad die genomineerde name van lede wat op die Artikel 79 en 80 Komitees van Garden Route Distrikraad moet dien, goedkeur ingevolge die bepalings van Artikel 79 van die Plaaslike Owerheid: Munisipale Strukturewet, 1998 Wet 117 van 98.*
2. *Dat Rdl D Saayman se naam bygevoeg word by die Plaaslike Arbeidsforum.*

ISIGQIBO SOKUNDULULA KWIBHUNGA

1. Sesokuba iBhunga liphumeze amagama achongiweyo amalungu azakuchopha kwiKomiti zoMhlathi 79 kunye 80 zeBhunga loMasipala Wesithili se Garden Route ngokwemiqathango zoMhlathi 79 woRhulumente Basekhaya: Umthetho Wesimo soMasipala, 1998 uMthetho 117 wango 1998.
2. Sesokuba igama lika ceba D Saayman lifakwe kwiButho Lezabasebenzi Lasekuhlaleni.

15.12 CORPORATE PLAN FOR GRDM 2020/2021 / KORPORATIEWE PLAN VIR GRDM 2020/2021 / ISICWANGCISO SEZOLAWULO SIKI 2020/2021

Refer: Report (8/B) dated 20 July 2020 from the Executive Manager Corporate Services (B Holtzhausen)(pg. 760-799)

RESOLVED TO RECOMMEND TO COUNCIL

That Council approves the Corporate Plan for the Garden Route District Municipality for 2020/2021.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat die Raad die Korporatiewe Plan vir die Garden Route Distriksmunisipaliteit goedkeur vir 2020/2021.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iBhunga liphumeze Isicwangciso Sezolawulo soMasipala Wesithili se Garden Route sika 2020/2021.

16 ITEMS FROM THE COMMUNITY SERVICES DEPARTMENT / ITEMS VANAF DIE GEMEENSKAPSDIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZOLUNTU

16.1 UPDATE REPORT ON THE ACTIONS TAKEN BY THE DISTRICT COVID-19 COMMAND COUNCIL TO ADDRESS THE COVID-19 PANDEMIC / OPDATERINGSVERSLAG RAKENDE DIE AKSIE STAPPE WAT REEDS DEUR DIE COVID-19 DISTRIK BEHEERRAAD IN PLEK GESTEL IS OM DIE CORONAVIRUS (COVID-19) PANDEMIE AAN TE SPREEK/ INGXELO ENTSHA NGAMANYATHELO AYE ATHATYATHWA LIBHUNGA LOLAWULO LESITHILI SE COVID-19 OKUJONGANA NOBHUBHANE COVID-19

Refer: Report (18/R) dated 20 July 2020 from the Executive Manager Community Services (C Africa / Manager Disaster Management)(pg 800-829)

RESOLVED TO RECOMMEND TO COUNCIL

That Council takes note of the report.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat die Raad kennis neem van die verslag.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iBhunga lithathele ingqalelo ingxelo.

17. ITEMS FROM THE ROADS AND TRANSPORT PLANNING SERVICES DEPARTMENT / ITEMS VANAF DIE PAAIE EN VERVOER BEPLANNINGSDIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZENDLELA KUNYE NEZICWANGCISO KWEZOTHUTHO

17.1 REPORT FOR THE ROADS DEPARTMENT FOR THE FINANCIAL YEAR 2020/2021 / VERSLAG RAKENDE DIE PAAIE AFDELING VIR DIE 2020/2021 FINANSIËLE JAAR / INGXELO YESEBE LEZENDLELA KUNYAKAMALI KA 2020/2021

Refer: Report (6/1/2/1-2020-2021) dated 14 July 2020 from the Executive Manager Roads and Transport Services (JG Daniels)(pg. 830-832)

RESOLVED TO RECOMMEND TO COUNCIL

That Council takes note of the report.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat die Raad kennis neem van die verslag.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iBhunga lithathele ingqalelo ingxelo.

18. ITEMS FROM THE PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT / ITEMS VANAF DIE BEPLANNING EN EKONOMIESE DIENSTE DEPARTEMENT / IMIBA YESEBE LEZOCWANGCISO KUNYE NOPHUHLISO LOQOQOSHO

18.1 REPORT ON THE COVID-19 ECONOMIC IMPACT REVIEW ON THE GARDEN ROUTE / VERSLAG TEN OPSIGTE VAN DIE COVID-19 IMPAK HERSIENING OP DIE GARDEN ROUTE / INGXELO NGEFUTHE LE COVID-19 KUQOQOSHO LWE GARDEN ROUTE (1075930)

Refer: Report (19/2/2/20) dated 07 July 2020 from the Executive Manager Planning Economic Development (L Menze) Manager Economic Development & Tourism (M Wilson))(pg 833-848)

RESOLVED TO RECOMMEND TO COUNCIL

That Council takes note of the Covid-19 impact review report that was compiled and released by the Provincial Department of Economic Development and Tourism.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat die Raad kennis neem van die Covid-19 impak hersieningsverslag wat saamgestel en vrygestel is deur die Provinsiale Departement van Ekonomiese Ontwikkeling en Toerisme.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iBhunga lithathele ingqalelo uqwalaselo lwefuthe lwe Covid-19 kuqoqosho kwingxelo nebiqulunqwe Lisebe Lephondo Lezophuhliso Loqoqosho kunye Nezokhenketho.

18.2 ANNUAL REPORT PROCESS PLAN FOR 2020/2021 FINANCIAL YEAR /JAARVERSLAG PROSES PLAN VIR 2020/2021 FINANSIËLE JAAR /INGXELO YONYAKA YESICWANGCISO SENKQUBO KUNYAKA MALI KA 2020/2021 (1073352)

Refer: Report (16/8/2) dated 08 July 2020 from the Executive Manager Planning Economic Development (L Menze) District IDP Manager (M Cekiso) (pg. 849-853)

RESOLVED TO RECOMMEND TO COUNCIL

That Council approves the 2020/2021 Annual Report Process Plan as per the guidelines of Circular 63 of the Local Government: Municipal Finance Management Act 56 of 2003.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat die Raad die 2020/2021 Jaarverslag prosesplan goedkeur soos vervat in Omsendskrywe 63 van die Munisipale Finansiële Bestuurswet, Wet 56 van 2003.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iBhunga liphumeze iSicwangciso Sengxelo Yonyaka ka 2020/21, ngokomthetho weSazinge 63 soRhulumente Basekhaya:Wolawulwa Lwezemali zoMasipala uMthetho 53 wonyaka 2003.

18.3 PURCHASE ERF 26823 GEORGE FOR FUTURE DEVELOPMENT / VOORLEGGING VIR KOOP VAN EIENDOM ERF 26823 GEORGE VIR TOEKOMSTIGE ONTWIKKELING (1077799)

Refer: Report (7/4/3/1) dated 14 July 2020 from the Executive Manager Planning Economic Development (L Menze) Superintendent Property Maintenance (M Appels)(pg. 854-881)

RESOLVED TO RECOMMEND TO COUNCIL

1. That Council takes note of the process that were followed by the Municipal Manager and/or his delegate in negotiating with A De Sousa & Jardim Inv (Pty) Ltd to purchase erf 26823, George.
2. That Council agree on purchase of Erf 26823 for an amount of R4, 850,000
3. That the Municipal Manager be authorized to sign the Purchase Agreement to the amount of R4, 850,000, the issue of transfer costs be considered.
4. That the approved recommendations be implemented within applicable legislative provisions.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

1. *Dat die Raad neem kennis van die proses wat gevolg was deur die Munisipale Bestuurder en/of sy gedelegeerde in die samesprekings met A De Sousa Jardim Inv (Edms) Bpk om erf 26823, George, te koop.*
2. *Dat die Raad ooreenkom om erf 26823 aan te koop vir 'n bedrag van R4, 850,000.*
3. *Dat goedkeuring verleen word aan die Munisipale Bestuurder om die Koopsooreenkoms te teken vir 'n bedrag van R4, 850,000 en dat die oordragskoste inaggeneem word.*
4. *Dat die goedkeurings geïmplementeer word binne die voorgeskrewe wetgewing.*

ISIGQIBO SOKUNDULULA KWIBHUNGA

1. Sesokuba iBhunga lithathele ingqalelo inkqubo eziy zalandelwa nguMphathi Masipala kunye/okanye igqiza lakhe kwingxoxo nabakwa A De Sousa & Jardim Inv (Pty) Ltd ukuthenga u erf 26823, e George.
2. Sesokuba iBhunga livume ukuthenga u erf 26823 ngemali eyi R4,850,000.00
3. Sesokuba uMphathi Masipala anikwe igunya nokutyikitya Isivumelwano Sentengo nesixabisa imali eyi R4, 850,000.00, umba wondleko zonikezelo uqwalaselwe.
4. Sesokuba izindululo eziphunyeziweyo zimiselwe ngokwemiqhathango yomsethetho efanelekileyo.

19. MOTIONS OF EXIGENCY / DRINGENDE MOSIES / IMIBA ENGXAMISEKILEYO**19.1** NONE / GEEN / AYIKHO**20. NOTICES OF MOTIONS / KENNISGEWING VAN MOSIES / ISAZISO SEZIPHAKAMISO****20.1** NONE / GEEN / AZIKHO**21. IN CLOSED SESSION / IN GESLOTE SESSIE / KWI-SASHONI YASEKHUSINI****21.1** NONE / GEEN / AZIKHO**CLOSURE / SLUITING / UQUKUNJELO**

The meeting closed at 09:43 / Die vergadering sluit om 09:43 / Intlanganiso ivalwe nge 09:43.

.....

**EXECUTIVE MAYOR
CLLR M BOOYSEN**

.....
DATE / DATUM / UMHLA

BACK TO AGENDA

APPOINTMENTS, SERVICE EXITS AND LABOUR RELATIONS INFORMATION FOR AUGUST 2020 / AANSTELLINGS, UITDIENSTREDINGS EN ARBEIDSVERHOUDINGE INLIGTING VIR AUGUSTUS 2020 / ABAQASHIWEYO, ABASHIYE UMSEBENZI KUNYE NEMICIMBI YEZABASEBENZI KWINYANGA YETHUPHA 2020

(9/3/1)

14 September 2020

REPORT FROM THE EXECUTIVE MANAGER: CORPORATE SERVICES (B HOLTZHAUSEN)
/ACTING MANAGER: HUMAN RESOURCES (ADV S MAQEKENI)

2. PURPOSE OF THE REPORT

To report on the appointments, service exits and labour relations matters for August 2020.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The purpose of the report is to provide a summary of permanent and contract appointments, how the appointments promote equal employment objectives, number of retired officials and an overview of related labor matters for the period 01 - 31 August 2020.

5. RECOMMENDATIONS

5.1 That the information on the appointments, service exits and labour relations matters for August 2020, be noted.

AANBEVELINGS

5.2 *Dat kennis geneem word van die aanstellings, uitdienstredings en arbeidsverhoudinge inligting vir Augustus 2020.*

ISINDULULO

5.3 Sesokuba ulwazi ngokuqashwa, ukuphuma kwinkonzo kunye nemicimbi yezabasebenzi kwinyanga yeThupha 2020 kuthathelwe inqgalelo.

6. **DISCUSSION / CONTENTS**

6.1 **BACKGROUND**

The Human Resource Department is responsible for the management of discipline and other labour related issues in the organization. One of the responsibilities of the department includes the appointment of employees and service exits in the organization. This report will therefore, focus on the following:

APPOINTMENTS: AUGUST 2020

NR	DEPARTMENT	DESIGNATION	STATION	NAME	RACE & GENDER	REASON	DATE
1	COMMUNITY SERVICES DEPT	PLATOON COMMANDER	George	H LESLIE	C/M	Re - instated	11 Aug 2020
2	COMMUNITY SERVICES DEPARTMENT	FIRE FIGHTER	George	P JORDAAN	C/M	Re - instated	11 Aug 2020
3	COMMUNITY SERVICES DEPARTMENT	FIRE FIGHTER	George	D MADIKANE	A/M	Re - instated	11 Aug 2020

SERVICE EXITS: AUGUST 2020

N R	DEPARTMENT	DESIGNATION	STATION	NAME	RACE & GENDER	REASON	TERMINATION DATE
1	ROADS SERVICES DEPARTMENT	OPERATOR	HEROLD	L SOKO	A/M	DECEASED	6 AUGUST 2020
2	ROADS SERVICES DEPARTMENT	SNR WORKER	OUTDSHOORN	NW NKASAYI	A/M	DECEASED	28 AUGUST 2020
3	ROADS SERVICES DEPARTMENT	SNR WORKER	RIVERSDALE	SP MGWEXA	A/F	RESIGNED	31 AUGUST 2020

EMPLOYMENT EQUITY STATISTICS

NR	DEPARTMENT	DESIGNATION	EMPLOYMENT CATEGORY	NAME	RACE & GENDER	REASON	DATE
1	COMMUNITY SERVICES DEPT	PLATOON COMMANDER	SERVICES & SALES WORKERS	H LESLIE	C/M	Re - instated	11 Aug 2020

2	COMMUNITY SERVICES DEPARTMENT	FIRE FIGHTER	SERVICES & SALES WORKERS	P JORDAAN	C/M	Re - instated	11 Aug 2020
3	COMMUNITY SERVICES DEPARTMENT	FIRE FIGHTER	SERVICES & SALES WORKERS	D MADIKANE	A/M	Re - instated	11 Aug 2020

LABOUR RELATIONS: AUGUST 2020

DISCIPLINARY HEARINGS					
NO	DEPART	DATE	NATURE OF DISCIPLINARY HEARING	PROGRESS MADE	OUTCOMES
1	Roads Department	08 Aug 2020	Abscondment	In process	Disciplinary held on 4th September 2020. Parties to submit mitigating, aggravating circumstances and closing arguments before or on Wednesday 09 September 2020 and chairperson to announce determination/ruling on or before 23 September 2020
2	Roads Dept	31 Jul 2020	Abscondment	Matter finalized.	Employee dismissed on 16 September 2020.
3	Roads Dept	01 Sept 2020	Abscondment	In process	Municipal Manager appointed Chairperson and Initiator on 08 Sept 2020 to finalize disciplinary process.
4	Roads Dept	27 Aug 2020	Theft	In process	Municipal Manager appointed Chairperson and Initiator on 07 Sept 2020 to finalize disciplinary process. Date for hearing is scheduled for 06 October 2020.

GRIEVANCES					
NO	DEPART	DATE	NATURE OF GRIEVANCE	PROGRESS MADE	OUTCOMES
1.	Community Services	07 Aug 2019	Extra Working hours	In Process	At the Meeting dated 11th September 2020, the aggrieved party agrees to peruse the response from

					the Fire Chief and give feedback by Wednesday 16 September 2020. Fire chief submitted his report, but the aggrieved party is not satisfied with the outcome and request the matter be referred to the next level. HOD request from aggrieved party to identify exactly the contentious issues and where the difference of interpretation exists before making a final determination.
2.	Roads	21 Aug 2019	Spreading of false statements	In process	HOD resolved to refer the matter a formal investigation. Follow up meeting scheduled for 29 September 2020
3.	Roads	28 Jun 2019	Unfair labour Practise	In Process	HOD must give feedback before the 30 th September 2020.
4.	Roads	21 Oct 2019.	Unfairly discriminated	In Process	Matter referred to step 3. After consultation with the employee, he request that his grievance be put on hold, till the finalization of his application for a transfer. Employee submitted a transfer application on 16 September 2020, which will be referred to the Transfer Committee for consideration.
5.	Roads Services	4 Feb 2020	Unfair labour practise	In process	Follow up meeting scheduled for the 29 September 2020.
6.	Community Services	01 Jul 2020	Unfair treatment	In process	Meeting (step 2) scheduled for 15 th September 2020. Chairperson decided that an independent investigation must be conducted to allow him to

					make an informed decision. The scope of the investigation must address all the concerns raised by the aggrieved party and consult with witnesses and submit a full report on this matter. Initial report received on 17 September 2020, where-after the HOD request for further additional information. Final report to be expected by Wednesday 23 September 2020.
7.	Corporate Services	14 Sept	Unfair Labour Practise	In process	Meeting conducted on 17 Sept 2020 and the chairperson request to apply his mind on the matter and inform the aggrieved party before the prescribed timelines lapses.
8	Corporate Services	20 Aug 2020	Unfair Labour Practise	In process	Meeting scheduled for 21 Sept 2020.
9.	Community Services	28 August 2020	Unfair Labour Practice	In process	Step 1 took place on the 16 th September 2020. The aggrieved party asked for the EE target report.
INCAPACITY INVESTIGATIONS					
NO	DEPART	DATE	NATURE OF INCAPACITY	PROGRESS MADE	OUTCOMES
1.	Roads	19 Mar 2019	Musculoskeletal problems	Matter finalized.	Follow up meeting scheduled for the 17 September 2020. Employee return to work 22 Aug 2020 and fully performs her functions.
2.	Roads	26 Mar 2019	Sleeping Disorder	In process	Follow up meeting scheduled for 22 September 2020.
3.	Roads	13 May 2019	Back injury	In process	Meeting held at 23rd June 2020.

					Employee referred to specialist to obtain medical fitness report. Report obtain on 16 Sept 2020. Final Incapacity hearing scheduled for 18 Sept 2020.
4.	Roads	12 Jun 2019	Ankle injury	In process	Meeting held at 23rd June 2020. Employee referred to specialist to obtain medical fitness report. Meeting held on 29 July 2020, regarding the payment of unpaid leave. Matter referred back to Disciplinary Board of Council to allow employee and his representative to make submissions. Meeting scheduled for 19 September 2020. Awaits outcome of Disciplinary Board decision.
5.	Roads	08 October 2019	Skin condition	In Process	Follow up meeting scheduled for 23 September 2020

DISPUTES					
NO	DEPART	DATE	NATURE OF DISPUTES	PROGRESS MADE	OUTCOMES
1.	Planning and Development	15 Mar 2018	Transportation of Night shift employees as per the BCEA.	In process	Matter referred by MM to next Council Meeting
2	External	26 June 2020	Unfair Discrimination	In process	Awaits Conciliation/Arbitration date from CCMA

COUNSELLING					
NO	DEPART	DATE	NATURE OF COUNSELLING SESSION	PROGRESS MADE	OUTCOMES
None					

CONTRACT APPOINTMENTS: JULY / AUG 2020

CONTRACT APPOINTMENTS FOR AUGUST 2020 (15)						
NR	INITIALS & SURNAME	POSITION	DEPARTM	STATION	GEN & RACE	PERIOD
1	GREBE A	LAW ENFORCE-EPWP	PLANNING	HESSEQUA	M/W	11/08/20 – 31/01/21
2	FORTUIN RB	LAW ENFORCE-EPWP	PLANNING	HESSEQUA	M/C	11/08/20 – 31/01/21
3	HARTNICK DC	LAW ENFORCE-EPWP	PLANNING	HESSEQUA	M/C	11/08/20 – 31/01/21
4	SMITH C	LAW ENFORCE-EPWP	PLANNING	HESSEQUA	M/C	11/08/20 – 31/01/21
5	BUIS N	LAW ENFORCE-EPWP	PLANNING	HESSEQUA	M/C	11/08/20 – 31/01/21
6	VISAGIE RH	LAW ENFORCE-EPWP	PLANNING	HESSEQUA	M/C	11/08/20 – 31/01/21
7	BARBERS BJ	LAW ENFORCE-EPWP	PLANNING	HESSEQUA	M/C	11/08/20 – 31/01/21
8	MOLEBATSI D	LAW ENFORCE-EPWP	PLANNING	HESSEQUA	F/A	11/08/20 – 31/01/21
9	PIETERSEN H	LAW ENFORCE-EPWP	PLANNING	HESSEQUA	M/C	11/08/20 – 31/01/21
10	DANIELS RMC	LAW ENFORCE-EPWP	PLANNING	KANNALAND	F/C	01/08/20 – 31/01/21
11	LE ROUX ZE	LAW ENFORCE-EPWP	PLANNING	KANNALAND	F/C	01/08/20 – 31/01/21
12	CLAASSEN CL	LAW ENFORCE-EPWP	PLANNING	KANNALAND	F/C	01/08/20 – 31/01/21
13	AMBROSE KP	LAW ENFORCE-EPWP	PLANNING	KANNALAND	M/C	01/08/20 – 31/01/21
14	MINTOOR F	WORKER - EPWP	PLANNING	SLANGRIVER	F/C	12/08/20 – 11/12/20
15	MBOVU GV	CLEANER-EPWP	PLANNING	KNYSNA	F/A	03/08/20 – 30/06/21

6.3 FINANCIAL IMPLICATIONS

As per budget for each position

6.4 LEGAL IMPLICATIONS RELEVANT LEGISLATION

Constitution of Republic of South Africa, 1996

Basic Conditions of Employment Act, Act 56 of 2003

Labour Relations Act, Act 66 of 1995

6.5 STAFF IMPLICATIONS

None

6.6 PREVIOUS / RELEVANT COUNCIL RESOLUTIONS

None

6.7 RISK IMPLICATIONS

None

6.8 COMMENTS FROM SENIOR MANAGEMENT**6.8.1 COMMENTS: EXECUTIVE MANAGER CORPORATE SERVICES**

None

6.8.2 EXECUTIVE MANAGER: FINANCIAL SERVICES

None

6.8.3 EXECUTIVE MANAGER: COMMUNITY SERVICES

None

6.8.4 EXECUTIVE MANAGER: PLANNING AND ECONOMIC DEVELOPMENT

None

6.8.5 EXECUTIVE MANAGER: ROADS AND TRANSPORT SERVICES

None

6.8.6 MANAGER: LEGAL SERVICES

None

BACK TO AGENDA

DISTRICT COUNCIL

30 SEPTEMBER 2020

**AUDIT AND PERFORMANCE AUDIT COMMITTEE CHARTER / *PRESTASIE OUDITKOMITEE*
HANDVES / TSHATA YEKOMITI YEZOPHICOTH O KUNYE NOPHICOTH O LOMSEBENZI**

(4/1/2/4/1)

14 September 2020

REPORT FROM THE MUNICIPAL MANAGER (M STRATU) / CHIEF AUDIT EXECUTIVE (P LUFELE)**2. PURPOSE OF THE REPORT**

To obtain Council approval for the Audit and Performance Audit Committee ("APAC") Charter for the financial year 2020/2021.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Paragraph 2 of the Audit and Performance Audit Committee ("APAC") charter of GRDM stipulates that the APAC charter is reviewed annually. This is in line with the Municipal Financial Management Act 56 of 2003's Circular No. 65.

5. RECOMMENDATION

5.1 That Council approves the APAC Charter.

AANBEVELING

5.2 *Dat die Raad die OPOK Handves goedkeur.*

ISINDULULO

5.3 Sesokuba iBhunga liphumeze iTshata ye APAC.

6. DISCUSSION / CONTENT**6.1 BACKGROUND**APAC Charter

Section 2 of the APAC Charter of Garden Route District Municipality ("GRDM"), stipulates that the charter must be reviewed on an annual basis to ensure that it remains relevant with the APAC's authority, objectives and responsibilities. This is in line with MFMA Circular no. 65 which states that the charter should be reviewed annually and updated to ensure relevance and consistency with the Municipal Finance Management Act 56 of 2003, the Municipal Systems Act 32 of 2000 and other related regulations, guides and best practice.

Amendments

The review of the charter did not lead to any amendments from the last approved charter, as there has not been any changes to the relevant legislations governing the charter.

6.2 FINANCIAL IMPLICATIONS

None.

6.3 RELEVANT LEGISLATION / LEGAL IMPLICATIONS

Municipal Finance Management Act 56 of 2003 Circular no. 65; and
Section 2 of the APAC Charter.

6.4 STAFF IMPLICATIONS

NONE

6.5 PREVIOUS / RELEVANT COUNCIL RESOLUTIONS

NONE

6.6 RISK IMPLICATIONS

NONE

6.7 COMMENTS FROM SENIOR MANAGEMENT**6.7.1 EXECUTIVE MANAGER: CORPORATE SERVICES**

NONE

6.7.2 EXECUTIVE MANAGER: FINANCIAL SERVICES

NONE

6.7.3 EXECUTIVE MANAGER: COMMUNITY SERVICES

NONE

6.7.4 EXECUTIVE MANAGER: PLANNING AND ECONOMIC DEVELOPMENT

NONE

6.7.5 EXECUTIVE MANAGER: ROADS AND TRANSPORT SERVICES

NONE

6.7.6 MANAGER: LEGAL SERVICES

NONE

ANNEXURES

GRDM Audit and Performance Audit Committee Charter



Audit and Performance Audit Committee Charter

1 July 2020 – 30 June 2021

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1. AUDIT AND PERFORMANCE AUDIT COMMITTEE

The Audit and Performance Audit Committee Charter ("APAC") for Garden Route District Municipality ("GRDM") comprises of the following:

1.1 Overview

- The APAC operates as a committee of Council and performs the responsibilities assigned to it by the MFMA section 165 and 166, and the corporate governance responsibilities delegated to it under its Charter by the GRDM Council.
- This document is the written terms of reference approved by the GRDM Council which outlines the mandate of the APAC. It becomes the policy of the APAC which then informs the contracts of the APAC members.

1.2 Objectives

The objectives of the APAC are the following:

- To evaluate the effective, efficient and transparent systems of financial management, risk management and internal control maintained by council, which contribute to the efficient and effective utilisation of resources, safeguarding of assets and the accomplishment of established goals for operations or programs.
- To promote the efficiency and effectiveness of accounting and management information systems.
- To create a distinct and clear communication channel between the council, management, external auditors and the internal audit unit.
- To inform the council regarding material matters which need to be addressed when considering the preparation and discussion of the financial statements.
- To monitor the effectiveness of the internal audit function.
- To enhance the objectivity and credibility of reporting to the previously mentioned stakeholders within GRDM.

1.3 Authority and Independence

The committee shall have the authority to perform its functions, as stipulated in this charter, and to obtain any information and advice, from within or outside the municipality, in order to perform its functions as legislated. Appropriate resources will be made available to the APAC to perform its functions as agreed in its charter.

The APAC may:

- Communicate with the council, Executive Mayor, municipal manager or the internal and external auditors of GRDM;
- Conduct or authorise investigations into any matters within its scope of responsibility;
- Access information, records and personnel as it requires to fulfill its responsibilities;
- Request the attendance of any executive or employee, at APAC meetings;
- Conduct meetings with the external auditors (Auditor-General) and internal auditors as necessary;
- Obtain advice from external parties as necessary;
- Resolve any disagreements between management and the auditor regarding financial reporting; and
- Play an oversight role in the awarding of audit and non-audit services.

The APAC should be independent and safeguarded from undue influence in exercising its responsibilities in an objective manner. To enhance the APAC functioning, the following is required:

- The APAC chairperson and members should be independent of the municipality;
- The APAC chairperson and members should not be biased but exhibit an independence of mental attitude during deliberations;
- All committee members should declare private and business interests at each meeting; and
- No members should carry out any business with the municipality.

1.4 Organisational Arrangement

1.4.1 Appointment & Composition of Members

Section 166(5) of the MFMA requires that the members of an audit committee must be appointed by the council of the municipality. One of the members, who are not in the employ of the municipality, must be appointed as the chairperson of the APAC.

The committee will comprise of at least four (4) members with the appropriate skills and experience to enable the committee to discharge the responsibilities set out in section 166(2) of the MFMA, whom may not be an employee of the municipality. In addition, no councilor may be a member of the committee.

A quorum of any meeting will be at least half of the members of the committee.

1.4.2 Induction of Members

A formal process of induction must be facilitated by the chief audit executive (CAE) in consultation with the accounting officer. During the induction of members, the roles and responsibilities of the APAC must be clarified. The induction process should entail sufficient briefings and information on their roles, responsibilities, accountability and management's expectations. Provincial or National Treasury can also facilitate the induction of members, upon request.

The information to be provided to new members should include:

- GRDM's governance and operational structures and how the APAC operates within these structures;
- Copy of the APAC charter, including any policies, recent APAC minutes, AGSA Management Letter and Report, audit opinion, which includes details of outstanding issues;
- Council resolutions and recommendations presented to GRDM's council;
- Copies of relevant legislation;
- Copies of GRDM's IDP, Annual Report, Annual Financial Statements, Budget, SDBIP, in-year reports, code of conduct, performance agreements, risk register and risk management plans;
- Information from management and the internal audit unit on the risk profile, status of internal controls and system of delegation; and
- A copy of the internal audit charter and annual work plans, among others.

1.4.3 Qualities of Members

One of the elected APAC members should be appointed as the chairperson, after the following factors have been considered:

- Has a good standing ability to lead discussions;
- Creates vision and provides direction at meetings;
- Builds municipal capabilities by guiding management based on expert knowledge and skills;
- Promotes and achieve quality outcomes at meetings;
- Has the ability to speedily and effectively advise GRDM's council of any impeding non-compliance with the legislative framework;
- Has the ability to encourage other members to participate in APAC meetings; and
- Conducts meetings in a manner that demonstrates a desire to establish effective communication with all stakeholders.

In determining suitable candidates for the APAC and maintaining a balanced composition, Council should seek to appoint candidates that have the ability to:

- Perform the role as advisor to management;
- Communicate effectively to management;
- Carefully review information received and obtain clarification from management as and when appropriate;
- Raise relevant questions, evaluate responses and follow up on any matter that is unclear;
- Conduct responsibilities in the context of the municipality's strategic objectives and overall corporate governance of GRDM's council;
- Act independently and be proactive in advising the accounting officer regarding issues that require further management attention;
- Encourage openness and transparency;
- Build relations with management;
- Have a professional approach to performing duties, including commitment of time and effort; and
- Each committee member must be independent and appropriately skilled.

1.4.4 Skills & Experience

Members should be selected from different areas of expertise to enhance the APAC's overall knowledge and the ability to discharge its obligations and provide appropriate recommendations to GRDM's council.

The appointed members should collectively possess the following skills and experience:

- Private and public sector experience;
- An understanding of service delivery priorities;
- Good governance and/or financial management experience;
- An understanding of the role of GRDM's council and councilors;
- Familiarity with risk management practices;
- An understanding of internal controls;
- An understanding of major accounting practices and frameworks (ISO 9001) and public sector reporting requirements;
- Familiarity with legislation applicable to municipalities;
- And understanding of the roles and responsibilities of internal and external auditors;
- An understanding of the treatment of allegations and investigations;
- An understanding of the performance management system; and
- At least one member must have expertise in performance management.

A member of the APAC may not serve on more than three audit committees at the same time.

1.4.5 Term of Office

The members of the APAC are appointed for periods not exceeding three (3) years with the option of being reappointed for a further term based on performance. Reappointment is not guaranteed.

The Chairperson of the APAC should be appointed for a minimum of three years.

Members of the APAC should not be contracted continuously for a period exceeding six years. After serving consecutively for six (6) years, a cooling off period of two (2) years should be provided for, before appointing the same member to the APAC.

1.4.6 Resignation of Members

A committee member should give two (2) months' notice prior to resignation. The committee member should have the opportunity to have an exit meeting with the council to discuss the reason for leaving and to provide feedback on their experience on GRDM's APAC as well as any other issues.

1.4.7 Dismissal of Members

The Council can under certain circumstances dismiss committee members, such as:

- Where an on-going conflict of interest exists.
- Where a member has not performed to expectations.

The accounting officer and municipal council should adhere to the official dismissal processes of GRDM in the dismissal of an APAC member. The outcome of the dismissal process should be in writing.

1.4.8 Remuneration of Members

Having regard for the functions performed by the members of APAC, and pursuant to the powers of the Council, members of APAC shall be paid such remuneration in respect of their appointment as shall be fixed by the Council from time to time.

The members of the APAC shall be remunerated for time spent in attendance of the APAC meetings, as well as other meetings or workshops where the attendance of an APAC member/chairman is required. GRDM shall utilise the rates provided by National Treasury.

Remuneration will only be applicable to officials employed outside the public service. No remuneration for participating in the APAC will be payable to officials employed at national, provincial and local government, its agencies or other entities regarded as falling within the definition of an organ of state, except for out of pocket expenses which may be reimbursed.

The reimbursement to members, residing outside of George, for travel expenditure must be determined in accordance with the Council approved Subsistence and Travel Allowance Policy and council resolutions in this regard. Members of APAC will be required to complete all particulars of their respective travel to and from the venue of the APAC/other meetings. The Accounting Officer is required to approve the reimbursement of travel expenditure for members of the APAC.

In the event that a senior official from one municipality is requested to serve as a member of an audit committee of another municipality, such senior official must first obtain written consent from the accounting officer before accepting such nominations. The remuneration discussion earlier will apply.

1.5 Roles & Responsibilities

The APAC's primary objective is oversight of the financial reporting process and effective internal control.

The APAC's success in objective oversight of financial reporting and effective internal control depends largely on its ability to communicate effectively with management, internal and external auditors. The APAC is reliant on the reviews and evaluations made by the independent external auditors and the internal auditors in meeting their objectives.

The roles of the APAC are categorised according to the key areas of responsibility:

a) Financial Statements / Financial Services

- Review the appropriateness of accounting policies;
- Review the appropriateness of assumptions made by Management in preparing the financial statements;
- Review the significant accounting and reporting issues, and understand their impact on the financial statements.
- Review the annual financial statements, and consider whether they are complete, consistent with prescribed accounting and information known to Committee members;
- Review with management and the external auditors the results of external audit, including any significant issues identified; and

- Review the annual report and related regulatory filings before release and consider the accuracy and completeness of the information.

In terms of the Financial Services department and the CFO, the APAC shall:

- Review the expertise, resources and experience of the municipal finance function, and disclose the results of the review in the annual report.
- Consider and satisfy itself annually of the suitability of the expertise and experience of the Executive Manager: Financial Services.

b) Corporate Governance

The corporate governance responsibility of the APAC is to provide reasonable assurance in respect of the following:

- Reasonable assurance that employees comply with relevant laws and regulations;
- That all municipal employees are conducting its affairs ethically; and
- That GRDM is maintaining an effective and efficient system of internal control in order to prevent and detect conflicts of interest and prevent the possibility of fraud.

c) Risk Management

The APAC must in relation to risk management:

- Provide an independent and objective view of the effectiveness of the municipality's risk management;
- Review the recommendations made by the Risk Management Committee and consider these in line with the APAC's charter;
- Provide feedback to the accounting officer and municipal council on the adequacy and effectiveness of risk management in the municipality;
- Review the risk management framework for identifying, assessing, monitoring and managing significant risks;
- Delegate one APAC member to serve as a member of the Risk Committee; and
- Review minutes of the risk committee meetings as a standing item on the APAC agenda.

d) Control Environment / Compliance

APAC members need to have a good understanding of the control environment. In fulfilling this responsibility, the committee should:

- Review the adequacy of the internal control system, including information technology security and control;
- Understand the scope of internal and external auditors' review of internal control over financial reporting, good governance and effective internal control systems and obtain reports on significant findings and recommendations, together with management's responses;
- Review whether relevant policies and procedures are in place and up to date, and whether they are complied with;
- Determine whether appropriate processes are followed and complied with on a regular basis;

- Review whether the financial, governance and internal controls are operating efficiently, effectively and economically;
- Review the effectiveness of the system for monitoring compliance with laws and regulations and the results of management's investigation and follow-up (including disciplinary action) of any fraudulent acts or non-compliance; and
- Be satisfied that all regulatory compliance matters have been considered in the preparation of the financial statements.

e) Performance Management

The APAC members need to have a good understanding of the performance of the municipality. These include:

- Review GRDM's compliance with the performance management and reporting systems in compliance with the statutory requirements as well as the performance management best practices and standards;
- Review and comment on the alignment of the Integrated Development Plan, the Budget, Service Delivery and Budget Implementation Plan and performance agreements;
- Review whether performance management systems reflect GRDM's purpose and objectives;
- Review whether the performance reporting and information uses appropriate targets and benchmarks in relation to GRDM's mandate and services rendered;
- Review the quarterly performance reports submitted by internal audit;
- Review and comment on GRDM's financial statements and the timely submission thereof to the Auditor-General by 31 August each year;
- Review and comment on GRDM's annual report within the stipulated timeframes;
 - The chairperson of the APAC shall be a member of the evaluation panels established in terms of the regulations issued under the Municipal Systems Act to evaluate the performance of the municipal manager and the managers directly accountable to him/her; and
 - At least twice during a financial year submit a performance management audit report to council.

f) Internal Audit

The APAC must in relation to internal audit:

- Review and approve the Internal Audit Charter, including internal audit strategic plan;
- Review and approve the annual internal audit plan, its scope and any major changes to it, ensuring that it covers the key risks and that there is appropriate co-ordination with the external auditor (Auditor-General);
- Review and concur in the appointment, replacement or dismissal of the Chief Audit Executive (CAE);
- Resolve any difficulties or unjustified restrictions or limitations on the scope of internal audit work;
- Mediate and/or follow up on any significant disagreements between the auditors and management;
- Review significant findings and recommendations by internal audit and management responses thereof;
- Review implementation of internal audit recommendations by management;

- Review the performance of the CAE;
- Advise the municipality on resources allocated to give effect to the work outputs of the internal audit function;
- Review the effectiveness of the internal audit function, including compliance with The Institute of Internal Auditors' International Standards for the Professional Practice of Internal Auditing;
- Evaluate the performance of internal audit activity in terms of the agreed goals and objectives as captured in the audit plan; and
- Meet separately with the CAE to discuss any issues that the APAC or internal audit believes should be discussed privately.

The internal audit unit is accountable to the APAC as follows:

- Maintain open and effective communication with the APAC;
- Develop a flexible annual audit plan using a risk based methodology, addressing any weaknesses in risks or controls identified;
- Submit the audit plan to the APAC for review and approval;
- Report on the implementation and results of the annual audit plan including special tasks requested by management and the APAC;
- Assist in drafting the agenda and documentation, and facilitate the distribution thereof to the APAC in advance of meetings;
- Meet periodically with the chairperson of the APAC to discuss whether the material and information furnished meets the requirements of the APAC;
- Obtain advice from the APAC whether the frequency and time allocated to the committee is sufficient to attend effectively to all matters;
- Cooperate with the APAC as they conduct annual reviews of the performance of the internal audit function; and
- Submit the internal audit charter to the APAC for review and approval on an annual basis and as necessary.

g) External Audit

The APAC must in relation to external audit:

- Take cognizance of the scope of work undertaken by the external auditor and the extent of co-ordination with the internal audit unit;
- Review the external auditors' proposed audit scope, approach and audit fees for the year;
- Review the findings and recommendations by the external auditor and monitor management's implementation of audit recommendations and council resolutions in the new financial year;
- Address outstanding matters raised by the external auditors and ensure any findings are dealt with conclusively in an expeditious manner.
- Review implementation of external auditor's recommendations by management on previously reported audit findings;
- Provide advice to the accounting officer of GRDM on proposed actions to be taken which relates to significant matters raised in external audit reports;
- Liaise with the external auditors on any matter that the APAC considers appropriate to raise with the external auditors;
- Review the performance of the external auditors; and

- The committee shall confirm that a process is in place for it to be informed of any Reportable Irregularities (as defined in the Auditing Profession Act, 2005) identified and reported by the external auditor.

h) ICT Governance (Information and Communication Technology)

The APAC needs to provide advice on IT Governance, controls, access and safeguarding of information in GRDM.

Specific expertise may be required from within or outside GRDM from time to time, to assist internal audit and the APAC in formulating recommendations on systems and controls. The APAC may have to advise on the appropriateness of the disaster recovery and continuity plans supporting IT risks, regular testing and evaluation of plans, systems and processes.

i) Combined Assurance

The APAC should ensure that a combined assurance model is developed and applied, to provide a coordinated approach towards assuring that relevant assurance activities are effective and efficient.

In particular, the APAC must:

- Ensure that the combined assurance received is appropriate to address all the significant risks facing the municipality; and
- Monitor the relationship between external assurance providers and GRDM.

j) Annual work plan

The Audit and Performance Audit Committee must establish an annual work plan for each year to ensure that all relevant matters are covered by the agendas of the meetings planned for the year. The work plan must ensure proper coverage of the matters laid out in the APAC Charter. The more critical matters will need to be attended to each year, while other matters may be dealt with on a rotation basis over a three-year period.

1.6 Reporting and Accountability

The chairperson of the APAC will report bi-annually, or more frequently if required, to GRDM's council on the operations of the internal audit unit and the APAC. The reports should include:

- A summary of the work performed by the internal audit unit and the APAC against the annual work plan;
- Effectiveness of internal controls and additional measures that must be implemented to address identified risks;
- A summary of key issues dealt with, such as significant internal and external audit findings, recommendations and updated status thereof;
- Progress with any investigations and their outcomes;
- Details of meetings and the number of meetings attended by each member; and
- Other matters requested of the internal audit and APAC.

The APAC shall prepare a report annually which will be incorporated into GRDM's annual report, which will cover the following:

- Description of the functions performed by the APAC and meetings attended;
- Resolutions taken by council and implementation status of recommendations made; and
- Other relevant comments that may enhance governance and accountability.

The abovementioned report must be submitted to the Municipal Public Accounts Committee (MPAC) on an annual basis. The Chairperson of APAC (or a member in his/her absence) must always be available whenever MPAC needs clarity on the APAC report.

The MPAC, in discharging its abilities, may make use of any information provided by the APAC to avoid duplication of effort.

1.7 Meetings

The APAC should meet as often as is required to perform its functions, but must meet at least four (4) times within a given financial year.

The CAE, in consultation with the APAC secretariat within GRDM, must ensure that the required preparation for the meeting of the APAC is finalised and that the agenda is circulated, together with all supporting documents required, at least three (3) days before the commencement of the meeting and that substantive work would be undertaken for the duration of the meeting.

The following persons have a standing invitation to the APAC:

- Municipal Manager;
- CAE of GRDM;
- Executive Managers, reporting directly to the Municipal Manager;
- External Auditors (Auditor General);
- Provincial and National Treasury;
- Risk Officer;
- Performance Manager; and
- Any other person on invitation by the chairperson if the APAC.

The CAE, in consultation with the chairperson of the APAC, must determine the time frames of all meetings. In light of the financial implications, the accounting officer in consultation with the chairperson of the APAC, must agree if meetings go beyond a one-day sitting.

The APAC must meet with the external auditors at least once a year. If the appointed chairperson is absent from a meeting, the members present must elect a member present to act as chairperson.

1.8 Evaluation of APAC performance

The APAC must assess its performance and achievements against its charter on an annual basis. This can be done by way of self-assessment. The aim of the self-assessment is to ensure that the APAC is meeting its objectives efficiently and effectively.

Where the self-assessment highlights a need for enhancements to the role, operational processes or membership of the committee, the chair should take action to ensure that such enhancements are implemented.

It may be beneficial for the APAC to use an external facilitator to provide assistance with, or to supervise the self-assessment process. It is up to the APAC to decide whether the services of an external facilitator are required.

The APAC should conduct continuous self-assessment in order to measure its performance. Input from management, internal audit and external audit is part of the assessment process. Evaluation criteria includes the following:

- Expertise and know how
- Inquiring attitude, objectivity and independence
- Judgement
- Knowledge of government and its objectives
- Understanding of and commitment to the APAC's duties and responsibilities
- Devotion of time in order to participate effectively in committee deliberations and decisions
- Timely responses
- Attendance of meetings

The chairperson should present the findings of the self-assessment to the municipal manager and council.

If an individual APAC member is not performing, then the member must be given an opportunity to address such with council. If it is considered necessary to terminate the services of an APAC member prior to the end of the term appointment, proper procedures should be followed.

1.9 Relationship with stakeholders

The APAC should maintain good relations with key stakeholders, namely:

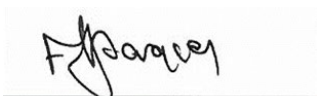
- Municipal Council
- Executive Mayor
- Municipal Public Accounts Committee
- Finance Committee
- Accounting Officer
- Management and staff
- Internal and External Auditors
- Provincial and National Treasury

2. REVIEW OF THE CHARTER

The APAC will annually review its Charter to ensure that it remains relevant with the APAC's authority, objectives and responsibilities. All changes or amendments to the Charter will be discussed and condoned by the accounting officer.

3. APPROVAL OF THE CHARTER

GRDM's APAC Charter is approved by the APAC and Council.



Dr A Potgieter
Approved by Audit Committee

03 July 2020
DATE

Council Resolution Number:

BACK TO AGENDA

DISTRICT COUNCIL

30 SEPTEMBER 2020

**DEVIATION REPORT: IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY
FOR THE PERIOD 01 JULY 2020 TO 31 JULY 2020/ AFWYKINGSVERSLAG:
IMPLEMENTERING VAN DIE VOORSIENINGSKANAALBELEID VIR DIE PERIODE 01 JULIE TOT
31 JULIE 2020 / INGXELO YOTYESHELO: UKUMISELWA KOMGAQO WOLAWULO
LWENCITHO KWIXESHA UMHLA 01 KWEYEKHALA 2020 UYAKUTSHO KUMHLA WE 31
KWEYEKHALA 2020 (1086033)**

(9/8/2)

04 August 2020

REPORT FROM THE EXECUTIVE MANAGER FINANCIAL SERVICES (J-W DE JAGER)**2. PURPOSE OF THE REPORT**

To inform the Council of the deviations approved for the period 1 July 2020 to 31 July 2020.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

This report serves as information to inform Council of the deviations approved that was approved for the period during 01 July 2020 till 31 July 2020.

5. RECOMMENDATIONS

- 5.1.1 That the implementation of Section 36 of the Municipal Supply Chain Regulation in terms of the deviations for the period 1 July 2020 up to 31 July 2020, be noted.
- 5.1.2 That it be noted that in terms of Section 114 of the Municipal Finance Management Act, Act 56 of 2003, there was no approval of tenders not recommended in the normal course of implementing Supply Chain Management policy of a municipality.

5.2 AANBEVELINGS

5.2.1 *Dat die kennis geneem word van die implementering van Artikel 36 van die Voorsieningskanaal beleid in terme van die afwykings vir die periode van 1 Julie 2020 tot 30 Julie 2020.*

5.2.2 *Dat kennis geneem word dat in terme van Artikel 114 van die Munisipale Finansiële Bestuurswet, Wet 56 van 2003, daar geen goedkeuring was van tenders wat toegeken is in die normale implementering van die Voorsieningskanaalbeleid van die munisipaliteit nie.*

5.3 IZINDULULO

5.3.1 Sesokuba ukumisela komhlathi 36 wemiqathango yoMthetho Wezencitho oMasipala kutyeshelo ukususela kumhla 1 uyakutsho kumhla 31 kweyeKhala 020), kuthathelwe ingqalelo.

5.3.2 Sesokuba kuthathelwe ingqalelo ukuba, ngokwemiqathango yoMhlathi 114) yoLawulo Lwezemali zikaMasipala, uMthetho 56 wango 2003, akukhange kuphunyezwe zinkisi maxabiso ezingandululwanga kwinkqubo efanelekileyo ekumiselweni kwencitho yomgaqo wolawulo lomasipala.

6. DISCUSSION / CONTENT

6.1 BACKGROUND

Section 36 of the Municipal Supply Chain Regulation states:

- 1) A supply chain management policy may allow the accounting officer –
 - a) To dispense with the official procurement processes established by the policy and to procure any required goods or services through any convenient process, which may include direct negotiations, but only –
 - i) In an emergency
 - ii) If such goods or services are produced or available from a single provider only;

- iii) For the acquisition of special of special works of art or historical objects where specifications are difficult to compile;
 - iv) Acquisition of animals for zoos; or
 - v) In any other exceptional case where it is impractical or impossible to follow the official procurement processes;
 - b) To ratify any minor breaches of the procurement processes by an official or committee acting in terms of delegated powers or duties which are purely of a technical nature.
- 2) The accounting officer must record the reasons for any deviations in terms of sub regulation (1) (a) and (b) and report them to the next meeting of the council, or board of directors in the case of a municipal entity, and include as a note to the annual financial statements."

Section 114 of the Municipal Finance Management Act, Act 56 of 2003 states:

- (1) If a tender other than the one recommended in the normal course of implementing the supply chain management policy of a municipality or municipal entity is approved, the accounting officer of the municipality or municipal entity must, in writing, notify the Auditor General, the relevant provincial treasury and the National Treasury and, in the case of a municipal entity, also the parent municipality, of the reasons for deviating from such recommendation.
- (2) Subsection (1) does not apply if a different tender was approved in order to rectify an irregularity.

6.3 FINANCIAL IMPLICATIONS

The total deviations for the period 1 July 2020 to 31 July 2020 amounts to **R24, 451.61** (VAT included). Refer to **Annexure A**

The total emergency deviations procured in response to the Covid – 19 Pandemic amounts to **R308, 956.80** (VAT included). Refer to **Annexure B**

MAIN EXPENDITURE FOR DEVIATION IN JULY 2020

TREND ANALYSIS BASED ON SUCCESSIVE MONTH TO MONTH COMPARISON

APPROVED DEVIATIONS			
DEVIATIONS AS PER SECTION 36 OF THE SCM REGULATIONS			
Jun-20		Jul-20	
Department	Amount	Department	Amount
Community Services	12 001,54	Community Services	6 192,50
Corporate Services	0,00	Corporate Services	0,00
Financial Services	0,00	Financial Services	0,00
Office of the MM	0,00	Office of the MM	0,00
Planning and Economic Development	0,00	Planning and Economic Development	0,00
Roads and Transport Planning Services	15 909,51	Roads and Transport Planning Services	18 259,11

Normal Deviations 27 911,05

Covid Pandemic 289 916,85

Total Deviations 317 827,90

Normal Deviations 24 451,61

Covid Pandemic 308 956,80

Total Deviations 333 408,41

6.4 RELEVANT LEGISLATION

The Preferential Procurement Policy Framework, Act 5 of 2000.
 Preferential Procurement Regulation, 2017
 The Municipal Finance Management Act, Act 56 of 2003.
 The Municipal Supply Chain Regulations (30 May 2005)
 Council's Supply Chain Management Policy.

6.5 STAFF IMPLICATIONS

None

6.6 PREVIOUS / RELEVANT COUNCIL RESOLUTIONS

None

6.7 RISK IMPLICATIONS

None

6.8 COMMENTS FROM SENIOR MANAGEMENT

6.8.1 EXECUTIVE MANAGER: CORPORATE SERVICES

NONE

6.8.2 EXECUTIVE MANAGER: FINANCIAL SERVICES

NONE

6.8.3 EXECUTIVE MANAGER: COMMUNITY SERVICES

NONE

6.8.4 EXECUTIVE MANAGER: PLANNING AND ECONOMIC DEVELOPMENT

NONE

6.8.5 EXECUTIVE MANAGER: ROADS AND TRANSPORT SERVICES

NONE

6.8.6 MANAGER: LEGAL SERVICES

NONE

ANNEXURES**Annexure A:** Deviations as per section 36 of the SCM regulations**Annexure B:** COVID – 19 Pandemic Deviations

APPROVED DEVIATIONS								
ANNEXURE: A DEVIATIONS AS PER SECTION 36 OF THE SCM REGULATIONS								
Community Services								
Item No	Ref Nr	Name	Req Date	Deviation Category	Deviation Motivation	Deviation Approval Date	Payment Amt	Order Number
1	1071461	Valley Containers VIP Office Container	2020-07-06	Impractical Procurement Process	<p>It is impractical to remove the current container and obtain three quotes. Reasons are:</p> <p>Valley Containers was always the cheapest quote in the past. There is electricity, data and telephone connections made to the container that will have to be uninstall and reconnect again.</p> <p>The same with the alarm system installed in the current container. The removal and delivery cost of the new container won't be cost effective and It will inflate the proposed quote making any other service provider more expensive than the current vendor</p>	2020-07-28	2 242,50	D0000157
2	1060010	SHEKYNAH PROJECTS	2020-06-17	Impractical Procurement Process	<p>Gardening Services Plett Office Feb – June 2020 Due to COVID, procurement of services Feb – June 2020 was not concluded. Procurement in progress which would stop the need for deviations in future.</p>	2020-07-01	3 950,00	C0002716

Roads Services								
Item No	Ref Nr	Name	Req Date	Deviation Category	Deviation Motivation	Deviation Approval Date	Payment Amt	Order Number
4	1053076	AIR LIQUIDE (PTY) LTD T/A FIRST WELD DISTRIBUTORS	2020-06-03	Impractical Procurement Process	<p>These cylinders are not sold to the municipality but the municipality is paying for the gas that is provided as and when the gas is needed.</p> <p>1. To procure Industrial gas for workshop purpose you need to rent the empty cylinder and buy the content etc Mig gas, Oxygen and Acetylene. The rented price will be on a monthly bases and the cylinders will stay on the premises of GRDM.</p> <p>2. The tender for the supply and rentals for gas served at the BEC on 24 June 2020. Only one supplier tendered with prices not market related. The BEC panel and the user department cancelled the tender and decided to re-advertise to get more bidders to complete tender documents.</p> <p>3. New tender process will start in due course.</p> <p>4. All outstanding accounts (Afrox and Air Liquide) must be paid in full within the next month which will still be deviations until a market related award could be made.</p> <p>5. Our Mechanical Departments depend on Industrial gas to do repair work on the fleet.</p>	2020-07-08	10 427,10	D0000013
5	1073152	BARLOWORLD EQUIPMENT (AGENTS ONLY)	2020-07-08	Single Supplier	BARLOWORLD EQUIPMENT IS THE ONLY SUPPLIER FOR THIS PARTICULAR GLASS	2020-07-16	6 617,61	D0000034
6	1059884	R&S Communications	2020-06-17	Impractical Procurement Process	R & S Communications did the complete radio tender for Garden Route DM including supply and installation. This has to be done R & S Communications as this vehicle was one of the vehicles that was outfitted under the tender and as such the responsibility lies with the supplier to attend to problems regarding the products and installation of the products	2020-07-08	1 214,40	D0000019
TOTAL							24 451,61	

APPROVED DEVIATIONS								
ANNEXURE: B COVID - 19 PANDEMIC								
Office of the MM								
Item No	Ref Nr	Name	Req Date	Deviation Category	Deviation Motivation	Deviation Approval Date	Payment Amt	Order Number
7	1062282	Isolomzi Security Services	2020-06-23	Emergency	Emergency procurement requested for GRDM to provide security services at schools and homeless shelters where food support was being provided.	2020-07-14	285 218,40	D0000021
Roads Services								
Item No	Ref Nr	Name	Req Date	Deviation Category	Deviation Motivation	Deviation Approval Date	Payment Amt	Order Number
8	1046990	ALERT PATROL - SECURITY SERVICES SLANGRIVER MAY 2020.	2020-05-02	Impractical Procurement Process	Offices were closed due to Covid-19 National Lockdown and we were unable to source quotations via our SCM database system. Uncertainty on when officials will return to site also arose due to the Covid-19 National Lockdown. Officials communicated that we still have equipment and machinery on site and security services will be required at Slangrивier Road Camp to safeguard our equipment	2020/07/16	23 738,40	D0000111
TOTAL							308 956,80	

[BACK TO AGENDA](#)

**DEVIATION REPORT: IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY
FOR THE PERIOD 01 AUGUST 2020 TO 31 AUGUST 2020/ AFWYKINGSVERSLAG:
IMPLEMENTERING VAN DIE VOORSIENINGSKANAALBELEID VIR DIE PERIODE 01
AUGUSTUS TOT 31 AUGUSTUS 2020 / INGXELO YOTYESHELO: UKUMISELWA KOMGAQO
WOLAWULO LWENCITHO KWIXESHA UMHLA 01 NGEYETHUPHA 2020 UYAKUTSHO
KUMHLA WE 31 KWEYETHUPHA 2020 (1102649)**

(9/8/2)

02 September 2020

2. PURPOSE OF THE REPORT

To inform the Council of the deviations approved for the period 1 August 2020 to 31 August 2020.

3. DELEGATED AUTHORITY

Council

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- 5.1.2 That it be noted that in terms of Section 114 of the Municipal Finance Management Act, Act 56 of 2003, there was no approval of tenders not recommended in the normal course of implementing Supply Chain Management policy of a municipality.

5.2 AANBEVELINGS

5.2.1 *Dat die kennis geneem word van die implementering van Artikel 36 van die Voorsieningskanaal beleid in terme van die afwykings vir die periode van 1 Augustus 2020 tot 31 Augustus 2020.*

5.2.2 *Dat kennis geneem word dat in terme van Artikel 114 van die Munisipale Finansiële Bestuurswet, Wet 56 van 2003, daar geen goedkeuring was van tenders wat toegeken is in die normale implementering van die Voorsieningskanaalbeleid van die munisipaliteit nie.*

5.3.1 IZINDULULO

5.3.1 Sesokuba ukumisela komhlathi 36 wemiqathango yoMthetho Wezencitho zoMasipala kutyeshelo ukususela kumhla 1 uyakutsho kumhla 31 kweyeThupha 2020, kuthathelwe ingqalelo.

5.3.2 Sesokuba kuthathelwe ingqalelo ukuba, ngokwemiqathango yoMhlathi 114) yoLawulo Lwezemali zikaMasipala, uMthetho 56 wango 2003, akukhange kuphunyezwe zinkisi maxabiso ezingandululwanga kwinkqubo efanelekileyo ekumiselweni kwencitho yomgaqo wolawulo lomasipala.

6. DISCUSSION / CONTENT

6.1 BACKGROUND

Section 36 of the Municipal Supply Chain Regulation states:

- 3) A supply chain management policy may allow the accounting officer –
 - a) To dispense with the official procurement processes established by the policy and to procure any required goods or services through any convenient process, which may include direct negotiations, but only –
 - i) In an emergency
 - ii) If such goods or services are produced or available from a single provider only;

- iii) *For the acquisition of special of special works of art or historical objects where specifications are difficult to compile;*
 - iv) *Acquisition of animals for zoos; or*
 - v) *In any other exceptional case where it is impractical or impossible to follow the official procurement processes;*
 - b) *To ratify any minor breaches of the procurement processes by an official or committee acting in terms of delegated powers or duties which are purely of a technical nature.*
- 4) *The accounting officer must record the reasons for any deviations in terms of sub regulation (1) (a) and (b) and report them to the next meeting of the council, or board of directors in the case of a municipal entity, and include as a note to the annual financial statements."*

Section 114 of the Municipal Finance Management Act, Act 56 of 2003 states:

- (3) *If a tender other than the one recommended in the normal course of implementing the supply chain management policy of a municipality or municipal entity is approved, the accounting officer of the municipality or municipal entity must, in writing, notify the Auditor General, the relevant provincial treasury and the National Treasury and, in the case of a municipal entity, also the parent municipality, of the reasons for deviating from such recommendation.*
- (4) *Subsection (1) does not apply if a different tender was approved in order to rectify an irregularity.*

6.3 FINANCIAL IMPLICATIONS

The total deviations for the period 1 August 2020 to 31 August 2020 amounts to R **R10 443, 19** (VAT included). Refer to **Annexure A**

MAIN EXPENDITURE FOR DEVIATION IN AUGUST 2020

NONE

TREND ANALYSIS BASED ON SUCCESSIVE MONTH TO MONTH COMPARISON

APPROVED DEVIATIONS			
DEVIATIONS AS PER SECTION 36 OF THE SCM REGULATIONS			
Jul-20		Aug-20	
Department	Amount	Department	Amount
Community Services	6 192,50	Community Services	0,00
Corporate Services	0,00	Corporate Services	0,00
Financial Services	0,00	Financial Services	0,00
Office of the MM	0,00	Office of the MM	0,00
Planning and Economic Development	0,00	Planning and Economic Development	0,00
Roads and Transport Planning Services	18 259,11	Roads and Transport Planning Services	10 443,19
Normal Deviations	24 451,61	Normal Deviations	10 443,19
Covid Pandemic	308 956,80		
Total Deviations	<u>333 408,41</u>	Total Deviations	<u>10 443,19</u>

6.4 RELEVANT LEGISLATION

The Preferential Procurement Policy Framework, Act 5 of 2000.

Preferential Procurement Regulation, 2017

The Municipal Finance Management Act, Act 56 of 2003.

The Municipal Supply Chain Regulations (30 May 2005)

Council's Supply Chain Management Policy.

6.5 STAFF IMPLICATIONS

None

6.6 PREVIOUS / RELEVANT COUNCIL RESOLUTIONS

None

6.7 RISK IMPLICATIONS

None

6.8 COMMENTS FROM SENIOR MANAGEMENT

6.8.1 EXECUTIVE MANAGER: CORPORATE SERVICES

NONE

6.8.2 EXECUTIVE MANAGER: FINANCIAL SERVICES

NONE

6.8.3 EXECUTIVE MANAGER: COMMUNITY SERVICES

NONE

6.8.4 EXECUTIVE MANAGER: PLANNING AND ECONOMIC DEVELOPMENT

NONE

6.8.5 EXECUTIVE MANAGER: ROADS AND TRANSPORT SERVICES

NONE

6.8.6 MANAGER: LEGAL SERVICES

NONE

ANNEXURES

Annexure A: Deviations as per section 36 of the SCM regulations

APPROVED DEVIATIONS								
ANNEXURE: A DEVIATIONS AS PER SECTION 36 OF THE SCM REGULATIONS Roads Services								
Item No	Ref Nr	Name	Req Date	Deviation Category	Deviation Motivation	Deviation Approval Date	Payment Amt	Order Number
1	1075278	Xerox	2020-07-27	S36(1)(v) impractical to follow official procurement process	Installed machine's contract has expired. New tender process in progress. (Due to Covid-19, Circular 102 discouraged Municipalities from initiating new procurement processes as such we could not initiate new tender process)	2020-08-11	2 292,74	D0000300
2	1094170	Xerox	2020-08-19	S36(1)(v) impractical to follow official procurement process	Installed machine's contract has expired. New tender process in progress. (Due to Covid-19, Circular 102 discouraged Municipalities from initiating new procurement processes as such we could not initiate new tender process)	2020-08-26	2 304,12	D0000546
3	1091834	Barloworld	2020-08-17	S36(1)(v) impractical to follow official procurement process	Grader is still under manufacturer's warranty and use of any other service provider will result in loss of warranty	2020-08-27	5 836,33	D0000572
TOTAL							10 433,19	

[BACK TO AGENDA](#)

REPORT REGARDING MFMA CIRCULAR NO 106, LOCAL GOVERNMENT FRAMEWORK FOR INFRASTRUCTURE DELIVERY AND PROCUREMENT MANAGEMENT / VERSLAG RAKENDE MFBW OMSENDERSKRYWE 106, PLAASLIKE REGERING RAAMWERK VIR INFRASTRUKTUUR VERSKAFFING EN VERKRYGINGSBESTUUR / INGXELO MALUNGA NESAZINGE NO 106, INDLELA YOKUSEBENZA YORHULUMENTE BASEKHAYA KUNIKEZELO LOBUXHAKXHAKA KUNYE NOLAWULO LWEZENTLENGO

2 PURPOSE

The purpose of this report is to notify council of MFMA Circular No 106, Local Government Framework for infrastructure delivery and procurement management, as issued by National Treasury 15 September 2020. The Circular replaces MFMA Circular 77 that was adopted by council through the formulation SIPDM (Standard for Infrastructure Procurement and Delivery Management) Policy that makes up part of the Supply Chain Management Policy.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Local Government Framework for Infrastructure Delivery and Procurement Management (LGFIDM) as contained in MFMA Circular 106 replaces MFMA Circular 77, Standard for Infrastructure Procurement and Delivery Management (SIPDM) as adopted by Council through Council's Supply Chain Management Policy.

The circular provides the basis for municipalities to establish appropriate system for implementation of the project process and infrastructure procurement in the infrastructure delivery management value chain.

5. **RECOMMENDATION**

That Council takes note the content of MFMF Circular No. 106, Local Government Framework for infrastructure delivery and procurement management.

AANBEVELING

Die Raad neem kennis van die inhoud van MFMF-omsendbrief nr. 106, Raamwerk vir plaaslike owerhede vir die lewering van infrastruktuur en verkrygingsbestuur.

ISINDULULO

Sesokuba iBhunga lithathele ingqalelo umongo weSazinge se MFMF No.106, Indlela Yokusebenza Yorhulumente Wasekhaya kunikezelo lobuxhakaxhaka kunye nolawulo lwentengo.

6. **DISCUSSION / CONTENTS**

6.1. **Background**

In 2012, the Infrastructure Delivery Management System (IDMS) was adopted as the chosen government wide system for infrastructure delivery in South Africa. In the same year (2012), the National Treasury, together with the eight metropolitan municipalities, initiated the customisation of the IDMS for implementation by municipalities. The product of that engagement became the Cities Infrastructure Delivery Management Toolkit (CIDMT), focusing mainly on metropolitan municipalities.

The Planning Commission's National Development Plan 2030: *Our future-make it work* proposes that the following five areas be focused on in designing a procurement system that is better able to deliver value for money, while minimising the scope for corruption:

- a) differentiate between the different types of procurement which pose different challenges and require different skills sets;
- b) adopt a strategic approach to procurement above the project level to balance competing objectives and priorities rather than viewing each project in isolation;
- c) build relationships of trust and understanding with the private sector;
- d) develop professional supply chain management capacity through training and accreditation; and
- e) incorporate oversight functions to assess value for money.

6.2 Discussion

National Treasury's 2015 Public Sector Supply Chain Management Review expressed the view that supply chain management (SCM) is one of the key mechanisms enabling government to implement policy which traditionally has been misunderstood and undervalued. This Review, which identified the need for SCM reform, suggests that if such reforms are implemented as envisaged in terms of section 217 of the Constitution, the benefits will be enormous and include, amongst others:

- a) good quality service delivery will be increasingly possible, with significant improvements in the welfare of citizens, especially the poor who rely heavily on government for support;
- b) the economy will grow as economic infrastructure is expanded and efficiently maintained;
- c) goods, services and infrastructure will be bought at lower costs;
- d) innovation will result in different approaches to the commodities used in some sectors; and
- e) for suppliers, the cost of doing business with the state should decrease substantially.

There is a need to develop an infrastructure delivery management system tailor-made for municipalities and municipal entities which integrate asset management strategy, policy to guide infrastructure planning, delivery management and decision-making. The LGFIDPM introduces this and focuses on the implementation of project processes and infrastructure procurement that forms part of the infrastructure delivery management. In this regard, MFMA Circular 106 is submitted to Council for noting – refer Annexures attached.

Management will follow due process in terms of review of applicable policies to incorporate the content of the circular as applicable and then present to Council for consideration and adoption.

6.3 Financial Implications

There will be no financial implications for the municipality in the noting of the Circular.

6.4 Legal Implications

None, circular provides a basis for the review of the current SIPDM Policy that forms part of the Supply Chain Management Policy.

6.5 Staff Implications

A decision to implement the Circular will have future implications in the procurement processes and internal controls for procurement of infrastructure related projects.

6.6 Previous / Relevant Council Resolutions:

Adoption of the 2020/21 Budget and Budget related policies of council in May 2020.

6.7 Risk Implications

There are no foreseen risks associated with the noting of th content of the Circular

6.8 COMMENTS FROM SENIOR MANAGEMENT**6.8.1 EXECUTIVE MANAGER: CORPORATE SERVICES**

NONE

6.8.2 EXECUTIVE MANAGER: FINANCIAL SERVICES

NONE

6.8.3 EXECUTIVE MANAGER: COMMUNITY SERVICES

NONE

6.8.4 EXECUTIVE MANAGER: PLANNING AND ECONOMIC DEVELOPMENT

NONE

6.8.5 EXECUTIVE MANAGER: ROADS AND TRANSPORT SERVICES

NONE

6.8.6 MANAGER: LEGAL SERVICES

NONE

ANNEXURE

MFMA CIRCULAR 106

Annexure A

Local Government Framework for Infrastructure Delivery and Procurement Management

Date of issue: 01 October 2020

Effective Date: 01 July 2021



national treasury

Department:
National Treasury
REPUBLIC OF SOUTH AFRICA

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Foreword

In 2012, the Infrastructure Delivery Management System (IDMS) was adopted as the chosen government wide system for infrastructure delivery in South Africa. In the same year (2012), the National Treasury, together with the eight metropolitan municipalities, initiated the customisations of the IDMS for implementation by municipalities. The product of that engagement became the Cities Infrastructure Delivery Management Toolkit (CIDMT), focusing mainly on cities or metros.

In order to establish a common approach to infrastructure delivery across all organs of state, the Standard for Infrastructure Procurement and Delivery Management (SIPDM) was issued for adaptation and adoption by municipalities in terms of Circular 77.

In the process of implementing and institutionalising the SIPDM, institutions expressed concerns regarding the operational challenges imposed by aspects of the SIPDM. This constraint was further compounded when the Preferential Procurement Regulations, 2017 were promulgated and effected, resulting in conflict between the SIPDM and the Regulations.

The National Treasury, in consultation with relevant stakeholders, initiated the SIPDM review process, which resulted in the development of the Local Government Framework for Infrastructure Delivery and Procurement Management (LGFIDPM). The LGFIDPM provides for minimum requirements for effective governance of infrastructure delivery and procurement management. It also recognises the different capacities in the various categories of municipalities and therefore requests municipalities to review their institutional and capacities before adapting and adopting this model.

Introduction

- a) The Integrated Development Plan (IDP) is the principal strategic planning instrument for municipalities. The IDP process requires a robust process of gathering and synthesising information related to the medium to long-term management of the municipality's infrastructure needs.
- b) The preparation of Roads and Storm Water Services, Water and Sanitation Services, Waste Disposal Services, Electricity Services and Community Facilities and Municipal Buildings, Infrastructure Asset Management Plans (IAMPs) enables municipalities to rank projects and determine budgets, based on a holistic view of local needs and priorities; and serves as a source of valuable information in preparing the IDP.
- c) Through the Infrastructure Delivery Management System, Cities Infrastructure Delivery Management System was developed to provide a holistic system for the management of infrastructure based on the requirements of SANS 55001: Asset management tailored for application in South African metropolitan spaces and specifically in support of the country's spatial transformation agenda.
- d) There is need to develop an infrastructure delivery management system tailor-made for all municipalities (excluding cities) which should integrate asset management strategy, policy to guide infrastructure planning, delivery management and decision making. The LGFIDPM introduces the initial process focusing on the project processes of the infrastructure delivery management and infrastructure procurement.
- e) The Framework for Infrastructure Procurement Management should be implemented together with the project management processes, to ensure alignment, integration and efficient and effective service delivery.

1. Scope

- 1.1. The Local Government FIDPM applies to organs of state which are subject to the Municipal Finance Management Act (MFMA).
- 1.2. The Framework provides minimum requirements for the implementation of Infrastructure Delivery and Procurement Management through the:
 - a) Project processes for infrastructure delivery management, and
 - b) Infrastructure procurement gates.
- 1.3. The Framework specifies the allocation of responsibilities for performing activities and making decisions at project stages and procurement gates.

2. Terms and Definitions

Approved: Officially agreed and signed-off by an Accounting Officer or a delegated person / body.

Construction: Everything constructed or resulting from construction operations.

Employer: Organ of state intending to, or entering into, a contract with a contractor.

Gate: A control point at the end of a process where a decision is required before proceeding to the next process or activity.

Gateway review: An independent review of the available information at a gate upon which a decision is made whether to proceed to the next process, or not.

Infrastructure:

- a) Immovable asset, which is acquired, constructed or results from construction operations; or
- b) Movable asset, which cannot function independently from purpose-built immovable asset(s).

Infrastructure delivery: The combination of all planning, technical, administrative and managerial actions associated with the construction, supply, refurbishment, rehabilitation, alteration, maintenance, operation or disposal of infrastructure.

Infrastructure procurement: The procurement of goods or services, including any combination thereof, associated with the acquisition, refurbishment, rehabilitation, alteration, maintenance, operation or disposal of infrastructure.

Organ of State: Any department of state or administration in the national, provincial and local sphere of government.

Procurement strategy: The selected packaging, contracting, pricing and targeting strategy and procurement procedure for a particular procurement.

Project: A unique set of processes consisting of coordinated and controlled activities with start and end dates, performed to achieve the project objective.

Stage: A collection of periodical and logically related activities in the Project Management Control Stages, that culminates in the completion of an end of stage deliverable.

3. ABBREVIATIONS

CIDB	Construction Industry Development Board
IDP	Integrated Development Plan
FIDPM	Framework for Infrastructure Delivery and Procurement Management
MFMA	Municipal Finance Management Act
PSP	Professional Service Provider
PPPFA	Preferential Procurement Policy Framework Act
SCM	Supply Chain Management
SDBIP	Service Delivery Budget Implementation Plan

4. NORMATIVE REFERENCES

4.1 Acts of Parliament

The following referenced Acts of Parliament are indispensable in the application of this document:

- Architectural Profession Act, 2000 (Act No. 44 of 2000)
- Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003)
- Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996)
- Construction Industry Development Board Act, 2000 (Act No. 38 of 2000)
- Division of Revenue Act (Annual)
- Engineering Profession Act, 2000 (Act No. 46 of 2000)
- Landscape Architectural Profession Act, 2000 (Act No. 45 of 2000)
- Municipal Finance Management Act, (No. 56 of 2003)
- Local Government: Municipal Systems Act, 2000 (Act No. 32 Of 2000)
- National Archives and Record Services of South Africa Act, 1996 (Act No. 43 of 1996)
- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
- Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000)
- Project and Construction Management Professions Act, 2000 (Act No. 48 of 2000)
- Public Finance Management Act, 1999 (Act No. 1 of 1999)
- Quantity Surveying Profession Act of 2000 (Act No. 49 of 2000)
- Other Sector Specific Acts of Parliament.

4.2 Regulations issued in terms of the MFMA and MFMA Circulars

- Regulations issued in terms of the MFMA
- Preferential Procurement Policy Framework Act Regulations (PPPFA of 2017 or as amended from time to time) and circulars.

4.3 Standards

- Applicable Construction Industry Development Board Standard for Uniformity
- Construction Sector Code.

4.4 Management System

- Infrastructure Delivery Management System (IDMS)
- Cities Infrastructure Delivery Management Toolkit (CIDMT).

4.5 National Treasury Guidelines

- Local Government Capital Asset Management Guideline and Planning Guidelines
- Budget Facility for Infrastructure (BFI).

4.6 Department of Cooperative Governance and Traditional Affairs Guidelines

- Guidelines for Infrastructure Asset Management in Local Government.

5. FRAMEWORK FOR INFRASTRUCTURE DELIVERY

5.1 The Infrastructure Delivery Management Project Processes

- a) The project process of infrastructure delivery management contains control stage deliverables at the end of each stage. Table 1 outlines the stage deliverables that must be approved. The control stages are specific to project management processes; and outline and describe the stages in the life of a project from start to end. The specific stages are determined by the specific project's governance and control needs. The stages follow a logical sequence with a specified start and end. The deliverable is considered to have passed through the relevant stage when it is approved and signed off. The project then moves on to the next sequential stage. It is expected that the municipality's organisation reflects an engagement between the Budget Treasury Office, Engineers and Planners when developing and approving projects. It is also expected that there should be engagements with the National and Provincial Treasury where appropriate or where projects dictate so.

Table 1: Project stage deliverables

No	Stage	Project Stage Deliverables
	Name	End of Stage Deliverables
1	Initiation	<p>Initiation Report or Pre-feasibility Report</p> <p>(i) The Initiation Report defines project objectives, needs, acceptance criteria, organisation's priorities and aspirations, and procurement strategies, which set out the basis for the development of the Concept Report.</p> <p>Or</p> <p>(ii) A Pre-feasibility Report is required on Mega Capital Projects, to determine whether to proceed to the Feasibility Stage; where sufficient information is presented to enable a final project implementation decision to be made. Mega capital projects should be determined in the municipality's policy approved by the Municipal Council.</p> <p>Stage 1 is complete when the Initiation Report or Pre-feasibility Report is approved.</p>
2	Concept	<p>Concept Report or Feasibility Report</p> <p>(i) The Concept Stage presents an opportunity for the development of different design concepts to satisfy the project requirements developed in Stage 1. This stage presents alternative approaches and an opportunity to select a particular conceptual approach. The objective of this stage is to determine whether it is viable to proceed with the project, premised on available budget, technical solutions, time frame and other information that may be required.</p> <p>(ii) The Concept Report should provide the following minimum information:</p>

Stage		Project Stage Deliverables
No	Name	End of Stage Deliverables
		<p>a) Document the initial design criteria, cost plan, design options and the selection of the preferred design option; or the methods and procedures required to maintain the condition of infrastructure, or the project.</p> <p>b) Establish the detailed brief, scope, scale, form and cost plan for the project, including, where necessary, the obtaining of site studies and construction and specialist advice.</p> <p>c) Provide an indicative schedule for documentation and construction, or maintenance services, associated with the project.</p> <p>d) Include a site development plan, or other suitable schematic layouts, of the works.</p> <p>e) Describe the statutory permissions, funding approvals and utility approvals required to proceed with the works associated with the project.</p> <p>f) Include a baseline risk assessment for the project and a health and safety plan, which is a requirement of the Construction Regulations issued in terms of the Occupational Health and Safety Act.</p> <p>g) Contain a risk report, need for further surveys, tests, investigations, consents and approvals, if any, during subsequent stages.</p> <p>(iii) A Feasibility Report must provide the following minimum information:</p> <p>a) Details regarding the preparatory work covering:</p> <ul style="list-style-type: none"> • A needs and demand analysis with output specifications. • An options analysis. <p>b) A viability evaluation covering:</p> <ul style="list-style-type: none"> • A financial analysis. • An economic analysis, if necessary. <p>c) A risk assessment and sensitivity analysis;</p> <p>d) A professional analysis covering:</p> <ul style="list-style-type: none"> • A technology options assessment. • An environmental impact assessment. • A regulatory due diligence. <p>e) An implementation readiness assessment covering:</p> <ul style="list-style-type: none"> • Institutional capacity. • A procurement plan. <p>Stage 2 is complete when the Concept Report or the Feasibility Report is approved.</p>
3	Design Development	<p>Design Development Report</p> <p>(i) The Design Development Report must, as necessary:</p> <p>a) Develop, in detail, the approved concept to finalise the design and definition criteria.</p>

No	Stage Name	Project Stage Deliverables End of Stage Deliverables
		<ul style="list-style-type: none"> b) Establish the detailed form, character, function and costings. c) Define the overall size, typical detail, performance and outline specification for all components. d) Describe how infrastructure, or elements or components thereof, are to function; and how they are to be safely constructed, be commissioned and be maintained. e) Confirm that the project scope can be completed within the budget, or propose a revision to the budget. <p>Stage 3 is complete when the Design Development Report is approved.</p>
4	Design Documentation	<p>Design Documentation</p> <ul style="list-style-type: none"> (i) Design documentation provides: <ul style="list-style-type: none"> a) the production information that details performance definition, specification, sizing and positioning of all systems and components that will enable construction; b) the manufacture, fabrication and construction information for specific components of the work, informed by the production information. <p>Stage 4 is complete when the Design Documentation Report is approved.</p>
5	Works	<p>Completed Works capable of being used or occupied</p> <ul style="list-style-type: none"> (i) Completion of the Works Stage requires: <ul style="list-style-type: none"> a) Certification of the completion of the works in accordance with the provisions of the contract; or b) Certification of the delivery of the goods and associated services in accordance with the provisions of the contract. <p>Stage 5 is complete when the Works Completion Report is approved.</p>
6	Handover	<p>Works which have been taken over by the user or owner; Completed Training; Record Information</p> <ul style="list-style-type: none"> (i) The handover stage requires the following activities to be undertaken: <ul style="list-style-type: none"> a) Finalise and assemble record information which accurately reflects the infrastructure that is acquired, rehabilitated, refurbished or maintained; b) Hand over the works and record information to the user organisation and, if necessary, train end user staff in the operation of the works. <p>Stage 6 is complete when the Handover/Record Information Report is approved.</p>
7	Close-Out	<p>Defects Certificate or Certificate of Final Completion; Final Account; Close-Out Report</p>

Stage		Project Stage Deliverables
No	Name	End of Stage Deliverables
		<p>(i) The Close-Out Stage commences when the end user accepts liability for the works. It is complete when:</p> <ul style="list-style-type: none"> a) Record information is archived; b) Defects certificates and certificates of final completion are issued in terms of the contract; c) Final amount due to the contractor is certified in terms of the contract; d) Close-Out Report is prepared by the Implementer and approved by the Municipality. <p>Stage 7 is complete when the Close-out Report is approved.</p>

- b) Procurement of PSPs and Contractors can occur at different points in the project stages.
- c) Additional stages may be added to the described stages above, if deemed necessary. For example, additional stages could include those necessary to ensure that project activities are appropriately carried out and stages linked. Contract activities would, in many instances, be contingent upon the requirements of the specific contract being used.
- d) For project progress using the project stages, reporting must be for the deliverable achieved in the stage immediately prior to the 'in progress' stage. For example, if a project is shown as being at Stage No. 3 (Design Development), it implies that the deliverable for Stage No. 2 (i.e. the Concept Report) has been achieved; and that the deliverable for Stage 3 (i.e. the Design Development Report) is in the process of being prepared.
- e) Where an organ of state engages another organ of state to provide agency services, a service delivery agreement must be developed that outlines the roles and responsibilities for each organ of state; and establishes a relationship between the client and the implementer. The development of all deliverables should be carried out in a cooperative and consultative manner between the Client and Implementer parties. All deliverables must be developed and signed off in compliance with the specific service delivery agreement.

5.2 Gateway Reviews

5.2.1 Gateway reviews for mega capital projects

- (i) The MFMA (Act 56 of 2003), section 19 (2) states: "Before approving a capital project in terms of subsection (1)(b), the council of a municipality must consider the projected cost covering all financial years from the start until the project is operational; and the future operational costs and revenue on the project, including municipal tax and tariff implications."
- (ii) The LGFIDPM prescribes the Gateway Review at the end of stage 2, as the minimum requirement to comply with section (i) above.
- (iii) The focus of such a review must be on the quality of the documentation in the first instance, and thereafter on:
 - a) Deliverability: the extent to which a project is deemed likely to deliver;
 - b) Expected benefits: within the declared cost, time and performance area;
 - c) Affordability: the extent to which the project's level of expenditure and financial risk can be accepted, given the organisation's overall financial position, both singly, and when considering its other current and projected commitments; and

- d) Value for money: The optimum combination of whole life costs and quality (or fitness of purpose), to meet the user's requirements.
- (iv) A gateway review team must comprise of not less than three persons who are neither involved, nor associated with the project, but have a broad understanding of the subject matter.
- (v) A gateway review must be led by a person who has experience in the planning of infrastructure projects and is registered as a professional with a statutory council under the built environment professions. The members of the team must, as relevant, have expertise in the key technical areas, cost estimating, scheduling and implementation of similar projects.
- (vi) It is the duty of the institution's Accounting Officer or Authority to appoint a team responsible for the gateway review of his or her institution.
- (vii) The gateway review team must base its findings primarily on:
 - a) The information contained in the end-of-stage deliverable;
 - b) Supplementary documentation, if any, provided by key staff and obtained during an interview process; and
 - c) Interviews with key staff members and stakeholders.
- (viii) The gateway review team must issue a report at the conclusion of a gateway review, which reflects the team's assessment of the information at the end of a stage; and provides findings or recommendations on areas where further work should be undertaken to improve such information.
- (ix) The gateway review findings must be classified by the gateway review team as:
 - a) Critical: Findings that pose adverse effect to the project or package. Critical findings are findings related to the stage deliverable that are wholly unacceptable.
 - b) Major: Findings that pose a potentially adverse effect to the project or package. Major findings are serious findings and are in direct violation of key legislation, e.g. The Constitution of the Republic of South Africa, the MFMA or the PPPFA.
 - c) Minor: Findings that do not pose any adverse effect to the project or package. Minor findings indicate the need for improvement of practices and processes.
- (x) A Stage 2 deliverable must not be approved until such time that all findings have been resolved.

6. FRAMEWORK FOR INFRASTRUCTURE PROCUREMENT

6.1 INTRODUCTION

The framework for infrastructure procurement outlines the minimum infrastructure procurement policy requirements for municipal planning and implementation.

The strategic direction set in the Integrated Development Plan (IDP) informs the framework for infrastructure procurement. For example, procurement strategies must be aligned to the municipality's developmental and internal transformation needs, as specified in the IDP.

6.2 MINIMUM REQUIREMENT FOR INFRASTRUCTURE PROCUREMENT

- 6.2.1 Infrastructure procurement must be undertaken in accordance with all applicable Infrastructure Procurement related legislation and this Framework.
- 6.2.2 Infrastructure procurement must be implemented in accordance with the institutional Supply Chain Management System, which promotes differentiated procurement for infrastructure.
- 6.2.3 Infrastructure procurement must be implemented in accordance with the procurement gates prescribed in clause 6.3 below.
- 6.2.4 The Accounting Officer must ensure that a budget is available for the duration of the project, in line with MFMA provisions for capital and operating budgets.
- 6.2.5 The Accounting Officer must ensure that cash flow management processes are in place to meet payment obligations within the time periods specified in the contract.
- 6.2.6 Procurement gates provided in 6.3 below must be used, as appropriate, to:
 - a) Authorise commencement of activities that lead to the next control gate;
 - b) Confirm conformity with requirements; and/or
 - c) Provide information to eliminate any cause of non-conformity and to prevent reoccurrence.
- 6.2.7 The authorisation to proceed to the next procurement gate must be given by a delegated person or body. The delegated person or body must be able to apply relevant built environment knowledge and skill to achieve the intended results required at the relevant procurement gate. The level of detail contained in the documentation on which a decision to proceed to the next procurement gate is made, must be sufficient to enable an informed decision.
- 6.2.8 The Accounting Officer must develop and implement effective and efficient emergency procurement procedures, including relevant approval delegation, in compliance with relevant legislation.
- 6.2.9 The Accounting Officer must develop and implement an effective and efficient infrastructure disposal policy in line with the Municipal Asset Transfer Regulations. The institution may consider disposal strategies aligned to their internal disposal policy, prior to proceeding with the procurement strategy.
- 6.2.10 The Accounting Officer must keep records of Procurement Gate Approvals, in a manual or electronic format, with the following minimum requirements:
 - a) Procurement gate;
 - b) Delegated person/s or body;
 - c) Date on which the approval request was received;
 - d) Date on which the approval was actioned; and
 - e) Signature of the delegated person or body.
- 6.2.11 All assets must be recorded in the municipal asset register as required by the GRAP standards.

6.3 Infrastructure Procurement Gates

6.3.1 Procurement Gate 1 (PG 1)

- a) Initiate a procurement process;
- b) **Minimum Requirement for PG 1:**
 - 1) Establish and clarify the procurement need, aligned to the municipality's development and transformation priorities specified in the IDP.
 - 2) Determine a suitable title for the procurement, to be applied as the project description.
 - 3) Prepare the broad scope of work for the procurement.
 - 4) Perform market analysis.
 - 5) Estimate the financial value of proposed procurement and contract for budgetary purposes, based on the broad scope of work.
 - 6) Confirm the budget.
 - 7) Compliance with section 33 of the MFMA with respect to community and stakeholder consultation.
- c) **PG 1 is complete when a designated person or body makes the decision to proceed/not to proceed, with the procurement of the infrastructure.**

6.3.2 Procurement Gate 2 (PG 2)

- a) Approve procurement strategy to be adopted.
- b) **Minimum Requirement for PG 2:**
 - 1) Develop a procurement strategy aligned to the institutional procurement strategy:
 - a. Establish contracting and pricing strategy comprising of an appropriate allocation of responsibilities and risks; and the methodology for contractor payments.
 - b. Identify service required for works.
 - c. Decide on contracting strategy.
 - d. Decide on pricing strategy.
 - e. Decide on form of contract.
 - f. Establish opportunities for promoting preferential procurement in compliance with legislative provisions and the Construction Sector Code.
- c) **PG 2 is complete when a delegated person or body approves the procurement strategy that is to be adopted.**

6.3.3 Procurement Gate 3 (PG 3)

- a) Approve procurement documents.
- b) **Minimum requirements for PG 3:**
 - 1) Prepare procurement documents that are compatible with:
 - (i) approved procurement strategies.
 - (ii) project management design documentation.
- c) **PG 3 is complete when the Bid Specification Committee approves the procurement document. .**

6.3.4 Procurement **Gate 4 (PG 4)**

- a) Confirm that cash flow processes are in place to meet projected contractual obligations.
- b) **Minimum requirement for PG 4**
 - 1) Confirm that cash flow processes are in place to meet contractual obligations.
 - 2) Establish control measures for settlement of payments within the time period specified in the contract.
- c) **PG 4 is complete when a delegated person or body confirms in writing that cash flow processes are in place; and control measures are established for the procurement to take place.**

6.3.5 Procurement **Gate 5 (PG 5)**

- a) Solicit tender offers.
- b) **Minimum requirements for PG 5**
 - 1) Invite contractors to submit tender offers.
 - 2) Receive tender offers.
 - 3) Record tender offers.
 - 4) Safeguard tender offers.
- c) **PG 5 is complete when tender offers received are recorded and safeguarded by a delegated person from the SCM unit.**

6.3.6 Procurement **Gate 6 (PG 6)**

- a) Evaluate tender offers premised on undertakings and parameters established in procurement documents.
- b) **Minimum Requirement for PG 6:**
 - 1) Determine whether tender offers are complete.
 - 2) Determine whether tender offers are responsive.
 - 3) Evaluate tender submissions.
 - 4) Review minimum compliance requirements for each tender.
 - 5) Perform a risk analysis.
 - 6) Prepare a report on tender offers received, and on their achievement of minimum compliance.
- c) **PG 6 is complete when the chairperson of the Bid Evaluation Committee approves the BEC report.**

6.3.7 Procurement **Gate 7 (PG 7)**

- a) Award the contract.
- b) **Minimum Requirement for PG 7:**
 - 1) Bid adjudication committee review of the BEC evaluation report.
 - 2) Bid Adjudication Committee makes an award.
 - 3) Accounting Officer approval of the tender process.
 - 4) Notify successful tenderer and unsuccessful tenderers of the outcome.
 - 5) Sign contract document.
 - 6) Formally accept tender offer.
- c) **PG 7 is complete when the Accounting Officer, or the Bid Adjudication Committee where delegated, confirms that the tenderer has provided evidence of complying with all requirements stated in the tender data and formally accepts the tender offer in writing, and issues the contractor with a signed copy of the contract.**

6.3.8 Procurement **Gate 8 (PG 8)**

- a) Administer and monitor the contract.
- b) **Minimum Requirements for PG 8:**
 - 1) Finance department to:
 - (i) Capture contract award data.
 - (ii) Manage cash flow projection.
 - (ii) Administer contract in accordance with the terms and provisions of the contract.
 - 2) Delivery department to:
 - (i) Ensure compliance with contractual requirements.
- c) **PG 8 is complete when a delegated person captures the contract completion/termination data (close out reports and relevant documents), including payment certificates due.**

7. Conclusion

It is advised that municipalities and municipal entities review this document from a practical implementation perspective and amend its SCM policies accordingly by inserting those parts that is practically implementable into the SCM Policy to be approved by the municipal council. You are also encouraged to share this with the relevant officials within the institution to ensure organisational awareness of this reform.

Enquiries pertaining to the content of this framework may be directed to:

Email: InfrastructureProcurement@treasury.gov.za



NATIONAL TREASURY

MFMA Circular No 106

Municipal Finance Management Act No. 56 of 2003

LOCAL GOVERNMENT FRAMEWORK FOR INFRASTRUCTURE DELIVERY AND PROCUREMENT MANAGEMENT

PURPOSE

In order to establish a common approach to infrastructure delivery across all organs of state, the Standard for Infrastructure Procurement and Delivery Management (SIPDM) was issued for municipalities and communicated in MFMA Circular 77.

In the process of institutionalising the SIPDM municipalities experienced challenges with some aspects thereof. The reforms to the Preferential Procurement Regulations, 2017 which was promulgated and effected also had an impact on the earlier reform.

The National Treasury, in consultation with relevant stakeholders, initiated the SIPDM review process which resulted in the development of the Local Government Framework for Infrastructure Delivery and Procurement Management (LGFIDPM). The LGFIDPM introduces minimum requirements for effective governance of infrastructure delivery and procurement management.

BACKGROUND AND DISCUSSION

In 2012, the Infrastructure Delivery Management System (IDMS) was adopted as the chosen government wide system for infrastructure delivery in South Africa. In the same year (2012), the National Treasury, together with the eight metropolitan municipalities, initiated the customisation of the IDMS for implementation by municipalities. The product of that engagement became the Cities Infrastructure Delivery Management Toolkit (CIDMT), focusing mainly on metropolitan municipalities.

The Planning Commission's National Development Plan 2030: *Our future-make it work* proposes that the following five areas be focused on in designing a procurement system that is better able to deliver value for money, while minimising the scope for corruption:

- a) differentiate between the different types of procurement which pose different challenges and require different skills sets;
- b) adopt a strategic approach to procurement above the project level to balance competing objectives and priorities rather than viewing each project in isolation;
- c) build relationships of trust and understanding with the private sector;

- d) develop professional supply chain management capacity through training and accreditation; and
- e) incorporate oversight functions to assess value for money.

National Treasury's 2015 Public Sector Supply Chain Management Review expressed the view that supply chain management (SCM) is one of the key mechanisms enabling government to implement policy which traditionally has been misunderstood and undervalued. This Review, which identified the need for SCM reform, suggests that if such reforms are implemented as envisaged in terms of section 217 of the Constitution, the benefits will be enormous and include, amongst others:

- a) good quality service delivery will be increasingly possible, with significant improvements in the welfare of citizens, especially the poor who rely heavily on government for support;
- b) the economy will grow as economic infrastructure is expanded and efficiently maintained;
- c) goods, services and infrastructure will be bought at lower costs;
- d) innovation will result in different approaches to the commodities used in some sectors; and
- e) for suppliers, the cost of doing business with the state should decrease substantially.

There is a need to develop an infrastructure delivery management system tailor-made for municipalities and municipal entities which integrate asset management strategy, policy to guide infrastructure planning, delivery management and decision-making. The LGFIDPM introduces this and focuses on the implementation of project processes and infrastructure procurement that forms part of the infrastructure delivery management.

Due care and focus must be given to addressing institutional arrangements, internal controls, and gaps to ensure value is extracted from this reform.

CONCLUSION

This MFMA Circular provides the basis for municipalities and municipal entities to establish an appropriate system for implementation of the project process and infrastructure procurement in the infrastructure delivery management value chain.

Accounting officers of municipalities and municipal entities are therefore advised to bring the contents of this Circular and the LGFIDPM annexure to the attention of their respective municipal councils, board of directors of municipal entities, and to expedite the process to amend and align their SCM policies accordingly. This will require undertaking a proper assessment of its ability to implement the content of the Framework and to only insert those parts that is practically implementable into the SCM Policy, to be approved by the municipal council.

Therefore, municipalities and municipal entities are advised to customise the model policy to suit the specific needs of its environment before tabling it in the municipal council and municipal entity board for adoption.

It is envisaged that a phase-in process will be considered by municipalities and municipal entities, however, it is expected that this be implemented as soon as possible.

This Circular replaces MFMA Circular 77.

CONTACT



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TV PILLAY

Chief Director: MFMA Implementation

Date: 15 September 2020

Annexure A: *Local Government Framework for Infrastructure Delivery and Procurement Management*

DISTRICT COUNCIL

30 SEPTEMBER 2020

POLICY FOR CONFERMENT OF ALDERMAN/ALDERLADY / BELEID RAKENDE DIE BEVESTIGING VAN RAADSHEER / RAADSDAME EER / UMGAQO WOKUWONGA NGESIKHUNDLA SOBUBONDA/ISIBONDAKAZI

(4/1/1/3)

13 May 2020

REPORT FROM THE EXECUTIVE MANAGER: CORPORATE SERVICES (T HOLTZHAUSEN)

2. PURPOSE OF THE REPORT

To seek Council approval for the amendment of the Policy for Conferment of Alderman/Alderslady honour.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

This report serves as notification that at the Governance Committee meeting that took place on 10 August 2020 the Committee recommended that changes be made on the policy. The changes are marked in red on the policy.

5. RECOMMENDATION

5.1 That Council approves the amendments to the Policy for Conferment of the Alderman/Alderslady honour and that these amendments will apply prospectively.

AANBEVELING

5.2 *Dat die Raad die wysigings aan die Beleid vir die Bevestiging van Raadsheer / Raadsdame Eer goedkeur en dat hierdie wysigings voornemend van toepassing sal wees.*

ISINDULULO

5.3 Sesokuba iBhunga liphumeze ulungiso kuMgaqo Wokuwonga ngokuba Ngusibonda/Isibondakazi.

6. **DISCUSSION**

6.1 **BACKGROUND**

The Garden Route District Municipality (GRDM) Council approved the Conferment of Alderman/Alderslady honour policy (Policy) on 27 May 2020. In terms of the Policy, the Executive Mayor, after approval from Council may confer the honour on any person and may make a posthumous conferral of the honour.

THE CRITERIA

The criteria for bestowing of the honour is as follows:

- (1) Alderman/Alderslady honour will be conferred on a serving Councillor of the Garden Route District Municipality as follows:
 - (a) Any member of the Municipal Council becomes an Alderman/Alderslady upon commencement of his/her term as Mayor, Deputy Mayor or Speaker of the Council. (b) Any member who obtains a minimum of ten (10) points on the following scale:
 - (i) one (1) point for every year of service as a Councillor at one or more municipalities and it need not be continuous; and
 - (ii) one (1) additional point for every year of service as a member of the Mayoral Committee.

During the Governance Committee meeting held on 10 August 2020, it was recommended that the following amendments should be made to the policy:

- 1. That a definition of Alderman/Alderslady be added to the policy
- 2. That for the purposes of allocating the additional points, it should only be the number of years as GRDM MAYCO member that should be taken into account and not as MAYCO member at another municipality.
- 3. That these changes will only be applied prospectively and will not affect Councillors who has already been bestowed with the honour.

6.3 FINANCIAL IMPLICATIONS

None

6.4 RELEVANT LEGISLATION / LEGAL IMPLICATIONS

The Constitution of the Republic of South Africa, Act No. 108 of 1996

Local Government Municipal Structures Act 117 of 1998

Local Government Municipal Systems Act 32 of 2000

6.5 STAFF IMPLICATIONS

NONE

6.6 PREVIOUS / RELEVANT COUNCIL RESOLUTION:

"E.3 : RESOLVED

That Council approves the Policy for Conferment of the Alderman/Alderslady honour".

6.7 RISK IMPLICATIONS

None

6.8 COMMENTS FROM SENIOR MANAGEMENT

6.8.1 EXECUTIVE MANAGER: CORPORATE SERVICES

NONE

6.8.2 EXECUTIVE MANAGER: FINANCIAL SERVICES

NONE

6.8.3 EXECUTIVE MANAGER: COMMUNITY SERVICES

NONE

6.8.4 EXECUTIVE MANAGER: PLANNING AND ECONOMIC DEVELOPMENT

NONE

6.8.5 EXECUTIVE MANAGER: ROADS AND TRANSPORT SERVICES

NONE

6.8.6 MANAGER: LEGAL SERVICES

NONE

ANNEXURE A

1. POLICY FOR CONFERMENT OF ALDERMAN/ALDERLADY HONOUR



POLICY FOR THE CONFERMENT OF ALDERMAN/ALDERLADY HONOUR

Approved by Council on 27 May 2020

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6. SHORT TITLE AND COMMENCEMENT

1. DEFINITIONS

In this policy, words used in the masculine gender include the feminine, the singular the plural and vice versa,

"The Council" means Council of the Garden Route District Municipality;

"Garden Route District Municipality" A municipality duly established in terms of Local Government Municipal Structures Act 117 of 1998;

"GRDM" means the Garden Route District Municipality;

"Municipal Manager" means the Municipal Manager of the Garden Route District Municipality;

"Councillor" means a member of the Municipal Council of the Garden Route District Municipality.

"Employee" means an employee of Garden Route District Municipality.

"Alderman/Alderlady honour" means an honour bestowed on a serving member of the Garden Route District Municipality Council who has been a member for a minimum of five (5) years.

2. MUNICIPAL HONOURS

- (1) The GRDM may confer the Alderman/Alderlady Honour as guided by this policy.
- (2) The Executive Mayor is the patron of the Municipal Honours as described in terms of this policy.
- (3) The Speaker will submit information on Councillors to be conferred to the Municipal Manager to process.

3. CONFERRAL OF MUNICIPAL HONOURS AND/OR ACCOLADES

The Executive Mayor, after approval from Council may confer the Honour on any person and may make a posthumous conferral of the Honour.

4. ANNULMENT OF CONFERRAL OF MUNICIPAL HONOURS AND/OR ACCOLADES

The Executive Mayor, if approved by Council by way of a majority vote, may annul the conferral of a Municipal Honour if the holder of the Honour has performed any action or has behaved in a manner which harmed the interest of the Garden Route District Municipality, or otherwise has become unworthy of the Municipal Honour concerned.

5. CRITERIA FOR BESTOWING OF ALDERMANSHIP/ALDERLADYSHIP HONOUR

- (1) Alderman/Alderlady will be conferred on a serving Councillor of Garden Route District Municipality as follows:
 - (a) Any member of the Municipal Council becomes an Alderman/Alderlady upon commencement of his/her term as Mayor, Deputy Mayor or Speaker of the Council.
 - (b) Any member who obtains a minimum of ten (10) points on the following scale:
 - (i) one (1) point for every year of service as a Councillor at one or more municipalities and it need not be continuous; and
 - (ii) one (1) additional point for every year of service as a member of the Mayoral Committee **at the Garden Route District Municipality**.
- (2) The following privileges are awarded to Aldermen/Alderwomen:
 - (a) the provision of a special parking space in the municipal parking area on prior arrangement;
 - (b) the provision of agendas even after retirement in electronic format if so required;
 - (c) the Alderman/Alderlady is kept on municipal invitation lists;
 - (d) reserving of special seats at Council Meetings should a member so wish;
 - (e) issuing of an Honorary certificate;
- (3) Any current serving Councillor who is of the view that he/she qualifies for Alderman/Alderlady, should notify the Speaker in writing, and provide the necessary details.
- (4) The Municipal Manager shall make a recommendation to Council, after having considered all the relevant details.

6. SHORT TITLE

This policy shall be known as the Garden Route District Municipality policy for the Conferment of Alderman/Alderlady honour and takes effect on date of approval by Council.

[**BACK TO AGENDA**](#)

**HUMAN RESOURCE POLICIES FROM THE CORPORATE SERVICES DEPARTMENT 2020 /
MENSLIKE HULPBRONNE BELEIDE VAN DIE KORPORATIEWE DIENSTE DEPARTEMENT 2020/
IMIGAQO YEZENQESHO NEZABASEBENZI NESUKA KWISEBE LENKONZO ZOLAWULO 2020**

(9/4/B)

22 September 2020

REPORT FROM THE EXECUTIVE MANAGER: CORPORATE SERVICES

(MS B HOLTZHAUSEN) / ACTING MANAGER: HUMAN RESOURCES (ADV S. MAQEKENI)

2. PURPOSE OF THE REPORT

For Council to approve the Human Resource Policies as workshopped at Council workshop dated 16 September 2020.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The purpose of this report is to submit various Human Resources policies for approval by the Council.

The adoption and approval of the above policies is essential so that good Human Resource Management can take place within the Garden Route District Municipality through the implementation of controls and procedures. The necessary controls and procedures will ensure that the Human Resource risks are limited.

5. RECOMMENDATION

That the following Human Resource Policies be approved by Council:

- Stop Gender – Based Violence Policy
- Leave Policy

AANBEVELING

Dat die volgende Menslike Hulpbron beleide goedgekeur word deur die Raad.

- *Stop Geslagsgeweld beleid*
- *Verlof beleid*

ISINDULULO

Sesokuba lemiGaqo llandelayo Yezengqesho Nezabasenzi iphunyezwe liBhunga:

- Stop Gender – Based Violence Policy
- Leave Policy

6. DISCUSSION / CONTENTS**6.1 BACKGROUND**

The following Policies were discussed and workshopped at Council Workshop on the 16 September 2020.

1	STOP GENDER BASED - VIOLENCE POLICY
2	LEAVE POLICY

IMPORTANCE OF POLICIES

Human Resource Policies serve a very critical role in the Garden Route District Municipality. Relevant and updated policies are important for the following reasons:

- To ensure compliance with legislation
- To ensure compliance with Bargaining Council Agreements
- To align with strategic organisational objectives

- To ensure equitable, fair and standard practices
- To achieve optimisation
- To drive corporate governance
- To adapt to market trends and best practice
- To achieve overall service delivery excellence

NECESSITY FOR POLICY UPDATES

There are various occurrences that necessitate the review, update or development of policies. The Municipality shall review, update or develop policies as per events in the table below:

OCCURRENCE	DESCRIPTION
New / updated legislation	New legislation may impact conditions of service, which require updates to policies and procedures. As legislation is passed, the impact on policies should immediately be assessed.
Bargaining Council resolutions	Bargaining Council resolutions impact internal conditions of service, which require updates to policies and procedures. Impact on policies should be assessed once an agreement is signed.
Organisational objectives / strategy	A change in organisational strategy and objectives can also influence HR policies. Example: organisational transformation or restructuring.
Periodic review	Regular scheduled review of policies should take place to ensure alignment and compliance. This should happen annually, at the start of the new financial year.
Operational issues	Operational process issues can highlight inadequacies in existing policies. This can happen on an <i>ad hoc</i> basis.
Risk assessment / audit	Risk assessments or policy implementation audits can identify policy issues.

6.3 FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

As per approved budget

6.4 LEGISLATION/LEGAL FRAMEWORK/COLLECTIVE AGREEMENTS

- Constitution of the Republic of South Africa Act, Act No. 108 of 1996.
- Municipal Finance Management Act, Act No. 56 of 2003

- Municipal Structures Act, Act No. 117 of 1998
- Municipal Systems Act, Act No. 32, of 2000
- Labour Relations Act 66 of 1995
- Skills Development Act 97 of 1998
- Employment Equity Act 55 of 1998
- Garden Route District Municipality - Delegations of Authority
- South African Local Government Bargaining Council (SALGBC) Collective Agreements
- Local Government: Regulations on appointment and conditions of employment of senior managers, dated 17 January 2014
- National Archives and Record Service of South Africa Act, Act No. 43 of 1996
- National Archives Regulations and Guidance
- Promotion of Access to Information Act, Act No. 2 of 2000
- Protection of Personal Information Act, Act No. 4 of 2013

6.5 STAFF IMPLICATIONS

None

6.6 PREVIOUS / RELEVANT COUNCIL RESOLUTIONS

None

6.8 Comments from Senior Management:

6.8.1 Executive Manager Financial Services

None

6.8.2 Executive Manager Corporate Services

None

6.8.3 Executive Manager Planning & Economic Development

None

6.8.4 **Executive Manager Roads & Transport Planning Services**

None

6.8.5 **Manager Legal Services**

None

APPENDIX A

Stop Gender - Based Violence Policy

APPENDIX B

Leave Policy



STOP GENDER-BASED VIOLENCE

Date
Approved:

DD MM 2020

Council
Resolution (DC
No):

DC
??/?/?/?/?

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1. Policy Statement

This policy exists to address the behaviour of employees within the employ of Garden Route District Municipality (GRDM). It seeks to eliminate, prevent and address cases of gender-based violence in any form, whether as an act of workplace violence or as it occurs in an employee's personal life.

The position of GRDM is that abuse against any human being, with an emphasis on women and children who have been affected the most, will not be tolerated in any form or shape, be it physical or verbal.

On a National Government sphere, a five-point emergency plan has been devised to address GBV in South Africa. The five points include:

- To prevent GBV
- To strengthen the criminal justice system
- To enhance legal and policy frameworks
- To ensure adequate care, support and healing for victims of violence
- To improve the economic power of women.

Gender-based violence is considered a global pandemic that affects approximately 35% of women worldwide. It is also important to note that a significant number of gender-based violence victims are physically or emotionally unable to report their cases as they feel unsafe in doing so and therefore unfortunately the statistics on gender-based violence are in reality higher.

2. Introduction & Background

Garden Route District Municipality, as an employer, has a duty to provide a safe working environment and to provide support to all employees, men and women, who are victims of gender-based violence.

The United Nations defines violence against women as any act of gender-based violence that results in, or is likely to result in, physical, sexual, or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

Gender-based violence is both a human rights and public health issue which not only affects the individual but has an impact on their families and communities. The health consequences of gender-based violence include injuries such as unwanted pregnancies, sexually transmitted diseases, pelvic pain, urinary tract infections, pregnancy complications and other chronic conditions. Mental health impacts for survivors of gender-based violence include post-traumatic stress disorder (PTSD), depressions, anxiety, substance misuse, self-harm and suicidal behaviour and sleep disturbances. In addition, a survivor of Gender-based violence may also face stigma and rejection from the community and their families.

Gender-based violence jeopardises the lives and safety of countless people worldwide. It ranges from offensive or threatening language to homicide, and often results in serious injuries, disability or death. Regardless of where it occurs, gender-based violence violates the victim's human rights. When it impacts the workplace, it compromises the safety of both the victim and the victim's co-workers and can result in productivity loss. GRDM is committed to full compliance with all applicable laws of Gender-based violence, to providing a workplace in which employees who are victims have the support they need at work to address violence in their lives, and to promoting the health and safety of all GRDM's employees.

Societies free of GBV do not exist, and South Africa is no exception. Although accurate statistics are difficult to obtain for many reasons (including the fact that most incidents of GBV are not reported), it is evident South Africa has particularly high rates of GBV, including VAWG and violence against LGBT people.

Population-based surveys show very high levels of intimate partner violence. **Intimate partner violence (IPV)** IPV is the most common form of GBV and includes physical, sexual, and emotional abuse and controlling behaviours by a current or former intimate partner or spouse, and can occur in heterosexual or same-sex couples) and non-partner sexual violence. **Sexual violence (SV)** Sexual violence is

"any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work.") in particular, with IPV being the most common form of violence against women.

- Whilst people of all genders perpetrate and experience intimate partner and or sexual violence, men are most often the perpetrators and women and children the victims
- Between 25% and 40% of South African women have experienced sexual and/or physical IPV in their lifetime
- Just under 50% of women report having ever experienced emotional or economic abuse at the hands of their intimate partners in their lifetime
- Prevalence estimates of rape in South Africa range between 12% and 28% of women ever reporting being raped in their lifetime
- Between 28 and 37% of adult men report having raped a women
- Non-partner SV is particularly common, but reporting to police is very low. One study found that one in 13 women in Gauteng had reported non-partner rape, and only one in 25 rapes had been reported to the police
- South Africa also faces a high prevalence of gang rape
- Most men who rape do so for the first time as teenagers and almost all men who ever rape do so by their mid-20s
- There is limited research into rape targeting women who have sex with women. One study across four Southern African countries, including South Africa, found that 31.1% of women reported having experienced forced sex
- Male victims of rape are another under-studied group. One survey in KwaZulu-Natal and the Eastern Cape found that 9.6% of men reported having experienced sexual victimization by another man

There are different forms of Gender-based violence and all these types of violence are gendered in nature because of how gendered power inequalities are entrenched in our society.

Violence against women and girls (VAWG) - This type of violence is disproportionately directed against women and girls.

Violence against the LGBTIQ community – Gender-based violence is often experienced by people who are seen as not conforming to their assigned gender roles as perceived by society such as lesbian, gay, bisexual, transgender and or intersex individuals.

Intimate partner violence (IPV) – This is the most common form of gender-based violence and includes physical sexual, emotional abuse and controlling behaviours by a current or former intimate partner or spouse, and this can occur in heterosexual or same-sex relationships.

Domestic violence (DV) – Domestic violence refers to violence which is carried out by partners or family members. As such DV can include IPV but also encompasses violence against children or other family members.

Sexual violence (SV) – Sexual violence is any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person's sexuality using coercion by any person regardless of their relationship to the victim, in any setting, including but not limited to home or work.

The drivers of GBV and femicide are a complex interplay of factors that act at individual, relationship, community and societal level, driven by social and political forces. Gender norms and discrimination have consistently been reported, in South Africa and other global settings, as the key driver of GBV. These pervasive patriarchal norms promote the use of violence as acceptable social practices and feed into:

- Ideas of masculinity that are centred on male control of women, male sexual entitlement, inequitable gender attitudes, risk taking and antisocial⁹¹ behaviour, and

- Ideas about femininity that promote women's subordination to men, encourage them to be complicit with violence and the subjugation of women and expectations on women to acquiesce to male partners' sexual desire and needs.

Social and gender norms associated with GBV victimisation of women and perpetration by men are strongly connected with men who believe that their ability to demonstrate control of women is essential to their self-evaluation, as such, men are much more likely to be violent towards women who conform to the subordinate and subservient position with respect to men.

Research also shows that exposure to violence and the ideas that tolerate violence begins in childhood through how children are socialised across all settings (i.e. home, school, communities) which are reinforced by the media. The bond between the primary caregiver (e.g., mother) and child is integral to how children form later relationships with peers, partners and their own children. When a baby does not have a healthy bond with its caregiver, is neglected, or exposed to violence, their ability to have healthy relationships is disrupted, sometimes for generations, and their chance of being a victim or perpetrator of violence in adulthood is therefore increased. Childhood adversities including, physical, emotional and sexual abuse as well as neglect has been shown as a consistent driver of experiences of violence during adulthood in South Africa and other global settings.

South Africa has amongst the highest levels of alcohol consumption across the globe, and harmful drinking such as heavy episodic drinking is a common occurrence. Its associations with interpersonal violence, crime, health and harmful behaviours resulting in detrimental social impacts are well documented. It is therefore no surprise that both men and women's use of alcohol are associated with GBV, but the relationship between women's use of alcohol and their vulnerability to being abused is complex. Also, alcohol has a bidirectional relationship between GBV and mental ill-health. For example, traumatic stress due to GBV may cause poor mental health and alcohol may be consumed to cope and deal with the consequences of the abuse. Similarly, this very use of alcohol may also increase the likelihood of abuse from a partner.

How and why pandemics such as Covid-19 affect Gender-based Violence

- a) The economic strain of lockdowns
- b) Exposure to exploitive relationships
- c) Social isolation and the absence of regular social interactions with family and friends who normally might provide support and protection against an abusive partner
- d) Perpetrators might restrict access to services for psychosocial support or help
- e) Household stress increases the likelihood of intimate partner violence

3. Definitions

Abuser refers to person who perpetrates gender-based violence

Discrimination is the direct or indirect unjust or prejudicial treatment of different categories of people, especially on the grounds of race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.

Domestic Violence According to South African law, includes physical abuse; sexual abuse; emotional, verbal and psychological abuse; economic abuse; intimidation; harassment; stalking; entry into the complainants' residence without her consent or any other controlling or abusive behaviour taking place in domestic relationships

Expression refers to Feminine, Androgynous, and Masculine

Gender refers to the comparative relational or differential roles and responsibilities of men and women that are created in our families, society and cultures. Gender is not the same as sex.

Identity refers to woman, gender-queer or man

LGBTQIA+ is the Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual and other sectors of society

Orientation refers to Heterosexual, Bisexual, and Homosexual

Sex refers to the biological or anatomical characteristics that a person is born with and is usually determined on the basis of the appearance of external genitalia, namely a vagina to denote female and a penis and testes to denote male. Sex is also a synonym for sexual intercourse, which includes penile-vaginal sex, oral sex, and anal sex. Intersex is a general term used for a variety of conditions in which a person may be born with a reproductive or sexual organ that does not fit the typical definition of male or female.

Sexual Harassment: Behaviour characterised by the making of unwelcome and inappropriate sexual remarks or physical advances in a workplace or other professional or social situation.

Victim refers to whom an abuser directs gender-based violence to

4. Legal Framework

The policy acknowledges the following legal documents, policies, and gender development plans of South Africa.

- Constitution of the Republic of South Africa (Act No 108 of 1996)
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) ratified by SA in 1995.
- Beijing Declaration and Platform for Action (1995)
- Domestic Violence Act (DVA) (1998)
- Sexual Offences Act (2007)
- SADC Declaration on Gender Development and Addendum on Violence against Women
- Labour Relations Act (1996)
- The Basic Conditions of Employment Act (1998)
- Employment Equity Act (1999)
- Skills Development Act (1999)
- The White Paper on Local Government (1998)
- Local Government Municipal Systems Act (Act No 32 of 2000)
- South African's National Policy Framework for Women's Empowerment and Gender Equality (2002)

5. Purpose of this Policy

The application of this policy will ensure Garden Route District Municipality demonstrates its commitment to assisting employees who are/have been victims of gender-based violence and for action to be taken against those who have committed acts of violence against others.

6. Scope of this Policy

The policy is applicable to all employees including contract workers, interns and service providers irrespective of the position they hold and does not discriminate at any level. Where gender-based violence imposes upon the workplace action will be safeguard the workplace in accordance with GRDM's health and safety responsibilities towards its employees.

The application of this policy and its attendant procedures will be monitored in line with changes in legislation and will be reviewed and consulted upon as and when necessary.

7. Policy Goals & Objectives

This policy will strive to ensure the following:

- a. Confidential and sympathetic handling of situations arising from gender-based violence
- b. Raising awareness about gender-based violence as a serious health and social issue and highlighting its hidden nature and the impact on those affected by it
- c. Assist and support employees requesting assistance in addressing problems arising from gender-based violence
- d. Equal application to male and female employees throughout GRDM
- e. Project a clear signal that the actions of employees who perpetrate abuse within or outside work is unacceptable and will not be tolerated

- f. Provide a framework for addressing the behaviour of employees who may be perpetrators of abuse and who may pose a risk to other employees within the context of their work

8. Policy Principals

The principles and values of this policy reflect those within other GRDM policies, which value all employees and acknowledges that all employees have the right to work in an environment that are safe, promotes equality and encourages employees to treat each other with respect. The policy is constructed on the following guiding principles:

- a) The Constitution of South Africa should be used as a guiding document to ensure equality of all persons regardless of race, age, sex, sexual orientation, gender expression, sexual identity.
- b) Rights of women, disabled and LGBTI people must receive the attention and respect it requires.
- c) Gender justice and sensitivity must be included as a principle that guides employee succession.
- d) Fairness in the treatment of different categories of gender.

This policy is underpinned by these above mentioned legislation and will uphold GRDM has an ethical and legal responsibility to:

- a) Take reasonable steps to promote equality and reduce the risk of Gender-based violence
- b) Take action where incidents occur or allegations of abuse are raised
- c) Support individuals experiencing gender-based violence by facilitating access to professional services where appropriate
- d) All disclosures of abuse experienced by employees should be treated confidentially

Garden Route District Municipality is committed to creating an environment in which employees feel safe to disclose their experience of abuse in order to access support and increase safety for themselves and others. Employees do however have the right to not disclose and this should be respected and no one should feel pressured into sharing information if they do not wish to do so.

An employee with a past or current experience of gender-based violence should be aware that help is available. Where possible, they should raise the matter with their line manager, Employee Assistance Programme Practitioner or Occupational Health and Safety Practitioner. All of these key workers have a role to support employees in line with the provisions of this policy.

Employees can also contact various helplines if they do not wish to disclose at the workplace. See Annexure 1.

8.1 Employee Assistance Programme (EAP) & Committee

Employees that need assistance with regards to gender-based violence incidents should be encouraged to make an appointment with the EAP Practitioner, an EAP Committee member or with other relevant external gender-based violence helplines or community health workers. The EAP Practitioner will also assist and facilitate with the relevant referral process to external professionals for the support that the employee will need. Three counselling sessions with a professional Psychologist or Social Worker will be paid by GRDM within a financial year. The employee may be referred to the EAP office by their supervisor, manager or they can also make use of self-referral.

EAP Committee Members are also encouraged to assist with the awareness of gender-based violence programmes, detecting and reporting gender-based violence misconducts.

8.2 Matters of Confidential Nature

Issues raised under this policy will be treated in confidence except where there are child/adult protection issues. Disclosure of personal details and information will only occur with the express permission of the employee. The reason for any change of work location, shift changes and differing start and finish times will not be disclosed, however the line manager for the area should be informed of the reason for the change, with the consent of the employee. The supervisor or manager must ensure adherence to all relevant policies relating to confidentiality and conduct. All information disclosed or shared with the Occupational Health and Safety Officer and Employee Assistance Programme Practitioner will be handled confidential and no information regarding gender-based violence will be issued on a victim's personnel file.

8.3 Work Performance

After experiencing Gender-based violence a victim/employee may experience temporary difficulty fulfilling their job responsibilities. If GRDM becomes aware that an employee's work performance has been negatively affected by gender-based violence, the EAP office will offer support to the victim/employee and assist the employee to address the issue and will make reasonable efforts to consider all aspects of the employee's situation in evaluating performance issues, which may result from the employee's experience with regards to gender-based violence.

8.4 Preventative measures

Best preventative measures to put in place will be regular awareness programs for all employees about the ways on how gender-based violence may impact individuals and society. The Employer needs to take all reasonable measures to create a harmonious working environment which is free from intimidation, hostility, offence and any other form of violence, and to encourage employees that are victims to seek assistance.

Awareness can include but are not limited to programs rolled out through conducting information sessions, radio talks, writing of articles about gender-based violence and publishing it to the GRDM website, sharing messages via emails, and producing educational posters relating to how to curb, report and deal with instances of gender-based violence in all GRDM buildings. Another preventative measure is to have a yearly pledge signed during a Council meeting by the Executive Mayor, Councillors and Municipal Manager to show their support against Gender-based Violence. People who have recovered from violent attacks are also perfect examples of fighting back for one's dignity, dealing with the issue and also to educate others on how important it is to speak about it. There needs to be a strong emphasis placed on the fact that being a victim of GBV is not something a person should hide because it doesn't help to create awareness at all, it is not embarrassing to be a victim of GBV but we have to keep in mind the sensitivity and psychological effects that such acts may have on victims.

8.5 Allegation of abuse within the workplace

Employees who are perpetrating abuse might use workplace resources such as transport, telephone, fax or e-mail to threaten, harass or abuse current/ex-partners or others. Their behaviour might also include, for example, stalking, physical assault, sexual violence or sexual harassment. This conduct could be dangerous for those being abused and could bring the organisation into disrepute. In such circumstances, an investigation may be required and where appropriate, action may need to be taken to minimise the potential for employees to use their position or work resources to perpetrate abuse. This may include a change of duties or withdrawing access to certain computer programmes. In more serious cases this could result in suspension or a dismissal after the relevant procedures have been finalised.

8.6 Allegations of abuse outside of the workplace

Employees may be perpetrating various forms of gender-based violence outside of the workplace. For example, domestic abuse, physical or sexual abuse of children, downloading child pornography, sexual violence, involvement in honour based violence, or stalking. Given that such conduct could constitute a criminal offence, many of these examples would most likely involve criminal proceedings. However, whether or not criminal charges are involved, or there is a conviction, this behaviour may, in some cases, lead to disciplinary proceedings against an employee because of its employment implications. Perpetrating these forms of abuse could also breach organisational (and professional codes of conduct) and potentially bring Garden Route District Municipality into disrepute especially if an allegation of abuse was not acted upon and allowed to continue.

8.7 Malicious allegations

Where there is clear evidence that an employee has made a malicious allegation that another employee is perpetrating abuse, this will be viewed as a serious employee conduct matter and will be investigated by the Employee relations unit and Legal services.

The organisation will seek to provide a safe space for employees affected by gender-based violence. This will be done in collaboration with the relevant sector departments (Western Cape Social Development and other organisations).

8.8 District Men's Parliament

The District Men's Parliament coincides with the United Nations (UN) Women global initiative known as Orange Day which is observed on the 25th of each month since 2009. Orange Day aims to mobilise communities, civil society, activists, governments and the UN system to UNiTE to end Violence against Women and Girls. Every month on this day, individuals across the globe are encouraged to wear a touch of orange in solidarity with the cause. The orange colour symbolises a brighter and a world free from violence against women and girls. The roll out of the District Men's Parliament was recommended by the inaugural and successful National Men's Parliament which was held in Cape Town on 19 November 2018.

The District Men's Parliaments have quarterly sittings to monitor and evaluate implementation efforts, and to aid implementations and is chaired by the Executive Mayor for GRDM. The purpose of the quarterly District Men's parliament is give attendees the opportunity to discuss issues men are facing in society, promoting a healthy society and discuss approaches to behavioural change programmes of the Department of Social Development (DSD) that seek to promote positive outcomes critical to change the course of gender-based violence faced by all South Africans. The Men's Parliament consists of GRDM Councillors and various men's organisations within the GRDM area.

9. Implementation Plan

This Implementation strategy will be rolled out at the Garden Route District Municipality and we wish to achieve a workplace free of Gender-based violence and a more gender sensitive workplace for the 2020/2021 financial year. This Implementation plan will make use of the 8 Principles of Gender equality, whereas principle 1 will be rolled out before the end of June 2020.

Implementation Strategy to Operationalise a Gender-based Violence free workplace			
Principle 1	Recommended Actions, Tools & methodologies to implement principle 1	Time Frame	Implementation
Transformation for a Gender-based violence free workplace	<p>Step 1: A Gender-based Violence policy should be drafted for approval by Management, LLF and Council.</p> <p>Step 2: Gender related objectives should be reflected in the IDP and SDBIP</p> <p>Step 3: Explain gender compliance requirements to employees</p> <p>Step 4: Identify all municipal policies that need to be adjusted to include matters of gender-sensitivity</p>	Before end Dec 2020	<p>Objectives of the activities:</p> <p>Buy-in from Councillors, Management and Supervisors; Unions</p> <p>Behavioural change</p> <p>Responsibility: HR and Senior Management</p> <p>Resource requirements:</p> <p>Budget</p> <p>Human capital</p> <p>Equipment</p>

Principle 2	Recommended Actions, Tools & methodologies to implement principle 2	Time-frame	Implementation
<p>Establishing a Policy environment and standard operating procedures for a Gender-based violence free workplace</p>	<p>Step 1: Appoint an assistant Employee Assistance Practitioner</p> <p>Step 2: Refreshment session of gender-sensitivity issues</p> <p>Step 3: Roll out awareness material to employees, including more articles in newsletters, website, social media, posters at depots and offices etc.</p> <p>Step 4: Involve the EE and EAP Committee to assist with Gender-based violence awareness /education within their different departments</p> <p>Step 5: Facilitate the enhanced and coordinated provision of post-traumatic services and facilities (linking immediate medical care, counselling and ongoing victim support).</p>	<p>July 2020 – continuously</p>	<p>Objectives of the activities: Women and men Sensitized</p> <p>Responsibility: EAP Practitioner</p> <p>Resource requirements: Articles for website, Pamphlets, posters, venues for information sessions; budget</p>

Principle 3 Creating an enabling environment (July – continuously)

- Principle 4** Utilize empowerment strategies to achieve a gender-based violence free workplace and gender equality (July 2020 – continuously)
- Principle 5** Providing adequate resources (July 2020 - continuously)
- Principle 6** Accountability, monitoring and evaluation (July 2020 – continuously)

10. Policy Review

This policy will be reviewed every three years for improvement if it is concluded that this policy is not achieving the desired results or in light of any National legislative changes. However if it is not necessary to review the policy, evidence of such a decision should be documented.

11. References

Basic Conditions of Employment Act (1998), www.gov.za

Beijing Declaration and Platform for Action (1995). Beijing Declaration and Platform for Action. www.un.org.

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1995. <https://www.unwomen.org>

Garden Route District Municipality Gender Empowerment Policy, 28 July 2015. www.gardenroute.gov.za

Garden Route District Municipality IDP (2019), Garden Route District Municipality's Integrated Development Plan 2019/2020. www.gardenroute.gov.za

Garden Route District Municipality Employment Equity Policy (2017) www.gardenroute.gov.za

National Development Plan 2030, www.gov.za

National Gender Policy Framework, www.environment.gov.za

National School of Government 2016, Learner Guide: Mainstreaming Gender in the Public Service. NSG: Pretoria

South African's National Policy Framework for Women's Empowerment and Gender Equality (2002)

SA History Article - The dark and heavy shadow

<https://www.sahistory.org.za/article/dark-and-heavy-shadow-gender-based-violence-and-anti-gender-based-violence-campaigns-south>

White Paper on Local Government, 1998. Republic of South Africa.

12. Annexure 1

Useful numbers for assistance	
Childline South Africa	Report child abuse to Childline South Africa's toll-free line, 0800 055 555
Gender Based Violence Command Centre	Contact the 24-hour Gender Based Violence Command Centre's toll-free number on 0800 428 428
South African Police Service	Report all cases of rape, sexual assault or any form of violence to a local police station or call the toll-free Crime Stop number 086 00 10111
Legal Aid South Africa	Call the toll-free Legal Aid Advice Line 0800 110 110 for free legal aid if you cannot afford a legal representative
Commission for Gender Equality	Report Gender Discrimination and Abuse to 0800 007 709
South African Human Rights Commission	Call 011 877 3600 to lodge a complaint about human rights violations
Domestic Violence Helpline	Stop Women Abuse on 0800 150 150
Mossel Bay: Creating Effective Families	Family Counselling - 044 693 1092
George FAMSA Outeniqua	Family Counselling - 044 874 5811
George Phambili Shelter	Shelter - 044 875 155
Calitzdorp Hope Options	Family Counselling - 044 213 3003
Oudtshoorn ACVV	Family Counselling - 078 401 1799
Oudtshoorn FAMSA	Family Counselling - 044 272 7020

AIDS Helpline	0800 012 322
South African Police Service (SAPS)	10111
SAPS Albertinia	028 735 8050
SAPS Calitzdorp	044 213 8830
SAPS Conville	044 803 3325
SAPS Da Gamaskop	044 606 2229
SAPS De Rust	044 241 2050
SAPS Dysseldorp	044 251 8403
SAPS George	044 803 4705
SAPS Groot Brakrivier	044 620 8300
SAPS Heidelberg	028 722 1910
SAPS Knysna	044 302 6600
SAPS KwaNokuthula	044 501 4217
SAPS Ladismith	028 551 8106
SAPS Mossel Bay	044 606 2800
SAPS Oudtshoorn	044 203 9002
SAPS Pacaltsdorp	044 803 9110
SAPS Plettenberg Bay	044 501 1913
SAPS Riversdale	028 713 8500
SAPS Stilbaai	027 754 6100
SAPS Thembaletu	044 802 8906
SAPS Uniondale	044 752 6610



LEAVE POLICY

Date
Approved: 5/12/017

Council
Resolution (DC
No):

DC16/12/17

Date
Revived: 2/5/08/2020 (E.5)

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1. Introduction

There are a variety of leave types available (Annexure A) to ensure all possible events that an official needs to attend or leave the workplace for, can be captured on individuals leave records.

2. Legal Framework

- Basic Conditions of Employment Act 75 of 1997 updated 2005 (BCEA)
- SALGBC Main Collective Agreement (1 April 2016)
- SALGBC Collective Agreement on Conditions of Service for the Western Cape Division (prevailing Agreement)

3. Purpose of this Policy

This policy serves to guide management and staff regarding the application of the different leave types, as required by the South African Local Government Bargaining Council (SALGBC) Main Collective Agreement and Collective Agreement on Conditions of Service for the Western Cape as well as the Basic Conditions of Employment Act.

4. Scope of this Policy

This policy applies to all Garden Route District Municipality's employees, permanent employees and contract employees. *Leave for Senior Managers is dealt with in accordance with the Regulation on the appointment and Conditions of Employment for Senior Managers, Government Gazette of 17 January 2014, Nr 37245.*

5. Definitions

All definitions used in this policy are defined in the Main Collective Agreement of the South African Local Government Bargaining Council (SALGBC) of 1 July 2015 until 30 June 2020, unless stated otherwise with the relevant definition.

Words indicating the masculine gender shall include the feminine gender.

Day – Means Monday to Friday, excluding Public Holidays, unless indicated otherwise by the context and will be submitted as 1 day, irrespective if it is taken on a Friday.

Days – Working days.

Employee – Means any person, excluding an independent contractor who works for another person or for the state and who receives, or is entitled to receive, any remuneration.

(As per Employment Equity Act 55 of 1998) – (B) Means any other person who in any manner assists in carrying on or conducting the business of an employer.

Employer – Means Garden Route District Municipality

Council – Means Garden Route District Municipality

Municipality – Means Garden Route District Municipality

Remuneration (As per Employment Equity Act 55 of 1998) – Means any payment in money or in kind, or both in money and in kind, made or owing to any person in return for that person working for any other person, including the state.

Registered Medical Practitioner (As per Collective Agreement on Conditions of Service) – Means a person entitled to practice as a Medical Practitioner in terms of section 17 of the Medical Dental and Supplementary Health Services Professions Act, 1974 (Act 56 of 1974).

Senior Management – Shall be those employees employed as Head of Department, Deputy Head of Department and Director or such post as determined by the relevant division of the Council; and excludes section 56 and section 57 managers.

Senior Managerial Employee means an employee who has the authority to hire, discipline and dismiss employees and to represent the employer internally and externally.

Shift Worker is an employee engaged in a scheduled continuous process which activity is deemed to be one in which continuous working by means of daily shifts is necessary.

Trade Unions – either IMATU and/or SAMWU – Refers to a trade union or employee association recognized by Garden Route District Municipality.

Workplace – The Employer

6. Policy

6.1. **Annual/Annual Shift Leave**

(24 Annual days – Cycle: January to December annually)

(27 Annual Shift days – Cycle: January to December annually)

ESS Leave Type: Annual Leave & Annual Shift

Annual leave will accumulate monthly immediately following an employee's commencement of employment. According to the Basic Conditions of Employment Act, leave does not apply to an employee who works less than 24 hours a month.

An employee must apply for annual leave and obtain approval from his supervisor, **prior** to the commencement of the annual leave by means of Council's leave record system or relevant application form. The supervisor may decline leave for operational reasons and inform employee accordingly. The notice period should equal the leave period, unless annual leave needs to be taken in case of emergency/operational reasons.

Annual leave is applied in accordance with the SALGBC Main Collective Agreement (Clause 8.1):

- 6.1.1. *"An employer shall grant an employee the following annual leave:*
 - 6.1.1.1. *Twenty-four (24) working days for a five- (5) day worker, provided that leave for an employee that works less than a 5 days week shall be calculated on a pro rata basis; and*
 - 6.1.1.2. *Twenty-seven (27) days for a six- (6) day worker.*
- 6.1.2. *An employer must grant annual leave not later than six months after the end of the annual leave cycle.*
- 6.1.3. *An employee is required to take annual leave as follows:*
 - 6.1.3.1. *A five- (5) day worker shall take a minimum of sixteen (16) days leave; and*
 - 6.1.3.2. *A six- (6) day worker shall take a minimum of nineteen (19) days leave.*
- 6.1.4. *An employee must take annual leave not later than six months after the end of the annual leave cycle.*
- 6.1.5. *Annual leave shall only be accumulated to a maximum of forty-eight (48) working days.*
- 6.1.6.
- 6.1.7. *Any leave in excess of forty-eight (48) days may be encashed should the employee be unable to take such leave, despite applying and because the employer refused to grant him such leave, as a result of the employer's operational requirements. If,*

despite, being afforded an opportunity to take leave, an employee fails, refuses or neglects to take the remaining leave due to him during this period, such remaining leave shall fall away.

6.1.8.

6.1.9. *With six months of the end of a leave cycle, an employee may not have more than 48 days annual leave to his credit.*

6.1.10. *In the event of the termination of service, an employee shall be paid his leave entitlement in terms of this agreement, calculated in terms of the relevant provisions of the Basic Conditions of Employment Act 75 of 1997, as amended."*

Employees will have a grace period of six months after the end of the annual leave cycle to take their total of 16 days annual leave.

Payment of annual leave balance on service exit

An employee can only accumulate leave up to a maximum of 48 days which implies that upon resignation and/or retirement an employee will be paid up to a maximum of 48 days plus the leave not taken in the last leave cycle. The leave balance will be paid as remuneration.

6.2. Sick Leave

(80 Sick Leave days – Three year Cycle on pro-rata basis)

ESS Leave Type: Sick Leave

An employee must notify his/her supervisor within three hours after he should have commenced duty on the first day of being absent on sick leave and must notify the supervisor again if absence is going to be longer than only that day. Shift workers are required to report ill-health/absence within two hours before the start of the shift.

The sick leave application accompanied by the medical certificate must be submitted the first day back at work if such absence exceeds two consecutive days.

Sick leave is applied in accordance with the SALGBC Main Collective Agreement (Clause 8.2):

6.2.1. *"With effect from the new sick leave cycle, an employer shall grant an employee eighty 80 days sick leave in a three (3)*

year leave cycle, provided that in respect of new appointments an employee may not take more than 30 days sick leave in the first year of employment.

- 6.2.2. *The employee shall be required to submit a medical certificate from a registered medical practitioner or any other person who is certified to diagnose and treat patients and who is registered with a professions council established by an Act of Parliament, if more than two (2) consecutive days are taken as sick leave, provided that the employer may request a sick leave certificate for every day of sick leave where there is evidence of abuse of sick leave.*
- 6.2.3. *The employer is not required to pay an employee if an employee is absent on more than two occasions during an eight-week period, and on request by the employer, does not produce a medical certificate stating that the employee was unable to work for the duration of the employee's absence on account of sickness or injury."*

The eight week cycle starts from the date when the sick leave occurs without a medical certificate and the second eight week cycle is calculated from the last sick leave without a medical certificate.

The Basic Conditions of Employment Act, Section 23(2), confirms the following on Proof of incapacity:

"The medical certificate must be issued and signed by a medical practitioner or any other person who is certified to diagnose and treat patients and who is registered with a professional council established by an Act or Parliament."

6.3. Medical Practitioners Appointments During Working Hours

Mancom decided the following regarding medical practitioner's appointments during working hours (Mancom 16/19/03/13 Sick leave):

"That approval is granted for 2 hours time off when employees need to visit a doctor."

Employees are requested to schedule appointments after hours as far as possible. If one can't be accommodated after hours, a maximum of two hours time off is granted away from the work station. Should the appointment exceed two hours, it is required that the necessary sick leave be submitted with confirmation from the medical practitioner of the appointment during working hours.

6.4. Administrative Measures For Taking Sick Leave

(Collective Agreement of the Western Cape Division on Conditions of Service – Clause 7)

- 6.4.1. *"If an employee to whom annual leave has been granted is certified sick by a registered medical practitioner after his annual leave has commenced, that part of his annual leave during which he was thus certified sick shall be converted into sick leave on submission of the prescribed certificate by such a registered medical practitioner.*
- 6.4.2. *If due to illness an employee is unable to take annual leave already deducted, he shall be credited with an equal number of days' annual leave.*
- 6.4.3. *An employee may not during any period of sick leave approved in terms of these conditions resume service without the written approval of a registered medical practitioner. If an employee reports for duty earlier than what is provided for on the sick leave certificate, the employee must provide a letter from the medical practitioner proving fitness for work.*
- 6.4.4. *If an employee leave the workplace on sick leave within three hours after he has assumed his normal hours of work, the employee shall be granted paid sick leave for the day, provided that he completes a sick leave form in respect of that day, and subject to having sick leave to his credit.*
- 6.4.5. *An employee who is absent from service because of illness must take all reasonable steps to notify his immediate supervisor (or assignee) within three hours after he should have commenced duty.*

- 6.4.6. Any employee to whom the maximum period of sick leave on full pay has been granted shall be granted sick leave without pay, subject to clause 5.7 of the Western Cape Conditions of Service Collective Agreement, provided that the employee is examined by a registered medical practitioner appointed by the Municipality. The cost of such examination shall be borne by the Municipality.
- 6.4.7. Medical certificates must be issued by a registered medical or dental practitioner or a Traditional Healer registered with a recognized professional council in terms of legislation.

6.5. Additional Sick Leave

(Collective Agreement of the Western Cape Division on Conditions of Service – Clause 6)

ESS Leave Type: Sick Leave

“Employees who have not taken more than 20 days’ sick leave at the end of a three year cycle shall receive an additional ten working days’ paid sick leave to which they will be entitled in the ensuing cycle, provided that in respect of any sick leave cycle no employee shall become entitled to more than 120 working days’ sick leave on full pay in a sick leave cycle.”

6.6. Maternity Leave

ESS Leave Type: Maternity Leave & Unpaid Maternity Leave

The Code of Good Practice on the Protection of Employees During Pregnancy and after the Birth of a Child, as contained in The Basic Conditions of Employment Act, encourage women employees to inform employers of their pregnancy as early as possible to ensure that the employer is able to identify and assess risks and take appropriate preventative measures.

Maternity leave is granted in accordance with the SALGBC Main Collective Agreement (Clause 8.3):

- 6.6.1. a) “An employee, including an employee adopting a child under three (3) months, shall be entitled to receive three (3) months paid maternity leave, with no limit to the number of confinements

or adoptions. This leave provision shall also apply to an employee whose child is still-born.

- b) Maternity leave may commence four (4) weeks before confinement.*
- c) To qualify for paid maternity leave, an employee must have one (1) year's continuous service with the employer."*

The Basic Conditions of Employment Act, Section 25(2), confirms that:

- 6.6.2. (1) *An employee is entitled to at least four consecutive months' maternity leave.*
- (2) *"An employee may commence maternity leave-*
 - (a) at any time from four weeks before the expected date of birth, unless otherwise agreed; or*
 - (b) on a date from which a medical practitioner or a midwife certifies that it is necessary for the employee's health or that of her unborn child.*
- (3) *Should the employee fall ill with any pregnancy-related illness within the 4 weeks prior to her confinement date that date will be regarded as the start of her maternity leave.*
- (4) *No employee may work for six weeks after the birth of her child, unless a medical practitioner or midwife certifies that she is fit to do so.*
- (5) *An employee who miscarries before the third trimester will not qualify for maternity leave but the employee may utilise sick leave for the period as indicated by a medical practitioner.*
- (6) *An employee who has a miscarriage during the third trimester of pregnancy is entitled to maternity leave for six weeks after the miscarriage, whether or not the employee had commenced maternity leave at the time of the miscarriage.*
- (7) *An employee may request to interrupt her/his maternity leave if-*
 - (a) the baby is born prematurely and is hospitalised during maternity leave; or*
 - (b) the baby becomes ill and is hospitalised for a period longer than a month during the maternity leave period.*
- (8) *An employee must notify an employer in writing, unless the employee is unable to do so, of the date on which the employee intends to-*
 - (a) commence maternity leave; and*
 - (b) return to work after maternity leave.*

- (9) Notification in terms of subsection (5) must be given-
 - (a) at least four weeks before the employee intends to commence maternity leave; or
 - (b) if it is not reasonably practicable to do so, as soon as is reasonably practicable."

The Basic Conditions of Employment Act, Section 26, explains the Protection of employees before and after birth of a child:

- 6.6.3. (1) "No employer may require or permit a pregnant employee or an employee who is nursing her child to perform work that is hazardous to her health or the health of her child.
- (2) During an employee's pregnancy, and for a period of six months after the birth of her child, her employer must offer her suitable, alternative employment on terms and conditions that are no less favourable than her ordinary terms and conditions of employment, if-
 - (a) the employee is required to perform night work, as defined in section 17(1) or her work poses a danger to her health or safety or that of her child; and
 - (b) it is practicable for the employer to do so."

The Code of Good Practice on the Protection of Employees During Pregnancy and after the Birth of a Child, as contained in The Basic Conditions of Employment Act, confirms that:

- 6.6.4. "Arrangements should be made for employees who are breast-feeding to have breaks of 30 minutes twice per day for breast-feeding or expressing milk each working day for the first six months of the child's life."

6.7. Family Responsibility Leave

(5 Family Responsibility Leave days – Cycle: January to December annually)

ESS Leave Type: Family Responsibility Leave

Family Responsibility leave is granted in accordance with the SALGBC Main Collective Agreement (Clause 8.4):

- 6.7.1. "Family responsibility leave applies to an employee who has been in employment with an employer for longer than four (4) months.

6.7.2. An employer, upon receipt of reasonable proof, shall grant an employee during each annual leave cycle at the request of an employee, a total of five (5) working days paid leave, which the employee is entitled to take, either when:

- 6.7.2.1. the employee's child is born;
- 6.7.2.2. the employee's child is sick;
- 6.7.2.3. the employee's spouse or life partner is sick;
- 6.7.2.4. in the event of death of:
 - a) the employee's spouse or life partner; or
 - b) the employee's parent, adoptive parent, parents-in-law, grandparent, child, adopted child, grandchild or sibling."

The Basic Conditions of Employment Act, Section 27(4), confirms that an employee may take family responsibility leave in respect of the whole or a part of a day. Section 27(5) confirms that reasonable proof of an event contemplated as for family responsibility leave may be required by the employer. The unused entitlement to family responsibility leave lapses at the end of the leave cycle in which it accrues according to Section 27(6).

6.8. Study Leave

ESS Leave Type: Special Study Leave

Collective Agreement of the Western Cape Division on Conditions of Service (Clause 5.1):

- 6.8.1. "Study leave shall be granted in accordance with Council policy. Where no policy exists by the Municipal Manager or his assignee which approval shall not be unreasonably refused.
- 6.8.2. Study leave shall be granted on the basis of one day paid special leave for each day that an employee writes an examination plus an equivalent amount of days for preparation, subject to clause 5.1.3. When two subjects/modules are written on one day, study leave shall be granted on the basis of one day paid special leave for the day of the examination plus an equivalent amount of days for preparation per subject/module for preparation for that examination.
- 6.8.3. When an employee is required to write only one examination on one day in a calendar year, he shall be entitled to three days' special paid leave which shall include the day of the examination.

- 6.8.4. The said leave for writing examinations in terms of clause 5.1.1 must be approved in advance by the Municipal Manager or his assignee, and the request for leave must be accompanied by the examination roster or sufficient proof of the examination being written."

For attending the graduation ceremony, time off with full pay for the day of the graduation and the day before the graduation, as applied with the special leave for examination purposes, is granted, subject to authorisation by the Municipal Manager, prior to the graduation taking place.

Driver training for employees is not allowed during working hours, but the final driving test can be done during working hours.

Amount of days subject to clause 5.13.4 (20 working days in a leave cycle).

6.9. Leave Of Absence For Obligatory Course/Study Requirements

ESS Leave Type: Special Study Leave & Annual Leave

Collective Agreement of the Western Cape Division on Conditions of Service (Clause 5.2):

- 6.9.1. "The fields of study must be approved in advance in accordance with Council policy and must be in accordance with the requirements of the curriculum of the approved course. Where no policy exists the fields of study must be approved in advance by the Municipal Manager or his assignee, which approval shall not be unreasonably withheld.
- 6.9.2. An employee attending a training or study course subject to Council policy shall be granted up to ten (10) days' and thereafter one (1) day's paid special leave for every day's leave taken by the employee.
- 6.9.3. Leave referred to in clauses 5.1. and 5.2 shall be granted for a maximum of twice per subject/module to allow for supplementary examinations.
- 6.9.4. Clause 5.2 does not apply to compulsory training initiated by the employer. An employee attending compulsory training initiated by the employer shall be granted paid special leave for the full duration of the obligatory attendance requirements.

Amount of days subject to clause 5.13.4 (20 working days in a leave cycle).

6.10. Time Off To Attend Classes

ESS Leave Type: Special Study Leave

- 6.10.1. Employees participating in Council's Bursary Scheme, or who are registered with a recognised education institution to acquire a qualification as the Work Skills Plan as part of his/her personal development plan, may be granted time off for exposure (eg. Block releases) or to attend such classes during working hours, limited to the required notional hours as per accredited course.
- 6.10.2. Documentary proof in this regard must be used as proof that attendance, exposure or block releases are a prerequisite and critical for a qualification to be conferred. Such documentary proof must accompany the application for time off in this regard.
- 6.10.3. The granting of time off to attend these classes will result in a service obligation to Council. (Refer to Skills Development Policy).
- 6.10.4. Should an employee take time off to attend classes, but does not write the examination, the time off granted will be deducted from his/her annual leave entitlement or it will be captured as unpaid leave if he/she does not have annual leave to his/her credit. This requirement is not applicable when the employee was on sick leave on the date of the examination.

Amount of days subject to clause 5.13.4 (20 working days in a leave cycle).

6.11. To Attend A Court Of Law To Give Evidence On Being Summoned As A Witness

ESS Leave Type: Special Court Leave

Collective Agreement of the Western Cape Division on Conditions of Service (Clause 5.3):

- 6.11.1. "On receipt of a written subpoena, an employee who is summonsed to attend a Court of Law as a witness shall be granted paid special leave for the period of absence from duty, provided that any witness fee received, excluding a travel and subsistence allowance, shall be

reimbursed or recovered from the employee whatever the case may be.

- 6.11.2. Any employee who is arrested and appears in court as a result of charges laid by his employer and who is later acquitted shall be granted paid leave for the period of incarceration."

6.12. Sport Participation

ESS Leave Type: Special Sport Leave

Collective Agreement of the Western Cape Division on Conditions of Service (Clause 5.4):

"An employee who is elected by a recognised amateur or professional sport association, which sport association must be recognized by the South African Sports Confederation and Olympic Committee (SASCOC), to:

Note: NOCSA was replaced by SASCOC.

- 6.12.1. Represent South Africa or the Province as participant in SASCOC recognized international or national sports competitions inside as well as outside the Republic of South Africa;
- 6.12.2. Accompany teams that will represent South Africa at SASCOC recognized international sports competitions inside as well as outside the Republic of South Africa as coach or manager;
- 6.12.3. Officiate at SASCOC recognized international sporting event where the employee represents South Africa and a National South African sports team participate;

Shall be granted paid special leave for the duration of the event for these purposes, subject to clause 5.8.4."

Amount of days subject to clause 5.13.4 (20 working days in a leave cycle).

6.13. Quarantine And Isolation Under Medical Instruction

ESS Leave Type: No leave type listed on ESS – Complete manual leave form

Collective Agreement of the Western Cape Division on Conditions of Service (Clause 5.5):

“Where a registered medical practitioner has placed an employee under quarantine/in isolation in terms of the Health Act, 1977 (Act 63 of 1977) or any regulations in force thereunder, such an employee shall be granted paid special leave, provided that the medical certificate issued details the period of absence and the reason therefore.”

6.14. Absenteeism Leave

ESS Leave Type: Absenteeism

Absenteeism leave is time off granted during working hours by the employer for the following:

- Service of a motor vehicle – 1 hours
- Doctors appointment – 2 hours
- SARS – 2 hours
- Renewal of motor vehicle or drivers licence – 2 hours

Absenteeism must be monitored by supervisors and the usage thereof be limited as far as possible.

6.15. Compensation For Occupational Injuries And Diseases

ESS Leave Type: IOD Leave

Collective Agreement of the Western Cape Division on Conditions of Service (Clause 5.6):

“An employee who sustains an injury or contracts an illness in the course of his official duties such as to entitle the employee to compensation in terms of the Compensation for Occupational Injuries and Diseases Act, 1993, shall be granted paid special leave for the period of incapacitation.”

6.16. Leave Without Pay

ESS Leave Type: Unpaid

Collective Agreement of the Western Cape Division on Conditions of Service (Clause 5.7):

“(Remuneration for this puposes as referred to in the Basic Conditions of Employment Act, 1997.)

Leave without pay as approved by the Municipal Manager or his assignee, which approval shall not be unreasonably withheld, shall be subject to the following conditions:

- 6.16.1. Leave without pay shall be granted only when all available vacation and/or sick leave has been exhausted.
- 6.16.2. For the period of leave without pay Council shall continue to make employer's contributions only to the employee's group life insurance scheme, pension and medical aid fund, provided that the employee also makes his contributions to the said funds, as well as any payment in terms of a collective agreement.“

ESS Leave Type: Unauthorized Leave

Leave without pay shall be granted by the Municipal Manager or his assignee, subject to Council only contributing towards the employee's group life insurance scheme, pension and medical aid fund, provided that the employee also makes his/her contributions to the said funds, as well as any payment in terms of a collective agreement.

6.17. Application For Special Leave

Collective Agreement of the Western Cape Division on Conditions of Service (Clause 5.8):

- 6.17.1. “Exigencies of the service must be taken into consideration.
- 6.17.2. Supporting documents, where required, must be provided with the application.
- 6.17.3. Application for special leave, must be approved by the Municipal Manager or his assignee, shall be considered in a bona fide manner, and shall not be unreasonably refused.
- 6.17.4. Special leave shall not exceed 20 working days in a leave cycle – this limitation does not apply to quarantine and injury on duty situations and unpaid sick leave.“

6.18. Long Service Recognition

ESS Leave Type: Long Service leave & Long Service leave sold

Collective Agreement of the Western Cape Division on Conditions of Service (Clause 11):

6.18.1. In addition to normal vacation leave, an employee shall qualify for the following additional leave as recognised for continuous long service at the same employer which shall be credited once only on the date on which the various periods of continuous service are completed. The long-service leave must be taken within one (1) year of receiving such leave or may be wholly or partially encashed.

After	10 years	10 working days
	15 years	15 working days
	20 years	20 working days
	25 years	25 working days
	30 years	30 working days
	35 years	35 working days
	40 years	40 working days
	45 years	45 working days

6.18.2. In addition to the above, an employee shall be entitled to a 14th cheque for continuous employment on 30, 35, 40 and 45 years."

- *An employee with 10 (ten) or more year's service with the municipality and who retires, is retrenched, medically boarded or in case of death, will be paid a pro rata long service bonus and pro rata annual bonus for any uncompleted period stipulated in (5.14.1) above. The pro rata long service bonus and bonus will be calculated on continuous years of service and remuneration of employee.*
- *Calculation of Pro Rata Long Service Leave:
A months/60 months x B days
A = Completed full calendar months since last long service award
B = Next level up from last long service award
Eg. For official who started employment on 1 January 1980 and is retiring on 18 April 2017:*

- Received long service award after 35 years service 31 December 2015
- Pro rata calculation:
15 months/60 months x 40 days

6.19. Time Off For Union Activities

ESS Leave Type: Union Leave IMATU/SAMWU & Shop Steward Leave

Time off for Union Activities is applied in accordance with the SALGBC Main Collective Agreement (Section 2, Organizational Rights Agreement):

6.19.1. Election of Shop Stewards

- 6.19.1.1. Once agreement has been reached on the delimitation and demarcation of constituencies, the trade union concerned shall be given access to the employer's premises to conduct shop steward elections.
- 6.19.1.2. Such access shall allow the trade union 3 (three) hours during working time, per constituency, to explain the role and duties of shop stewards, to receive nominations and to conduct elections. The 3 (three) hours need not be continuous but shall be held prior to lunch breaks or knocking-off time.

6.19.2. Meetings and Facilities

- 6.19.2.1. The shop stewards shall be entitled to meet with members in their respective constituencies for a period of 2 (two) hours per month.
- 6.19.2.2. The shop stewards' committee shall be entitled to hold four (4) general meetings with members per year. Any such meeting shall be held during working hours for not more than 2 (two) hours during working time on a date to be approved by the employer, which approval shall not be unreasonably withheld. The meeting shall take place either before lunch break or knock-off time. The shop stewards committee may request additional meetings/time and such request shall not be unreasonably refused.
- 6.19.2.3. A shop stewards' committee shall be entitled to meet for a period not exceeding 2 (two) hours per month during working time.

6.19.3. Time Off for Trade Union Activities and Training

- 6.19.3.1. 5.19.3.1 Shop stewards shall be entitled to 15 (fifteen) days per year with full pay during working hours for trade union activities and training.
- 6.19.3.2. Six (6) days of each shop steward's annual entitlement of time off shall be pooled and re-allocated at the trade union's discretion to the shop stewards at the employer concerned, provided that no single shop steward may take more than 21 (twenty-one) days off per year and that the total days in the pool are not exceed.
- 6.19.3.3. Further requests or time off for shop stewards shall not be unreasonably refused.
- 6.19.3.4. The necessary leave forms must be submitted and approved by the Supervisor and Head of Department prior to taking time off for union leave.

6.19.4. Application of Different Leave Types For Section 56 Manager
(Municipal Manager and Managers (Section 56) directly accountable to Municipal Manager)

(Government Gazette Vol. 583 Nr. 37245, 17 January 2014)

6.20. Annual Leave

- 6.20.1.1. "A senior manager is entitled to not more than two working days leave on full remuneration for every month which the senior manager worked in any annual leave cycle.
- 6.20.1.2. A senior manager does not accrue leave during any period of unpaid leave or if the senior manager is absent from work without permission.
- 6.20.1.3. A senior manager must take at least 10 working days annual leave in each annual leave cycle: Provided that the remaining days must be taken before the end of the following annual leave cycle, failing which they are forfeited.
- 6.20.1.4. A senior manager may only take annual leave with the prior written approval of the mayor or municipal manager, as the case may be.
- 6.20.1.5. A senior manager's application for annual leave may not be unreasonably disapproved."

6.20.2. Sick Leave

- 6.20.2.1. "A senior manager is entitled to 36 working days paid sick leave during each sick leave cycle.
- 6.20.2.2. A senior manager who is appointed after 1 January will be entitled to paid sick leave on a pro rata basis.
- 6.20.2.3. Sick leave may not be carried over from one sick leave cycle to the next sick leave cycle.
- 6.20.2.4. A senior manager whose-
 - (a) sick leave is depleted within a sick leave cycle may take annual leave in lieu of sick leave for the purposes of recovery;
 - (b) sick leave and annual leave are depleted, may, at the discretion of the municipality and to a maximum of 30 days, be granted unpaid leave."

6.20.3. Proof of sickness or injury

"A senior manager who takes sick leave for more than two consecutive days or on more than two occasions during an eight week period must provide an original medical certificate that complies with subregulations 2 and 3."

6.20.4. Reporting sickness or injury

- 6.20.4.1. "A municipal manager who is unable to report for duty due to sickness or injury must, as soon as reasonably possible, inform the mayor about his or her absence and expected duration of absence.
- 6.20.4.2. A manager directly accountable to a municipal manager who is unable to report for duty due to sickness or injury must, as soon as reasonably possible, inform the municipal manager about his or her absence and expected duration of absence."

6.20.5. Sickness or injury during leave

"A senior manager who falls sick or who is injured during any period of leave other than sick leave must complete that period of leave before sick leave may be granted."

6.20.6. Maternity leave

"A senior manager is entitled to at least four consecutive months maternity leave."

6.20.7. Family Responsibility Leave

"A senior manager is entitled to five working days family responsibility leave per annual leave cycle for utilization if the senior manager's-

- (a) Spouse or life partner gives birth to the senior manager's child;
- (b) Child, spouse or life partner is sick; or
- (c) Child, spouse or life partner, or a senior manager's parent, adoptive parent, grandparent, child, adopted child, grandchild or sibling, dies."

6.20.8. Approval of leave not contained within the leave policy or collective agreement.

That in the event or circumstances that is not covered in the leave policy, such as a State of National Disaster/State of Emergency or leave occasioned/necessitated by any pandemics, the Municipal Manager have discretion to consider such leave not covered by the leave policy or collective agreement.

7. Processes

The process of Leave will be coordinated by employees by capturing leave on ESS or by a direct supervisor. The Conditions of Service Sub-Section will do an update to payroll before the monthly leave report is drawn.

8. Policy Review

This policy will be reviewed every two to three years, subject to changes in the Main Collective Agreement and/or Conditions of Service Collective Agreement or any other Collective Agreement proposed by SALGA.

9. References

- Main Collective Agreement
- Conditions of Service Collective Agreement

- Basic Conditions of Employment Act

10. Acknowledgement & Approval

11. Annexures

The following leave types are available on the Employee Self Service System to process leave applications:

<u>LEAVE TYPE</u>	<u>USAGE OF LEAVE</u>
Annual leave	Annual leave
Annual Shift leave	Annual leave specifically for shift workers
Sick leave	Sick leave with/without medical certificate <ul style="list-style-type: none"> • Booked off by a registered medical practitioner
Family Responsibility leave	Child is born Child is sick Spouse of life partner is sick Death of spouse or life partner Death of employee's parent, adoptive parent, parents-in-law, grandparent, child, adopted child, grandchild or sibling
Maternity leave	Child is born Employee adopting a child under three months Employee who has a miscarriage during the third trimester or pregnancy
Unpaid Maternity leave	Additional month unpaid maternity leave
Court Attendance leave	To attend a court of law to give evidence on being summoned as a witness
Special Study leave	Examination Graduation Employees participating in Council's Bursary Scheme or who are registered with a recognized education institution to acquire a qualification as part of the WSP.
Class Attendance leave	When Council nominates employee to attend short course

Conference leave	Attendance of conferences/seminars
Meeting leave	Attendance of meetings outside Garden Route District
Injury on Duty leave	Booked off by a registered medical practitioner due to an injury on duty
Long Service leave	Additional vacation leave for continuous employment
Long Service leave Sold	Encashment of additional vacation leave for continuous employment
Special Sport leave	Employee who is elected by a recognized amateur or professional sport association, which sport association, must be recognized by the South African Sports Confederation and Olympic Committee.
Unpaid leave	When all available vacation and/or sick leave has been exhausted
Unauthorized leave	Leave without pay
Shop Steward leave	Trade Union activities and training
Absenteeism leave	Permission for time off during working hours for: Dr Appointments Service of motor vehicle Renewal of motor vehicle registration or drivers license SARS
Union leave IMATU/SAMWU	Shop Stewards are entitled to meet with members in their respective constituencies for a period of 2 hours per month.

[BACK TO AGENDA](#)

DISTRICT COUNCIL

30 SEPTEMBER 2020

**CONDITIONS OF SERVICE: CONTINUES MEDICAL AID BENEFITS AFTER RETIREMENT AND GROUP LIFE INSURANCE COVER FOR SENIOR MANAGERIAL EMPLOYEES /
DIENSVOORWAARDES: VOORTGESETTE MEDIESEFONDS VOORDELE NA AFTREDE EN GROEPLEWENSVERSEKERINGDEKKING VIR SENIOR BESTUURSLEDE**

(9/5/2/1)

23 September 2020

**REPORT FROM THE EXECUTIVE MANAGER: CORPORATE SERVICES (B HOLTZHAUSEN) /
ACTING MANAGER: HUMAN RESOURCES (ADV S MAQEKENI)**

2. PURPOSE OF THE REPORT

To consider rescinding of a previous Council resolution regarding continued medical aid membership benefits after retirement for new appointees and consider to extending the Group Life Insurance cover to Senior Managerial employees.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Employees who were appointed before 1 March 2013 are entitled to the benefit of continued medical aid membership upon retirement, medical disability retirement or in the event of death, one of the dependents is registered as a continuing member. During August 2013, the Board decided that employees appointed after 1 March 2013 will not be entitled to the benefit of continued medical aid membership.

The Group Life Insurance cover does not currently apply to Senior Management members and there is currently no legal basis for this ruling. It is suggested that the benefit be extended to include them as well.

5. **RECOMMENDATIONS**

- 5.1.1 That Council resolution DC 520/08/13 dated August 2013 be rescinded.
- 5.1.2 That subsidized continuous medical aid membership benefits be applicable for all employees when they belong to a medical aid fund when leaving Council's services upon retirement, early retirement, disability or in the case of death where an existing medical aid dependant is then registered as the member (only if the eligible dependent is 18 years and older according to medical aid fund rules).
- 5.1.3 That the Group Life Insurance cover be extended to Senior Managerial employees.

AANBEVELINGS

- 5.2.1 *Dat Raadsbesluit DC 520/08/13 van Augustus 2013 herroep word.*
- 5.2.2 *Dat voortgesette gesubsidieerde mediese fonds lidmaatskap op alle personeel van toepassing sal wees wanneer hul lid is van 'n mediese fonds met diensverlating met aftrede, mediese ongeskiktheidsaftrede of in die geval van sterfte waar 'n mediese fonds afhanklike dan as hooflid geregistreer word (slegs as die afhanklike ouer as 18 jaar is ingevolge mediese fonds reëls).*
- 5.2.3 *Dat die Groeplewensversekeringsdekking uitgebrei word na Senior Bestuurslede.*

6 **DISCUSSION / CONTENTS**

6.1 **BACKGROUND**

Prior to Council decision in August 2013, employees received continued medical aid membership after retirement, early retirement, disability or in case of death of the member, a dependant was registered as continued member. The employer contribution was 70% and the employee contribution 30%.

Council decision of August 2013 (DC 520/08/13) stated the following:

"That Council approves that subsidized continued medical aid membership benefits will not be applicable to new employees appointed from 1 March 2013 and when they leave Council's services upon retirement, early retirement, disability or in the case of death where an existing medical aid dependent is then registered as the member."

It has to be noted that the reason for discontinuing with the Post Retirement Medical benefit was to cut costs and that situation has changed such that the benefit can be continued.

Since the decision, there were no employees affected who were appointed from 1 March 2013, as this decision would only have had an effect mostly on the long term upon an employee's retirement. The attached legal opinion in this regard from Ms D Barnard of Brand & Van der Berg Attorneys also refers.

The Group Life Insurance cover currently excludes the Senior Managerial staff and there is no legal basis for such an exclusion. It is proposed that this benefit be extended to them as well.

AGTERGROND

Werknemers wie voor 1 Maart 2013 aangestel was, is geregtig op die voordeel van voortgesette mediese fonds lidmaatskap met aftrede, mediese ongeskiktheidsaftrede of in die geval van sterfte, word een van die afhanklikes as voortgesette lid geregistreer. Die Raad het gedurende Augustus 2013 besluit dat werknemers wie na 1 Maart 2013 aangestel word, nie op die voordeel van voortgesette mediesefonds lidmaatskap geregtig sal wees nie.

Die Groeplewensversekeringsdekking is tans nie van toepassing op Senior Bestuurslede nie en daar is tans geen regsbasis vir hierdie uitsluitel nie. Daar word voorgestel dat die voordeel ook uitgebrei word om hul in te sluit.

6.2 DISCUSSION

Since the decision, there were no employees affected who were appointed from 1 March 2013, as this decision would only have had an effect mostly on the long term upon an employee's retirement. The attached legal opinion in this regard from Ms D Barnard of Brand & Van der Berg Attorneys also refers.

The Group Life Insurance cover currently excludes the Senior Managerial staff and there is no legal basis for such an exclusion. It is proposed that this benefit be extended to them as well.

6.3 Financial Implications

1. Continued medical aid membership benefits after retirement

- Liability as per current policy:

	Year ending 30/06/2020	Year ending 30/06/2021	Year ending 30/06/2022
Opening Accrued Liability	138,562,901	120,282,000	126,137,000
Current-Service Cost	2,504,440	1,962,000	2,157,000
Interest Cost	12,480,288	11,594,000	12,154,000
Expected Contributions (benefits paid)	* (7,446,411)	(7,701,000)	(8,168,000)
Total Annual Expense	7,538,317	5,855,000	6,143,000
Actuarial Loss / (Gain)	(25,819,218)		
Closing Accrued Liability	120,282,000	126,137,000	132,280,000

- Liability if policy cut-off date of 1 March 2013 disregarded, resulting in the addition of 97 in-service members and the S57 employees:

	Year ending 30/06/2020	Year ending 30/06/2021	Year ending 30/06/2022
Opening Accrued Liability	138,562,901	122,694,000	129,592,000
Current-Service Cost	2,504,440	2,718,000	2,990,000
Interest Cost	12,480,288	11,882,000	12,548,000
Expected Contributions (benefits paid)	(7,446,411)	(7,702,000)	(8,172,000)
Total Annual Expense	7,538,317	6,898,000	7,366,000
Actuarial Loss / (Gain)	(23,407,218)		
Closing Accrued Liability	122,694,000	129,592,000	136,958,000

The additional expense in year 1 will therefore be R2,412,000, year 2 is R1,053,000 and year 3 is R1,213,000.

2. The following financial implications will be applicable to extend the Group Life Insurance Cover to Senior Managerial employees:

Total cost to Council is approximately R150,000

6.4 Legal Implications

Basic Conditions of Employment Act, 75 of 1997

SALGBC Main Collective Agreement.

SALGBC Collective Agreement on Conditions of Service

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions

Council decision of August 2013 (DC 520/08/13) stated the following:

"That Council approves that subsidized continued medical aid membership benefits will not be applicable to new employees appointed from 1 March 2013 and when they leave Council's services upon retirement, early retirement, disability or in the case of death where an existing medical aid dependent is then registered as the member."

6.7 Risk Implications

None

6.8 Comments from Senior Management:

6.8.1 Executive Manager Financial Services

None

6.8.2 **Executive Manager Corporate Services**

None

6.8.3 **Executive Manager Planning & Economic Development**

None

6.8.4 **Executive Manager Roads & Transport Planning Services**

None

6.8.5 **Manager Legal Services**

None

ANNEXURE

Legal Opinion from Brand & van der Bergh Attorneys



BRAND & VAN DER BERGH

PROKUREURS I/II ATTORNEYS

THE MUNICIPAL MANAGER

Ons Verw / Our Ref: G1435/DB/rh

U Verw: / Your Ref:

GARDEN ROUTE DISTRICT
MUNICIPALITY

Email: Kayleigh@gardenroute.gov.za

23 September 2020

Email : Nadiema@gardenroute.gov.za

Email : Sinekaya@gardenroute.gov.za

Geagte / Dear

**INSAKE / RE: LEGAL OPINION : POST RETIREMENT MEDICAL BENEFITS
("PRMB")**

BACKGROUND

The purpose of this opinion is to consider the municipality's policy in relation to the payment of Post Retirement Medical Benefits ("PRMB") to various categories of employees in the municipality. Our instructions are the following:

1. Prior to March 2013 all employees of the municipality (excluding senior management) as defined in the Local Government: Municipal Systems Act, 2000) received PRMB benefits.
2. During March 2013 the council of the municipality as part of a cost cutting exercise resolved to change the policy. From March 2013 all employees appointed after that date no longer received this benefit.
3. The relevant part of the resolution dated 26 August 2013 reads as follows:

"that council approves that subsidized continued medical aid membership benefits will not be applicable to new employees appointed from 1 March 2013 and when they leave council's services upon retirement, early retirement, disability or in the case of death when an existing medical aid dependant is then registered as the member."

126 Cradock Street, PO Box 1079, George, 6530
Tel: (044) 874 5244

Partners: E Brand (BA LLB; Dip. Auctioneering) - A V van der Bergh (B Juris; LL.B)

Professional Assistant: Deseré Barnard (BLC; LL.B; LL.M)

Candidate Attorney: Talitha Steenkamp (BCoM; LL.B)

4. The legal position

The question to be decided is whether the municipality's conduct in the differentiating between different categories employees constitutes an unfair labour practice in terms of the definition as contained in the labour relations act. In terms of the Act an unfair labour practise is described as follows:

“Unfair labour practice means any unfair Act or omission that arises between an employer and an employee involving (a) unfair conduct by the employer relating to the promotion, demotion, probation (excluding disputes about dismissals for a reason relating to probation (or training of an employee) or relating to the provision of benefits to an employee).

- Section 186 (2)(a)

5. It is trite that medical aid benefits constitute a benefit as contemplated in this section.

6. The Labour Appeal Court has also determined that benefits for the purposes of this section should be interpreted widely. In the matter of Apollo Tyres the Labour Appeal Court held the following: “In my view, the better approach would be to interpret the term ‘benefit’ to include a right or entitlement to which the employee is entitled (ex contractu or ex lege, including rights judicially created) as well as an advantage or privilege which has been offered or granted to an employee in terms of a policy or practice subject to the employer’s discretion. In my judgment ‘benefit’ in Section 186 (2)(a) of the Act means existing advantages or privileges to which an employee is entitled as a right or granted in terms of a policy or practice subject to the employer’s discretion.”

- *Apollo Tyres South Africa (PTY) Ltd vs CCMA and others (2013)34 ILJ 1120(LAC)*

7. It is therefore clear that Post Retirement Medical Aid Benefits are benefits as contemplated in the unfair labour practice definition and will therefore be subject to scrutiny by the CCMA or the Bargaining Council if there is a differentiation in benefits provided to employees.

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8. Employees (excluding senior managers) may also be affected by what is determined in the SALGBC collective agreement. According to our instructions the collective agreement does not deal with PRMB benefits and therefore cannot be of assistance in this matter.
9. The terms and conditions of employment of senior managers on the other hand are determined by their contracts, municipal policies and the Local Government: Appointment and Conditions of Senior Managers Regulations 2014.
10. Our instructions are that PRMB benefits are also not dealt with in these regulations.
11. It is therefore clear that municipalities deal with PRMB benefits on an individual basis and that it may differ from municipality to municipality.

12. **Conclusion**

The only question to be determined now is whether the conduct of the municipality in differentiating between employees appointed before and after March 2013 constitutes an unfair labour practice. The same question needs to be determined in relation to Senior Managers who were always be excluded from this benefits.

13. The rational for the council's decision appears to be a cost cutting exercise. It is part of the duties of every municipality to diligently and prudently manage its finances for the benefit of the community it serves. The decision of the council was made with this in mind. There is simply no evidence or indication that the decision was made with any malice or ulterior motive in order to penalise the employees or the senior managers.
14. It is our view that the municipality will be able to successfully argue that the decision of the council in relating to the granting of PRMB benefits was reasonable, justifiable and fair. It is our view that a course of action based on the unfair labour practice definition will not succeed.
15. If the employees feel strongly about this differentiation they may also consider collective action as this is not excluded even though the unfair labour practice route is available to them. This dispute in relation to benefits can be seen as a dispute of interest as well as a

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rights dispute.

16. Another factor that may hamper any action instituted now is the time delay. This policy has been in practice since 2013 and no action was taken.
17. Although it may be doubtful if an action based on the unfair labour practice definition will succeed it is clear that a definite differentiation between employees and the benefits they receive exist. This clearly may be a cause of dissatisfaction and may also lead to industrial action in the future.
18. One of the main aims of labour legislation in South Africa is to ensure equal treatment of employees in the workplace. On this basis it may be argued that it will be beneficial for the municipality to revisit this policy of differentiation.
19. There is nothing that legally prevents the municipality from asking its council to resolve to provide the same benefits to all employees (including senior managers). As pointed out above these benefits are not part of any collective agreement or regulations. Municipalities are therefore free to implement additional benefits and incorporate it in its conditions of employment.
20. It will be important to establish from the medical aid fund administrators how such a change can be practically implemented.
21. If a decision is taken by council to provide the same benefits to all the decision (resolution) must be clear and unambiguous and must be conveyed in writing to all interested parties and specifically to all employees.

We trust you find the above in order. Please let us know if any further clarification is needed.

Die uwe / Yours faithfully

BRAND & VAN DER BERGH PROKUREURS / ATTORNEYS

Per:

DESERÉ BARNARD

126 Cradock Street, PO Box 1079, George, 6530
Tel: (044) 874 5244

Partners: E Brand (BA LLB; Dip. Auctioneering) - AV van der Bergh (B Juris LLB)

Professional Assistant: Deseré Barnard (BLC, LLB; LL.M)

Candidate Attorney: Talitha Steenkamp (BCom; LLB)

BACK TO AGENDA

DISTRICT COUNCIL

30 SEPTEMBER 2020

**PROGRESS REPORT WITH REGARDS TO ESTABLISHMENT OF A DISTRICT FOODBANK /
VORDERINGSVERSLAG RAKENDE DIE ONTWIKKELING VAN 'N VOEDSELBANK / INGXELO
NGOKUSELE KWENZIWE MALUNGA NOKUMISELWA KWEBANKI YOKUTYA KWISITHILI**

(10/1/3/4)

22 September 2020

REPORT FROM THE EXECUTIVE MANAGER THE COMMUNITY SERVICES (C AFRICA)**2 PURPOSE**

The purpose of this report is to provide feedback on the progress with regard to the establishment of a District Foodbank that was tabled at the Covid-19 District Command Council meeting of 22 May 2020.

3. DELEGATED AUTHORITY

Council

7 EXECUTIVE SUMMARY

The Garden Route District Municipal Council resolved on 4 May 2020 that an investigation should be done to determine the possible establishment of a District Foodbank. After meeting with the relevant stakeholders in the district it was resolved that one strategy for the District should be formulated with clear objectives and targets to address poverty and hunger should be determined.

The South African Red Cross Society was tasked to compile a draft concept note and business plan with a comprehensive budget that would be submitted to all potential funders, both National and International, to assist in addressing food insecurity in the district. It was resolved that all relevant stakeholders will forward their needs to the International Red Cross in this regard.

Due to the urgency of the current situation, exacerbated by the knock-on effects of the current Covid-19 pandemic it was noted that the Eden Lions Club have already secured funding for the establishment of a District Food Pantry and has submitted an MOU to the district. In the MOU it is indicated that they need to secure R55 000, 00 per month to manage and fully operate a District Food Pantry. The proposed foodbank could already be launched by 1 October 2020 if all agreements are concluded.

5. RECOMMENDATIONS

- 5.1.1 That Council takes note of the progress with regards to the establishment of a District Food Pantry;
- 5.1.2 That the Council in principle support the concept MOU from Eden Community Hope Outreach (ECHO) and;
- 5.1.3 That the operational cost for the establishment of a District Food Pantry be shared between the GRDM and all the B-Municipalities for the initial establishment period of three years, thereafter the District Food Pantry must operate independently;

AANBEVELINGS

- 5.2.1 *Dat die Raad kennis neem van die vordering rakende die vestiging van 'n Distrik Voedselbank.*
- 5.2.2 *Dat die Raad in beginsel die konsep MOU van Eden Community Hope Outreach (ECHO) ondersteun en;*
- 5.2.3 *Dat die bedryfskoste vir die oprigting van 'n Distriksvoedselkas gedeel word tussen die GRDM en al die B-munisipaliteite vir die aanvanklike vestigingsperiode van drie jaar, daarna moet die Distriksvoedselkas onafhanklik funksioneer.*

IZINDULULO

- 5.3.1 Sesokuba iBhunga lithathele ingqalelo ingxelo yomsebenzi osele wenziwe malunga nokumiselwa kwe District Food Pantry.
- 5.3.2 Sesokuba iBhunga lixhase umthetho siseko wesimiselo se MOU esivela kwi Eden Community Hope Outreach(ECHO);
- 5.3.3 Sesokuba indleko zenkqubo yokumiselwa kwe District Food Pantry zohlulqwe phakathi komasiapala we GRDM nabo bonke ooMasipala basekuhlaleni kwixeshana lokumiselwa lweminyaka emithathu, ze emveni koko I District Food Pantry kufuneka izisebenzele ngokuzimeleyo.

6. DISCUSSION / CONTENTS

6.1 Background

On 22 May 2020, Mr Fernel Campher from the South African Red Cross Society did a presentation at the District Covid-19 Command Centre and it was then resolved that a feasibility study should be carried out by the South African Red Cross Society through surveys and interviews.

The result of the assessment was presented to MANCOM on 3 August 2020 (See Addendum A). The feasibility study took a month to conclude and the results indicated that there is a definite need for food security measures in the District, mainly as a result of COVID-19 with the lockdown limitations having a direct knock-on effect bringing about food insecurity.

Although this was the findings, the food bank initiative was not seen as a viable option due to donor fatigue and the limited amount of produce to sustainably secure a Foodbank. Instead, the more viable option recommended were food gardens or small scale subsistence farming including livestock farming.

It was then concluded that all relevant stakeholders be engaged in a discussion to see how to align all initiatives to address hunger and food insecurity in the District effectively.

6.2 Discussion

On 19 August 2020, a Webinar was arranged with critical role players who presented various food security initiatives. Together with the below mentioned presentations the Department of Agriculture too indicated their contribution to food security through existing projects which supply training, seeds and equipment to members of the community, schools and local farmers. The Department of Social Development gave their support stating that requests for funding to address Food insecurity can be submitted to the Department of Social Development. However, the approval process is a lengthy one, taking up to six months for final approval.

Presentations that was done by Service Providers

South African Red Cross Society: Survey findings on the need for a Foodbank in the Garden Route District;

Sustainable City Forum: Community Foodhub ;

Eden Lions Club: Food Pantry , See attached as ANNEXURE "A";

Economic Development Partnership: Digital food vouchers ;

Pick & Pay: Feed the Nation ;

At this engagement, it was concluded that one strategy for the District should be formulated with clear objectives and targets to address poverty and hunger. The South African Red Cross Society was tasked to compile a draft concept note and business plan with a comprehensive budget that would be submitted to all potential funders, both National and International, to assist in addressing food insecurity in the district. All relevant stakeholders was requested to forward their needs to the International Red Cross in this regard.

In addition the meeting resolved that this Draft Business Plan should be concluded within a month to be presented at the next District Coordination Forum (DCF) meeting.

During this engagement the Eden Lions Club indicated in their presentation that they have already secured funding for the establishment of a District Food Pantry and has submitted an MOU to the district. Due to legal challenges related to the registration of any bank they opted to rather refer to the District Foodbank as a District Food Pantry.

In the proposed MOU from the Eden Lions Club, it is indicated that they need to secure R55 000, 00 per month to manage and fully operate a District Foodbank.

At a District COVID19 Command Council meeting or District Co-ordinating Forum (DCF) on 18 September 2020 a Draft MOU was presented to the forum and at that meeting the DCF in principle supported the recommendations that all the Municipalities will share the operational cost needed to establish a District Foodbank.

It is now expected that all municipalities will table an item in this regard at their respective municipalities so that the project could be successfully launched. The proposed Foodbank could be launched by the first week in November 2020 if all agreements are concluded and our aim is to have the facility fully functional before Christmas this year.

If Council supports this agreement it is then proposed that the establishment funding of a District Foodbank be split between the District - and amongst the B-Municipalities as indicated in the Table below:

Local Municipality	% Contr.	Part of R55 000 p/m	% Funding provided by GRDM	Balance to be paid by each authority	Contribution over a 3 year period
GRDM			R21 780-00	R 21 780-00 p.m. (R261 360-00 p.a.)	R 784 080-00
George LM	35%	R19 250-00	-	R 19 250-00 p.m. (R231 000-00 p.a.)	R 693 000-00
Mossel Bay LM	15,5 %	R 8 525-00	-	R 8 525-00 (R102 300-00 p.a.)	R 306 900-00
Oudtshoorn LM	15%	8 250-00	80% (R6 600-00)	R 1 650-00 p.m. (R19 800-00 p.a.)	R 59 400-00
Knysna LM	12,5%	R 6 875-00	80% (R5 500-00)	R 1 375-00 p.m. (R16 500-00 p.a.)	R 49 500-00
Bitou LM	9%	R 4 950-00	80% (R3 960-00)	R 990-00 p.m. (R11 880-00 p.a.)	R 35 640-00
Hessequa LM	9%	R 4 950-00	80% (R3 960-00)	R 990-00 p.m. (R11 880-00 p.a.)	R 35 640-00
Kannaland LM	4%	2 200-00	80% (R1 760-00)	R 440-00 p.m. (R5 280-00 p.a.)	R 15 840-00
Total				R 55 000-00 p.m. (R 660 000-00 p.a.)	R 1,980,000-00

6.3 Financial Implications

The total cost to the municipality would be R 21 780-00 per month, R261 360-00 per annum and for the three period R 784 080-00.

6.4 Legal Implications

None

6.5 Staff Implications

A decision to establish the Garden Route Food Pantry will have no Staff implications.

6.6 Previous / Relevant Council Resolutions

The Garden Route District Municipal Council resolved on 4 May 2020 that an investigation should be done to determine the possible establishment of a District Foodbank. An agenda item was submitted to the District COVID19 Committee who have subsequently supported the initiative. This was followed by various engagements and meetings. The South African Red Cross Society was also requested to do a presentation on a proposed Foodbank model.

6.7 Risk Implications

There are no foreseen risks associated with the proposed decision for Council to establish the Garden Route Foodbank.

6.8 Comments from Senior Management:

6.8.1 Executive Manager Financial Services

None

6.8.2 Executive Manager Corporate Services

None

6.8.3 Executive Manager Planning & Economic Development

None

6.8.4 Executive Manager Roads & Transport Planning Services

None

6.8.5 Manager Legal Services

None

Annexure A: MOU GRDM & ECHO

Annexure B: Foodbank Web shop programme

Annexure C: Red Cross Survey report

Annexure D: Draft MOA



Between
GARDEN ROUTE FOOD PANTRY PTY (LTD)
 And
THE GARDEN ROUTE DISTRICT MUNICIPALITY
 For Agreement To
ESTABLISH AN ESSENTIAL FOOD SUPPLIES FACILITY

As approved and accepted by the following Local Municipalities:

- Garden Route District Municipality
- George Municipality
- Mossel Bay Municipality
- Oudtshoorn Municipality
- Knysna Municipality
- Kannaland Municipality
- Hessequa Municipality
- Bitou Municipality

I. MISSION: GARDEN ROUTE FOOD PANTRY & ECHO NPC (Eden Community Hope Outreach)

It is the mission of the GARDEN ROUTE FOOD PANTRY PTY (LTD) AND ECHO NPC to provide a facility to source and distribute essential food supplies to the Garden Route Community, through the production and sales of quality foods in various forms, as well as to source quality food products through donations and using existing distribution networks and NGO organisations.

All profits received from the sale of goods will remain in the Garden Route and benefit the local communities through provisions to households, soup kitchens, and other feeding schemes.

The Garden Route District Municipality

- Unlocking resources for equitable, prosperous and sustainable development.
- Provide the platform for coordination of bulk infrastructure planning across the district.
- Provide strategic leadership towards inclusive/radical/rigorous socio-economic transformation to address social, economic and spatial injustice.
- Redress inequalities, access to ensure inclusive services, information and opportunities for all citizens of the district.
- Initiate funding mobilisation initiatives/ programmes to ensure financial sustainability.
- Coordinate and facilitate social development initiatives.

Together, the Parties, which include the 8 local municipalities as defined above, enter into this Memorandum of Understanding to mutually address the severe hunger across the Garden Route as experienced by its citizens.

Accordingly, the Garden Route Food Pantry and the Garden Route District Municipalities, operating under this MOU agree as follows:

II. PURPOSE AND SCOPE

The Garden Route Food Pantry, as well as various community based NGO organisations such as Lions Clubs International, LoveGeorge, Rotary International, Round Table, Vryburgers, faith based organisations and other, will source and supply quality food products along with donations from local food producers, retailers, permaculture gardeners etc. Sales from products which are produced in our facility, such a high vitamin and nutrient enriched porridges, soya based meals etc, will ensure all profits remain in the Garden Route in order to benefit further food relief projects in the region.

III. PRIMARY AND SECONDARY BENEFITS

- Immediate availability of food parcels for urgent distribution
- Receiving financial corporate donations as social responsibility that benefit the region
- Job creation opportunity with food related training possibilities
- Creation of Garden route's own "power" porridge product
- Coordinated database of provisions to alleviate duplicate donations

IV. FUNDING

The joint local municipalities commit to a payment of R55 000 per month, in lieu of subsidising the facility costs for the running of the Garden Route Food Pantry.

R55 000.00 (Fifty Five thousand rand)

V. TERMS OF UNDERSTANDING

The term of this MOU is for a period of **36 months (Thirty Six)**, effective from the ***date of signing this agreement*** at which time the facility will need to demonstrate it's own ability to be self-sufficient in it's financial obligations.

V. AUTHORISATION

The signing of this MOU is not a formal undertaking. It implies that the signatories will strive to reach, to the best of their ability, the objectives stated in the MOU.

VI. AMENDMENTS

This is the sole agreement between the parties and no amendment thereto is valid unless produced in writing and signed by all parties.

VII. DOMICILIUM CITANDI CLAUSE

The domicilium citandi addresses of the parties to this agreement are as follows:

- a) Garden Route District Municipality: 54 York Street, George, 6529
- b) George Municipality: 71 York Street, George, 6529
- c) Bitou Municipality: cnr Sewell Street, Plettenberg Bay, 6600
- d) Knysna Municipality: 12 Clyde Street, Knysna
- e) Mossel Bay Municipality: 101 Marsh Street, Mossel Bay, 6500
- f) Hessequa Municipality: van der Berg Street, Riversdale, 6670
- g) Oudtshoorn Municipality: cnr Voortrekker & Langenhoven Street, Oudtshoorn, 6625
- h) Kannaland Municipality: 32 Kerk Street, Ladysmith, 6655
- i) Garden Route Food Pantry: Glaze Street, George, 6529



FOR: GARDEN ROUTE FOOD PANTRY

 Carl van Blerk (Director) SIGN Date

FOR: GARDEN ROUTE DISTRICT MUNICIPALITY – Authorised In Capacity as Municipal Manager

 Name SIGN Date

FOR: KNYSNA MUNICIPALITY – Authorised In Capacity as Municipal Manager

 Name SIGN Date

FOR: HESSEQUA MUNICIPALITY – Authorised In Capacity as Municipal Manager

 Name SIGN Date

FOR: GEORGE MUNICIPALITY – Authorised In Capacity as Municipal Manager

 Name SIGN Date

FOR: BITOU MUNICIPALITY – Authorised In Capacity as Municipal Manager

 Name SIGN Date

FOR: OUDTSHOORN MUNICIPALITY – Authorised In Capacity as Municipal Manager

 Name SIGN Date



GARDEN ROUTE FOOD PANTRY PTY (LTD) 2020/694090/07 | ECHO NPC 2014/105741/08
 CARL VAN BLERK | 082 826 0731 | CARL@ECHO.ORG.ZA



FOR: KANNALAND MUNICIPALITY – Authorised In Capacity as Municipal Manager

Name

SIGN

Date

FOR: MOSSEL BAY MUNICIPALITY – Authorised In Capacity as Municipal Manager

Name

SIGN

Date

WITNESSES:

1. _____

NAME:

2. _____

NAME:



GARDEN ROUTE FOOD PANTRY PTY (LTD) 2020/694090/07 | ECHO NPC 2014/105741/08
CARL VAN BLERK | 082 826 0731 | CARL@ECHO.ORG.ZA





Garden Route District Municipality, the leading, enabling and inclusive district, characterised by equitable and sustainable development, high quality of life and equal opportunities for all.

PROGRAMME: FOOD SECURITY GRDM WEBI-SHOP

Programme Director: Gerhard Otto

VENUE: Webi –Shop via Teams

DATE:
19 August 2020

TIME:
9:00-11:00

[Join Microsoft Teams Meeting](#)

Time	Topic	Responsible
9:00 - 9:05	Opening & welcoming	Clr Lose
9:05 - 9:10	Introduction and Background	Clive Africa
Presentations		
9:10 - 9:20	Presentation by the International Red Cross - Survey findings on the need for a Foodbank in the Garden Route District	Fernel Campher
9:20 - 9:25	Q&A	
9:25 - 9:35	Presentation by Stephen Stead – Community Food Hub	Stephen Stead
9:35 - 9:40	Q&A	
9:40 - 9:50	Presentation by Carl van Blerk – Food Pantry	Carl van Blerk
9:50 - 9:55	Q&A	
9:55 - 10:05	Digital food vouchers	Gill Cullinan
10:05 - 10:10	Q&A	
Inputs by external Departments		

10:10 – 10:20	Input by Department of Agriculture	Clyde Lamberts
10:20 - 10:30	Presentation or input by Departement of Social Development	Lionel Arnolds
10:30 – 10:40	Input from Pick and Pay	Mr. Andre Nel
10:40 -11:00	Group discussion – Way forward	All
11:00	Closing remarks	Municipal Manager



"Always Needed, Always There"

Humanitarian Stream Covid-19 – May 2020



**The South African Red Cross Society
Garden Route District Municipality**

Proposed Strategy

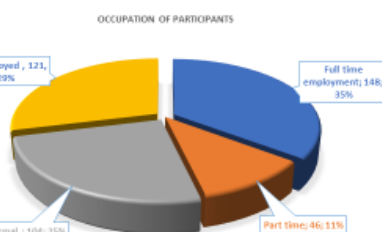
- Number of Volunteers engagement (174 volunteers)
- Engage NGO's, CBO, Faith Based Organisations
- Develop platform for emerging farmers, community farmers (Subsistence Farming)
- Develop a donor responsibility plan
- Dissemination of key messages at targeted areas (Prone areas)
- Continuous monitoring and update Municipalities
- Development of Exit strategy for continuity after the project



Always needed, always there.

1. Livelihoods

The biggest impact of the Lockdown is disruption of the major livelihoods sources of most assessment participants. According to the municipality and DSD officials the majority were employed in the tourism sector particularly in the hotels and lodges and some in logging. This has not only affected the income sources of 20% of the respondents but significantly caused revenue losses for the municipality which may iterate into reduced capacity for its service delivery. An additional 16% of the respondents indicated income impact on their formal livelihood sources through loss of tools of trade. Some of these informal occupations include hair braiding, barbers, dressmakers, day mothers, shoe makers, tuckshops mostly operated from home. The majority indicated livelihoods resuscitation (Food Gardening) as a key intervention for their early recovery. Given the importance of the tourism sector to the livelihoods of the community and the income of municipalities, restoration and rebuilding of this sector's critical infrastructure is considered the municipality's likely priority.



Always needed, always there.

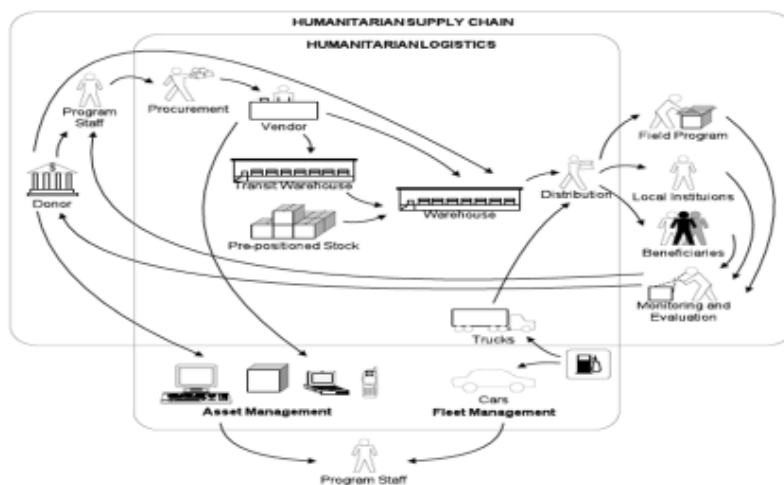
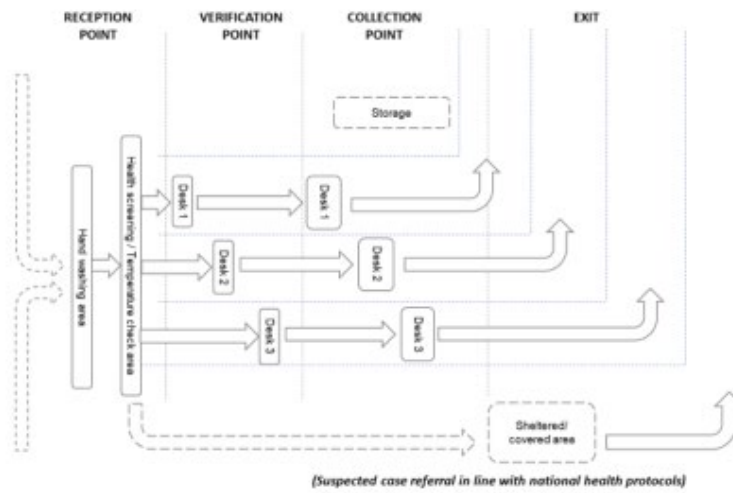


Figure 1. Humanitarian Logistics and Humanitarian Supply Chain Flows



Always needed, always there.

Annex 1: Sample plan for food distribution sites in the COVID-19 environment



Always needed, always there.



Always needed, always there.

Vulnerabilities

	Very Poor	Poor	Better Off	Rich
Housing	Shelter made of cardboard boxes, or lives outside	Walls made of dried mud or unbaked bricks; Roofs of dried reeds	Small house with 2-3 rooms; Outside shower and latrine; No electricity	Larger house with 2 or more floors; Water and electricity
Food Security	Only eats when food available and has cash to purchase it; Sometimes does not eat all day.	2 meals a day, one with rice and one with manioc or rice soup.	3 meals a day, 2 with rice and breakfast with bread and tea.	Eats all types of food; Indefinite number of meals.
Health	Consistently poor health; No access to health care.	Uses public health centers or religious dispensary.	Uses affordable private health centers or work-sponsored health centers.	Usually fetches a doctor to the home; Able to buy medicines.
Financial Status	Begs or steals for money.	Daily earnings spent same day.	Earns a salary at end of month, but insufficient to meet monthly expenses; Often in debt; No savings	No financial problems; Has bank account.



Always needed, always there.



Always needed, always there.



MEMORANDUM OF AGREEMENT

between

**Sustainable City Forum and
Garden Route District Municipality**

This Memorandum of Agreement (hereinafter referred to as "MOA") is made and entered into by and between the Sustainable City Forum (SCF), whose address is Sustainability Research Unit, Nelson Mandela University, 1 Madiba Drive, P/Bag X6531, George, 6530 and the Garden Route District Municipality, whose address is 54 York Street, George, 6530 (collectively referred to as the "Signatory Parties"). When executed by all the Signatory Parties, this MOA shall become effective as of the last signature date.

I. PURPOSE

The intention of the MOA is to provide a vehicle for the promotion of social and ecological well-being within the Garden Route city areas, in partnership between SCF and the Garden Route District Municipality. This partnership is informed by the imperative for social cohesion, equity, food security and protection of ecological services that support human well-being of the communities of George. The partnership is based on the following core drivers of sustainable cities:

1. Community collaboration for proactive planning for energy efficient, smart cities without slums.
2. Community collaboration for Green/ Circular approaches to inclusive, local economic growth.
3. Community collaboration on food systems development for community cohesion and resilience.
4. Community collaboration on Green Open Space adaptive co-management.
5. Partnering for funding for project implementation, research, monitoring and evaluation (M&E), reflecting best practice in sustainable city governance, sustainable land management, as well as planning and community participation in the governance process.

Definitions for the terminology used in this MOA are included in Addendum 1.

II. DETAILS OF THE AGREEMENT

SCF is a not for profit corporation, founded in 2019 to promote social and ecological well-being in city-regions, using the Garden Route region (Western Cape) as an initial base. Key objectives of SCF are **Social and Ecological Well-being, the Green Economy and Good Governance**.

- SCF recognises the critical need to support food security, specifically during the COVID-19 pandemic and in the post-COVID recovery period and therefore **promotes the move from unsustainable feeding programmes to schemes that feed in terms of the principles of Sustainable Food Systems (SFS), and Sustainable Land Management (SLM)** in the city-region context.
- A further priority of SCF is the use of innovative, **rapid planning toolsets that empower communities in a decision-making process** that is both simple and effective with regard to the challenges of rapid urbanisations within the Garden Route city regions, working towards **smart cities without slums**, and includes planning for **sustainable city systems and Green Open Space adaptive co-management tools**.
- SCF advocates for these principles outlined above in terms of development within Garden Route city areas and is **partnering for international funding in best practice in sustainable city collaboration and research**. In this regard, the SCF aims to partner with the GRDM in developing programmes to be implemented on the ground to ensure that sustainable city principles and planning become imbedded in a practical way.

III. SPECIFIC PROJECTS

Specific SCF projects that model the strategic goals of the Garden Route District Municipality are detailed in addendums. Addendum B details the **Community Food Hub**, which is a project targeted at enhancing food security, social cohesion and resilience and enhanced community well-being.

Additional projects and initiatives that further the goals of both SCF and the Garden Route District Municipality will be well defined and agreed upon as they arise and will be included as addendums to this MOA.

IV. CONFIDENTIALITY

The parties agree that they are mutually bound by and shall adhere to all applicable laws and regulations governing the confidentiality of information exchanged pursuant to this agreement. Parties reserve the right to require that individual agents of other parties sign confidentiality agreements as requested, but the affirmative obligation of such agents to maintain the confidentiality of information shall not be dependent upon the signing of any such document.

V. AMENDMENTS

This MOA may be amended by the written request of a Signatory Party. Any proposed amendment or modification shall be submitted by one Signatory Party to the other Signatory Party prior to formal discussion or the negotiation of the issue. Any amendment to this MOA must be set forth in writing and such amendment must be signed by all parties to the MOA in order to become effective and to modify or change this MOA.

VI. DISPUTE RESOLUTION

If there are disputes between the Signatory Parties concerning this MOA, the signatories agree to involve the heads of their respective entities in the settlement of disputes, and the

Signatory Party Heads or their duly authorized representatives agree to confer to resolve the dispute.

VII. ENTIRETY OF AGREEMENT

This MOA, consisting of 4 pages, as well as Annexures, which contains details of the Community Food Hub projects (and any additional Addendums over time that refer to additional projects) represent the entire and integrated agreement between the Signatory Parties, and supersedes all prior negotiations, representations, and agreements, whether written or oral.

VIII. NOTICES

Whenever, under the terms of this MOA, written notice is required to be given, it shall be directed to the Signatory Party at the address specified in Article I, and to the attention of the persons indicated below with their respective titles, unless written notice of change of address or individual is provided by a Signatory Party. All notices and submissions, except as otherwise expressly provided herein, shall be sent with an acknowledging return receipt requested. Said notice may be delivered by overnight delivery. Notices required under Article III may be sent by regular mail.

IX. RENEWAL OF AGREEMENT AND TERMINATION

This MOA shall terminate three years after execution but will be automatically renewed for a period of one year unless such extension is objected to by any party to the MOA. This MOA may be terminated by either Signatory Party upon 3 months prior written notice to the other Signatory Party.

X. SIGNATORY AUTHORITY

By the signatures below, the Signatory Parties agree to the terms of this MOA.

Sustainable City Forum (SCF) (other party 1)

By _____	By _____
Stephen Stead	Robert Fincham
<i>Executive Officer</i>	<i>Chairperson</i>
Date: _____	Date: _____
By _____	By _____
Jama Mashele	Diane Erasmus
<i>Director</i>	<i>Director</i>
Date: _____	Date: _____

Garden Route District Municipality (other party 2)

By _____	By _____
Name	Name
Title: _____	Title: _____
Date: _____	Date: _____
By _____	By _____
Name	Name
Title: _____	Title: _____
Date: _____	Date: _____

ADDENDUM A – TERMINOLOGY

Adaptive co-management is a process by which institutional arrangements and ecological knowledge are tested and revised in a dynamic, ongoing, self-organized process of learning by doing¹.

Ecosystem health is a measure of the stability and sustainability of ecosystem functioning or ecosystem services that depends on an ecosystem being active and maintaining its organization, autonomy, and resilience over time. Ecosystem health contributes to human wellbeing through sustainable ecosystem services and conditions for human health².

Green circular economy aims to the design for zero waste and pollution, keep products and materials in use and to regenerate natural systems to reach zero waste³, as well as promote employment within the green sector.

Social and ecological well-being is defined as a social-ecological system in which ecological resilience is sustained, while human needs are met and the quality of life of individuals is maintained⁴.

Social well-being is the ability of the people to be free from want of basic necessities and to coexist peacefully in communities with opportunities for advancement⁵.

Sustainable Food Systems (SFS) deliver food security and nutrition for all in such a way that the economic, social and environmental bases to generate food security and nutrition for future generation are not compromised. This means that it is profitable throughout, ensuring economic sustainability, it has broad-based benefits for society, securing social sustainability, and that it has a positive or neutral impact on the natural resource environment, safeguarding the sustainability of the environment⁶.

Sustainable Land Management (SLM) is was defined by United Nations as “the use of land resources, including soils, water, animals and plants, for the production of goods to meet changing human needs, while simultaneously ensuring the long-term productive potential of these resources and the maintenance of their environmental functions”⁷.

Sustainable city systems have a specific focus on access to housing and basic services, sustainable transport system, sustainable urbanization, access to public spaces, sustainable settlements) with buildings, per capita environmental impact of cities, and policies towards climate change, resource efficiency and disaster risk reduction^{8,9}.

¹ Fabricius C., Currie B. (2015) Adaptive Co-Management. In: Allen C., Garmestani A. (eds) Adaptive Management of Social-Ecological Systems. Springer, Dordrecht

² Millennium Ecosystem Assessment Board. 2003. Ecosystems and Human Well-being - A Report of the Conceptual Framework Working Group of the Millennium Ecosystem Assessment. http://pdf.wri.org/ecosystems_human_wellbeing.pdf. Accessed July 2020.

³ Ellen Macarther. What is the Circular Economy. <https://www.ellenmacarthurfoundation.org/circular-economy/what-is-the-circular-economy>. Accessed July 2020

⁴ Brueckner-Irwin, I., D. Armitage, and S. Courtenay. 2019. Applying a social-ecological well-being approach to enhance opportunities for marine protected area governance. Ecology and Society 24(3):7. <https://doi.org/10.5751/ES-10995-240307>

⁵ United States Institute of Peace. https://www.usip.org/sites/default/files/GP_170-203_Social_Well-Being.pdfUnited. Accessed July 2020

⁶ Food and Agriculture Organization of the United Nations. Food Systems. <http://www.fao.org/food-systems/en/>. Accessed July 2020.

⁷ United Nations Convention to Combat Desertification – Sustainable Land Management. <https://knowledge.unccd.int/topics/sustainable-land-management-slm>. Accessed July 2020.

⁸ United Nations Environmental Programme – Sustainable Cities. <https://www.unenvironment.org/regions/asia-and-pacific/regional-initiatives/supporting-resource-efficiency/sustainable-cities>. Accessed July 2020.

⁹ Commonwealth Local Government Forum <https://www.clgf.org.uk/what-we-do/cities-network/>. Accessed July 2020.

ADDENDUM B - COMMUNITY FOOD HUB PROJECT

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DRAFT



SUSTAINABLE CITY FORUM

green economy ~ good governance
social & ecological wellbeing

COMMUNITY FOOD HUB PROJECT

*Supporting Sustained Urban Community Food
Production in a post-COVID-19 World*

A CONCEPT NOTE

BUILDING COMMUNITY RESILIENCE AND FOOD SECURITY BY
GROWING FOOD IN URBAN AREAS IN THE GARDEN ROUTE
JULY 2020



VISION

South Africa, and the Garden Route at a local level, grapple with issues of unemployment, inequality, poverty and food security in the context of climate change. These challenges have been significantly compounded by the COVID-19 pandemic which has put the country on lockdown, specifically to support the health systems prepare for an influx of patients and to protect the elderly and communities compromised by HIV/AIDS and TB. The economic consequences of the various stages of the lockdown have, and will continue to, exacerbate the challenges of a weakened economy that impacts on unemployment, poverty and food security.

This project represents a practical and innovative model of how to establish local community solutions that generate sustainable good quality, affordable food. The intention of this urban and peri-urban agricultural production project is to create a facility within communities to build capacity for sound food production practices, provide safe community focal points with mini-park to enhance community wellbeing and linked to waste reduction through community recycling, introducing sustainability and circular economy principles at a community level.

The outcome of will be a model pilot scheme that can be scaled for lift and drop to areas within towns around South Africa.



SUPPORTING FOOD SECURITY

Food is a basic necessity for human existence and food security is defined as all people, at all times, having physical, social, and economic access to sufficient, safe, and nutritious food that meets food preferences and the dietary needs for an active and healthy life (United Nations' Committee on World Food Security, 1996). While South Africa may be food secure at a macro-level, most of South African agriculture is for export. Food left for local consumption is becoming increasingly expensive, so that food security is threatened at a household level. The COVID-19 pandemic is heightening the risk for food insecurity on many levels. This project supports the concept of developing food security at a community level, by involving communities in growing food for consumption in a safe controlled environment, based on sustainable principles.

DEVELOPING COMMUNITY RESILIENCE

One of the key factors allowing societies to manage challenges such as the COVID-19 pandemic and natural disasters is the level of resilience within communities. The National Institute of Standards and Technology (NIST) defines community resilience as the ability of a community to prepare for challenges, adapt to changing conditions and withstand and recover quickly from disruptions. Some common characteristics of resilience include accessing local knowledge, developing strong networks at all levels of community and government, preparedness, resources and economic investment.

Building community resilience is vital in tackling issues such as food security. This project offers opportunities for employment, people to work together, build networks, become more self-sufficient and develop learning that can be replicated across communities.



LINKING ECOLOGICAL AND SOCIAL WELL-BEING

COVID-19 is exposing a critical truth – pandemics have their routes in environmental and ecosystem disturbances¹. COVID-19 is an infectious zoonotic disease caused when a pathogen jumps from an animal to a human. Trends from globalization to travel, urbanization and climate change are fuelling the increased incidence of outbreaks (World Economic forum, 2020²). The increase in novel and virulent viruses is directly linked to the changes in land use and food production, where natural defences against pathogens are destroyed at increasing rates. The increase in mono-agriculture has also led to the destruction of natural animal habitats. Biologically diverse areas have been decimated by agriculture, logging, mining, road construction and rapid urbanisation (McKinley, 2020)¹. While the environment is destroyed to provide food, the reality is that this food is not reaching many of the communities desperate for food. Poverty increases the trade in illegal bush meat, associated in this case with the possible onset of COVID-19 in China (Jarrad Diamond, 2020). The pandemic has highlighted human vulnerability and the fact that human safety and the health of the natural environment go hand in hand (Georg Kell, 2020)².

At a local level, promoting sustainable conservation agricultural practices, providing employment and uplifting social conditions for the most vulnerable assists in building biodiversity and healthy ecosystems, and reduces pressures of unsustainable practices on natural ecosystems.

¹ <https://www.dailymaverick.co.za/opinionista/2020-03-24-trashed-2/>

² <https://www.weforum.org/agenda/2020/03/coronavirus-global-epidemics-health-pandemic-covid-19/>

³ <https://www.forbes.com/sites/georgkell/2020/04/11/four-lessons-we-should-learn-from-the-pandemic/#78a99e4b6370>



STATISTICS HIGHLIGHTING CHALLENGES TO FOOD SECURITY

Food Security

- Around 21% of South African households had inadequate or severe inadequate access to food in 2017 and 8 million South Africans experienced hunger in 2017, with more than 60% of these households in urban areas⁴.
- More than half a million households in South Africa with children aged five years or younger experienced hunger in 2017⁴.
- South African households in the lowest income categories are significantly more affected by economic shocks⁴.
- Poverty-stricken households lack money to buy food and are unable to produce their own food as they cannot secure employment or to generate incomes^{4,7}.
- David Beasley, head of the World Food Programme, warned that the world is “on the brink of a hunger pandemic”, with 135 million people on earth headed towards starvation⁵.
- An additional 130 million people, to a total of 265 million people globally, could be pushed to the brink of starvation by the end of 2020 **as a result of COVID-19**⁵.
- COVID-19 will double the number of people globally facing food crises unless swift action is taken⁵.

4. Statistics South Africa, 2019. Towards measuring the extent of food security in South Africa: An examination of hunger and food adequacy. Report no. 03-00-14. Published by Statistics South Africa, Private Bag X44, Pretoria 0001

5. World Food Programme (United Nations): <https://www.wfp.org/zero-hunger>. 2020



Cont: STATISTICS HIGHLIGHTING CHALLENGES TO FOOD SECURITY

Ecological and social well-being

- Land degradation and the loss of biodiversity affect poor people most, as they depend directly on natural resources (water, firewood, food and building material). Protecting the environment can help to protect these resources and the ecosystem services they provide⁶. Ecosystem services are benefits people obtain from ecosystems and are essential for human wellbeing, such as provisioning services (e.g. water, food, drugs and genetic resources) and regulating services (e.g. flood attenuation, herbivory, pest control and pollination)⁷.

Extreme Poverty

- Extreme poverty, like extreme wealth, damage the environment, while the impacts of climate change affect the world's poorest people disproportionately⁸. Ensuring that resources are shared more equally will contribute to sustainable utilisation of such resources⁹.

6. K. Raworth, 2012. A Safe and Just Space for Humanity: Can we live within the doughnut?

7. SANBI, 2020. Ecosystem Services. <https://www.sanbi.org/ecosystem-services/>

8. E. Rosenberg, 2013. Poverty Alleviation through Sustainable Development. http://www.enviropaedia.com/topic/default.php?topic_id=199

9. International Bank for Reconstruction and Development / The World Bank. 2018. Overcoming Poverty and Inequality in South Africa: An Assessment of Drivers, Constraints and Opportunities



A GLOBAL PROBLEM – A LOCAL AND CREATIVE SOLUTION

The proposal is to establish urban community food hubs as co-operative farms for women that could be rapidly replicated at scale on a regional and national level. The farm would consist of the following basic elements – crop areas, supported by composting areas, rain water tanks and a co-op management center. Low-tech approaches will be used as well as simple structures making use of modified containers for storage and management. The community food center method for food production draws on agro-ecological and permaculture principles for sustainable crop production. In the long term, the farm could also act as a community center outside of production hours to ensure multiple use of the facility. This would provide a safe area to grow food by the community for the community, a hub for initiating a broader food garden system in the community, creating micro-business opportunities to address food security issues and empowering women at a local level. A Community Food Center can allow communities to “swop” surplus food for food coupons, with the surplus food being sold.

A 3D model of the concept has been generated, which will be evaluated in the initial phase. A key component of the concept is progressive scalability, starting small but with options to expand once sufficient capacity has been created in the co-operative to become effective stewards of the land. The proposal is to set up a pilot site in an urban area within the Garden Route to refine the concept, with the long-term goal to establish farms throughout cities in the Southern Cape.



FUNDING FOR PROJECT CONCEPT DEVELOPMENT AND STAKEHOLDER COMMITMENT

It is envisaged that that Phase 1 will require funding of R466,180 to allow for the concept to be developed, tested with stakeholders and refined to the point where it can be rolled out for development at a pilot site, as indicated below. Funding for Phase 1 is requested on the basis of establishing a partnership with funders and the project team, that enhances the reputation of both partners. The requested R466,180 is to fully develop the project concept for roll out in two further phases. The funding is for the professional time of the SCF to develop and test the concept. Specialist input will be sought to provide input on small-scale / intensive farming, as well as water provision.

Additional funding will be required for Phase 2 and 3, namely an implementation phase across the Garden Route and the institutionalisation of the project with implementing partners in the public and private sectors, and into the policy of small-scale food production.



SUPPORT FOR THE CONCEPT

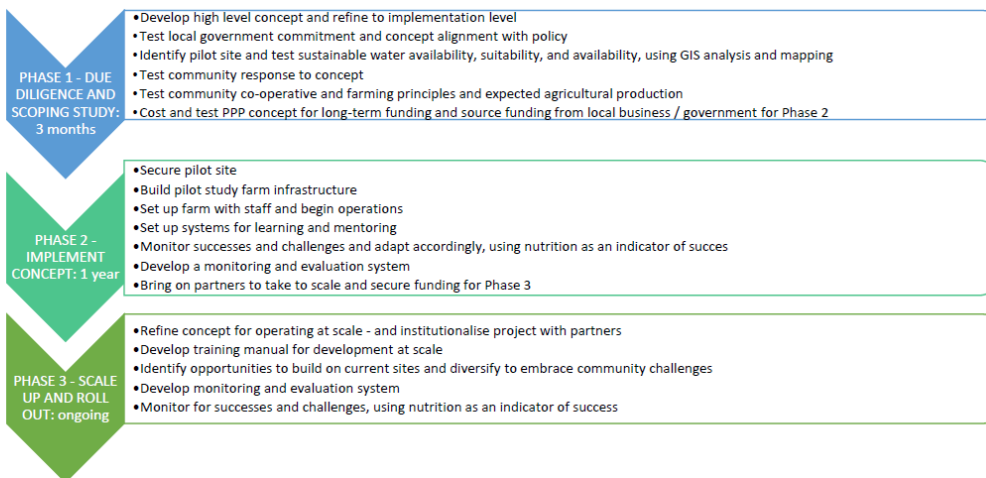
The concept relies on partnering with local, district and provincial government and local business to facilitate a public/private business venture, focussing on food security and community development. Traditional community cooperative gardens have not succeeded because of the top-down approach driven by cost restrictions and time requirements. For success to be achieved, a community based, bottom-up approach must be followed, ensuring that the community is involved in the decision making, and that targeted groups, such as women and young adults work in the project. The concept is grounded in systems thinking, a holistic approach that focuses on how the components of a system work together, over time and in the context of larger systems.

As the project is rolled out, it will need the support, both logistically and financially, of a wide range of stakeholders in the George area. The proposal is to source initial funding for Phase 1 – A Due Diligence Scoping Study to develop a pilot study. In Phase 2, one farm would be established as a pilot to test the basics of the concept before rolling out to each ward in the George area in Phase 3. This will allow for the development of a detailed concept that can be tested, refined and then scaled up to wards in the George area, as well as the wider Garden Route area.



THE PROCESS

An overview of the proposed process is provided below.





SUMMARY

A local solution is provided to the challenge of food security in the Garden Route, as part of a greater post-COVID-19 recovery strategy. The outcome is the establishment of urban community co-operative farms for women in wards of cities and towns throughout the Garden Route, that could be rapidly replicated at scale on a regional and national level. The goal is to create facilities within communities to build capacity for sound food production practices and provide safe community focal points to enhance community wellbeing, building community resilience. The concept is based on the principles of sustainability, linked to circular economies and dynamic flexibility to adapt the concept and phasing to local conditions. It is informed by the need, at a local level, to create options to develop food security, generate employment and promote sustainable development practices, such as waste management and responsible water and land usage. The following 3D images generated from the concept plan are offered as indication of the intension of the project, and are for visualization purposes only.

Board of Directors: Mr S Stead (CEO), Ms J Mashele, Prof R Fincham (Chairperson), Ms D Erasmus
Non-Profit Company Registration No: 2019/542632/08

Sustainability Research Unit (NMU), 1 Madiba Drive, P/Bag X6531, George, 6530, South Africa
Phone: +27 (0)83 5609911, Email: admin@scf-za.org
<https://scf-za.org/>

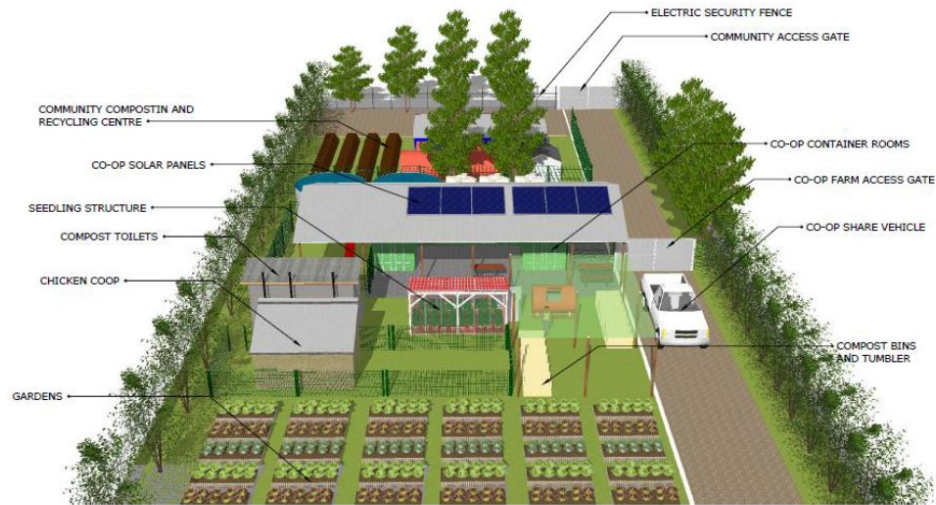
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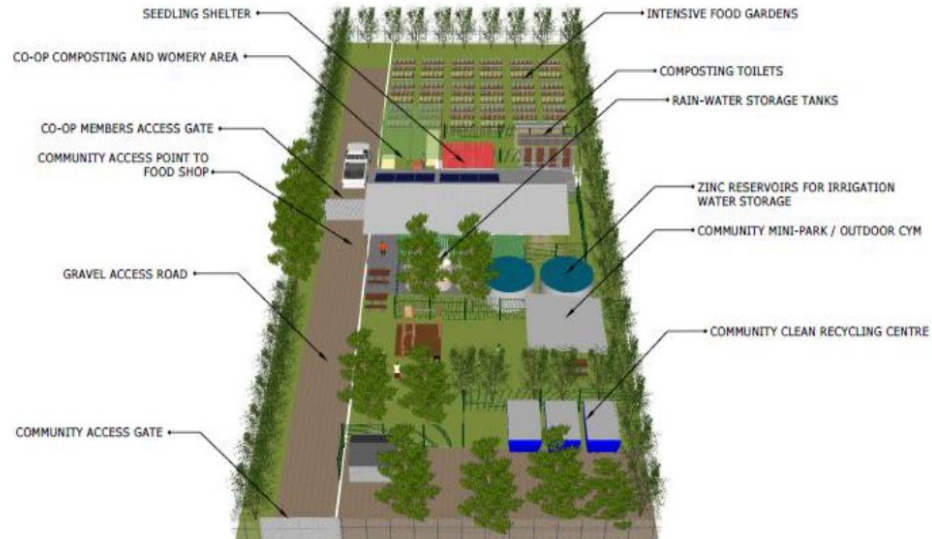
17



PROPOSED STAGES OF EXPANSION PERSPECTIVE IMAGE



PROPOSED SOUTHERN PERSPECTIVE VIEW



PROPOSED NORTHERN PERSPECTIVE VIEW

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BACK TO AGENDA

UPDATE REPORT ON THE ACTIONS TAKEN BY THE DISTRICT COVID-19 COMMAND COUNCIL TO ADDRESS THE COVID-19 PANDEMIC / OPDATERINGS VERSLAG RAKENDE DIE AKSIE STAPPE WAT REEDS DEUR DIE COVID-19 DISTRIK BEHEERRAAD IN PLEK GESTEL IS OM DIE COVID-19 PANDEMIE AAN TE SPREEK / INGXELO ENTSHA NGAMANYATHELO AYE ATHATYATHWA LIBHUNGA LOLAWULO LESITHILI SE COVID-19 OKUJONGANA NOBHUBHANE COVID-19

(18/R)

14 September 2020

REPORT FROM THE EXECUTIVE MANAGER COMMUNITY SERVICES (C AFRICA), / HEAD OF THE GARDEN ROUTE DISASTER MANAGEMENT CENTRE (G OTTO)

2. PURPOSE OF THE REPORT

To inform Council about the actions taken by The District Covid-19 Command Council to address the Covid-19 Pandemic, as well as the amended regulations promulgated in terms of the Disaster Management Act, 2002 (Act no 57 of 2002, as amended).

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The purpose of this report is to inform the council about the steps already taken to address the COVID-19 pandemic as of 11 September 2020.

5. RECOMMENDATION

5.1 That council takes note of the report.

AANBEVELING

5.2 *Dat die Raad kennis neem van die verslag,*

ISINDULULO

5.3 Sesokuba iBhunga lithathele ingqalelo lengxelo.

6. DISCUSSION**6.1 BACKGROUND**

Today is exactly 183 days since the declaration of a National state of Disaster due to the Covid-19 pandemic; it is day 18 of the National Level 2 COVID-19 Lockdown and day 181 of the GRDM District Command Centre activation.

Overview on Covid-19 Cases in South Africa, the Western Cape and the Garden Route District as on 14 September 2020:

Internationally:

Internationally the total number of Coronavirus cases now exceeds the **29 million** mark at **29,063,515** on Sunday evening (13/09/2020) with **926,283** people who lost their lives due to this virus. Fortunately, to date **20,916,424** people have recovered.

South Africa:

In South Africa we now have a total of **648,214** positive Coronavirus cases reported, of these cases **576,423** or **(88.92 %)** of the infected people have recovered and to date **15,427** people lost their lives due to this virus.

Western Cape:

In the Western Cape the total number of positive Coronavirus cases reported is **107,687** of these **100,715 (93.52%)** have already recovered and the total amount of people who lost their lives due to this virus is at **4 085** people.

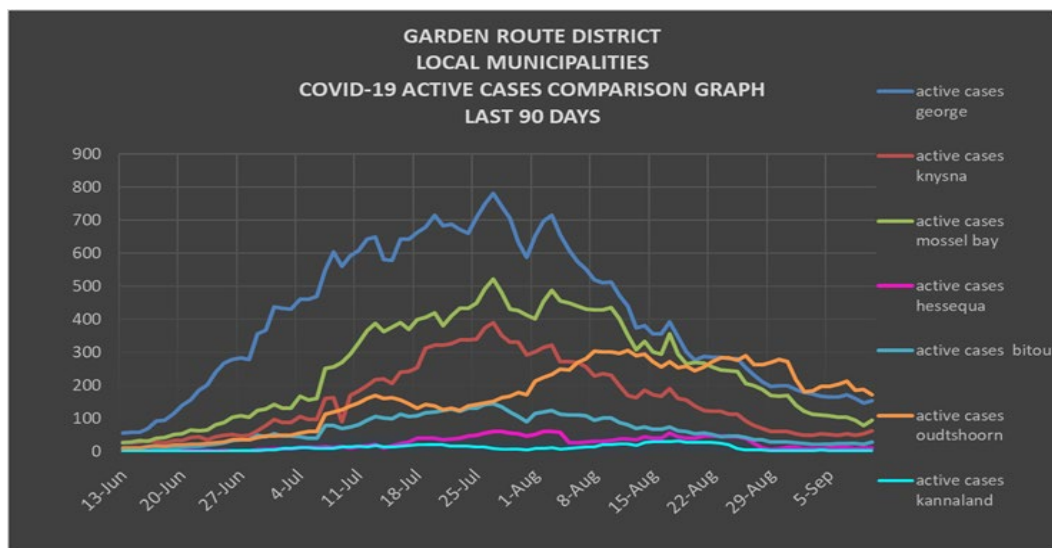
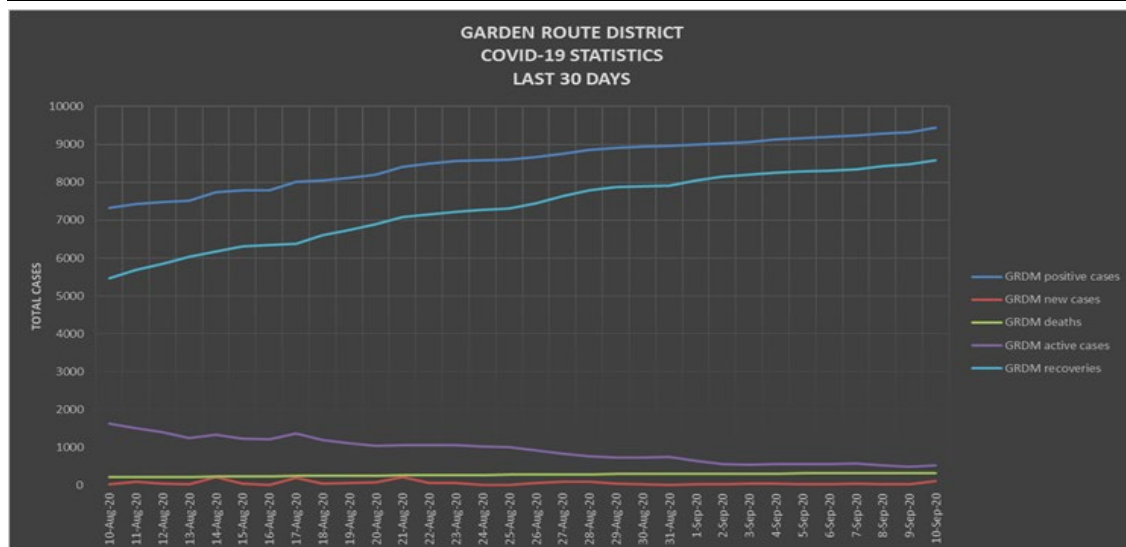
Table 1: Current position in terms of Covid-19 positive cases within the Western Cape

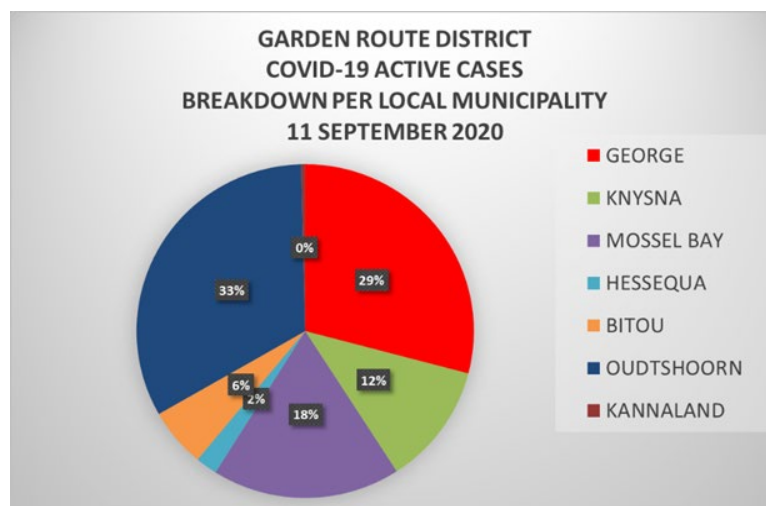
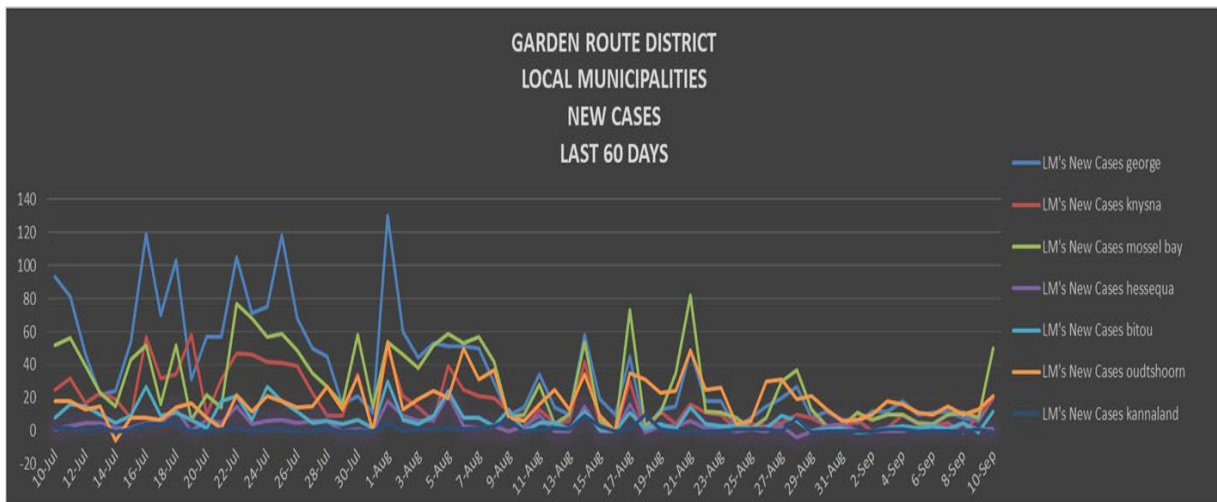
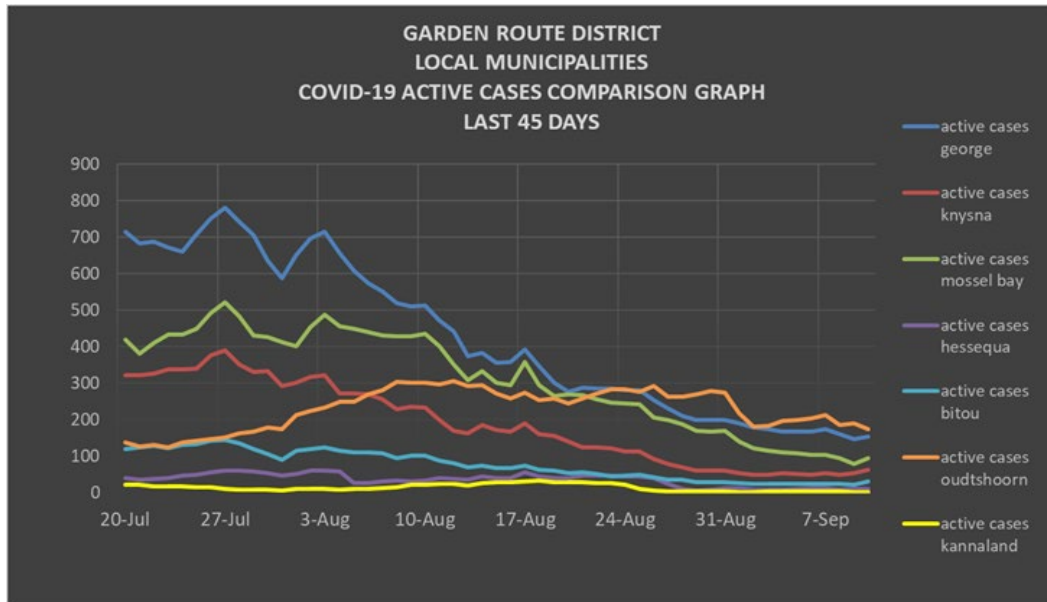
Date	Description	Oudtshoorn	Bitou	Knysna	George	Mossel Bay	Hessequa	Kannaland	GRDM
Friday 28/08/2020	Positive Cases	1118	570	1338	3269	2088	272	102	8757
	Deaths	58	21	43	91	59	11	1	288
	Active Cases	263	35	79	232	200	34	4	874

	Recoveries	797	514	1216	2946	1829	223	97	7622
Date	Description	Oudtshoorn	Bitou	Knysna	George	Mossel Bay	Hessequa	Kannaland	GRDM
Monday 31/08/2020	Positive Cases	1171	577	1359	3316	2141	271	109	8944
	Deaths	63	21	43	95	59	15	1	279
	Active Cases	279	29	62	201	167	9	3	750
	Recoveries	829	527	1254	3020	1915	247	105	7897
Date	Description	Oudtshoorn	Bitou	Knysna	George	Mossel Bay	Hessequa	Kannaland	GRDM
Friday 04/09/2020	Positive Cases	1212	579	1370	3352	2172	275	110	9070
	Deaths	68	22	46	97	60	15	1	309
	Active Cases	185	23	49	176	114	8	3	558
	Recoveries	959	534	1275	3079	1998	252	106	8203

Date	Description	Oudtshoorn	Bitou	Knysna	George	Mossel Bay	Hessequa	Kannaland	GRDM
Monday 07/09/2020	Positive Cases	1249	587	1387	3391	2191	280	111	9196
	Deaths	71	22	46	101	61	15	1	317
	Active Cases	206	24	50	167	105	105	3	567
	Recoveries	972	541	1291	3020	2025	253	107	8312
Date	Description	Oudtshoorn	Bitou	Knysna	George	Mossel Bay	Hessequa	Kannaland	GRDM
Friday 11/09/2020	Positive Cases	1308	604	1420	3437	2270	288	111	9438
	Deaths	76	23	48	103	64	15	1	330
	Active Cases	173	30	62	153	95	95	2	526
	Recoveries	1059	551	1310	3181	2111	262	108	8582

Date	Description	Oudtshoorn	Bitou	Knysna	George	Mossel Bay	Hessequa	Kannaland	GRDM
Monday 14/09/2020	Positive Cases	1345	606	1441	3464	2286	298	110	9550
	Deaths	80	23	49	104	64	16	1	337
	Active Cases	162	23	70	156	91	8	1	511
	Recoveries	1103	560	1322	3204	2131	274	108	8702





The following is a list of actions taken and the most important situation updates up and until 11 September 2020:

GRDM Covid-19 Command Centre

- A meeting was held between Dept. of Health, Education and Dept. of Labour (Mr. Esau) on the 11th of September. Focus was on the correct implementation of COVID-19 regulations at schools;
- Another 28 SANDF members were deployed, housed at De Hoek to serve the Oudtshoorn, De Rust and Dysseisdorp area. Hartenbos deployment also up-scaled and the total SANDF member deployed in the Garden Route stands at 48 and this includes SANDF medical staff also deployed by Dept. of Health.
- Government is currently focussing on the Western Cape Recovery plan which focusses on Jobs, Safety, Wellbeing and Dignity.
- Disaster grant close-out reports as well as the roll-over applications was submitted by all local municipalities.

GRDM Hotspot Map as on 11 September 2020 (Active Cases)



HEALTH CLUSTER - DEPT. OF HEALTH

Q&I Facility –PetroSA West Camp as on 14 September 2020

- 6 people in isolation
- 3 people in quarantine

Table 2: Quarantine and Isolation

Q&I capacity and utilisation: Garden Route District				
Category	Facilities	Beds	Utilisation	Occupancy (%)
Available	8	613		
In use	1	150	15	10%
Sub total	9	937		
Ready for activation	23	656		
Total	32	1593		As at 9 Sept 2020

- The PetroSA Quarantine/Isolation site is not under pressure.
- Presently there are 6 people in Isolation at the site and 3 in quarantine. The number usually varies between 15 and 25 now. The site will still remain open for the foreseeable future.
- There remain two Professional Nurses and two Enrolled Nurses in total to manage the site clinically 24 hours a day.

Case Management

- On the 14th of September 2020 the total number of positive patients for the district is 9 550. (One week ago on the 7th of September 2020 it was 8 312.)
- On the 10th of September 2020 the total active case /100 000 of population stood at 81 per 100 000. (One week ago on the 3rd of September 2020 it was 92.)
 - This is still much higher than the provincial total of 40.
 - Oudtshoorn still has the highest number of active cases (201) per 100 000 people.
 - Sub-districts with higher active cases /100 000 this week compared to last week are Hessequa, Knysna and Oudtshoorn. The actual numbers are not huge though.
- Growth in active cases/100 000 population over past 7 days vs 7-14 days ago: 321 vs 327 = 98% of previous number.
- Admissions are slowly decreasing; presently there are 66 patients in hospital with 15 in Critical Care.
- There are now a total of 337 deaths. There are co-morbidities for the vast majority of patients.
- We are unfortunately still having old-age homes affected and there have been more deaths here. The Dept. of Health is working closely with the Dept. of Social Services on the matter.

- Change in protocols for both quarantine and isolation is now 10 days essential workers who were in contact with positive cases and are a symptomatic can now test on day 7, and if negative may return to work.

Testing and Treatment

- Most of the communities planned for screening have now been completed. We are only continuing in George presently and specifically in Thembalethu, Touwsrante, Parkdene and Uniondale.
- For the entire period since start of lockdown, there have been a total of 153 783 screenings, with 1 368 referrals.
- For the 10th of September 2020, a total of 187 COVID-19 tests were done.
- Backlog of pending tests is not a problem presently.
- The SANDF are presently doing Awareness and Screening Program in De Rust, Oudtshoorn sub-district. They work with the local role players, including SAPS. For the 10th of September 2020, a total of 181 persons were screened, and none needed referral.

Hospital services

- The Critical Care Units of all hospitals have spare capacity.
- George Hospital and George Medi-Clinic have de-commissioned some of their COVID-19 beds.
- The admissions to the district hospitals are currently under control with additional capacity still available.
- It is only Oudtshoorn Hospital that has borderline capacity. Arrangements are in place with George Hospital to transfer patients to them if necessary.

District Health Services

- No specific information for update.
- Services are taking place as usual at all PHC facilities.

Red Dot Transport System

- The Red Dot transport system) is in place and operational to transport people between their residence, or hospital, and the Q&I facility
- The service was expanded on 2 September 2020 to include transporting stable patients from George Hospital and Harry Comay Hospital or to any hospital or home in the district.
- We are now exploring options of a service for transporting patients from district hospitals to their homes.

Opening of George airport

- The District Municipality supplied two Environmental Health Practitioners and the DOH three Professional Nurses to provide screening at the airport.
- This service is now fully functional.
- Secondary consultation for positively-screened passengers will be done by telephonic consultation of the Command Medic on Call of the Provincial Health Operations Centre.
- The airport is planning to allow non-travelers /visitors into the terminal; a meeting is planned to discuss the detail. The Department of Health only sees its role in screening bona fide passengers and not the general population visiting the airport. A meeting on this will take place on 15 Sept 2020.

Table 3: Communal Screening and Testing

GRDM COVID-19 Public Screening and Testing (Since the start of the program till 11/09/2020)				
Municipality	Area	Screened	Tested	Positive Cases
Bitou	Krantshoek	5425	7	0
	Kwanokuthula	1005	0	0
	New Horizon	1454	2	0
	Kurland	1462	8	0
Knysna	Kwanokuthula	2582	7	0
	Jood se Kamp	944	0	0
George	Thembaletu	11880	76	0
	Lawaakamp	429	0	0
	Pacaltsdorp	1706	3	0
	Rosemore	1460	2	0
Kannaland	Calitzdorp	438	3	0
	Bergsig	358	0	0
	Ladismith	1350	2	0
	Van Wyksdorp	144	0	0
	Zoar	1102	0	0
Mossel Bay	Kwanonqaba	7051	71	0
	Isazane	1136	28	0
	Alma Park	1770	62	0
	Almeida	32	23	0
	Groot Brak River	99	18	0
	Brandwacht	42	30	0
Hessequa	Albertinia	1462	7	0
	Heidelberg	1887	12	0
	Riversdale	4972	8	0
	Slangrivier	1777	5	0

	Gouritzmouth	310	5	0
Oudtshoorn	Bridgeton	6106	2	0
	Dysselsdorp	1612	4	0
	De Rust	1047	0	0
	Toekomsrus	409	0	
Total		153 783	1 386	0

HEALTH CLUSTER – GRDM ENVIRONMENTAL HEALTH

- A Draft guideline for places of worship has been completed and was send to the Chairperson of the GRDM District Corona Centre for distribution to committee.
- EHP officers are slowly going back to normal responsibilities.
- EHP officers are still involved in the EPWP projects within the district.
- EHP officers still get weekly feedback from undertakers in the district so there are no concerns at this stage.

WASTE MANAGEMENT

- George Project started already last week.
- 14 EPWP personnel were employed and PPE's was procured for this purpose.
- Hepatitis vaccinations were received.
- 36 people will be employed for awareness training

DISINFECTION and SANITATION TASK TEAM:

Disinfection took place at the following place at the different Local Municipalities:

Garden Route District Municipality

- Calitzdorp Spa
- De Hoek Resort
- Public spaces
- Residence in Oudtshoorn
- APD School Pacaltsdorp
- Residence in Pacaltsdorp
- GRDM Council Chambers
- Residence in Oudtshoorn
- SAPS Conville
- All offices and Vehicles

- George traffic – Pacaltsdorp
- Uniondale councillor station dumping site
- Harlem technical services water purification plant

George Municipality

- All Municipal Buildings are disinfected as per weekly schedule.

Mossel Bay Municipality

- Taxi Ranks in ASLA & CBD
- Eyethu Clinic
- Sonskynvallei Clinic

SAFETY AND SECURITY CLUSTER

- Only 3 active cases internally with 6 people in quarantine.
- Previous Station Commander of SAPS Oudtshoorn, Brigadier January, past on earlier this week after being in hospital for about 60 days due to COVID 19.
- SANDF Deployment –there is a meeting this week to discuss the logistics and operational plan.
- NCCF instruction (SAPS internal instruction) , which give direction but is not law. Paragraph 4 states vehicle concession- number of people is still restricted to 50 people. Clarity must be obtained where it comes to this as this causes problems and uncertainty in all spheres. This is a challenge in terms of the Economy. Mr. Otto confirmed that matter will be escalated to the provincial clusters and also taken up with NCCF structures.
- Protest action at Clicks – Van der Stel Plein, Col Terblanche reported that meetings such as rate payers meetings and political meetings will be considered as business meetings and will be allowed.

EDUCATION CLUSTER

- School are still open since it started in August 2020
- No decontamination since then
- There is low school attendance in certain grades but grade 12's are on par.
- Curriculum support for subject advisor is active.
- Compliance monitoring under control.
- Education provisioning plan –infrastructure meeting in session at this moment to discuss existing infrastructure etc.
- Average of 22500 learners fed per week.
- Learner exemption applications has stabilized, only received 3 new applications.

COVID 19 cases in the district as on 11 September 2020

- **Circuit 1 Riversdale**- 2 educators
- **Circuit 2 Mossel Bay** – 7 learners and 4 educators

- **Circuit 3 & 8 George** – 1 learner, 1 educator and 1 fatality
- **Circuit 4 Knysna 7 Bitou** – 3 learners
- **Circuit 5 & 6 Oudtshoorn** - 2 learners and 6 educators

SOCIAL SERVICES CLUSTER

- Essential services still running as per normal;
- There is an increase in cases at old age homes;
- There has been a decrease in the positive cases reported within the Dept. of Social Development.
- COVID 19 Cases at residential facility decreased – 10 staff and 10 residents.
- Riverside residential Manor closing down- those residents will be accommodated/placed in other facilities in Mossel Bay.
- Knysna office was decontaminated.

TRANSPORT AND LOGISTICS CLUSTER

- Regulations changed to increased allowed vehicle capacity to 100% - Municipalities adjusting to new Regulations;
- There have been some complaints across the municipalities that MBTS are not adhering to the obligation to sanitise vehicles. Municipalities are aware of this and have engaged with the Operators to ensure that they are adequately adhering to their obligations;
- Red Dot has been rolled out in the Garden Route District with a centralised dispatch centre in George
- George Airport: due to a lack of capacity for an on-site testing/screening facility the Airport has not been able to open yet. Engagements currently in progress with Department of Health. The ACSA is also considering alternative options to be pursued. Engagements with Department of Health are currently underway to see how assistance can be provided
- Mossel Bay Port: SAMSA has confirmed that no yacht movement between ports is allowed unless there are special circumstances. No passenger movement allowed except for South African Crew;
- Red Dot has been rolled out in the Garden Route District with a centralised dispatch centre in George

BUSINESS, ECONOMY AND TOURISM CLUSTER

- Business Chamber Support Programme – first round of applications closed-2nd round opened until 23 September.
- Agriculture- Minister Meyer visited the area and “A garden for a household” – food security initiative will be rolled out on a large scale.
- Internships – 2 programmes running

- (Agricultural for Youth Development and Graduate placement programme)
- Garden Route recovery Plan- had meeting on 8 September with COGTA and they gave guidelines in terms of this. Final input needed to ensure a comprehensive plan.
- Cape Nature Week- 16 to 22 September 2020
- SANPARKS 16 to 12 November 2020.
- Cango Caves opened doors after 6 months
- Bungee Jumping Bloukrans – opens on 18 September
- SATSA and WESGRO are arranging a Mega Fam Trip.

COMMUNICATIONS CLUSTER

- Radio interview took place on 9 September 2020 by Eden FM and Mr. Otto

News Release:

- Illegal dumping needs to stop for the sake of all of us
- Donations to vulnerable communities welcomed.
- Campaign still ongoing for Tourism Month – Let's talk more about the businesses we support
- News Release next week about resorts of GRDM reopening, used to be isolation and quarantine facilities
- Illegal Dumping Communication Strategy being prepared
- Weekly disinfection stats
- Garden Route Health Platform Update 11 Sept 2020

Ongoing:

- Echo provincial and national messages
- Responding to social media comments and questions

Communication needs / interventions from Province

Knysna

- Hotspot trailer
- Lamp post posters
- Budget for radio ads
- Scripts for radio ads

Mossel Bay

- Infographics on the effect of stigmatisation
- Specific information on treatment and care for the vulnerable in old age homes

Urgent assistance regarding the homeless who refuse assistance, many of whom are drug dependent and insist on living on the streets

Garden Route DM Communication Challenges

- Lack of resources (require Multimedia Communication Officer);

Hessequa Municipality Activities

- Loud hailing of COVID-19 messages (let's stop the spread / preventative care with a special focus on the importance of wearing masks and social distancing) in all 9 wards, regardless where COVID-19 infection has occurred or not (currently focusing on times when people walk to work / school), as well as after hours to reach maximum audience)
- Loud hailing to create awareness of screening to take place and what to expect (when screening is arranged for Hessequa)
- Western Cape Local Government Lamp pole posters: The service provider as appointed by the WC Local Governments has started to erect the first 200 lamp pole posters in the Hessequa municipal area as part of our awareness campaign.
- Posters as supplied by GCIS have been erected in hot spot areas in all 9 wards as part of our awareness campaign.
- Press Releases and social media posts with an emphasis on sharing the COVID-19 related information as received from the Western Cape Government, as well as National Government
- Ongoing social media page management (responses to comments, messages, etc.)
- Ongoing addressing of fake news
- Internal communication to officials (including Councillors) by means of "All Users" emails

Hessequa Municipality Challenges

- Sending of SMS's (subject to the availability of funds)
- Capacity: Only one Communication Officer to do both municipal and crisis communication, that is also responsible for other administrative function such as Archives, Committees and Switchboard Services;

ENVIRONMENTAL HEALTH AND PORT HEALTH SERVICES

This report serves to inform council about the weekly activities conducted by the Municipal Health Department in the Garden Route District Municipality.

The report reflects the Planned Public Health Activities and Contact Tracing and Sampling Statistics from 20 August 2020 – 09 September 2020.

PLANNED PUBLIC HEALTH ACTIVITIES

Table 4: Municipal Health Public Activities

Name Premises (Type) <i>Add to list if necessary</i>	Total number of inspections per type of premises	Number of premises comply to COVI-19 regulations (sanitizing, social distancing and wearing of masks)	General Compliance Regulations, Norms and Standards and By-Laws
Restaurants/ vehicles for delivery	127	127	99
Soup kitchens	29	29	29
Homeless shelters	4	4	4
SPAZA shops	127	112	101
School feeding schemes	27	27	27
Stores/shops	57	57	57
Taxi ranks	22	21	18
Clinics	23	23	23
Crèches	19	19	19
Old Age Homes	22	22	22
Hospital	4	4	4
Funeral Homes	24	24	18
Pump station	12	12	12
Hair salon/Baber shop	8	8	8
Public Toilet	42	42	42
Illegal Dumping	46	N/A	6
Refuse/Waste Facility	7	2	2
Dairy Farm	4	4	4
Informal traders	1	1	1

Premises where animals are kept	3	N/A	0
Accommodation Establishments: Guest Houses	1	1	1
Complaints	5	N/A	0
Recreational Facilities	3	3	3
Informal Settlements	3	-	-
Type of community Add to list if necessary		Number of awareness sessions conducted	
Taxi ranks		107	
Schools		22	
Soup kitchen		18	
Food premises		43	
Crèches		5	
Barbershops		4	
Informal settlements (Door-to-door)		14	

Table 5: Water and Sanitation – inspections/monitoring/sampling

Name/type of premises	Number of samples	Compliance		Outstanding results
		Compliant	Non-compliant	
Drinking water samples (Municipal)	38	1	0	38
Drinking water samples (Tanks)	10	0	0	10
Final effluent samples	15	1	0	14

DISINFECTION ACTIVITIES – GOVERNMENT AND PRIVATE OWNED BUILDINGS AND PUBLIC SPACES

Cleaning and disinfection of environmental surfaces plays a major role in preventing the spread of COVID-19. Therefore it is important that the Municipal Health Department monitor disinfection programmes conducted by Garden Route District Municipality and any Public entities.

Table 6: Number of Deep Cleansing Activities

Type of premises	Number of Deep cleansing activities	
	Monitor activities conducted by GRDM	Monitored activities conducted by private entities
Taxi ranks	0	12
Walkways	0	6
Police stations	0	2
Magistrate Courts	0	1
Clinics	0	4
Retail Stores	6	19
Residential areas (homes)	7	36

Table 7: Events Management

Type of event	Number of events
Training of EPWP employees	65
Training (other)	58
Meeting	23
Screening at the airport	6
During all events the COVID-19 regulations are adhered too	

Table 9: COVID-19 - Case Information

Number of home visit to positive cases	423
Number of contacts traced	619
Number of contacts not traced	3

Table 10: Decedent Information

Number of deaths (all deaths)	496
Number of COVID-19 deaths	153
Number COVID-19 funeral attended	30

Table 11: EPWP Information

Number EPWP in the region	80
Actions taken by EPWP personnel (Short description)	
<p>EPWP played an important role with COVID-19 awareness in our local communities. With great sadness we bid farewell to the EPWP's in the Garden Route district. Their assistance and contributions they made in the fight against COVID-19. It is our hope that this protect can be resumed in the near future.</p>	

Monitoring of hotspots areas in our region, focusing on social distancing, wearing of masks and monitor sanitizing programmes of business premises.

Table 12: Challenges and Recommendations

Challenges	Recommendations
The disinfection of open public areas	Consider budget allocations to assist the local B Municipality with the disinfection program
Private sector/businesses not reporting COVID-19 cases.	Awareness campaigns
Simplified awareness material must be developed.	GRDM design materials and distribute it through door-door campaigns
Management of COVID-19 funerals and gatherings	Establish regional task teams, consisting of Municipal Health, SAPS and law enforcement from Local B-municipality
Wearing of masks in public places	Visible law enforcement
Staff shortage	Identify areas of importance
Private sector/businesses not reporting COVID-19 cases.	Awareness campaigns
Funeral attendees not always adhering to preventative measures/requirements	Increased awareness and education actions.

Risks and Concerns

1. Breakdown per municipality of SASSA grant beneficiaries, is not available
2. Staff challenges may result in some clinics or health activities halted or delayed
3. Waste Management – budgetary constraints
4. Budget challenges for communication drive

COVID-19 LEGISLATION and REGULATIONS

Since the 25th of March Dr Mmaphaka Tau, in his capacity as the Head of the National Disaster Management Centre, after assessing the potential magnitude and severity of the COVID- 19 pandemic in the country, in terms of section 23(1) (b) of the Disaster Management Act, 2002 (Act No. 57 of 2002, as amended), classified the COVID-19 pandemic as a national disaster.

Emanating from the classification of this occurrence as a national disaster, in terms of section 26, read with section 23(8) of the above mentioned Act, the primary responsibility to co-ordinate and manage the disaster, in terms of existing legislation and contingency arrangements, is designated to the national executive.

In terms of Section 15(2) (aA) of the Act, read with sections 23(8), Dr Tau called upon all organs of state to further strengthen and support the existing structures to implement contingency arrangements and to ensure that measures are put in place to enable the national executive to effectively deal with the effects of this disaster.

On the 15th of March Dr Nkosazana Dlamini Zuma, the Minister of Cooperative Governance and Traditional Affairs as designated under section 3 of the Disaster Management Act, 2002 (Act no 57 of 2002, as amended) in terms of section 27 (1) of the Act declared a national state of disaster. In terms of section 27(2) of the aforementioned act the minister may, when required, make regulations or issue directions, since the onset of the CO45140VID-19 pandemic the regulations as well as disaster management guidelines and notices have been published.

Attached as Annexure "A" a list of all the Covid-19 related regulations promulgated thus far;

6.3 FINANCIAL IMPLICATIONS

Thus far, all of the Covid-19 related expenses has been be funded from:

- Council's cash reserves;
- funding provided for in terms of the approved 2019/2020-adjustment budget;
- Covid-19 Disaster Grant allocation to the value of R268 000 and
- The Provincial Social support grant to the value of R100 000;

6.4 RELEVANT LEGISLATION / LEGAL IMPLICATIONS

Disaster Management Act, 2002 (Act No. 57 of 2002, as amended), sections as outlined in the above mentioned discussion.

6.5 STAFF IMPLICATIONS

NONE

6.6 PREVIOUS / RELEVANT COUNCIL RESOLUTIONS

NONE

6.7 RISK IMPLICATIONS

NONE

6.8 COMMENTS FROM SENIOR MANAGEMENT**6.8.1 COMMENTS: EXECUTIVE MANAGER FINANCIAL SERVICES**

None

6.8.2 COMMENTS: EXECUTIVE MANAGER CORPORATE SERVICES

None

6.8.3 COMMENTS: EXECUTIVE MANAGER PLANNING & ECONOMIC DEVELOPMENT

None

6.8.4 COMMENTS: EXECUTIVE MANAGER ROADS & TRANSPORT PLANNING SERVICES

None

6.8.5 COMMENTS: MANAGER LEGAL SERVICES

None

ANNEXURE:

"A" List of all the Covid-19 related regulations promulgated thus far.

Addendum "A" COVID-19 Weekly Epidemiology Brief Week 36

Addendum "B" NICD-COVID-19 Weekly Sentinel Hospital Surveillance Update Week 36 of 2020

Consolidated list

Regulations and Directions issued to COVID-19 response

SOUTH AFRICA

Prepared By:



**Directorate: Legislation, Policy and Compliance
Management**

11 September 2020

Consolidated list

Regulations and Directions issued in response to COVID-19

1. Introduction

The Head of the National Disaster Management Centre (NDMC), after assessing the potential magnitude and severity of the COVID-19 pandemic in the country, on 15 March 2020, classified the COVID-19 pandemic as a national disaster.

The Minister of Cooperative Governance and Traditional Affairs following the classification of the COVID-19 pandemic as a national disaster and a Cabinet meeting where the matter was discussed, on 15 March 2020, declared a national state of disaster recognising the need to augment the existing legislation and contingency arrangements to deal with the pandemic.

Ministers have since 18 March 2020, issued Regulations, Directives and Bills listed below in terms of Section 27(2) of the Disaster Management Act, 2002 (Act No. 57 of 2002) ("the DMA") and other enabling legislation regarding the steps necessary to prevent an escalation of the disaster or to alleviate, contain and minimize the effects of the disaster.

Copies of the respective gazettes can be downloaded from the following websites:

<https://www.gov.za/coronavirus/guidelines>

<http://www.saflii.org/content/databases>

2. Regulations made in terms of Section 27(2) of the DMA

- 2.1. Classification of COVID-19 pandemic as a national disaster published (GN 312 in GG 43096 of 15 March 2020) (p3)
- 2.2. Declaration of a national state of disaster published (GN 313 in GG 43096 of 15 March 2020) (p4)
- 2.3. Regulations regarding the steps necessary to prevent an escalation of the disaster or to alleviate, contain and minimise the effects of the disaster published in terms of s. 27 (2) (GN 318 in GG 43107 of 18 March 2020) (p3)
- 2.4. Regulations issued in terms of s. 27 (2) of the Act published (GN 318 in GG 43107 of 18 March 2020) (p3) and amended (GN R398 in GG 43148 of 25 March 2020 (p3) and GN R419 in GG 43168 of 26 March 2020 (p3) and Tswana translation published (GN 354 in GG 43128 of 23 March 2020) (p3)
- 2.5. Regulations issued in terms of s. 27 (2) of the Act amended (GN R446 in GG 43199 of 2 April 2020) (p3)

Consolidated list

Regulations and Directions issued in response to COVID-19

- 2.6. 'Lockdown Regulations' issued in terms of s. 27 (2) of the Act amended (GN R465 in GG 43232 of 16 April 2020) (p3)
- 2.7. Afrikaans and Setswana translations of amendments to 'Lockdown Regulations' published in GN R398 in GG 43148 of 25 March 2020, GN R419 in GG 43168 of 26 March 2020 and GN R446 in GG 43199 of 2 April 2020 published (GN R463 in GG 43228 of 14 April 2020) (p3)
- 2.8. 'Lockdown Regulations' issued in terms of s. 27 (2) of the Act amended (GN R471 in GG 43240 of 20 April 2020) (p3)
- 2.9. Regulations issued in terms of s. 27 (2) of the Act published (GN R480 in GG 43258 of 29 April 2020) (p3) and Regulations published in GN 318 in GG 43107 of 18 March 2020 as amended by GN R398 in GG 43148 of 25 March 2020, by GN R419 in GG 43168 of 26 March 2020, by GN R446 in GG 43199 of 2 April 2020, by GN R465 in GG 43232 of 16 April 2020 and by GN 471 in GG 43240 of 20 April 2020 repealed.
- 2.10. Regulations issued in terms of s. 27 (2) of the Act published in GN R480 in GG 43258 of 29 April 2020 amended with effect from 1 June 2020, unless otherwise indicated (GN 608 in GG 43364 of 28 May 2020) (p5)
- 2.11. Declaration of a national state of disaster published in GN 313 in GG 43096 of 15 March 2020 extended to 15 July 2020 (GN 646 in GG 43408 of 5 June 2020) (p4)
- 2.12. Regulations issued in terms of s. 27 (2) of the Act published in GN R480 in GG 43258 of 29 April 2020 amended (GN 714 in GG 43476 of 25 June 2020) (p3)
- 2.13. Regulations issued in terms of s. 27 (2) of the Act published in GN R480 in GG 43258 of 29 April 2020 amended (GN 763 in GG 43521 of 12 July 2020) (p3)
- 2.14. Declaration of a national state of disaster published in GN 313 in GG 43096 of 15 March 2020 extended to 15 August 2020 (GN 765 in GG 43524 of 13 July 2020) (p4)
- 2.15. Regulations issued in terms of s. 27 (2) of the Act published in GN R480 in GG 43258 of 29 April 2020 amended (GN 846 in GG 43577 of 31 July 2020) (p3)
- 2.16. Declaration of a national state of disaster published in GN 313 in GG 43096 of 15 March 2020 extended to 15 September 2020 (GN 889 in GG 43616 of 15 August 2020) (p3)
- 2.17. Determination of Alert Level 2 and regulations issued in terms of s. 27 (2) of the Act published in GN R480 in GG 43258 of 29 April 2020 amended with effect from 18 August 2020 (GN 891 in GG 43620 of 17 August 2020) (p3)
- 2.18.

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Regulations and Directions issued in response to COVID-19

3. Directions issued

- 3.1 Directions for all courts, court precincts and justice service points and GN R418 in GG 43167 of 26 March 2020 withdrawn (GN R440 in GG 43191 of 31 March 2020) (p3)
- 3.2 Social Development Directions to prevent and combat the spread of COVID-19 published (GN R430 in GG 43182 of 30 March 2020) (p3)
- 3.3 Tourism Directions published (GenN 235 in GG 43200 of 2 April 2020) (p3)
- 3.4 COGTA COVID-19 Disaster Response Directions, 2020 applicable to provinces, municipalities, and where indicated, institutions of Traditional Leadership published in GN R399 in GG 43147 of 25 March 2020 amended (GN R432 in GG 43184 of 30 March 2020) (p3)
- 3.5 Public Transport Services Directions, 2020 published in GN 412 in GG 43157 of 26 March 2020 amended (GN 431 in GG 43183 of 30 March 2020 (p3) and GN 436 in GG 43186 of 31 March 2020 (p3))
- 3.6 Public Transport Services Directions, 2020: Declaration of essential services (GN 431 in GG 43183 of 30 March 2020) (p5)
- 3.7 International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020 published in GN 415 in GG 43160 of 26 March 2020 amended (GN 423 in GG 43176 of 27 March 2020 (p3) and GN 438 in GG 43189 of 31 March 2020 (p3)
- 3.8 Environmental Directions published (GN R439 in GG 43190 of 31 March 2020) (p3)
- 3.9 COGTA COVID-19 Disaster Response Directions, 2020 applicable to provinces, municipalities, and where indicated, institutions of Traditional Leadership published (GN R399 in GG 43147 of 25 March 2020) (p3)
- 3.10 Public Transport Services Directions, 2020 published (GN 412 in GG 43157 of 26 March 2020) (p3)
- 3.11 National Ports Act (COVID-19 Restrictions on the Movement of Persons and Crew) Directions, 2020 published (GenN 216 in GG 43163 of 26 March 2020) (p3)
- 3.12 International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020 published (GN 415 in GG 43160 of 26 March 2020) (p3)
- 3.13 Covid-19 Temporary Relief Scheme, 2020 published (GenN 215 in GG 43161 of 26 March 2020) (p3)
- 3.14 Home Affairs Directions to Prevent and Combat the Spread of COVID-19 published (GN 416 in GG 43162 of 26 March 2020) (p3)

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Regulations and Directions issued in response to COVID-19

- 3.15 Directions to address, prevent and combat the spread of COVID-19 in all courts, court precincts and justice service points published (GN R418 in GG 43167 of 26 March 2020) (p3)
- 3.16 Cross-Border Road Transport Special Dispensation (COVID-19 Restrictions on the movement of Cross-Border Road Transport Passengers) Directions, 2020 published (GN 413 in GG 43158 of 26 March 2020) (p3)
- 3.17 Electronic Communications, Postal and Broadcasting Directions published (GN 417 in GG 43164 of 26 March 2020) (p3)
- 3.18 Preventative Measures in the Railway Operations (COVID-19 Control Measures on the Operations by Rail) Regulations, 2020 published (GN 414 in GG 43159 of 26 March 2020) (p3)
- 3.19 Directives issued by the Chief Justice published (GenN 187 in GG 43117 of 20 March 2020) (p3)
- 3.20 Covid-19 Temporary Relief Scheme, 2020 published in GenN 215 in GG 43161 of 26 March 2020 amended (GenN 240 in GG 43216 of 8 April 2020) (p3)
- 3.21 Electronic Communications, Postal and Broadcasting Directions published in GN 417 in GG 43164 of 26 March 2020 amended (GN 451 in GG 43209 of 6 April 2020) (p3)
- 3.22 Health directions to address, prevent and combat the spread of COVID-19 in South Africa published (GN 457 in GG 43217 of 8 April 2020) (p3)
- 3.23 Department of Transport: Declaration of essential services published (GN 453 in GG 43211 of 7 April 2020) (p7)
- 3.24 Directions determining extension of the validity period of operating licence and accreditation certification for public transport operators for purposes of the COVID-19 lockdown published (GN 454 in GG 43212 of 7 April 2020) (p5)
- 3.25 Directions regarding call centres providing essential services published (GN R459 in GG 43224 of 9 April 2020) (p3)
- 3.26 Directions regarding Sea Cargo Operations and Air Freight Operations published (GN 453 in GG 43211 of 7 April 2020) (p6)
- 3.27 National Ports Act (COVID-19 Restrictions on the Movement of Persons and Crew) Directions, 2020 published in GenN 216 in GG 43163 of 26 March 2020 amended (GN 453 in GG 43211 of 7 April 2020) (p3)
- 3.28 Public Transport Services Directions, 2020 amended (GN 454 in GG 43212 of 7 April 2020) (p3)
- 3.29 SMME Directions on the provision of essential goods and services published (GN R450 in GG 43208 of 6 April 2020) (p3)
- 3.30 Social Development Directions to prevent and combat the spread of COVID-19 published in GN R430 in GG 43182 of 30 March 2020 amended (GN R455 in GG 43213 of 7 April 2020) (p3)
- 3.31 Directions for correctional centres and remand detention facilities published (GN 460 in GG 43225 of 9 April 2020) (p3)

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Regulations and Directions issued its COVID-19 response

- 3.32 Extension of term of office of councils and boards of public entities and suspension of sport, arts and cultural events published (GN 461 in GG 43226 of 9 April 2020) (p3)
- 3.33 Mineral Resources and Energy: Directions to ensure fair processes, relating to licensing, consultation, appeals and compliance processes and reporting requirements during the lockdown period published (GN R462 in GG 43227 of 11 April 2020) (p3)
- 3.34 Water and Sanitation Emergency Procurement COVID-19 Disaster Response Directions, 2020 published (GN 464 in GG 43231 of 15 April 2020) (p3)
- 3.35 Directive relating to Essential Goods and Services for Higher Education Institutions published (GN R468 in GG 43237 of 17 April 2020) (p3)
- 3.36 Directives for the Management of Courts during the Lockdown Period published (GN 246 in GG 43241 of 21 April 2020) (p3)
- 3.37 COVID-19 Occupational Health and Safety Measures in Workplaces COVID-19 (C19 OHS), 2020 published (GN 479 in GG 43257 of 29 April 2020) (p3)
- 3.38 Directive relating to Essential Goods and Services for Higher Education Institutions published in GN R468 in GG 43237 of 17 April 2020 amended (GN R478 in GG 43255 of 29 April 2020) (p3)
- 3.39 Mineral Resources and Energy Directions: Measures for the Protection and Safety of Persons published (GenN 250 in GG 43256 of 29 April 2020) (p3)
- 3.40 COGTA COVID-19 Disaster Response Directions, 2020 applicable to provinces, municipalities, and where indicated, institutions of Traditional Leadership published in GN R399 in GG 43147 of 25 March 2020 amended (GN 510 in GG 43291 of 7 May 2020) (p3)
- 3.41 Covid-19 Temporary Relief Scheme, 2020 published in GenN 215 in GG 43161 of 26 March 2020 amended (GN R486 in GG 43265 of 4 May 2020) (p3)
- 3.42 Directions for all courts, court precincts and justice service points published and GN R440 in GG 43191 of 31 March 2020 repealed (GN R489 in GG 43268 of 4 May 2020) (p3)
- 3.43 Directions on Essential Financial Services published (GN 487 in GG 43266 of 4 May 2020) (p3)
- 3.44 Directions on Live Streaming of the Creative Sector Services in Support of COVID-19 (GN 490 in GG 43269 of 4 May 2020) (p3)
- 3.45 Directions on Once-off Long Distance Inter-Provincial Transport published (GN 483 in GG 43262 of 1 May 2020) (p3) and amended (GN 495 in GG 43274 of 4 May 2020) (p3)
- 3.46 Directions on the Once-off Movement of Persons published (GN 482 in GG 43261 of 30 April 2020)
- 3.47 Directions on the once-off movement of persons and the transportation of goods for purposes of relocation published (GN 513 in GG 43293 of 7 May 2020) (p3)

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- 3.48 Directions on the Risk-Adjusted Strategy for the Communications and Digital Technologies Sector published (GN 484 in GG 43263 of 3 May 2020) (p3)
- 3.49 Directions on the extension of the validity period of a learner's licence, driving licence card, licence disc, professional driving permit and registration of a motor vehicle published and GN 431 in GG 43183 of 30 March 2020 repealed (GN 491 in GG 43270 of 4 May 2020) (p3)
- 3.50 Measures to Address, Prevent and Combat the Spread of COVID19: Air Freight Operations Directions, 2020 published (GN 492 in GG 43271 of 4 May 2020) (p3)
- 3.51 Public Transport Services Directions, 2020 published and GN 412 in GG 43157 of 26 March 2020 repealed (GN 493 in GG 43272 of 4 May 2020, amended by GN 504 in GG 43284 of 6 May 2020) (p3)
- 3.52 Preventative Measures in the Railway Operations (COVID-19 Control Measures on the Operations by Rail) Directions, 2020 published and GN 414 in GG 43159 of 26 March 2020 repealed (GN 494 in GG 43273 of 4 May 2020) (p3)
- 3.53 Sea Ports Directions, 2020 published and GenN 173 in GG 43103 of 18 March 2020 and GenN 216 in GG 43163 of 26 March 2020 as amended by GN 453 in GG 43211 of 7 April 2020 repealed (GN 496 in GG 43275 of 4 May 2020) (p3)
- 3.54 Covid-19 Temporary Relief Scheme, 2020 published in GenN 215 in GG 43161 of 26 March 2020 amended (GN R541 in GG 43330 of 15 May 2020) (p3)
- 3.55 Directions for Micro and Small Businesses Trading in Permitted Services published (GN R522 in GG 43306 of 12 May 2020) (p3)
- 3.56 Directions on the once-off movement of persons and the transportation of goods for purposes of relocation published and GN 513 in GG 43293 of 7 May 2020 repealed (GN 534 in GG 43320 of 14 May 2020)
- 3.57 Directions Regarding e-Commerce Sales during Alert Level 4 of the COVID-19 National State of Disaster published (GN R535 in GG 43321 of 14 May 2020) (p3)
- 3.58 Directions Regarding the Sale of Cars and Emergency Automobile Repairs During Alert Level 4 of the COVID-19 National State of Disaster published (GN R524 in GG 43308 of 12 May 2020) (p3)
- 3.59 Directions Regarding the Sale of Clothing, Footwear and Bedding during Alert Level 4 of the COVID-19 National State of Disaster published (GN R523 in GG 43307 of 12 May 2020) (p3)
- 3.60 Directions Relating to the Biodiversity Sector published (GN 537 in GG 43323 of 14 May 2020) (p3)
- 3.61 Directions Relating to the Freshwater and Marine Fishing Sectors published (GN 538 in GG 43324 of 14 May 2020) (p3)
- 3.62 Directions Relating to the Recycling of Waste published (GN 539 in GG 43325 of 14 May 2020) (p3)

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- 3.63 Directions to Permit Travel and Recommencement of Studies for Final Year Medical Students Registered at South African Public Universities during the Academic Year 2020 published with effect from 8 May 2020 (GN 533 in GG 43319 of 13 May 2020) (p3)
- 3.64 Electronic Communications, Postal and Broadcasting Directions published in GN 417 in GG 43164 of 26 March 2020 amended (GN 516 in GG 43299 of 8 May 2020) (p3)
- 3.65 Home Affairs Directions to Prevent and Combat the Spread of COVID-19 published in GN 416 in GG 43162 of 26 March 2020 amended (GN R518 in GG 43301 of 9 May 2020) (p3)
- 3.66 Mineral Resources and Energy Directions on Permitted Goods and Services published (GN 542 in GG 43331 of 15 May 2020) (p3)
- 3.67 Preventative Measures in the Railway Operations (COVID-19 Control Measures on the Operations by Rail) Directions, 2020 published in GN 494 in GG 43273 of 4 May 2020 amended (GN 536 in GG 43322 of 14 May 2020) (p3)
- 3.68 Social Development Directions to prevent and combat the spread of COVID-19 published in GN R430 in GG 43182 of 30 March 2020 amended (GN R517 in GG 43300 of 9 May 2020) (p3)
- 3.69 Directions on the determination of the commencement of services and extension for the validity period of learner's licences, driving licence cards, licence discs, professional driving permits and the registration of motor vehicles published and GN 491 in GG 43270 of 4 May 2020 repealed (GN 544 in GG 43339 of 20 May 2020) (p3)
- 3.70 Public Transport Services Directions, 2020 published in GN 493 in GG 43272 of 4 May 2020 amended (GN R587 in GG 43348 of 22 May 2020) (p3)
- 3.71 Covid-19 Temporary Relief Scheme, 2020 published in GenN 215 in GG 43161 of 26 March 2020 amended (GN R595 in GG 43353 of 26 May 2020) (p3)
- 3.72 Determination of Alert Levels and Hotspots published (GN 608 in GG 43364 of 28 May 2020) (p3)
- 3.73 Directions on the Risk-Adjusted Strategy for the Communications and Digital Technologies Sector published in GN 484 in GG 43263 of 3 May 2020 amended (GN 590 in GG 43351 of 26 May 2020) (p3)
- 3.74 Directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the Department of Basic Education, all provincial education departments, all education district offices and all schools in the Republic of South Africa published (GenN 302 in GG 43372 of 29 May 2020) (p3)
- 3.75 Directions relating to norms and standards for religious gatherings published with effect from 1 June 2020 (GN 609 in GG 43365 of 28 May 2020) (p3)
- 3.76 Directions relating to the biodiversity sector published in GN 537 in GG 43323 of 14 May 2020 amended (GN 596 in GG 43355 of 26 May 2020) (p3)

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- 3.77 Directions to permit travel and recommencement of studies for final year medical students registered at South African Public Universities during the academic year 2020 published with effect from 8 May 2020 and GN 533 in GG 43319 of 13 May 2020 replaced (GN 591 in GG 43352 of 26 May 2020) (p3)
- 3.78 Health directions regarding measures to address, prevent and combat the spread of COVID-19 published in GN 457 in GG 43217 of 8 April 2020 amended (GN 589 in GG 43350 of 25 May 2020) (p3)
- 3.79 Consolidated Direction on Occupational Health and Safety Measures in Certain Workplaces published and COVID-19 Occupational Health and Safety Measures in Workplaces COVID-19 (C19 OHS), 2020 published in GN 479 in GG 43257 of 29 April 2020 replaced (GN R639 in GG 43400 of 4 June 2020) (p3)
- 3.80 Directions for all courts, court precincts and justice service points published (GN 623 in GG 43383 of 2 June 2020) (p3)
- 3.81 Directions for the resumption of construction and related services in post school education and training institutions published with effect from 1 May 2020 (GN 617 in GG 43378 of 1 June 2020) (p3)
- 3.82 International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020 published in GN 415 in GG 43160 of 26 March 2020 amended with effect from 1 June 2020 (GN 615 in GG 43375 of 30 May 2020) (p3)
- 3.83 Preventative Measures in the Railway Operations (COVID-19 Control Measures on the Operations by Rail) Directions, 2020 published in GN 536 in GG 43322 of 14 May 2020 amended with effect from 1 June 2020 (GN 613 in GG 43373 of 30 May 2020) (p3)
- 3.84 Public Transport Services Directions, 2020 published in GN 493 in GG 43272 of 4 May 2020 amended with effect from 1 June 2020 (GN 614 in GG 43374 of 30 May 2020) (p3)
- 3.85 Directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the Department of Basic Education, all provincial education departments, all education district offices and all schools in the Republic of South Africa published in GenN 302 in GG 43372 of 29 May 2020 amended (GenN 304 in GG 43381 of 1 June 2020) (p3)
- 3.86 Amendment of Regulations and Withdrawal of Directions Relating to the COVID-19 National State of Disaster, published (GN R667 in GG 43432 of 11 June 2020) (p3) as follows:
 - a) Directions regarding call centres providing essential services published in GN R459 in GG 43224 of 9 April 2020 withdrawn;

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- b) Directions Regarding the Sale of Cars and Emergency Automobile Repairs During Alert Level 4 of the COVID-19 National State of Disaster published in GN R524 in GG 43308 of 12 May 2020 withdrawn;
 - c) Directions Regarding the Sale of Clothing, Footwear and Bedding during Alert Level 4 of the COVID-19 National State of Disaster published in GN R523 in GG 43307 of 12 May 2020 expired with effect from 31 May 2020 and are no longer of any force and effect;
 - d) International Trade Administration Act 71 of 2002: COVID-19 Export Control Regulation published in GN R91 in GG 35007 of 10 February 2012 amended; and
 - e) Competition Act 89 of 1998: Covid-19 Block Exemption for the Retail Property Sector, 2020 published in GN R358 in GG 43134 of 24 March 2020 amended
- 3.87 Directions on Live Streaming of the Creative Sector Services in Support of COVID-19 published in GN 490 in GG 43269 of 4 May 2020 amended (p3)
 - 3.88 Directions on the Risk-Adjusted Strategy for the Communications and Digital Technologies Sector published in GN 484 in GG 43263 of 3 May 2020 amended (GN 671 in GG 43439 of 12 June 2020) (p3)
 - 3.89 Directions on the Zero-rating of Content and Websites for Education and Health published (GN 651 in GG 43413 of 5 June 2020) (p3)
 - 3.90 Directions regarding the national criteria for the phased-in return to campuses of public and private higher education institutions published with effect from 1 June 2020 (GN 652 in GG 43414 of 8 June 2020) (p3)
 - 3.91 Directions Relating to National Environmental Management Permits and Licences (Alert Level 3) published and Environmental Directions published in GN R439 in GG 43190 of 31 March 2020 repealed (GN 650 in GG 43412 of 5 June 2020) (p3)
 - 3.92 Directions Relating to the Biodiversity Sector (Alert Level 3) published (GN 647 in GG 43409 of 5 June 2020) (p3)
 - 3.93 Directions Relating to the Forestry Sector (Alert Level 3) published (GN 649 in GG 43411 of 5 June 2020) (p3)
 - 3.94 Directions Relating to the Freshwater and Marine Fishing Sectors (Alert Level 3) published (GN 648 in GG 43410 of 5 June 2020) (p3)
 - 3.95 Extension of term of office of councils and boards of public entities and suspension of sport, arts and cultural events published in GN 461 in GG 43226 of 9 April 2020 amended (GN 669 in GG 43434 of 11 June 2020) (p3)
 - 3.96 Home Affairs Directions to Prevent and Combat the Spread of COVID-19 published in GN 416 in GG 43162 of 26 March 2020 amended (GN 664 in GG 43420 of 10 June 2020) (p3)
 - 3.97 Mineral Resources and Energy Directions published (GN 697 in GG 43460 of 19 June 2020) (p3)
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- 3.98 Directions for correctional centres and remand detention facilities published and GN 460 in GG 43225 of 9 April 2020 withdrawn (GN 698 in GG 43463 of 22 June 2020) (p3)
- 3.99 Directions to provide protocols to mitigate and manage the COVID-19 outbreak amongst employees and customers in the personal care services industry published (GN R696 in GG 43459 of 19 June 2020) (p3)
- 3.100 Directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the National Department of Basic Education, and Provincial Departments of Education, and all schools in the Republic of South Africa published and GenN 302 in GG 43372 of 29 May 2020 withdrawn (GenN 343 in GG 43465 of 23 June 2020) (p3)
- 3.101 Health directions regarding measures to address, prevent and combat the spread of COVID-19 published in GN 457 in GG 43217 of 8 April 2020 amended (GN R716 in GG 43479 of 26 June 2020) (p3)
- 3.102 Mineral Resources and Energy Directions to provide for the continuous supply of energy and petroleum products to society and allow maintenance and construction work for energy projects published (GN 697 in GG 43460 of 19 June 2020) (p3)
- 3.103 Amendment to the International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020 published in GN 438 in GG 43189 of 31 March 2020 amended (GN 726 in GG 43493 of 2 July 2020) (p3)
- 3.104 Directions for reopening of institutions offering qualifications registered on the Occupational Qualifications Sub-Framework (OQSF) as part of a risk-adjusted strategy for a phased-in return of skills development activities published with effect from 1 June 2020 (GenN 355 in GG 43486 of 29 June 2020) (p3)
- 3.105 Directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the National Department of Basic Education, and Provincial Departments of Education, and all schools in the Republic of South Africa published in GenN 343 in GG 43465 of 23 June 2020 amended (GenN 357 in GG 43488 of 29 June 2020) (p3)
- 3.106 Social Development Directions to prevent and combat the spread of COVID-19 published in GN R430 in GG 43182 of 30 March 2020 amended (GN 727 in GG 43494 of 2 July 2020) (p3)
- 3.107 Tourism Directions published and GenN 235 in GG 43200 of 2 April 2020 withdrawn (Gen 356 in GG 43487 of 29 June 2020) (p3)
- 3.108 COGTA COVID-19 Disaster Response Directions, 2020 applicable to provinces, municipalities and institutions of Traditional Leadership published in GN R399 in GG 43147 of 25 March 2020 amended (GN 748 in GG 43503 of 3 July 2020) (p3)

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- 3.109 Home Affairs Directions to Prevent and Combat the Spread of COVID-19 published in GN 416 in GG 43162 of 26 March 2020 amended (GN 749 in GG 43504 of 3 July 2020) (p3)
- 3.110 Resumption of contact and non-contact sport and the opening of places and premises for arts and cultural activities published and GN 461 in GG 43226 of 9 April 2020 amended (GN 751 in GG 43507 of 6 July 2020) (p3)
- 3.111 Directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the National Department of Basic Education, and Provincial Departments of Education, and all schools in the Republic of South Africa published in GenN 343 in GG 43465 of 23 June 2020 amended (GenN 370 in GG 43510 of 7 July 2020, corrected by GN 371 in GG 43511 of 8 July 2020) (p3)
- 3.112 Phased return of children to early childhood development programmes and partial care facilities published (GN 762 in GG 43520 of 10 July 2020)
- 3.113 Health directions regarding measures to address, prevent and combat the spread of COVID-19 published and GN 457 in GG 43217 of 8 April 2020 withdrawn (GN 796 in GG 43533 of 20 July 2020) (p3)
- 3.114 Directions on measures to address, prevent and combat the spread of COVID-19 in the public transport services, 2020 published and GN 493 in GG 43272 of 4 May 2020 withdrawn (GN 801 in GG 43538 of 22 July 2020) (p3)
- 3.115 Directions on the determination of the commencement of services and extension for the validity period of learner's licences, driving licence cards, licence discs, professional driving permits and the registration of motor vehicles published in GN 544 in GG 43339 of 20 May 2020 amended (GN 802 in GG 43539 of 22 July 2020) (p3)
- 3.116 International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020 published in GN 415 in GG 43160 of 26 March 2020 amended (GN 814 in GG 43550 of 24 July 2020) (p3)
- 3.117 Directions regarding auctions and sales in execution conducted by Sheriffs of the Court published (GN R816 in GG 43553 of 27 July 2020) (p3)
- 3.118 Directions regarding livestock auctions published (BN 85 in GG 43571 of 31 July 2020) (p97)
- 3.119 Directions Relating to the Biodiversity Sector (Alert Level 3) published in GN 647 in GG 43409 of 5 June 2020 amended (GN 822 in GG 43564 of 28 July 2020) (p3)
- 3.120 Home Affairs: Fourth Amendment Directions to the Directions published in Government Gazette No. 43162, Government Notice No. 416 of 26 March 2020 published (GN 843 in GG 43572 of 31 July 2020) (p3)
- 3.121 Amendment of Directions published in GN 461 in GG 43226 of 9 April 2020 allowing sporting events, training and matches to resume, including opening of

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- libraries, museums, cinemas, theatres, galleries and archives published (GN 852 in GG 43584 of 6 August 2020) (p3)
- 3.122 Directions Relating to the Biodiversity Sector published in GN 647 in GG 43409 of 5 June 2020 amended (GN 870 in GG 43602 of 7 August 2020) (p3)
- 3.123 Directions regarding the criteria that will guide the determination of alert levels published (GN R867 in GG 43599 of 7 August 2020) (p3)
- 3.124 Directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the National Department of Basic Education, and Provincial Departments of Education, and all schools in the Republic of South Africa published in GenN 343 in GG 43465 of 23 June 2020 amended (GenN 411 in GG 43578 of 2 August 2020) (p3)
- 3.125 Directions relating to spatial planning, land use management and land development processes published (GenN 431 in GG 43598 of 7 August 2020) (p3)
- 3.126 Health directions regarding measures to address, prevent and combat the spread of COVID-19 published in GN 796 in GG 43533 of 20 July 2020 amended (GN R868 in GG 43600 of 7 August 2020) (p3)
- 3.127 Social Development Directions to prevent and combat the spread of COVID-19 published in GN R430 in GG 43182 of 30 March 2020 amended (GN 853 in GG 43588 of 6 August 2020) (p3)
- 3.128 Tourism Directions published in Gen 356 in GG 43487 of 29 June 2020 amended (GenN 414 in GG 43585 of 6 August 2020) (p3)
- 3.129 Covid-19 Temporary Relief Scheme, 2020 published in GenN 215 in GG 43161 of 26 March 2020 amended by Direction Extending COVID-19 TERS Benefits for Certain Categories of Employees published with effect from 27 June 2020 until 15 August 2020 (GN R878 in GG 43611 of 13 August 2020) (p3)
- 3.130 Sea Ports Directions, 2020 published in GN 496 in GG 43275 of 4 May 2020 amended (GN 895 in GG 43629 of 20 August 2020) (p3)
- 3.131 Amendment to the International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020 published in GN 438 in GG 43189 of 31 March 2020 amended (GN 924 in GG 43651 of 25 August 2020) (p3)
- 3.132 Directions on measures to address, prevent and combat the spread of COVID-19 in the public transport services, 2020 amended (GN 925 in GG 43652 of 25 August 2020) (p3)
- 3.133 Home Affairs: Fourth Amendment Directions to the Directions published in *Government Gazette* No. 43162, Government Notice No. 416 of 26 March 2020 published (GN 923 in GG 43650 of 25 August 2020) (p3)
- 3.134 Proposed amendments to directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the National Department of Basic Education, and Provincial Departments of Education, and all schools in the Republic of South Africa published in GenN 343

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- in GG 43465 of 23 June 2020 amended (GenN 448 in GG 43642 of 21 August 2020) (p3)
- 3.135 Directions on the resumption of sporting activities, arts and culture published and GN 461 in GG 43226 of 9 April 2020 amended (GN 943 in GG 43667 of 28 August 2020) (p3)
- 3.136 Tourism Directions published in Gen 356 in GG 43487 of 29 June 2020 amended (GenN 452 in GG 43653 of 25 August 2020) (p3)
- 3.137 Directions for Alert Level 2, to address, prevent and combat the spread of COVID-19 in all correctional centres and remand detention facilities in the Republic of South Africa published (GN 967 in GG 43688 of 4 September 2020) (p3)
- 3.138 Directions on measures to address, prevent and combat the spread of COVID-19 in the public transport services, 2020 published in GN 801 in GG 43538 of 22 July 2020 amended (GN 953 in GG 43679 of 2 September 2020) (p3)
- 3.139 Preventative Measures in the Railway Operations (COVID-19 Control Measures on the Operations by Rail) Directions, 2020 published in GN 494 in GG 43273 of 4 May 2020 amended (GN 950 in GG 43675 of 2 September 2020) (p3)
- 3.140 Covid-19 Temporary Relief Scheme, 2020 published in GenN 215 in GG 43161 of 26 March 2020 amended by Direction Extending COVID-19 TERS Benefits for Certain Categories of Employees published with effect from 16 August 2020 (GN R968 in GG 43693 of 7 September 2020) (p3)
- 3.141 Extension of timeframes for Directions Relating to National Environmental Management Permits and Licences ('Permitting Directions') published in GN 650 in GG 43412 of 5 June 2020 (GN 970 in GG 43696 of 9 September 2020) (p3)
- 3.142 International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020 published in GN 415 in GG 43160 of 26 March 2020 amended (GN 969 in GG 43695 of 9 September 2020) (p3)
- 3.143

4. Determinations and Notices issued in response to other legislation

- 4.1 National Road Traffic Act 93 of 1996: Determination of extension of the validity period of a learner's licence, driving licence card, licence disc, professional driving permit and registration of a motor vehicle for purposes of COVID-19 lockdown published (GN 431 in GG 43183 of 30 March 2020) (p4)

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- 4.2 Public Finance Management Act 1 of 1999: Exemption of relevant functionaries and institutions from certain provisions of the Act and Regulations (GN 437 in GG 43188 of 31 March 2020) (p3)
- 4.3 International Trade Administration Act 71 of 2002: International Trade Administration Commission of South Africa: COVID-19 Export Control Regulation published in GN R91 in GG 35007 of 10 February 2012 amended (GN R424 in GG 43177 of 27 March 2020)
- 4.4 Local Government: Municipal Finance Management Act 56 of 2003: Exemption of municipalities and municipal entities from the Act and Regulations for the duration of the national state of disaster published (GN 429 in GG 43181 of 30 March 2020) (p3)
- 4.5 Department of Transport: Province of Kwa-Zulu Natal: Supply Chain Management: Suspension of Site Meetings and Tender Closings during the Lockdown published (GN 442 in GG 43192 of 3 April 2020) (p23)
- 4.6 National Ports Act (COVID-19 Restrictions on the movement of persons and crew) Regulations, 2020 published in GenN 173 in GG 43103 of 18 March 2020 repealed (GenN 217 in GG 43165 of 26 March 2020) (p3)
- 4.7 Ministerial Order regarding International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Regulations, 2020 published in GenN 175 in GG 43105 of 18 March 2020 repealed (GenN 218 in GG 43166 of 26 March 2020) (p3)
- 4.8 Notice on Compensation for Occupationally-Acquired Novel Corona Virus Disease (COVID-19) published (GenN 193 in GG 43126 of 23 March 2020) (p3)
- 4.9 Covid-19 Block Exemption for the Retail Property Sector, 2020 published (GN R358 in GG 43134 of 24 March 2020) (p3)
- 4.10 Covid-19 Block Exemption for the Banking Sector, 2020 published (GN R355 in GG 43127 of 23 March 2020) (p3)
- 4.11 Covid-19 Block Exemption for the Hotel Industry, 2020 published (GN R422 in GG 43175 of 27 March 2020) (p3)
- 4.12 Ministerial Order regarding International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Regulations, 2020 published (GenN 175 in GG 43105 of 18 March 2020) (p9)
- 4.13 Ministerial Order regarding International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Regulations, 2020 published (GenN 175 in GG 43105 of 18 March 2020) (p11)
- 4.14 International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Regulations, 2020 published (GenN 175 in GG 43105 of 18 March 2020) (p3)
- 4.15 COVID-19 Block Exemption for the Healthcare Sector, 2020 published (GN R349 in GG 43114 of 19 March 2020) (p3)
- 4.16 Consumer and Customer Protection and National Disaster Management Regulations and Directions published (GN R350 in GG 43116 of 19 March 2020) (p3)

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- 4.17 National Ports Act (COVID-19 Restrictions on the movement of persons and crew) Regulations, 2020 published (GenN 173 in GG 43103 of 18 March 2020) (p3)
- 4.18 Ministerial Order regarding International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Regulations, 2020 published (GenN 175 in GG 43105 of 18 March 2020) (p13)
- 4.19 Rules amended with effect from 23 March 2020 to provide for the exemption of foreign-going ships from the payment of duty on stores consumed on such ship in any port in the Republic or between any places in the Republic for the duration of national state of disaster (GN R458 in GG 43222 of 9 April 2020) (p3)
- 4.20 National Textile Bargaining Council: Extension to Non-parties of the COVID-19 Lockdown Collective Agreement (GN R452 in GG 43210 of 7 April 2020) (p3)
- 4.21 COVID-19 Block Exemption for the Healthcare Sector, 2020 published in GN R349 in GG 43114 of 19 March 2020 amended (GN R456 in GG 43215 of 8 April 2020) (p3)
- 4.22 Tribunal Rules for Covid-19 Excessive Pricing Complaint Referrals published (GN R448 in GG 43205 of 3 April 2020) (p3)
- 4.23 Independent Communications Authority of South Africa (ICASA): The ICT COVID-19 National Disaster Regulations published (GenN 238 in GG 43207 of 6 April 2020) (p3)
- 4.24 Fees Payable to the South African Nursing Council published in BN 80 in GG 42496 of 31 May 2019 amended to provide for Nurse Practitioners who wish to restore to the register for the sole purpose of rendering health services during the COVID-19 national state disaster to pay a restoration fee of R0.00 (BN 52 in GG 43223 of 9 April 2020) (p3)
- 4.25 South African Road Passenger Bargaining Council: Extension to Non-parties of the COVID-19 Temporary Relief Scheme Benefits Collective Agreement published (GN R466 in GG 43235 of 17 April 2020) (p3)
- 4.26 Independent Communications Authority of South Africa (ICASA): Harmonisation of Short Code '111' for COVID-19 National Emergency Services published (GenN 244 in GG 43229 of 15 April 2020) (p3)
- 4.27 Higher Education Act 101 of 1997 & Continuing Education and Training Act 16 of 2006: Exemption of all those public and private higher education institutions and public colleges to which these Acts apply and which have not yet complied with the prescribed date(s) and two-month extension granted (GN R467 in GG 43236 of 17 April 2020) (p3)
- 4.28 Association of Mineworkers and Construction Union v Minister of Mineral Resources and Energy and Others *LC J427/2020*, Standard Operating Procedure for South African Mines Following Covid-19 Lockdown and Guiding Principles on Prevention and Management of COVID 19 in SAMI published (GenN 253 in GG 43282 of 5 May 2020)

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- 4.29 Exclusion of Schedule 2, Schedule 3 and Schedule 4 substances from the operation of certain provisions of the Act published (GN 514 in GG 43294 of 7 May 2020) (p3)
- 4.30 National Bargaining Council for the Electrical Industry: Extension to Non-parties of the COVID-19 Lockdown Collective Agreement published (GN R485 in GG 43264 of 4 May 2020) (p3)
- 4.31 National Textile Bargaining Council: Extension to Non-parties of the COVID-19 Lockdown Collective Amending Agreement published (GN R488 in GG 43267 of 4 May 2020) (p3)
- 4.32 Covid-19 Block Exemption for the Banking Sector, 2020 in GN R355 in GG 43127 of 23 March 2020 amended (GN R502 in GG 43280 of 5 May 2020) (p3)
- 4.33 Sector Education and Training Authorities (SETAs) Grant Regulations, 2012: Extension for the submission of the 2020/2021 financial year applications for mandatory grants by levy paying employers published (GN 501 in GG 43278 of 5 May 2020) (p3)
- 4.34 Medical Schemes Act Regulations: Amendment, 2020 published (GN 515 in GG 43295 of 7 May 2020) (p3)
- 4.35 Independent Communications Authority of South Africa (ICASA): The ICT COVID-19 National Disaster Amendment Regulations published and GenN 238 in GG 43207 of 6 April 2020 amended (GenN 252 in GG 43279 of 5 May 2020) (p3)
- 4.36 Determination of Correctional Facilities as Places of Detention of Illegal Foreigners Pending Deportation published (GN 512 in GG 43292 of 7 May 2020) (p3)
- 4.37 Conditional exemption of municipalities and municipal entities from Regulations 4 (3) and 29 (2) of the Municipal Supply Chain Management Regulations, 2005 published (GN 503 in GG 43281 of 5 May 2020)
- 4.38 Placement on parole of selected categories of sentenced offenders published (Proc 19 in GG 43298 of 8 May 2020) (p3)
- 4.39 Guideline for the Compilation of a Mandatory Code of Practice for the Mitigation and Management of COVID-19 Outbreak published with effect from 25 May 2020 (GenN 280 in GG 43335 of 18 May 2020) (p3)
- 4.40 International Trade Administration Commission of South Africa (ITAC): Notice of Expiration of Rebate Certificates issued under Rebate Item 412.11/00.00/01.00 of the Fourth Schedule to the Act published (GenN 296 in GG 43361 of 28 May 2020)
- 4.41 National Bargaining Council for the Clothing Manufacturing Industry: Cancellation of GN R403 in GG 43152 of 26 March 2020 and GN R588 in GG 43349 of 25 May 2020 replaced (GN R593 in GG 43354 of 26 May 2020) (p3). Extension to non-parties of the COVID-19 Lockdown II Collective Agreement: 'COVID-19 Lockdown Collective Agreement: A South African Clothing industry Love Story' published (GN R593 in GG 43354 of 26 May 2020) (p5)

Consolidated list

Regulations and Directions issued in response to COVID-19

- 4.42 Notice in respect of method or formula for purposes of determination of amount for purposes of para. (b) of the definition of 'living annuity' in s. 1 (1) of the Act published (GN 618 in GG 43379 of 1 June 2020) (p3) & (GN 636 in GG 43398 of 5 June 2020) (p36)
- 4.43 Notice in respect of amount of value of assets that may be paid in lump sum for purposes of para. (c) of the definition of 'living annuity' in s. 1 (1) of the Act published and all previous notices in terms of this paragraph withdrawn (GN 619 in GG 43380 of 1 June 2020) (p3)
- 4.44 Notice of extension by 6 months of the period of compliance prescribed in the Regulations for the Protection of the Karoo Central Astronomy Advantage Areas due to the restrictions imposed in terms of the Regulations made in terms of the Disaster Management Act 57 of 2002 as a result of the Covid-19 pandemic published (GN 629 in GG 43387 of 3 June 2020) (p3)
- 4.45 Exemption of relevant functionaries and institutions from certain provisions of the Act and Regulations published in GN 437 in GG 43188 of 31 March 2020 amended (GN 665 in GG 43430 of 11 June 2020) (p3)
- 4.46 Amended 2020 School Calendar for Public Schools published (GN 666 in GG 43431 of 11 June 2020) (p3)
- 4.47 National Bargaining Council for the Hairdressing Cosmetology Beauty and Skincare Industry: Extension to Non-parties of the Consolidated Collective Agreement published with effect from 22 June 2020 to 31 December 2020 (GN R663 in GG 43419 of 12 June 2020) (p23)
- 4.48 Exclusion of certain alcohol-based hand-rubs from the operation of specified provisions of the Act and Regulations for a period not exceeding 12 months published (GN R721 in GG 43484 of 26 June 2020) (p3)
- 4.49 Exemption of authorised licensed medical device establishments selling electronically controlled ventilators (a Group III hazardous substance) for use in the Republic from the provisions of s. 3 (1) (b) of Act for a period not exceeding 18 months from the date of signature published (GN R722 in GG 43485 of 26 June 2020) (p3)
- 4.50 Authorisation of extension of employment of 20 000 members of the South African National Defence Force for service in cooperation with the South African Police Service in order to maintain law and order, assist other State Departments and border line control within the Republic of South Africa over the period 27 June 2020 to 30 September 2020 published (GN 747 in GG 43502 of 3 July 2020) (p3)
- 4.51 National Bargaining Council for the Clothing Manufacturing Industry: Extension to Non-parties of the COVID-19 Personal Protection Equipment & Other Essential Products Collective Agreement published for the period 6 July 2020 to 31 May 2022 (GN R750 in GG 43506 of 6 July 2020) (p3)
- 4.52 Sector Education and Training Authorities (SETAs) Grant Regulations, 2012: Further extension for the submission of the 2020/2021 financial year applications

Consolidated list

Regulations and Directions issued in response to COVID-19

- for mandatory grants by levy paying employers published (GN 752 in GG 43508 of 6 July 2020) (p3)
- 4.53 Directive on compensation for workplace acquired novel corona virus disease (COVID-19) published and GenN 193 in GG 43126 of 23 March 2020 replaced (GenN 387 in GG 43540 of 23 July 2020) (p3)
- 4.54 Independent Communications Authority of South Africa (ICASA): Harmonisation of short codes for national emergency services: Notice of intention to review and withdraw the '111' short code as a COVID-19 emergency services code, and to re-mandate and reharmonise 103, 104, 105, 106, 118 or 139 for COVID-19 national emergency services published for comment (GenN 396 in GG 43555 of 27 July 2020) (p3)
- 4.55 Allied Health Professions Council of South Africa: AHPCSA Executive Committee SARS-Cov-2/Covid-19 Directives and Extraordinary Policy Decisions: 10 March 2020 to 22 June 2020 published (BN 95 in GG 43613 of 14 August 2020) (p50)
- 4.56 Amended 2020 School Calendar for Public Schools published (GenN 432 in GG 43609 of 11 August 2020) (p3)
- 4.57 Department of Transport: Procurement Process for COVID-19 published (GN 875 in GG 43607 of 8 August 2020) (p3)
- 4.58

5. Bills

- 5.1 Draft Disaster Management Tax Relief Bill, 2020 published for comment
- 5.2 Draft Disaster Management Tax Relief Administration Bill, 2020 published for comment
- 5.3 Draft Disaster Management Tax Relief Administration Bill, 2020, notice of intention to introduce and explanatory summary published (GN 674 in GG 43443 of 17 June 2020) (p3)
- 5.4 Division of Revenue Amendment Bill, 2020 [B9-2020]
- 5.5 Adjustments Appropriation Bill, 2020 [B10-2020]
- 5.6 Disaster Management Tax Relief Bill, 2020 [B11-2020]
- 5.7 Disaster Management Tax Relief Administration Bill, 2020 [B12-2020]
- 5.8

Consolidated list

Regulations and Directions issued in response to COVID-19

6. Other legislation

- 6.1 DIVISION OF REVENUE ACT 4 OF 2020 (GG 43467 of 23 June 2020) *Date of commencement: 23 June 2020. Repeals the Division of Revenue Act 16 of 2019, except ss. 16 and 26, and the Division of Revenue Amendment Act 30 of 2019 with effect from 23 June 2020 and repeals ss. 16 and 26 of the Division of Revenue Act 16 of 2019 with effect from 1 July 2020.*
- 6.2 APPROPRIATION ACT 7 OF 2020 (GG 43468 of 23 June 2020) *Date of commencement: 23 June 2020*
- 6.3

COVID-19 WEEKLY EPIDEMIOLOGY BRIEF



NATIONAL INSTITUTE FOR
COMMUNICABLE DISEASES

Division of the National Health Laboratory Service

SOUTH AFRICA WEEK 36 2020

CUMULATIVE DATA FROM



CASES

638 517
IN TOTAL

10 586
THIS WEEK

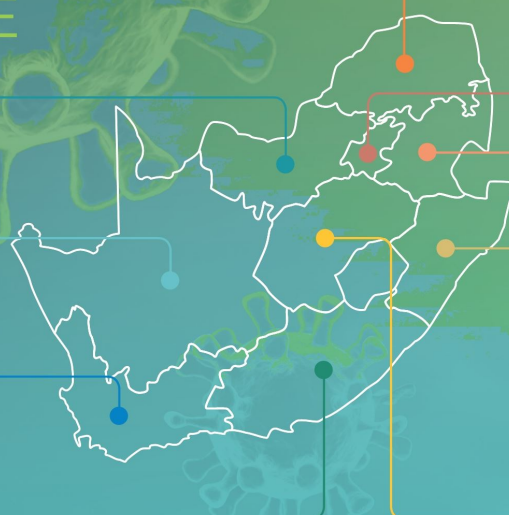
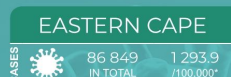


PERSONS

1 086.4
INCIDENCE RISK*

40
MEDIAN AGE

PROVINCES AT A GLANCE



* Incidence risk - cases per 100 000 persons
** based on samples collected/received in current reporting week

COVID-19 WEEKLY EPIDEMIOLOGY BRIEF

WEEK 36 2020

SUMMARY

Overview of report

Disease surveillance is a core function of the National Institute for Communicable Diseases (NICD), a division of the National Health Laboratory Service (NHLS). This report summarises data from a national laboratory-based surveillance system that is used to monitor the coronavirus disease 2019 (COVID-19) pandemic in South Africa. This report is based on data collected up to 5 September 2020 (week 36 of 2020). Note: COVID-19 is the name of the disease and SARS-CoV-2 is the name of the virus. Trends in numbers of new cases by province and age group may be affected by changes in testing practice and delays in testing of specimens. The numbers reported may change as more data becomes available.

Highlights

- As of 5 September 2020, a total of 638 517 laboratory-confirmed COVID-19 cases had been detected in South Africa. Of these, 13 461 were cases reported since the last report. The number of new cases detected in week 36 (10 586) was lower than the number of new cases detected in week 35 (15 325)
- An additional 861 deaths were reported since the last report. The overall case-fatality ratio was 2.3% (14 889/638 517)
- To date, five provinces, Gauteng (212 898/ 638 517, 33.3%), KwaZulu-Natal (114 824/638 517, 18.0%), Western Cape (107 187/638 517, 16.8%), Eastern Cape (86 849/638 517, 13.6%) and Free State (39 781/638 517, 6.2%) contributed the majority (561 539/638 517, 87.9%) of total COVID-19 cases in South Africa.
- In the past week, Gauteng Province reported the highest percentage of new cases (2 493/10 586, 23.5 %), followed by Free State Province (1 814/10 586, 17.1%), and KwaZulu-Natal Province (1 542/ 10 586, 14.6%).
- The Western Cape Province had the highest cumulative incidence risk (1 566.1 cases per 100 000 persons) followed by Gauteng Province (1402.8 cases per 100 000 persons), Free State Province (1377.7 cases per 100 000 persons), Eastern Cape Province (1293.9 cases per 100 000 persons) and KwaZulu-Natal Province (1017.1 cases per 100 000 persons).
- In keeping with the trend in the previous two weeks, in the past week all the provinces reported a decline in the weekly incidence risk which varied in magnitude by province, Free State Province and Northern Cape Province reported the highest reduction in incidence risk compared to week 35 (decreased by 25 cases per 100 000 persons)
- In week 35, the estimated doubling time of number of cases continued to increase for all five provinces which contribute the majority of cases, increased to 415.1 days in Eastern Cape Province, 310.6 in Western Cape Province, 250.2 days in Gauteng Province, 179.1 days in KwaZulu-Natal Province, and 62.7 days in Free State Province
- Similar to the previous weeks, among cases detected in week 36, the highest weekly incidence risk was in cases aged ≥80 years (40.5 cases per 100 000 persons) followed by cases in the 50-54-year age group (34.9 cases per 100 000 persons) and the lowest weekly incidence risk was in the 0-4-year age group (2.6 cases per 100 000 persons)
- To date, the majority of COVID-19 cases reported were female (58.3%, 369 038/ 633 027). This trend continued in the past week, 57.7% (6 062/10 511) of cases were female

INCIDENCE
RISK FOR
WEEK 36

18.0
CASES PER
100 000
PERSONS

23.5%
OF CASES
REPORTED IN
GAUTENG IN
WEEK 36

50-54
YEAR AGE
GROUP HAS
HIGHEST
CUMULATIVE
INCIDENCE
RISK

COVID-19 WEEKLY EPIDEMIOLOGY BRIEF

WEEK 36 2020

Methods

Testing for SARS-CoV-2 began on 28 January 2020 at the NICD and after the first case was confirmed in early March 2020, testing was expanded to a larger network of private and NHLS laboratories. Respiratory specimens were submitted from persons under investigation (PUI). Initially, tested individuals were those who had travelled to countries with COVID-19 transmission but the PUI definition was changed over time. Community symptom screening and referral for PCR testing was implemented in April 2020 but the strategy was changed to a more targeted approach in May 2020. Community screening was largely discontinued and testing efforts then focussed on areas identified as hot spots and on investigating clusters. Contacts of cases were traced and tested if symptomatic. In some provinces and in certain circumstances (e.g. closed settings, workplaces), asymptomatic contacts were tested. In recent weeks, testing has been prioritised for healthcare workers and hospitalised patients. Laboratories used any one of several in-house and commercial PCR assays to test for the presence of SARS-CoV-2 RNA. We excluded specimens collected outside South Africa. Date of specimen receipt in the laboratory was used when date of specimen collection was missing. A case of COVID-19 was defined as any person, resident in South Africa, with a single positive SARS-CoV-2 PCR test. We used 2019 mid-year population estimates from Statistics South Africa to calculate the incidence risk (cumulative or weekly incidence), expressed as cases per 100 000 persons. Aggregate data on the number of deaths by province were obtained from the Department of Health. Data on number of tests conducted in the past week as reported in the simultaneously-published COVID-19 weekly testing report was used to calculate tests conducted per 100 000 population. We estimated the time-varying (weekly) doubling time of the COVID-19 epidemic for the provinces with sufficient data and from weeks with sufficient number of cases and complete data (week 12 to the week before the current reporting period). The unit of analysis (epidemiological week) was defined from Sunday to the following Saturday. We first estimated the weekly growth rate of the epidemic by fitting a linear regression model to the logarithm of the daily cumulative number of laboratory-confirmed COVID-19 cases. We then estimated the doubling time for each week using the following formula $\log(2)/gr$ (where gr is the estimated weekly growth rate). An increase in the doubling

time may suggest a slowing of transmission but this may also be affected by changes in testing strategy or care seeking. Until the week 29 report, new cases were defined as all cases reported since the last report, irrespective of when the sample was collected. Subsequent to the week 29 report, new cases are now defined as cases detected in the past epidemiologic week based on date of sample collection or sample receipt. It is therefore possible for numbers reported as new cases for the current reporting week not to tally with total additional cases reported since the last report. This will be the case when there was a delay in reporting of cases.

National and provincial trends of COVID-19 cases in South Africa

As of 5 September 2020, a total of 638 517 laboratory-confirmed COVID-19 cases were reported in South Africa. This is 13 461 more cases than the number reported in the last report. The number of new cases detected in week 36 (10 586) was lower than the number of new cases detected in week 35 (15 325). Similar to the trend in past few weeks, in the past week, Gauteng Province reported the highest percentage of new cases (2 493/10 586, 23.5 %), followed by Free State Province (1 814/10 586, 17.1%), and KwaZulu-Natal Province (1 542/10 586, 14.6%) (Table 1). Five provinces, Gauteng (212 898/638 517, 33.3%), followed by KwaZulu-Natal (114 824/638 517, 18.0%), Western Cape (107 187/638 517, 16.8%), Eastern Cape (86 849/638 517, 13.6%) and Free State (39 781/638 517, 6.2%) provinces continued to contribute the majority (561 539/638 517, 87.9%) of total COVID-19 cases in South Africa. In keeping with the data reported the previous week, there was minimal change in percent contribution of cases in the different provinces from week 35 to week 36.

The five provinces which contribute the majority of cases, all reported cumulative incidence risks greater than 1 000 cases per 100 000 persons, the Western Cape Province had the highest cumulative incidence risk (1 566.1 cases per 100 000 persons) followed by Gauteng Province (1402.8 cases per 100 000 persons), Free State Province (1 377.7 cases per 100 000 persons), Eastern Cape (1 293.9 cases per 100 000 persons) and KwaZulu-Natal Province (1 017.1 cases per 100 000 persons). All the other provinces had cumulative incidence risk below 1000 cases per 100 000 persons, with Limpopo Province remaining the province with the lowest cumulative incidence risk (220.1 cases per 100 000 persons) reported to date.

The cumulative incidence risk for the country increased

COVID-19 WEEKLY EPIDEMIOLOGY BRIEF

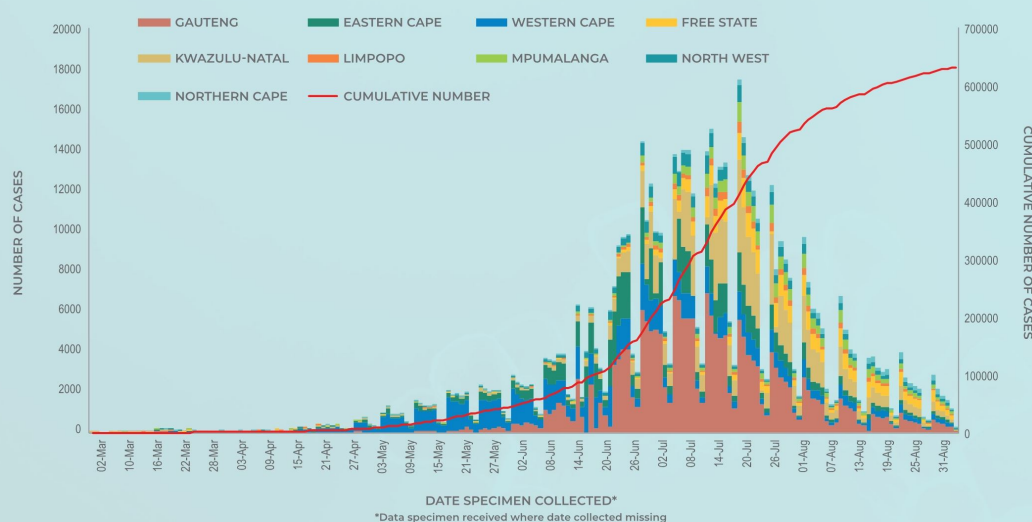
WEEK 36 2020

from 1063.9 cases per 100 000 persons in week 35 to 1086.8 cases per 100 000 persons in week 36. The cumulative incidence risk varied by province over time (Figure 3). This is partly explained by testing differences by province (Table 1). In the past week, Northern Cape Province (77.3 cases per 100 000 persons) followed by Free State Province (62.8 cases per 100 000) reported the highest weekly incidence risk. In keeping with the trend in the previous two weeks, in the past week all the provinces reported a decline in weekly incidence risk which varied in magnitude by province, Free State Province and Northern Cape Province reported the highest reduction compared to week 35 (decreased by 25 cases per 100 000 persons) (Figure 4). The lowest reduction in weekly incidence risk was reported in North West Province and Limpopo Province, decreased by 2 cases per 100 000 persons each. Among the five provinces reporting the majority of cases in South Africa to date, doubling time of number of cases varied with time, with Eastern Cape Province reporting the longest doubling time in week 35 (Figure 5). In week 35, the estimated doubling time of number of cases continued to increase for all five provinces, increased

to 415.1 days Eastern Cape Province, 310.6 in Western Cape Province, 250.2 days in Gauteng Province, 179.1 days in KwaZulu-Natal Province, and 62.7 days in Free State Province.

The case-fatality ratio was 2.3% (14 889/638 517); an additional 861 deaths were reported since the last report. The number of deaths reported in the past week was lower than the number reported in the previous week, 861 compared to 969. A crude case-fatality ratio (CFR) calculated in this way (number of deaths/number of diagnosed cases) is subject to numerous limitations. Because deaths are delayed in relation to cases, as case numbers decrease rapidly, the crude case fatality ratio may increase as a result of a more rapid reduction in the denominator compared to the numerator. The CFR may be an underestimate because deaths are more likely to be reported if a patient with COVID-19 died in hospital and deaths out of hospital may be missed; in addition, occurrence and reporting of deaths may be delayed to several weeks after case diagnoses.

Figure 1. Number and cumulative number of laboratory-confirmed cases of COVID-19 by province and date of specimen collection, South Africa, 3 March-5 September 2020 (n=637 057, 1459 missing dates of specimen collection/province allocation).



COVID-19 WEEKLY EPIDEMIOLOGY BRIEF

WEEK 36 2020

Figure 2. Number and cumulative number of laboratory-confirmed cases of COVID-19, by testing laboratory sector and date of specimen collection, South Africa, 3 March-5 September 2020 (n=637 058, 1 459 missing dates of specimen collection/sector allocation)

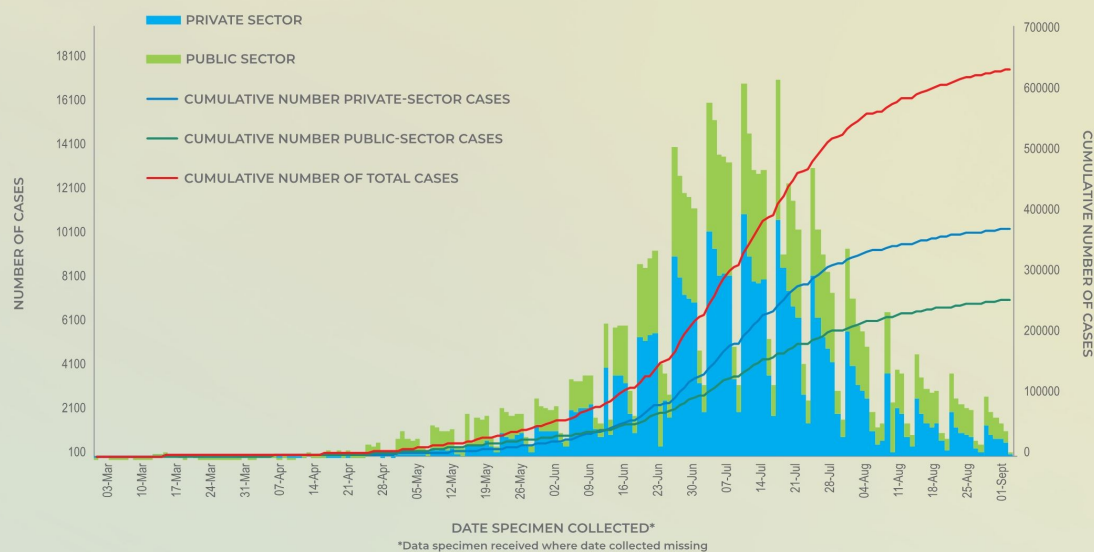


Table 1. Number and cumulative incidence risk of laboratory-confirmed cases of COVID-19 and testing per 100 000 persons by province, South Africa, 3 March-5 September 2020 (n=638 517)

Province	Cumulative cases (n) (percentage, n/total cases in South Africa)	New cases ¹ detected in week 36 (30 August-5 September 2020), n (percentage ² , n/total)	Population in mid-2019 ³ , n	Cumulative incidence risk (cases per 100 000 persons)	Incidence risk of new cases detected in week 36 (cases/100 000 persons)	Tests ⁴ per 100 000 persons, 30 August-5 September 2020
Eastern Cape	86 849 (13.6)	639 (6.0)	6 712 276	1293.9	9.5	86.3
Free State	39 781 (6.2)	1 814 (17.1)	2 887 465	1377.7	62.8	282.3
Gauteng	212 898 (33.3)	2 493 (23.5)	15 176 115	1402.8	16.4	173.4
KwaZulu-Natal	114 824 (18.0)	1 542 (14.6)	11 289 086	1017.1	13.7	139.7
Limpopo	13 734 (2.2)	439 (4.1)	5 982 584	229.6	7.3	46.6
Mpumalanga	25 076 (3.9)	659 (6.2)	4 592 187	546.1	14.4	101.6
North West	26 245 (4.1)	873 (8.2)	4 027 160	651.7	21.7	102.5
Northern Cape	11 923 (1.9)	977 (9.2)	1 263 875	943.4	77.3	335.9
Western Cape	107 787 (16.9)	1 150 (10.9)	6 844 272	1566.1	16.8	197.2
Unknown	0	0	-	-	-	-
Total	638 517	10 586	58 775 020	1086.4	18.0	145.5

¹New cases refer to cases whose samples were collected or received in the current reporting week; ²Percentage=n/total number of new cases (specimen collected or received in current reporting week); ³2019 Mid-year population Statistics South Africa; ⁴Data on number of tests conducted sourced from COVID-19 weekly testing report of the same reporting week

COVID-19 WEEKLY EPIDEMIOLOGY BRIEF

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Figure 3. Cumulative incidence risk of PCR-confirmed cases of COVID-19 by province and epidemiologic week, South Africa, 3 March-5 September 2020 (n=638 437, 80 missing epidemiologic week)

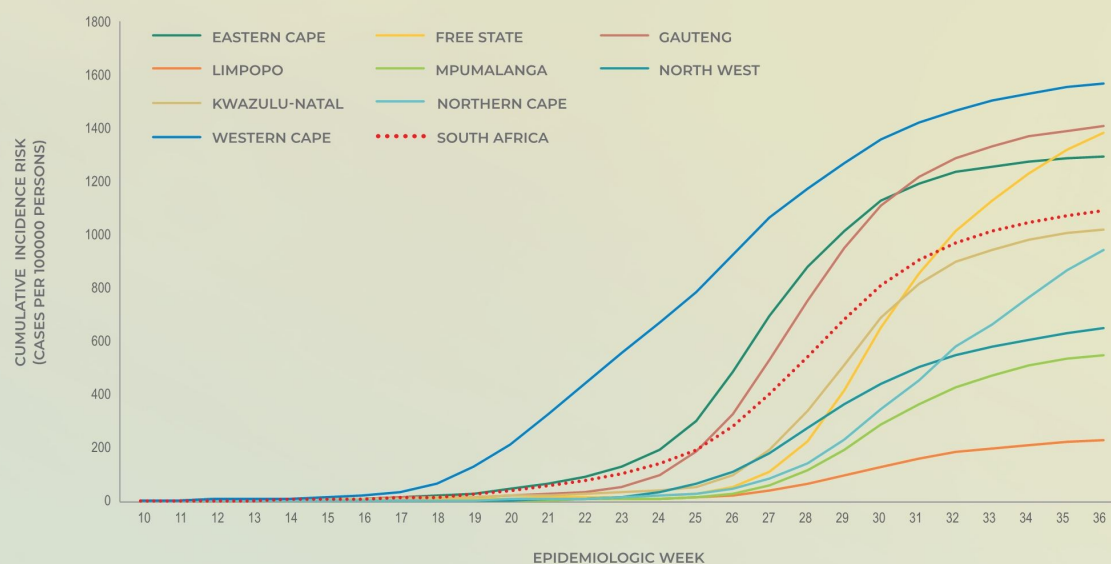
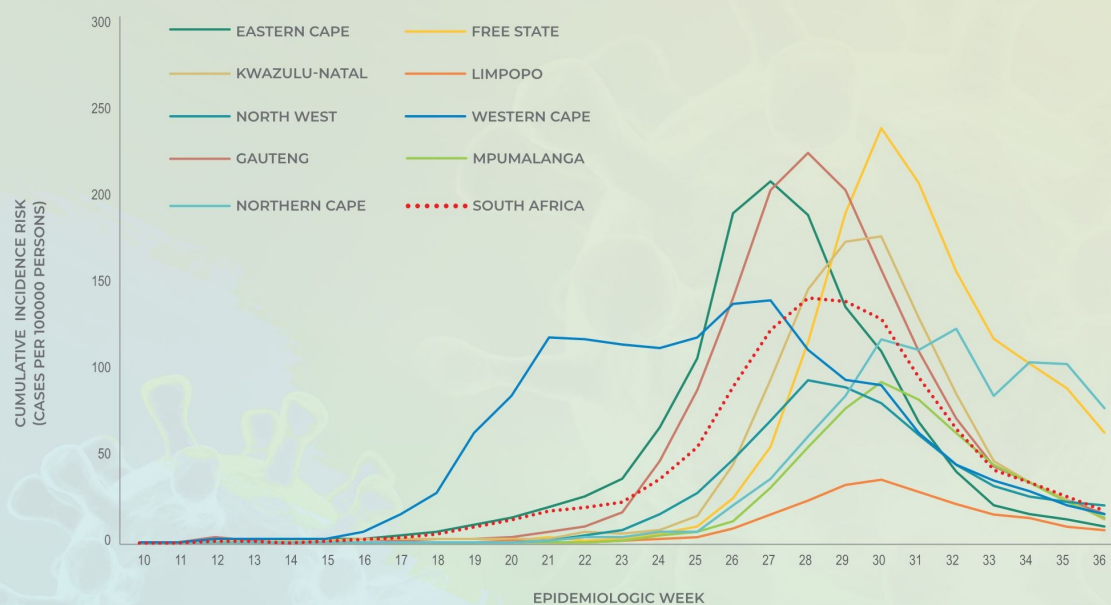


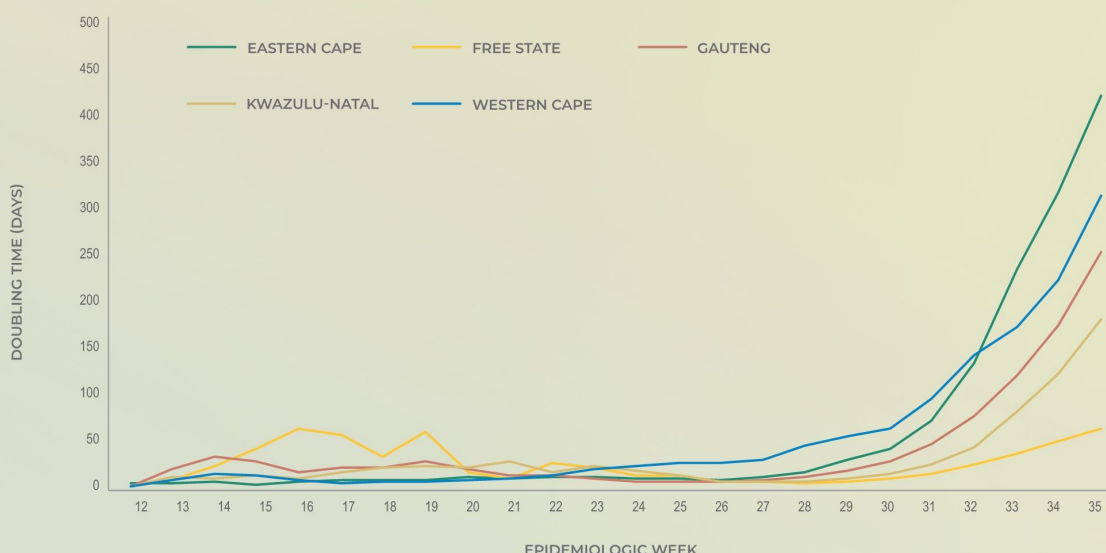
Figure 4. Weekly incidence risk of PCR-confirmed cases of COVID-19 by province and epidemiological week, South Africa, 3 March-5 September 2020 (n=638 437, 80 missing epidemiologic week)



COVID-19 WEEKLY EPIDEMIOLOGY BRIEF

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Figure 5. Doubling time of number of PCR-confirmed cases of COVID-19 by province (for 5 provinces with the majority of cases) and epidemiologic week, South Africa, 23 March-5 September 2020 (n=561 539)



Characteristics of COVID-19 cases in South Africa by age and sex

The median age of COVID-19 cases in South Africa to date was 40 years with an interquartile range (IQR) of 30-52 years. The distribution of cases varied by age, with highest percentage of all cases to date in the 35-39-year (81 271/633 657, 12.7%) and 30-34-year (79 384/633 657, 12.4%) age group respectively (Figure 6). Similarly, among the cases reported in the past week, the highest percentage of cases was in the 35-39-year age group (1214/ 10 464, 11.5%) followed by the 30-34-year age group (1 196/10 464, 11.3%). The median age for cases reported in week 36 was the same (40 years, IQR 29-53), as that of total cases (40 years). The highest cumulative incidence risk remained among cases aged 50-54 years (2 248 cases per 100 000 persons) and the lowest cumulative incidence risk was reported in the younger age-groups, 129.8 cases per 100 000 persons and 150.5 cases per 100 000 persons in the 0-4- and 5-9-year age groups respectively (Figure 7 and Table 2). Similar to the previous weeks, among cases detected in week 36, the highest weekly incidence risk was in cases aged ≥ 80 years (40.5 cases per 100 000 persons) followed by cases in the 50-54-year age group (34.9 cases per 100 000 persons) and the lowest weekly incidence risk was in the 0-4-year age group (2.6 cases per 100 000 persons).

To date, the majority of COVID-19 cases reported were female (58.3%, 369 038/ 633 027). This trend continued in the past week where 57.7% (6 062/10 511) of cases were female. The cumulative incidence risk has remained consistently higher among females (1 217.4 cases per 100 000 persons) than among males (914.5 cases per 100 000 persons) (Figure 7). However, this varied by age group with the peak cumulative incidence risk among females aged 45-49 years (2 327.8 cases per 100 000 persons) and males aged 50-54 years (2 131.3 cases per 100 000 persons) (Figure 8 and Figure 9). In week 36, the highest incidence risk for both males (38.0 cases per 100 000 persons) and females (45.7 cases per 100 000 persons) was among individuals aged ≥ 80 years. The high prevalence and incidence risk among females could be explained by the fact that females are likely to be more represented in occupations which put them in close proximity to others and thus exposing them to a higher risk of infection (eg. teaching and health). This may also be partly explained by varying testing practices by age and sex (data not shown) and by different health seeking behaviour.

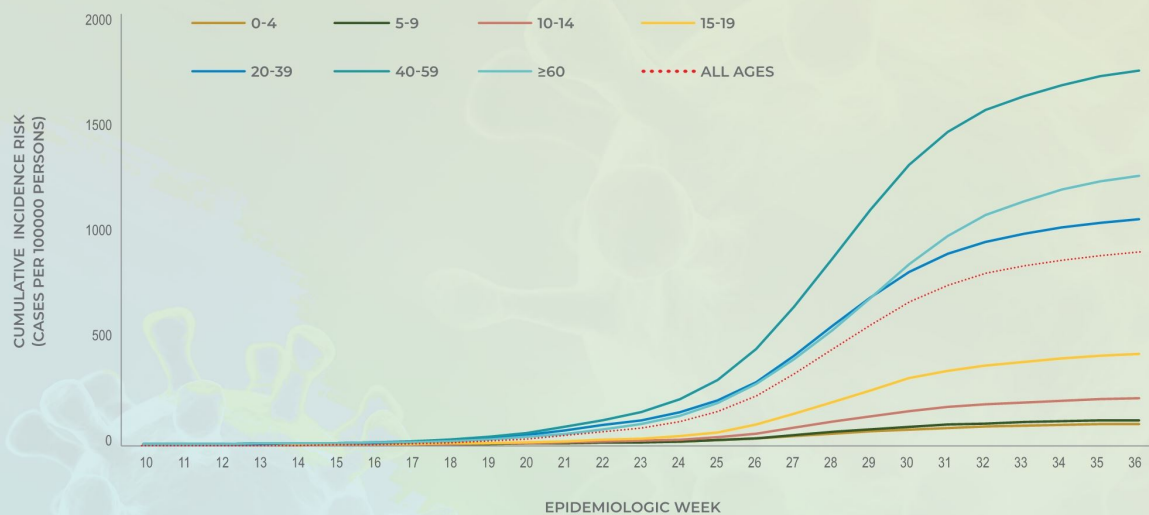
COVID-19 WEEKLY EPIDEMIOLOGY BRIEF

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Figure 6. Number of laboratory-confirmed cases of COVID-19 by age group and sex, South Africa, 3 March-5 September 2020 (n=628 659, sex/age missing for 9 858)



Figure 7. Cumulative incidence risk of PCR-confirmed cases of COVID-19 by age group in years and epidemiologic week, South Africa, 3 March-5 September 2020 (n=633 697, 4 820 missing dates of specimen collection/age)



COVID-19 WEEKLY EPIDEMIOLOGY BRIEF

WEEK 36 2020

Figure 8. Cumulative incidence risk by sex and epidemiological week, South Africa, 3 March-5 September 2020 (n=632 947, sex/ epidemiologic week missing for 5 570)

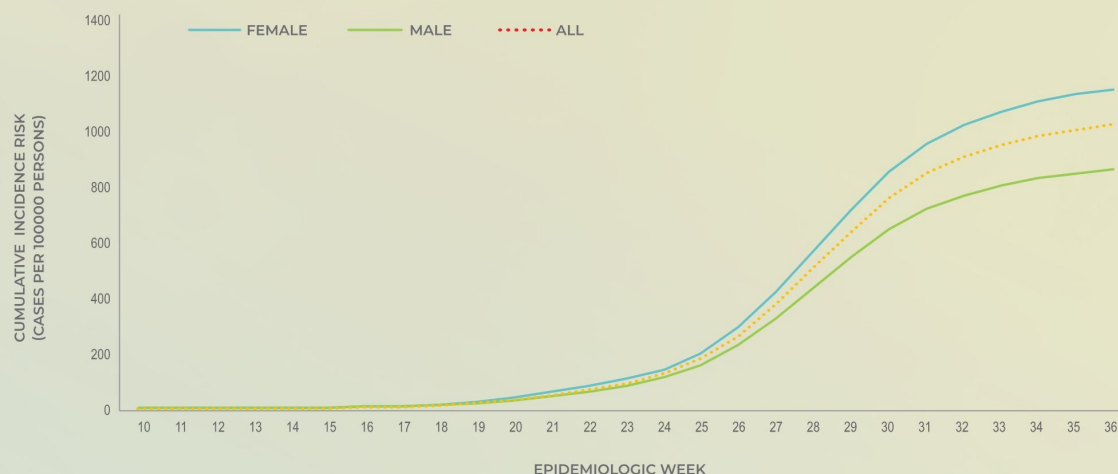


Table 2. Number of cases and cumulative/weekly incidence risk by age group, South Africa, 3 March-5 September 2020, n= 638 517

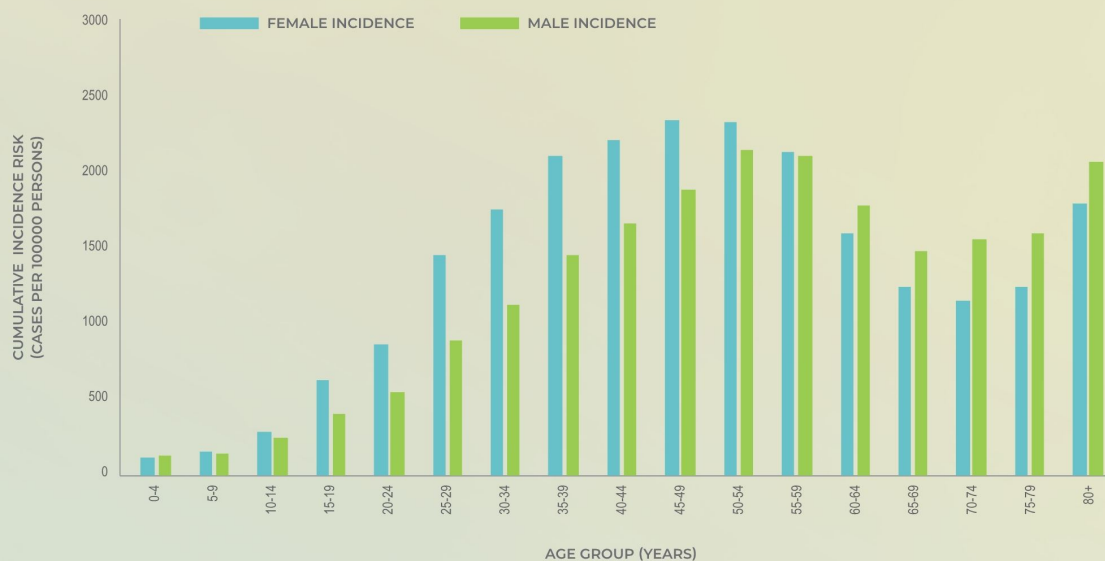
Age group (years)	Cumulative cases (n) (percentage, n/ total cases in South Africa)	New cases ¹ detected in week 36 (30 August-05 September 2020), n (percentage ² , n/total)	Population in mid-2019 ³ , n	Cumulative incidence risk (cases per 100 000 persons)	Incidence risk of new cases detected in week 36 (cases/100 000 persons)
0-4	7 444 (1.2)	147 (1.4)	5733 946	129.8	2.6
5-9	8 634 (1.4)	181 (1.7)	5737 439	150.5	3.2
10-14	14 802 (2.3)	340 (3.2)	5427 902	272.7	6.3
15-19	24 231 (3.8)	532 (5.0)	4660 002	520.0	11.4
20-24	35 052 (5.5)	585 (5.6)	4914 186	713.3	11.9
25-29	64 819 (10.2)	942 (8.9)	5528 571	1 172.4	17.0
30-34	79 384 (12.4)	1 196 (11.3)	5537 963	1 433.5	21.6
35-39	81 721 (12.7)	1 214 (11.5)	4571 175	1 777.9	26.6
40-44	69 605 (11.0)	1 032 (9.7)	3585 408	1 941.3	28.8
45-49	64 727 (10.2)	988 (9.3)	3045 617	2 125.3	32.4
50-54	56 998 (9.0)	884 (8.4)	2535 048	2 248.4	34.9
55-59	46 514 (7.3)	734 (6.9)	2192 512	2 121.5	33.5
60-64	29 879 (4.7)	554 (5.2)	1784 476	1 674.4	31.0
65-69	18 308 (2.9)	383 (3.6)	1370 121	1 336.2	28.0
70-74	12 469 (2.0)	305 (2.9)	949 812	1 312.8	32.1
75-79	8 164 (1.3)	203 (1.9)	597 874	1 365.5	34.0
≥80	11 359 (1.8)	244 (2.3)	602 969	1 883.8	40.5
Unknown	4 857	122			
Total	638 517	10586	58775 021	1 086.4	18.0

¹New cases refer to cases whose samples were collected or received in the current reporting week; ²Percentage=n/total number of new cases (specimen collected or received in current reporting week); ³2019 Mid-year population Statistics South Africa

COVID-19 WEEKLY EPIDEMIOLOGY BRIEF

WEEK 36 2020

Figure 9. Cumulative incidence risk by age group and sex, South Africa, 3 March-5 September 2020 (n= 628 661, sex/age missing for 9 856)



Limitations

This report is based on laboratory-based surveillance of PCR-confirmed cases. The number of reported cases is heavily dependent on testing practices. Although trends over time and comparisons by geographic area are presented in this report, changes in testing practices over time or differences by region may partially explain the results. The crude case-fatality ratio reported here is subject to numerous limitations: it is likely to be an underestimation as reporting of deaths may be delayed and deaths which occurred outside health facilities may be missed. Differences in health-seeking behaviour by age group and sex could also contribute to observed differences in case numbers between groups. The reported doubling time estimates are affected by the number of tests conducted; if fewer tests are performed, this will also increase the doubling time estimate.

Conclusions

The number of newly detected laboratory-confirmed cases of COVID-19 in South Africa continued to decrease. To date, 638 517 cases, including 14 889 deaths have been reported. Similar to the previous three weeks, the weekly incidence risk of cases per 100 000 persons for all provinces continued to decrease compared to the preceding week. In week 36, Eastern Cape Province reported the longest doubling time of number of cases. The decline in number of cases and weekly incidence risk together with prolonged doubling time of number of cases reported from the five provinces which contribute the majority of cases may reflect a true slowing down of transmission in these provinces. In addition, changes in testing practices and/or access to testing could also contribute to changes in numbers of confirmed cases.

COVID-19 SENTINEL HOSPITAL SURVEILLANCE UPDATE



NATIONAL INSTITUTE FOR
COMMUNICABLE DISEASES

Division of the National Health Laboratory Service

SOUTH AFRICA WEEK 36 2020

OVERVIEW

This report summarises data of COVID-19 cases admitted to sentinel hospital surveillance sites in all provinces. The report is based on data collected from 5 March to 5 September 2020.

HIGHLIGHTS

- As of 5 September, 64 705 COVID-19 admissions were reported from 438 facilities (194 public-sector and 244 private-sector) in all nine provinces of South Africa. There was an increase of 6 111 admissions reported since the last report, and 24 additional hospitals (21 public-sector and 3 private-sector) reporting COVID-19 admissions. There were 22 099 (34%) and 42 606 (66%) admissions reported in public and private sector respectively. The majority of COVID-19 admissions were reported from four provinces, 17 632 (27%) in Western Cape, 17 179 (27%) in Gauteng, 10 290 (16%) in KwaZulu-Natal and 8 735 (14%) in Eastern Cape. Admissions have decreased over the past six weeks.
- Of the 64 705 admissions, 4 656 (7%) patients were in hospital at the time of this report, 48 747 (75%) patients were discharged alive or transferred out and 11 302 (18%) patients had died. There were 1 510 additional deaths since the last report.
- Of the 59 317 COVID-19 patients who had recorded in-hospital outcome (died and discharged), the case fatality ratio (CFR) was 19%. On multivariable analysis, factors associated with in-hospital mortality were older age groups; male sex; Black African,

Coloured and Indian race; admission in the public sector; and having comorbid hypertension, diabetes, chronic cardiac disease, chronic renal disease, malignancy, HIV, current tuberculosis alone or both current and past tuberculosis, and obesity. Compared to the Western Cape province, individuals hospitalised in Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo and North West provinces were more likely to die in-hospital.

METHODS

DATCOV, sentinel hospital surveillance for COVID-19 admissions, was initiated on the 1 April 2020. Data are submitted by public and private hospitals that have agreed to report COVID-19 admissions through DATCOV surveillance in all nine provinces of South Africa. A COVID-19 case was defined as a person with a positive reverse transcriptase polymerase chain reaction (RT-PCR) assay for SARS-CoV-2 who was admitted to a DATCOV sentinel hospital. An individual was defined as having severe disease if treated in high care or intensive care unit (ICU), or ventilated or diagnosed with acute respiratory distress syndrome (ARDS). Case fatality ratio (CFR) was calculated for all closed cases, i.e. COVID-19 deaths divided by COVID-19 deaths plus COVID-19 discharges, excluding individuals who are still admitted in hospital.

Data are received from all private hospitals nationally. As new hospitals join the surveillance system, they have retrospectively captured all admissions recorded. As of 5 September 2020, a total of 438 facilities, 194 from public sector and 244 from private sector, submitted data on hospitalised COVID-19 cases (Table 1). There were 24 additional hospitals (21 public-sector and 3 private-sector) reporting COVID-19 admissions since the last report.

Table 1: Number of of hospitals reporting data on COVID-19 admissions by province and sector, South Africa, 5 March-5 September 2020

Facilities reporting	Public	Private
Eastern Cape	78	17
Free State	28	20
Gauteng	6	88
KwaZulu-Natal	8	45
Limpopo	3	6
Mpumalanga	12	9
North West	2	12
Northern Cape	1	7
Western Cape	56	40
South Africa	194	244

RESULTS

Epidemiological and geographic trends in admissions

From 5 March to 5 September, a total of 64 705 COVID-19 admissions (6 111 additional from last report) were reported from 438 facilities in all nine provinces of South Africa. Of these admissions, 22 099 (34.2%) and 42 606 (65.8%) were reported in public and private sector, respectively. Initially, most admissions were reported in the private sector; from week 17 a higher proportion of total admissions was reported in the public sector; and since week 24 a higher proportion was reported in the private sector. There has been a decrease in reported COVID-19 admissions for the past six weeks following a peak in weeks 29 and 30 (Figure 1).

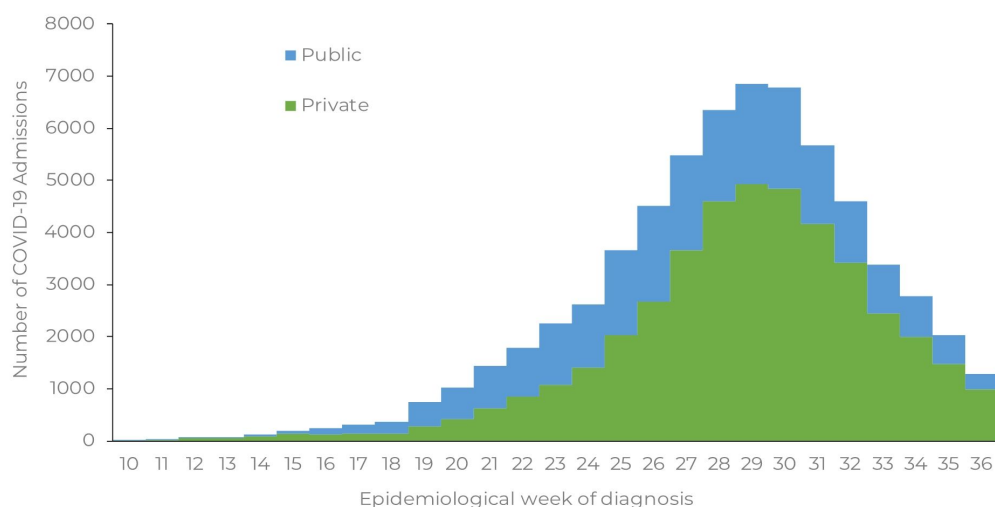


Figure 1: Number of reported COVID-19 admissions by health sector and epidemiologic week of diagnosis, 5 March-5 September 2020, n=64 705

The majority of admissions (53 836/64 705, 83.2%) were recorded in four provinces, with the highest number reported in Western Cape (17 632, 27.2%), followed by Gauteng (17 179, 26.5%), KwaZulu-Natal (10 290, 15.9%) and Eastern Cape (8 735, 13.5%) provinces (Figure 2).

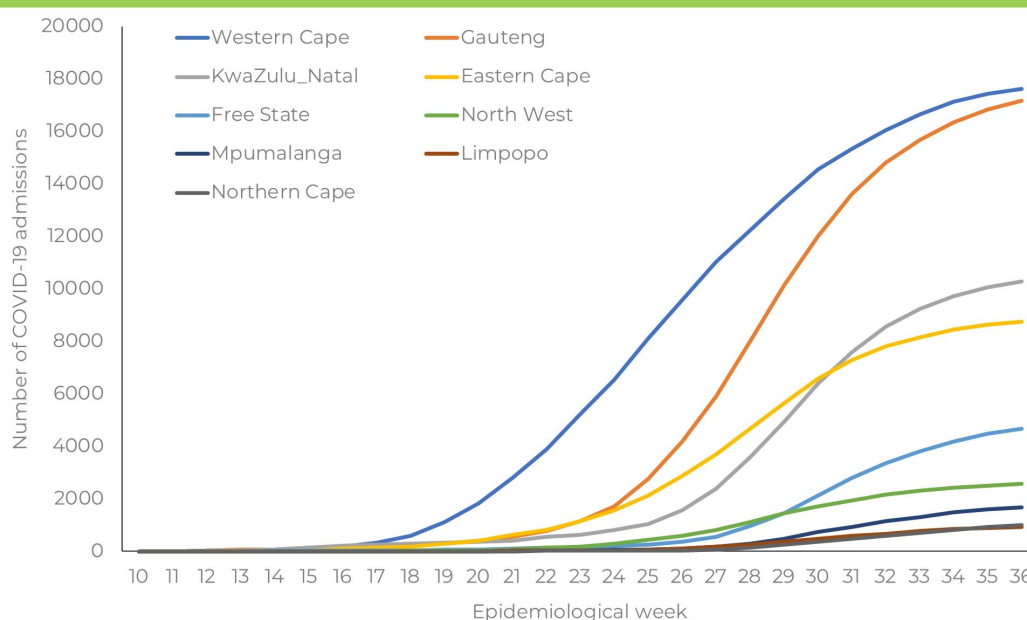


Figure 2: Cumulative numbers of reported COVID-19 admissions, by province and epidemiological week of diagnosis, South Africa, 5 March-5 September 2020, n=64 705

Most patients admitted in the public sector, were admitted to district hospitals (8 705, 39.4%), national central hospitals (4 954, 22.4%), regional hospitals (4 140, 18.7%) and provincial tertiary hospitals (2 750, 12.4%) (Figure 3).

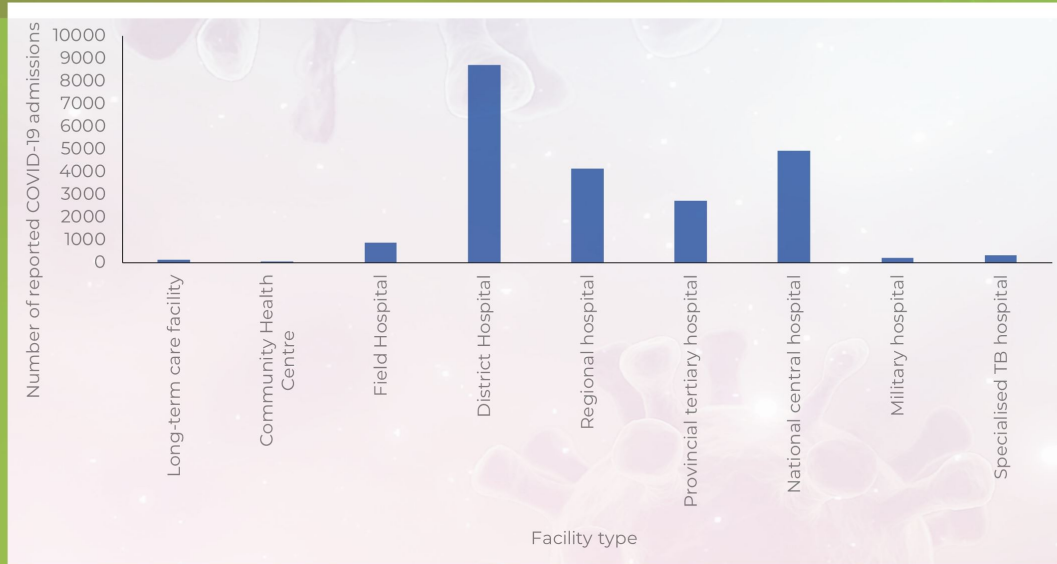


Figure 3: Cumulative numbers of reported COVID-19 admissions, by facility type in public sector, South Africa, 5 March-5 September 2020, n=22 101

DEMOGRAPHIC AND CLINICAL CHARACTERISTICS OF COVID-19 ADMISSIONS

The median age of COVID-19 admissions was 53 years (interquartile range [IQR] 40 – 64). There were 1 986 (3.1%) admissions in patients 18 years and younger and 10 325 (16.0%) in patients older than 70 years. Among admitted individuals with COVID-19, 35 508 (54.9%) were female. The sex ratio was equal in patients between 40 and 80 years; females were more common than males in patients between 10 and 40 years and over 80 years; and males more common in patients younger than 10 years (Figure 4).

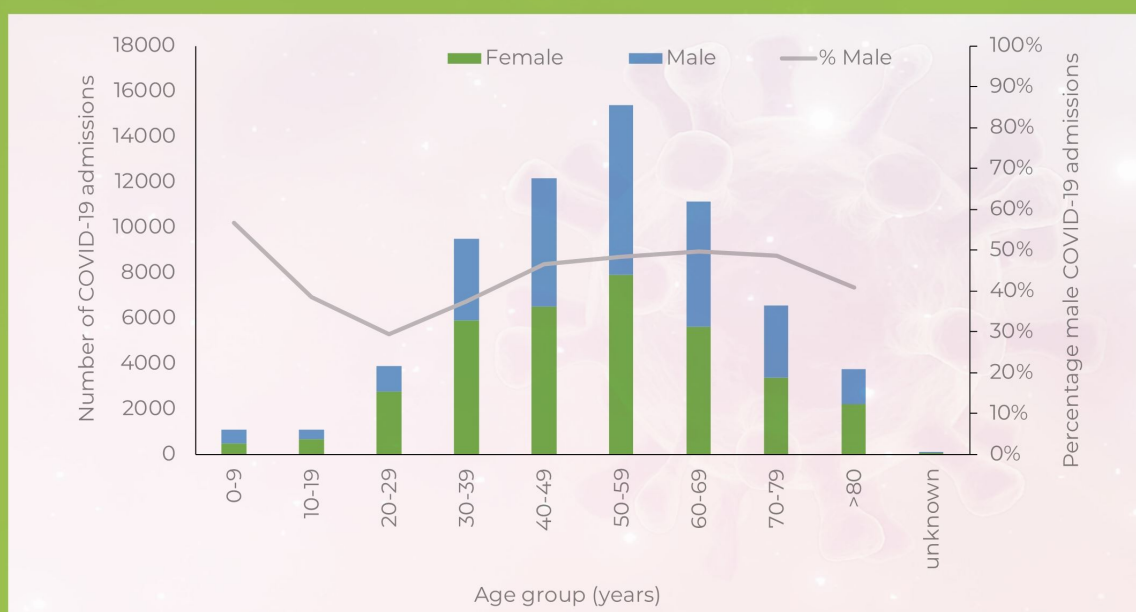


Figure 4: Number of reported COVID-19 admissions by age, gender and percentage of males, South Africa, 5 March-5 September 2020, n=64 705

Of the 47 132 (72.8%) patients for whom race was known, 36 192 (76.8%) were Black African, 3 144 (6.7%) were Coloured, 3 132 (6.7%) were Indian, 4 593 (9.7%) were White and 71 (0.2%) were classified as Other race group. There were 2 798 (4.3%) health care workers (HCW) that were reported to be hospitalised. Among the 15 678 admissions in females of child-bearing age 15-50 years, there were 1 421 (9.1%) females admitted who were pregnant or within 6 weeks post-partum.

Among 54 935 (84.9%) patients for whom comorbid conditions were known, 28 083 (51.1%) had no comorbid condition reported, 14 104 (25.7%) had one comorbid condition reported, 9 130 (16.6%) had two comorbid conditions and 3 618 (6.6%) had three or more comorbid conditions reported. Among the 26 852 (48.9%) patients who had reported a comorbid condition, the most commonly reported were hypertension (17 071, 63.6%) and diabetes (13 237, 49.3%); there were 4 331 (16.1%) patients who were HIV-infected, 765 (2.8%) patients with active tuberculosis (TB) and 1 390 (5.2%) patients with previous history of TB (Table 2). Obesity, defined by the subjective opinion of the attending HCW, while not consistently recorded for all reported COVID-19 admissions, was recorded as a risk factor in 1872 (2.9%) of all patients hospitalised.

Table 2: Reported comorbid conditions among COVID-19 admissions reporting at least one comorbid condition, South Africa, 5 March-5 September 2020 n=26 656*

Comorbid disease**	n	%
Hypertension	17 071	63.6
Diabetes mellitus	13 237	49.3
Chronic cardiac disease	1 087	4.0
Chronic pulmonary disease/ Asthma	3 437	12.8
Chronic renal disease	1 390	5.2
Malignancy	417	1.6
HIV	4 331	16.1
Active tuberculosis	765	2.8
Previous history of tuberculosis	1 390	5.2

* Multiple comorbid conditions are counted more than once so the total number may be more than the total number of individuals reporting comorbid conditions.

** Presence of a comorbid condition includes only the conditions reported in the table; obesity is not included.

OUTCOMES

Of the 64 705 admitted individuals, 4 656 (7.2%) were currently in hospital, 48 015 (74.2%) were discharged alive, 732 (1.1%) were transferred out to either higher level care or step-down facilities, 11 302 (17.5%) had died in hospital. There were 1 510 additional deaths since the last report. Of the 59 317 COVID-19 patients who had recorded in-hospital outcome (died and discharged), the case fatality ratio (CFR) was 19.1%.

EPIDEMIOLOGICAL AND GEOGRAPHIC TRENDS IN MORTALITY

In the first few weeks of the outbreak most deaths were reported in the private sector, since week 17 a higher proportion of reported deaths was in the public sector, and since week 28 again most deaths were reported in the private sector. The CFR was higher in the public health sector (25.4%) than in the private health sector (15.9%) ($p < 0.001$). There has been a decrease in reported COVID-19 deaths since week 30 (Figure 5).

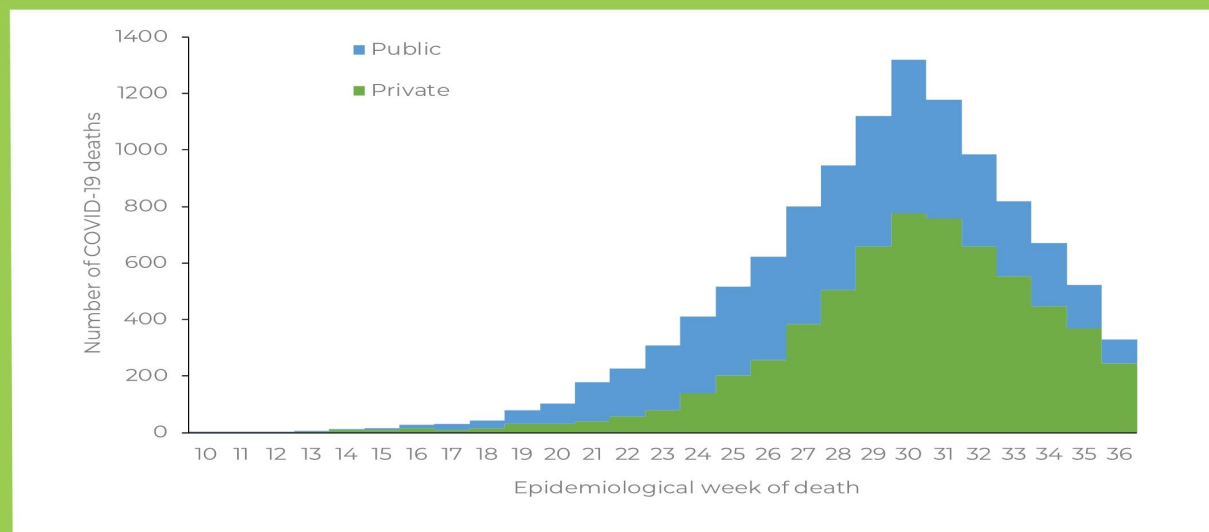


Figure 5: Number of COVID-19 deaths reported per week by health sector and epidemiologic week, South Africa, 5 March-5 September 2020, $n=11\ 302$

Most deaths were reported in Western Cape (3 389, 30.0%), followed by Gauteng (2 523, 22.3%), Eastern Cape (2 260, 20.0%) and KwaZulu-Natal (1 474, 13.0%) (Figure 6).

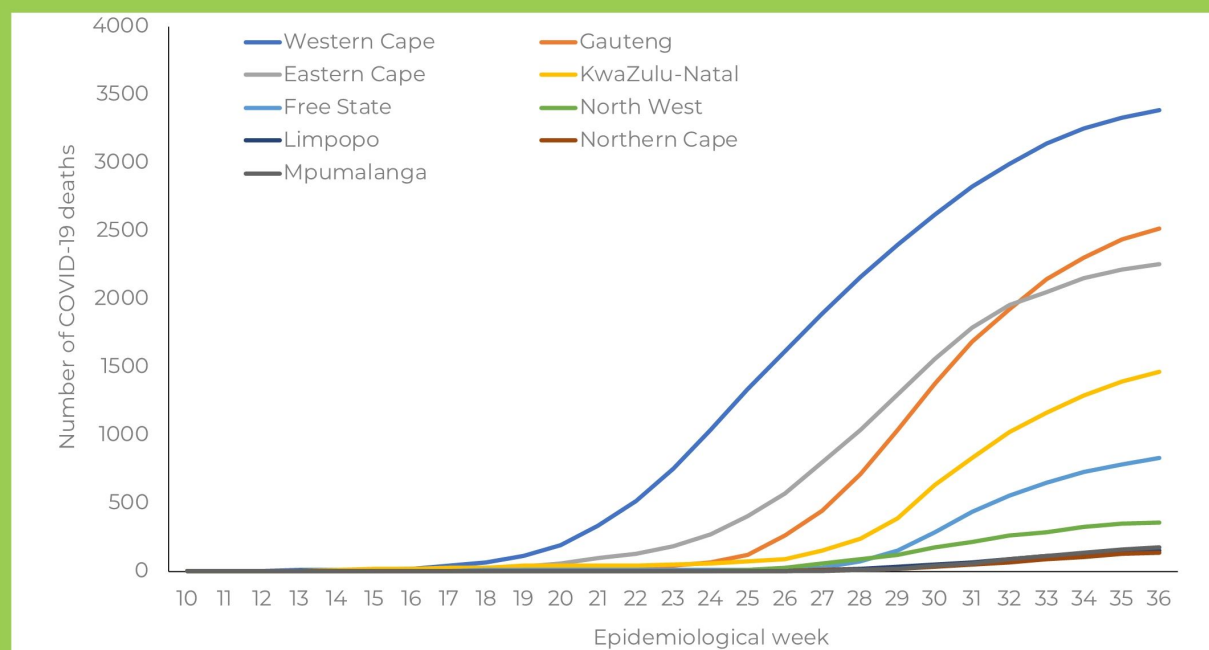
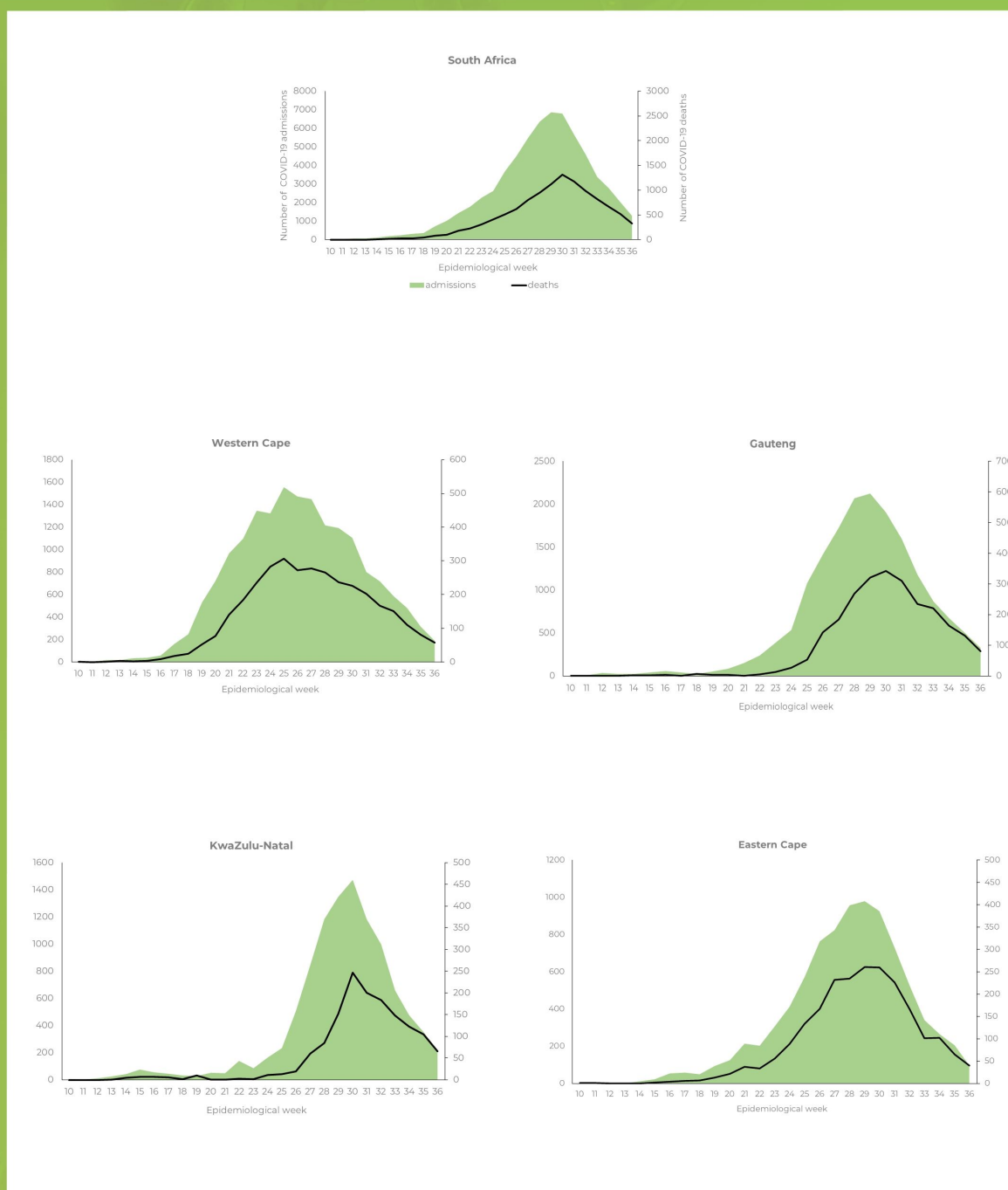


Figure 6: Cumulative of COVID-19 deaths reported per week by health sector and epidemiologic week, South Africa, 5 March-5 September 2020, $n=11\ 302$

The panel of figures below demonstrate the numbers of reported COVID-19 admissions and deaths, per epidemiological week, across all provinces. It is evident that Western Cape experienced an earlier increase in admissions starting around week 19 and peaked in week 27; Gauteng, Eastern Cape and KwaZulu-Natal began the increase in week 23 and peaked in week 29; while the other provinces began the increase in weeks 24-26 and peaked in weeks 29-30.



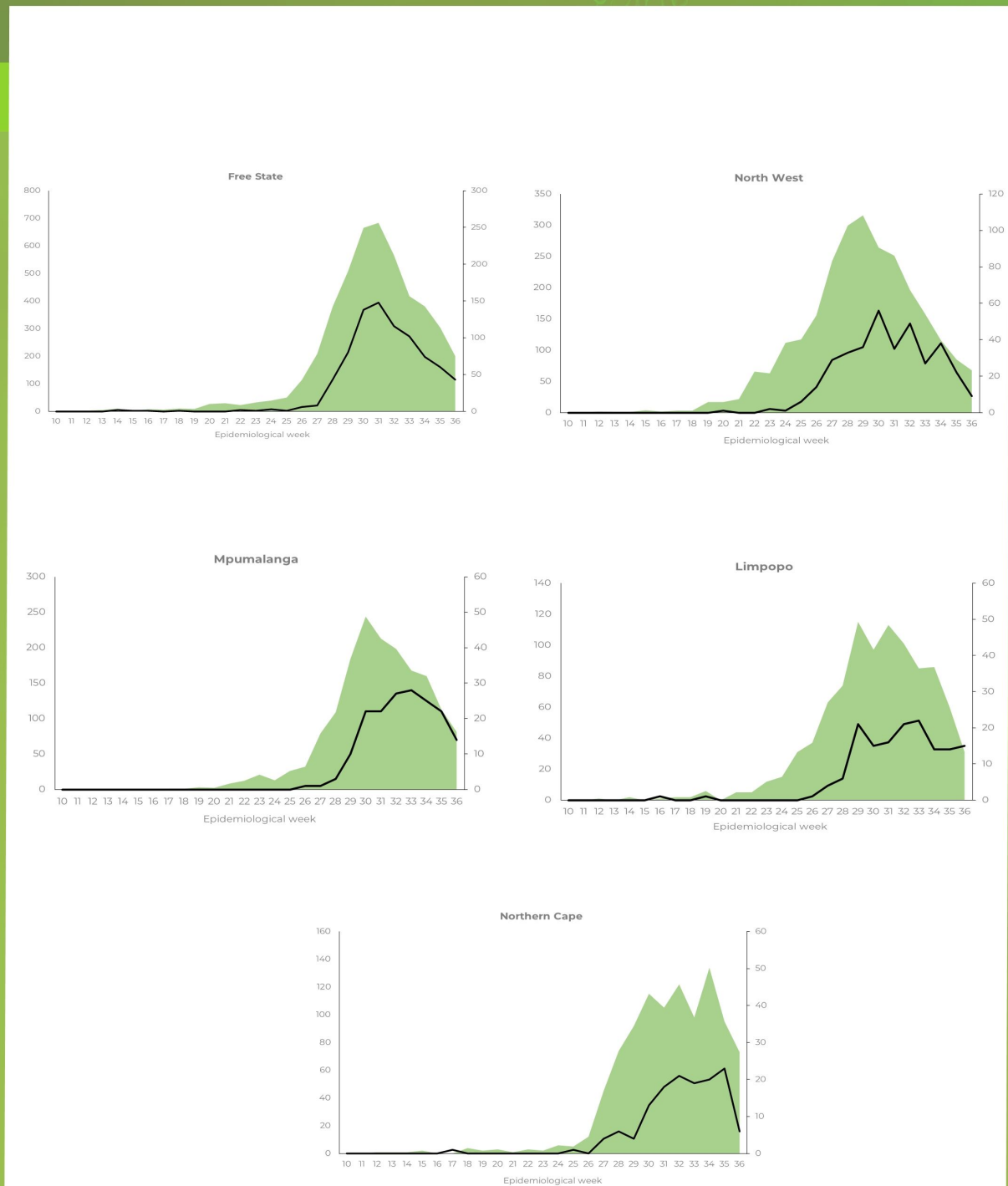


Figure 7: Panel of number of reported COVID-19 admissions and deaths, South Africa and individual provinces, 5 March-5 September 2020 020, n=11 302

DEMOGRAPHIC CHARACTERISTICS OF DEATHS

The median age of patients who died was 63 (IQR 53–73) years, and for those who were discharged alive was 50 (IQR 38–61) years. There were 56 (0.5%) deaths in children aged ≤ 18 years, most of these deaths in children with serious underlying comorbid conditions. There were 758 (6.7%) deaths in patients younger than 40 years (Figure 8). The CFR was higher in males (22.2%) than females (16.4%) ($p < 0.001$).

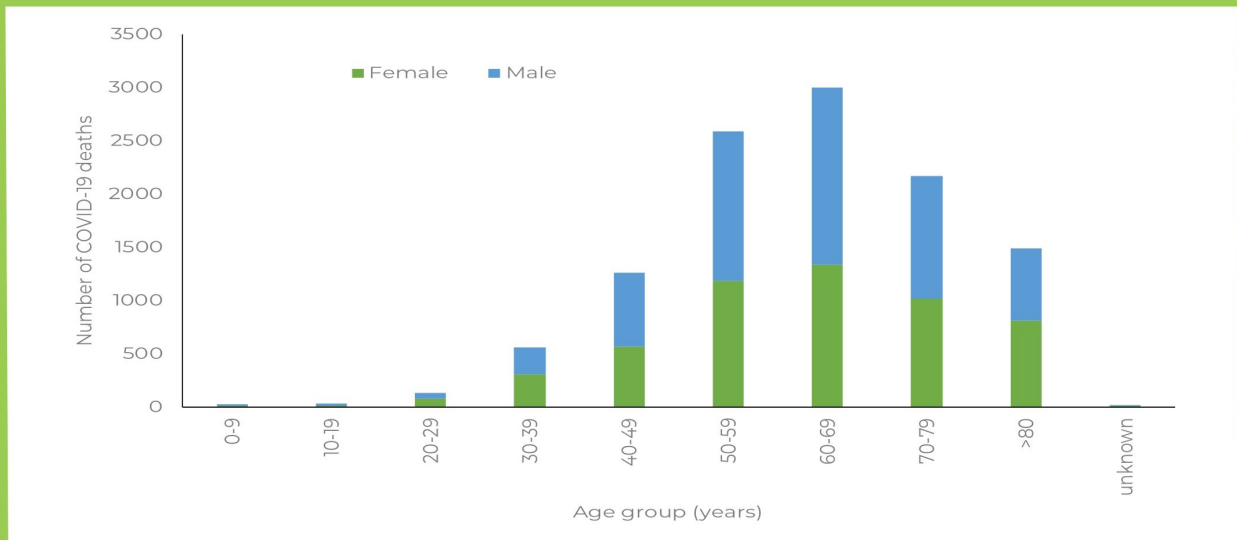


Figure 8: Number of reported COVID-19 deaths by age and gender, South Africa, 5 March-5 September 2020, $n=11\ 302$

COMMON COMORBIDITIES REPORTED AMONG DEATHS

In all age groups older than 40 years, hypertension and diabetes were most commonly reported comorbidities among patients who died. In patients between 20 and 60 years, HIV, tuberculosis and obesity were common (Figure 9).

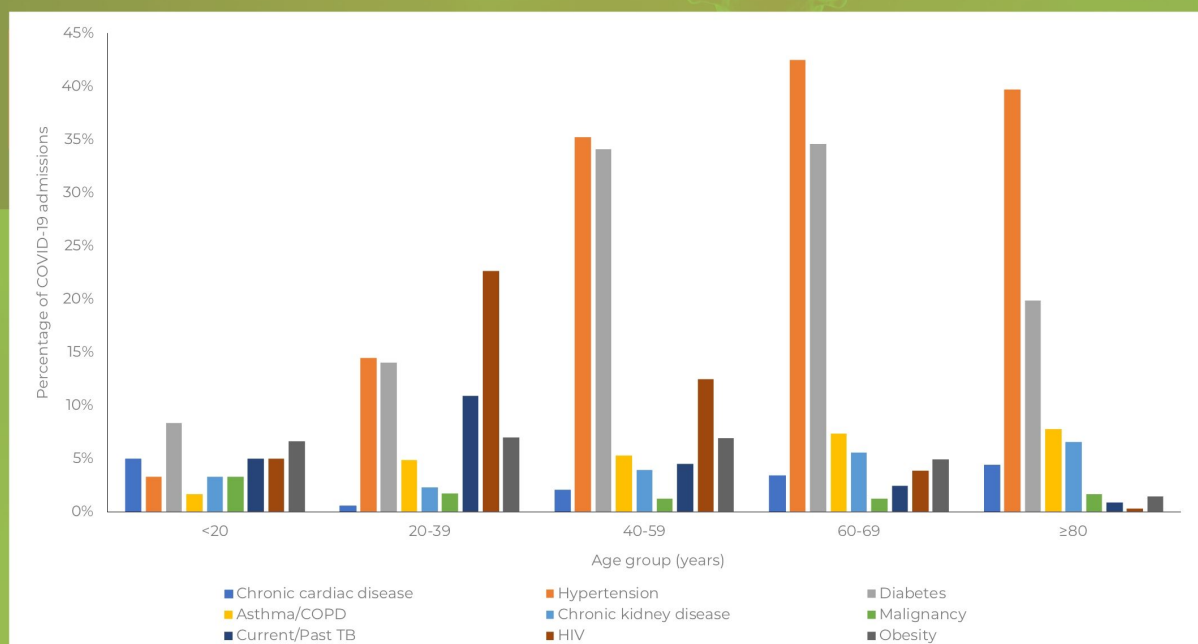


Figure 9: Frequency of comorbid conditions for reported COVID-19 deaths by age group, South Africa, 5 March-5 September 2020, n=11 302

FACTORS ASSOCIATED WITH IN-HOSPITAL MORTALITY

On multivariable analysis, factors associated with in-hospital mortality were older age groups; male sex; Black African, Coloured and Indian race; admission in the public sector; and having comorbid hypertension, diabetes, chronic cardiac disease, chronic renal disease, malignancy, HIV, current tuberculosis alone or both current and past tuberculosis, and obesity. Compared to the Western Cape province, individuals hospitalised in Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo and North West provinces were more likely to die in-hospital (Table 3 and Figure 10).

TABLE 3: UNIVARIATE AND MULTIVARIABLE ANALYSIS OF FACTORS ASSOCIATED WITH MORTALITY AMONG 48486 INDIVIDUALS WITH IN-HOSPITAL OUTCOME (DISCHARGES AND DEATHS), SOUTH AFRICA, 5 MARCH-5 SEPTEMBER 2020

Characteristic	Case-fatality ratio n/N (%)	Unadjusted OR (95% CI)	p-value	Adjusted OR* (95% CI)	p-value
Age group					
<20 years	60/1 983 (3.0)	Reference		Reference	
20-39 years	698/12 314 (5.7)	1.9 (1.5-2.5)	<0.001	2.3 (1.6-3.3)	<0.001
40-59 years	3 853/25 414 (15.2)	5.7 (4.4-7.4)	<0.001	6.4 (4.5-9.2)	<0.001
60-79 years	5 176/16 091 (32.2)	15.2 (11.7-19.7)	<0.001	16.5 (11.6-23.6)	<0.001
≥80 years	1 494/3 465 (43.1)	24.3 (18.6-31.7)	<0.001	34.6 (24.1-49.7)	<0.001
Unknown age	21/50 (42.0)	23.2 (12.5-43.0)	<0.001	16.0 (5.8-44.1)	<0.001
Sex					
Female	5 359/32 589 (16.4)	Reference		Reference	
Male	5 943/26 727 (22.2)	1.5 (1.4-1.5)	<0.001	1.5 (1.4-1.6)	<0.001
Race					
White	860/4 228 (20.3)	Reference		Reference	
Black	6 189/33 275 (18.6)	0.9 (0.8-0.9)	0.006	1.3 (1.1-1.4)	<0.001
Coloured	565/2 904 (19.5)	0.9 (0.8-1.1)	0.359	1.3 (1.1-1.5)	<0.001
Indian	554/2 926 (18.9)	0.9 (0.8-1.0)	0.142	1.3 (1.1-1.5)	<0.001
Other	8/52 (15.4)	0.7 (0.3-1.5)	0.379	0.9 (0.4-2.3)	0.995
Unknown	3 126/15 932 (19.6)	1.0 (0.9-1.0)	0.296	1.2 (1.1-1.3)	0.002
Healthcare worker					
No	11 023/56 672 (19.5)	Reference			
Yes	279/2 645 (10.6)	0.5 (0.4-0.5)	<0.001		
Peri-partum					
No	943/13 063 (7.2)	Reference			
Yes	28/1 385 (2.0)	0.3 (0.2-0.4)	<0.001		
Comorbid condition					
No co-morbidity	3 792/25 488 (14.9)	Reference			
1 co-morbid condition	2 707/13 231 (20.5)	1.5 (1.4-1.6)	<0.001		
2 comorbid conditions	2 359/8 633 (27.3)	2.2 (2.0-2.3)	<0.001		
≥3 comorbid conditions	1 112/3 441 (32.3)	2.7 (2.5-3.0)	<0.001		
Unknown	1 332/8 524 (15.6)	1.1 (0.9-1.1)	<0.094		
Hypertension					
No	5 708/34 565 (16.4)	Reference		Reference	
Yes	4 256/16 172 (26.3)	1.8 (1.7-1.9)	<0.001	1.2 (1.1-1.2)	<0.001
Diabetes mellitus					
No	6 458/38 130 (16.9)	Reference		Reference	
Yes	3 507/12 609 (27.8)	1.9 (1.8-2.0)	<0.001	1.5 (1.4-1.6)	<0.001
Chronic cardiac disease					
No	9 632/49 697 (19.4)	Reference		Reference	
Yes	330/1 039 (31.8)	1.9 (1.7-2.2)	<0.001	1.2 (1.0-1.4)	0.005

Characteristic	Case-fatality ratio n/N (%)	Unadjusted OR (95% CI)	p-value	Adjusted OR* (95% CI)	p-value
Chronic pulmonary disease/Asthma					
No	9 224/47 450 (19.4)	Reference			
Yes	738/3 285 (22.5)	1.2 (1.1-1.3)	<0.001		
Chronic renal disease					
No	9 409/49 408 (19.0)	Reference		Reference	
Yes	554/1 328 (41.7)	3.0 (2.7-3.4)	<0.001	1.6 (1.4-1.8)	<0.001
Malignancy					
Yes	9 812/50 340 (19.5)	Reference		Reference	
No	151/396 (38.1)	2.5 (2.1-3.1)	<0.001	2.1 (1.7-2.6)	<0.001
HIV					
No	8 464/44 615 (19.0)	Reference		Reference	
Yes	847/3 924 (21.6)	1.2 (1.1-1.3)	<0.001	1.5 (1.4-1.7)	<0.001
Tuberculosis					
No	9568/49 183 (19.5)	Reference		Reference	
Previous	221/857 (25.8)	1.4 (1.2-1.7)	<0.001	1.2 (0.9-1.4)	0.113
Current	66/273 (24.2)	1.3 (0.9-1.7)	0.050	1.8 (1.3-2.4)	<0.001
Current and previous	107/422 (25.4)	1.4 (1.1-1.8)	0.002	1.9 (1.5-2.4)	<0.001
Obesity					
No	7 393/39 288 (18.8)	Reference		Reference	
Yes	598/1 564 (38.2)	2.7 (2.4-3.0)	<0.001	2.4 (2.1-2.7)	<0.001
Unknown	3 311/18 465 (17.9)	0.9 (0.9-0.9)	<0.001	1.0 (0.9-1.1)	0.554
Month of admission					
March	24/199 (12.1)	Reference		Reference	
April	172/1 039 (16.6)	1.4 (0.9-2.3)	0.113	1.3 (0.8-2.2)	0.290
May	956/5 141 (18.6)	1.7 (1.1-2.6)	0.021	1.3 (0.8-2.1)	0.234
June	2 859/14 252 (20.1)	1.8 (1.2-2.8)	0.006	1.4 (0.9-2.3)	0.130
July	5 363/26 988 (19.9)	1.8 (1.2-2.8)	0.007	1.5 (0.9-2.3)	0.110
August	1 903/11 547 (16.5)	1.4 (0.9-2.2)	0.097	1.2 (0.7-1.9)	0.540
September	25/151 (16.6)	1.4 (0.8-2.6)	0.232	1.9 (0.9-3.9)	0.097
Health sector					
Private sector	6 264/39 514 (15.9)	Reference		Reference	
Public sector	5 038/19 803 (25.4)	1.8 (1.7-1.9)	<0.001	1.6 (1.5-1.7)	<0.001
Province					
Western Cape	3 389/16 899 (20.1)	Reference		Reference	
Eastern Cape	2 260/8 072 (28.0)	1.6 (1.5-1.6)	<0.001	1.8 (1.6-2.0)	<0.001
Free State	832/4 048 (20.6)	1.0 (0.9-1.1)	0.477	1.4 (1.2-1.5)	<0.001
Gauteng	2 523/15 383 (16.4)	0.8 (0.7-0.8)	<0.001	1.2 (1.1-1.3)	<0.001
KwaZulu-Natal	1 474/9 412 (15.7)	0.7 (0.7-0.8)	<0.001	1.1 (1.0-1.2)	0.026
Limpopo	151/864 (17.5)	0.8 (0.7-1.0)	0.065	1.4 (1.2-1.8)	0.001
Mpumalanga	178/1 508 (11.8)	0.5 (0.5-0.6)	<0.001	0.9 (0.7-1.1)	0.289
North West	358/2 294 (15.6)	0.7 (0.7-0.8)	<0.001	1.3 (1.1-1.5)	0.003
Northern Cape	137/837 (16.4)	0.8 (0.6-0.9)	0.009	1.2 (0.9-1.5)	0.089

Characteristic	Case-fatality ratio n/N (%)	Unadjusted OR (95% CI)	p-value	Adjusted OR* (95% CI)	p-value
Type of facility					
National central	1124/4330 (26.0)	Reference			
Community Health	3/6 (50.0)	2.9 (0.6-14.2)	0.200		
District hospital	2 062/8 175 (25.2)	1.0 (0.8-1.0)	0.369		
Field hospital	59/788 (7.5)	0.2 (0.2-0.3)	<0.001		
Long-term facility	4/105 (3.8)	0.1 (0.0-0.3)	<0.001		
Military hospital	28/190 (14.7)	0.5 (0.3-0.7)	0.001		
Private general	6 262/39 521 (15.8)	0.5 (0.5-0.6)	<0.001		
Provincial tertiary	647/2 264 (28.6)	1.1 (1.0-1.3)	0.023		
Regional hospital	1 090/3 645 (29.9)	1.2 (1.1-1.3)	<0.001		
Specialised TB hospital	23/285 (8.1)	0.3 (0.2-0.4)	<0.001		
Ever ICU					
No	6 978/50 586 (13.8)	Reference			
Yes	4 324/8 731 (49.5)	6.1 (5.8-6.4)	<0.001		
Ever High Care					
No	9 850/53 634 (18.4)	Reference			
Yes	1 452/5 683 (25.6)	1.5 (1.4-1.6)	<0.001		
Ever ventilated					
No	8 704/55 519 (15.7)	Reference			
Yes	2 598/3 798 (68.4)	11.6 (10.8-12.5)	<0.001		
Ever on oxygen					
No	8 118/48 541 (16.7)	Reference			
Yes	3 184/10 776 (29.6)	2.1 (2.0-2.2)	<0.001		

* MULTIVARIABLE MODEL EXCLUDED ALL INDIVIDUALS WITH UNKNOWN COMORBID CONDITIONS

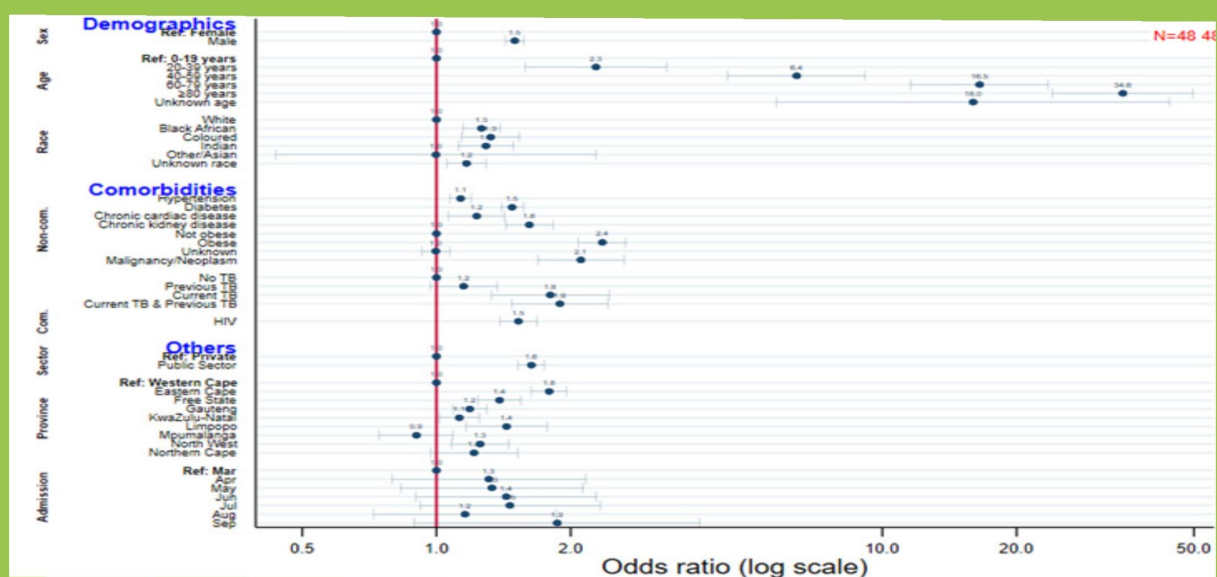


Figure 10: Multivariable analysis of factors associated with mortality among 48 486 individuals with in-hospital outcome (discharges and deaths), South Africa, 5 March-5 September 2020



DISCUSSION

DATCOV currently includes 64705 admissions from 438 public and private hospitals in all nine provinces in South Africa. It also includes 11302 deaths that have occurred to date.

The findings confirm factors associated with in-hospital mortality were older age groups; male sex; Black, Indian and Coloured race; and having comorbid hypertension, diabetes, chronic cardiac disease, chronic renal disease, malignancy, HIV, current tuberculosis alone or both current and previous tuberculosis, and obesity.

Increased risks for mortality have similarly been observed in non-white patients and in those from lower socio-economic groups (1)(2).

Trends in CFR over time and provincial differences may be affected by many factors such as hospital admission criteria, timeousness of closing cases, testing criteria in different provinces, and the severity of illness in admitted cases.

The availability of reliable surveillance data is of critical importance to gain a better understanding of the epidemiology of COVID-19 in South Africa, to monitor the COVID-19 epidemic and to respond with adequate control measures. It has been suggested that when local transmission is widespread and testing strategies change, hospital admission or mortality surveillance systems provide a more reliable picture of the epidemic progression than overall confirmed case numbers.

DATCOV provides real-time data and summary analyses, which inform modelling and reporting at a national level. It also addresses a knowledge gap, in the lack of data from low and middle income countries (LMIC), allowing for analysis of COVID-19 epidemiology in a country with a younger population, unique disease profile with epidemics of both infectious (HIV and tuberculosis) and non-communicable diseases, and an overburdened public health system.

LIMITATIONS

DATCOV is a sentinel surveillance system and does not include all hospitals with COVID-19 admissions and therefore may not be truly representative of hospital admissions for COVID-19 throughout South Africa. DATCOV only reports hospital-based admissions and deaths and therefore does not include deaths occurring outside hospitals. Data quality in a surveillance system is dependent on the information submitted by healthcare institutions. It is not possible for the NICD to verify or check the quality of all these data, however, the NICD has built-in data quality checks.

In patients with non-communicable diseases, the current data collection platform is not able to distinguish between those that had pre-existing disease and those that were newly-diagnosed; and between those with well or poorly controlled disease. New variables are being introduced to allow for this analysis. For obesity, the platform currently only allows for capture of the subjective opinion of the attending HCW that the patient is obese. The platform will soon include fields to collect height and weight where available, to allow calculation of Body Mass Index (BMI).

Data on socioeconomic status are not collected. Data on treatment and medical interventions have not been analysed because the data were incomplete.

Efforts are ongoing to improve the quality and completeness of data on symptom of these data will be included in future reports.

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ACKNOWLEDGEMENTS

Western Cape province: all public sector hospitals submitting data to DATCOV

Public hospitals using DATCOV surveillance online platform:

Eastern Cape	
Aberdeen Hospital	Adelaide Hospital
Aliwal North Hospital	All Saints Hospital
Andries Vosloo Hospital	Bambisana Hospital
Bedford Hospital	Bisho Hospital
Burgersdorp Hospital	Butterworth Hospital
Cala Hospital	Cathcart Hospital
Cecilia Makiwana Hospital	Cloete Joubert Hospital
Cofimvaba Hospital	Cradock Hospital
Dora Nginza Hospital	Dordrecht Hospital
Dr Malizo Mpehle Hospital	Elizabeth Donkin Hospital
Elliot Hospital	Empilweni Hospital
Empilweni Hospital	Fort Beaufort Hospital
Fort England Hospital	Frere Hospital
Frontier Hospital	Glen Grey Hospital
Greenville Hospital	Grey Hospital
Hewu Hospital	Holy Cross Hospital
Humansdorp Hospital	Indwe Hospital
Isilimela Hospital	Jamestown Hospital
Kareedouw Hospital	Khotsong TB Hospital
Komani Hospital	Komga Hospital
Lade Grey Hospital	Livingstone Hospital
Maclear Hospital	Madwaleni Hospital
Madzikana ka Zulu Memorial Hospital	Midland Hospital
Mjanyana Hospital	Molteno Hospital
Mount Ayliff Hospital	Nelson Mandela Academic Hospital
Nkqubela Chest Hospital	Nompumelelo Hospital
Orsmond Hospital	Port Alfred Hospital
SS Gida Hospital	Rev Dr Elizabeth Mamisa Chabula-Nxiweni Field
Sawas Hospital	Settlers Hospital
Sipetu Hospital	St Barnabas Hospital
St Elizabeth Hospital	St Francis Hospital
St Patricks Hospital	Sterkstroom Hospital
Steynsburg Hospital	Stutterheim Hospital
Sundays Valley Hospital	Tafalofefe Hospital
Taylor Bequest Hospital (Matatiele)	Taylor Bequest Hospital (Mount Fletcher)
Tower Psychiatric Hospital	Uitenhage Hospital
Umlamli Hospital	Umtata General Hospital
Victoria Hospital	Wilhelm Stahl Hospital
Willowmore Hospital	Winterberg TB Hospital
Zithulele hospital	

ACKNOWLEDGEMENTS

Free State	
3 Military Hospital,	Albert Nzula District Hospital
Boitumelo Hospital	Bongani Regional Hospital
Botshabelo Hospital	Diamant Hospital
Dihlabeng Hospital	Dr Js Moroka Hospital
Elizabeth Ross Hospital	Fezi Ngubentombi Provincial Hospital
Itemoheng Hospital	John Daniel Newsberry Hospital
Katleho Hospital	Manapo Hospital
Mohau Hospital	Nala Hospital
National District Hospital	Nketoana District Hospital
Parys Hospital	Pelonomie Hospital
Phekolong Hospital	Phumelela Hospital
Senorita Ntlabathi Hospital	Stoffel Coetzee Hospital
Thebe Hospital	Thusanong Hospital
Universitas Hospital	Winburg Hospital
House Idahlia Critical Care Surge Facility	
Gauteng	
Charlotte Maxeke Hospital	Chris Hani Baragwanath Hospital
Helen Joseph Hospital	Leratong Hospital
Steve Biko Academic Hospital	Tambo Memorial Hospital
KwaZulu-Natal	
Addington Hospital	Edendale Hospital
General Justice Gizenga Mpanza Hospital	Grey's Hospital
Inkosi Albert Luthuli Central Hospital	King Edward VIII Hospital
Ladysmith Hospital	Manguzi Hospital
Limpopo	
Kgapane Hospital	Polokwane Hospital
Siloam Hospital	
Mpumalanga	
Barberton Hospital	Belfast Hospital
Bethal Hospital	Carolina Hospital
Lydenburg Hospital	Mapulaneng Hospital
Matibidi Hospital	Matikwana Hospital
Middelburg Hospital	Rob Ferreira Hospital
Sabie Hospital	Shongwe Hospital
Barberton TB Specialised Hospital	Themba Hospital
Tonga Hospital	Waternval-Boven Hospital
North West	
Job Shimankana Tabane Hospital	Tshepong Hospital
Northern Cape	
Robert Mangaliso Sobukwe Hospital	
Western Cape	
Tygerberg Hospital	

COVID-19 SENTINEL HOSPITAL SURVEILLANCE UPDATE

WEEK 36 2020

ACKNOWLEDGEMENTS

Private hospital groups submitting data to DATCOV:

- Netcare
- Life Healthcare
- Mediclinic Southern Africa
- National Hospital Network (NHN)
- Clinix Health Group
- Lenmed
- Joint Medical Holdings (JMH)

Private hospitals using DATCOV surveillance online platforms

Eastern Cape	
Aurura Hospital	Aurura Rehabilitation Hospital
Care Cure Queenstown	Matatiele Private Hospital
Nurture Queenstown	Nurture Sunnyside
Free State	
Busamed Bram Fischer Airport Hospital	Busamed Harrismith Private Hospital
Cairnhall Hospital	Corona Sub-Acute Hospital
Emoyamed Private Hospital	Hillandale Health Care centre
Nurture Woodlands	Riemland Clinic
St Helena GM Hospital	
Gauteng	
Arwyp Medical Centre	Busamed Modderfontein Private Hospital
Botshilu Private Hospital	Louis Pasteur Private Hospital
Lynnmed Clinic	Midvaal Private Hospital
Nurture Rynmed	Nurture Vereeniging
Pretoria Urology Hospital	RH Rand Hospital
Sunshine Hospital	Zuid Afrikaans Hospital
KwaZulu-Natal	
Aba Qulusi Private Hospital	Ahmed Al-Kadi Private Hospital
Busamed Gateway Private Hospital	Busamed Hillcrest Private Hospital
Capital hospital	Hibiscus Cato Ridge Hospital
Hibiscus Private Hospital	KwaDukuza Private Hospital
Midlands Medical Centre Private Hospital	Nurture Ilembe
	Shelly Beach Private Hospital

COVID-19 SENTINEL HOSPITAL SURVEILLANCE UPDATE

WEEK 36 2020

ACKNOWLEDGEMENTS

Limpopo	
Zoutpansberg Private Hospital	
Mpumalanga	
Kiaat Private Hospital	RH Piet Retief Hospital
North West	
Medicare Private Hospital	Mooimed Private Hospital
Sunningdale Hospital	Vryburg private hospital
Wilmed Park Private Hospital	
Northern Cape	
Lenmed Royal Hospital and Heart Centre	
Western Cape	
Busamed - Paardevelei private hospital	Nurture Cape View
Nurture Newlands	

COVID-19 SENTINEL HOSPITAL SURVEILLANCE UPDATE

WEEK 36 2020

APPENDIX

TABLE 4: NUMBER OF REPORTED COVID-19 ADMISSIONS AND DEATHS BY AGE AND GENDER, SOUTH AFRICA, 5 MARCH-5 SEPTEMBER 2020

Age (years)	ADMISSIONS				DEATHS			
	Female	Male	Unknown	Total	Female	Male	Unknown	Total
0-4	379	487	0	866	12	11	0	23
5-9	97	135	0	232	0	4	0	4
10-14	163	159	0	322	4	7	0	11
15-19	498	255	1	754	8	14	0	22
20-24	876	434	0	1310	18	22	0	40
25-29	1 878	715	0	2 593	63	31	0	94
30-34	2 748	1 453	0	4 201	124	74	0	198
35-39	3 177	2 111	0	5 288	190	176	0	366
40-44	3 051	2 519	0	5 570	235	280	0	515
45-49	3 450	3 151	1	6 602	333	417	0	750
50-54	3 976	3 616	0	7 592	488	565	0	1 053
55-59	3 956	3 834	0	7 790	698	837	0	1 535
60-64	3 162	3 215	0	6 377	675	922	0	1 597
65-69	2 446	2 334	0	4 780	668	741	0	1 409
70-74	1 881	1 862	0	3 743	531	641	0	1 172
75-79	1 485	1 321	0	2 806	487	511	0	998
80-84	1 121	843	1	1 965	371	342	0	713
85-89	707	467	0	1 174	270	221	0	491
90-94	335	198	0	533	139	104	0	243
>95	71	33	0	104	35	12	0	47
Unknown	51	50	2	103	10	11	0	21
	35 508	29 192	5	64 705	5 359	5 943	0	11 302

DISTRICT COUNCIL

30 SEPTEMBER 2020

APPOINTMENT OF MUNICIPAL MANAGER IN TERMS OF SECTION 4 OF THE MINE HEALTH AND SAFETY ACT, ACT 29 OF 1996: ROADS SERVICES DEPARTMENT / AANSTELLING VAN DIE MUNISIPALE BESTUURDER IN TERME VAN DIE BEROEPSVEILIGHEIDS WET VIR MYNE (WET 29 VAN 1996): PAAIE DIENSTE / UKUCHONGWA KOMPHATHI MASIPALA NGOKWEMIQATHANGO YOMHLATHI 4 WOMTHETHO WEZEMPILO KWIMIGODI KUNYE NEZOKHUSELO, UMTHETHO 29 WANGO 1996:ISEBE LENKONZO ZENDLELA

(9/3/1)

02 September 2020

REPORT FROM THE EXECUTIVE MANAGER: ROADS & TRANSPORT PLANNING SERVICES (JG DANIELS)

2. PURPOSE OF THE REPORT

To obtain approval from Council to appoint the Municipal Manager in terms of Section 4 of the Mine Health and Safety Act (Act 29/1996) and subsequently appoint a Mine Operations Manager in terms of Section 3 of said act for the day-to-day management of the mines.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

In Terms of the Occupational Safety for Mines Act (Act 29/1996), it has become necessary for responsible persons to be appointed to ensure that the provisions of the Act are complied with. It is then the request of the Provincial Government: Western Cape: Branch Transport and Public Services that the Municipal Manager be appointed as the Responsible Person in terms of Section 4 of Act 29/1996 and that the Municipal Manager, in consultation with the Executive Manager : Roads Services in terms of Section 3 of the Act A mining manager is considering whose duty it will be to ensure that the provisions of Act 29/1996 are complied with. The request is attached as Appendix "A

5. **RECOMMENDATIONS**

It is recommended that:

- 5.1 Council appoints the Municipal Manager in terms of Section 4 of the Mine Health and Safety Act (Act 29/1996).
- 5.2 The Municipal Manager, in consultation with the Executive Manager Roads Services appoints a Mine Operations Manager in terms of Section 3 of the said Act.
- 5.3 GRDM will not be held liable for any injuries, death or accidental damage that might arise from these mine operations

AANBEVELINGS

Dit word aanbeveel dat:

- 5.1 *Die Raad die Munisipale Bestuurder aanstel word in terme van artikel 4 van die Wet op Beroepsveiligheid vir myne (Wet 29/1996).*
- 5.2 *Die Munisipale Bestuurder in oorleg met die Uitvoerende Bestuurder: Paaie Dienste 'n Mynbestuurder aanstel in terme van Artikel 3 van genoemde wet.*
- 5.3 *Dat GRDM nie aanspreeklik gehou sal word vir enige beserings, dood of toevallige skade wat mag voortspruit uit hierdie myn bedrywighede.*

IZINDULULO

Kundululwe ukuba:

- 5.1 IBhunga lichonge uMphathi Masipala ngokwemithetho yoMhlathi 4 Wezempilo Zemigodi kunye Nokhuseleko(uMthetho 29/1996).
- 5.2 Sesokuba uMphathi Masipala, ngokuqhagamshelana noMphathi Oyintloko Wenkonzo Zezendlela, bachonge uMphathi Wenkqubo Zemigodi ngokwemi Miselo yoMhlathi 3 yomthetho ochaziweyo.

- 5.3 U Masipala akazothwaliswa xanduva lazo naziphina iziganeko zokonzakala, ukusweleka okanye umonakalo ngengozi nokusengabangewa yinkqubo yezemigodi.

6. DISCUSSION

6.1 BACKGROUND

In the past Council did appoint an official as Mine Manager. This official was responsible for the operations concerning taking material from a borrow pit.

However, with the new legislation, the Department of Mineral Resources do not make a difference between a mine and a borrow pit. Extracting any material in any form is the same as mining.

The request is therefore that Council appoints the Municipal Manager as the Responsible Official and that the Municipal Manager then appoints a Mine Operations Manager for the day-to-day operations. The request is attached as Annexure "A".

With the proposed amendment to the organogram as recently submitted, operating of gravel pits will be the responsibility of one section of the department. This section will be in full control of all borrow pit operations for regravelling as well as maintenance. It is then suggested that the head of the section will become the Mine Operations Manager.

6.3 FINANCIAL IMPLICATIONS

None

6.4 RELEVANT LEGISLATION / LEGAL IMPLICATIONS

- Constitution of the Republic of South Africa, 1996
- Mineral and Petroleum Resources Development Act, 28 of 2002
- Mine Health and Safety Act, 29 of 1996
- The Mineral and Petroleum Royalty Act, 2008
- The Labour Relations Act, 1995
- Broad-Based Socio-Economic Empowerment Charter for the Mining and Minerals Industry, 2018

- Development Facilitation Act, 67 of 1995
- National Water Act, 36 of 1998
- National Environmental Management Act, 107 of 1998

6.5 STAFF IMPLICATIONS

NONE

6.6 PREVIOUS / RELEVANT COUNCIL RESOLUTIONS

NONE

6.7 RISK IMPLICATIONS

NONE

6.8 COMMENTS FROM SENIOR MANAGEMENT

6.8.1 COMMENTS: EXECUTIVE MANAGER FINANCIAL SERVICES

None

6.8.2 COMMENTS: EXECUTIVE MANAGER CORPORATE SERVICES

None

6.8.3 COMMENTS: EXECUTIVE MANAGER PLANNING & ECONOMIC DEVELOPMENT

None

6.8.4 COMMENTS: EXECUTIVE MANAGER ROADS & TRANSPORT PLANNING SERVICES

None

6.8.5 COMMENTS: MANAGER LEGAL SERVICES

None

[BACK TO AGENDA](#)

FEEDBACK REPORT ON THE PREMIER'S COORDINATING FORUM HELD ON 1 SEPTEMBER 2020/ VERSLAG OM TERUGVOERING TE GEE OOR DIE PREMIER SE KOÖRDINERINGSFORUM WAT GEHOU WAS OP 1 SEPTEMBER 2020 / UNIKEZELO LWENGXELO MALUNGA NEBUTHO LEZOLUNGELELELWANISO YENKULUBAPHATHISWA NEBIBANJWE NGOMHLA 1 KWEYOMSINTSI 2020

(16/8)

9 September 2020

REPORT FROM THE EXECUTIVE MAYOR (M BOOYSEN) / EXECUTIVE MANAGER PLANNING & ECONOMIC DEVELOPMENT (L MENZE) AND ACTING MANAGER DISTRICT IDP (M. JAMES)

2. PURPOSE OF THE REPORT

To give feedback to Council regarding the focus areas of the Western Cape post COVID-19 recovery plan that was discussed during the Premiers Coordinating Forum on 1 September 2020 for noting.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Western Cape Province recognizes the impact of COVID 19 and the need to change focus from the approved Provincial strategic plan and municipal integrated development plans to interventions to manage the impact of the post-COVID 19 pandemic. The province in collaboration with municipalities has identified three (3) focus areas namely work, safety, dignity and well-being. During the Prime Minister's Coordination Forum on 1 September 2020, the mayors of all the district municipalities in the Western Cape presented their respective interventions on work, safety, dignity and well-being post COVID 19 to the Prime Minister.

5. **RECOMMENDATION**

- 5.1 That Council notes the Feedback report on the Premiers Coordinating Forum.

AANBEVELING

- 5.2 *Dat die Raad die kennis neem van die vorderingsverslag rakende die Premier se Koördineringsforum.*

ISINDULULO

- 5.3 Sesokuba iBhunga lithathele ingqalelo uNikezelo lwengxelo yeButho Lolungelelwaniso lweNkulubaphathiswa.

6. **DISCUSSION / CONTENT**

6.1 **BACKGROUND**

The Western Cape Government acknowledges the impact of COVID-19 and the need to "shift focus" from the approved provincial strategic plan and municipal integrated development plans; to rather focus on interventions to manage the pandemic. The pandemic has in Western Cape, exacerbated the levels of poverty and inequality - this has calls for extraordinary responses to an extraordinary disaster. Based on extensive engagements with municipalities and provincial departments, the Western Cape Cabinet resolved, at its Bosberaad on 7 August 2020, to focus the post COVID 19 recovery on three priorities namely, **Jobs, Safety, and Dignity & Well-being**. All District Mayors were requested to present on initiatives for their respective district that address the three priorities.

WESTERN CAPE GOVERNMENT RECOVER FRAMEWORK POST COVID-19

Jobs

The NIDS-CRAM survey estimates that **3 million** people in SA lost their jobs during the initial lockdown period between February 2020 and April 2020. The job losses mostly impacted women, Africans, youth and less educated people. It is also projected that the national economy will contract to 7.2% in 2020.

The three sectors that are hit the hardest in the Western Cape are:

- 1) The tourism sector expecting to lose 104 504 jobs and R13bn in Gross Value Add in 2020.
- 2) The construction expecting to lose 41 306 jobs and R12bn in Gross Value Add in 2020
- 3) The informal sector is expected to lose 38 276 in 2020

Safety

Research shows that inequality could increase with 1.5% after 5 years that a pandemic occurred. There are also strong links between poverty, inequality and murder. The effect of poverty and inequality on our young people can also lead to an increase in youth violence and substance abuse. According to the increase in equality we can therefore expect that the murder rate in the Western Cape will increase by 3.75%.

During Lockdown level 3A there was also an increase of trauma cases at the hospitals due to the accessibility of alcohol.

Gender based violence decreased during lockdown; though there were many online searches for domestic violence information and then when the lockdown eased NGOs reported an increase in GBV cases.

Dignity and Well being

Due to the closure of schools to flatten the curve learners lost a number of days which is as follows: (up to 7 August 2020)

- Grade 7 & 12 : 25 % loss
- Gr 1, 2, 3, 6, 10, 11 : 41 % loss
- Gr 4,5,8,9 : 57% loss

The loss of school days means that many youth face the risk of dropping out of school and also not completing matric which will also result in lowering the chances of our youth to get skilled jobs after matric.

The digital divides also became very evident during the pandemic:

- Pre-COVID: WC, only 25% of households have connectivity at home & 90% have access to mobile phones
- During COVID: 768 WCG Wi-Fi hotspots and broadband connectivity to 1200 schools had questions of accessibility

In terms of mental health many of the citizens are experiencing anxiety, depression and substance abuse which is mainly due to the loss of income and isolation. The loss of productivity cost after COVID is projected at R232 billion per year.

Looking at Social Cohesion in terms of COVID the compliance with lockdown rules shows the trust in government. If the citizens don't trust government it could have a huge impact on the capacity of the WCG to fulfil its social contract with communities.

Western Cape Government broad Action plan

- 1) Keep our residents safe from COVID
- 2) Deal with the physical and emotional impact of COVID
- 3) Support matriculants to complete matric and to catch up on lost time
- 4) Deal with the health back logs
- 5) Anticipate an increase in violence owing to greater poverty and inequality by rolling out violence prevention programmes
- 6) Ensure all residents receive the nutrition they need by leveraging our relationships with civil society and optimizing the food value chain.
- 7) Identify new initiatives or ramp up existing initiatives that can create many jobs in the short term to address the humanitarian crisis.
- 8) Massively upscale public works and youth programmes, largely funded by national government.
- 9) Leverage WCG public procurement so that small businesses benefit.
- 10) Provide a "clearing-house" where Western Cape residents can access information about job and learning opportunities (jobs / EPWP / internships, online courses, etc.).
- 11) Build social cohesion with and between communities on an area basis, leveraging off COVID hotspot and JDMA learnings.

Financial Resources

Under Active scenario, spending in the Western Cape needs to be cut by R230 billion over two years. This translates into a reduction of +R5 billion per year in the WC Provincial Equitable Share allocation:

- 7% of pre-COVID provincial spending

- 25% of provincial spending excluding health and education

Available Resources to address the effect of the pandemic on the Province

- Newly galvanised civil society
- CAN network is bridging our social divides
 - Significant networks of influence
- Many close relationships between national, provincial, and local officials that can be leveraged
 - New-found agility, collaboration, and energy
 - Strengthened collaboration with municipalities
 - New field hospitals up and running in record time
 - New initiatives where we have shared data and co-designed initiatives together
 - Collaborative work between WCG and civil society in Humanitarian work stream

PCF Resolutions

1. Municipalities required to examine what pathways exist for people leaving the EPWP system -cannot be state dependent.
2. Bulk infrastructure needs to be maximised for economic growth.
3. Identify big levers in each district municipality to enable private sector investment; and to be discussed at President's Coordinating Committee and national.

GARDEN ROUTE DISTRICT'S INTERVENTIONS AS PRESENTED AT THE PCF

The district obtained inputs from the local municipalities in the region and the interventions of the district to address Jobs, Safety, Dignity and Well-being is as follows:

Jobs	
Deliverables	Projects
<ul style="list-style-type: none"> • Collaboration • Enabling business environment/ SMME Stimulation/Business Relief/Business Retention and expansion • Increase youth skills • Secure Investments • Direct Facilitation • Strong focus on EPWP 	<ul style="list-style-type: none"> • Provision of Trading Space • SMME Development Programs • Youth Skills programs • Investment Prospectus for region • Intensify labour and job creation program through EPWP and other programs • Develop incentive and cost and tariff reduction strategies

	<ul style="list-style-type: none"> • Garden Route SEZ • Garden Route precincts airport development • Garden Route Fresh Produce Market • Garden Route Tourism Sector development • Garden Route Growth and Development Strategy
Safety	
Deliverables	Projects
<ul style="list-style-type: none"> • Community forums to Safeguard of municipal assets • COVID Awareness education/ Communication via social media • Create safe space for business and living/ Client services • Communication via social media/electronic media • Advanced law enforcement/Create awareness and visible policing 	<ul style="list-style-type: none"> • CCTV cameras in CBD and hot spot areas • Improve police capacity to manage crime • Centralised customer service centres • Public transport driver training • Continuous health and safety assessments • Visible law enforcement • District Command Council • Awareness programs • School Safety • Clearing of illegal dumping in hot spot areas • Community safety plans
Dignity and Well-being	
Deliverables	Projects
<ul style="list-style-type: none"> • One stop service for the homeless • Sanitation and ablution facilities in the informal settlements • Provide Adequate housing • Affordable public transport • Enabling education environment • Humanitarian relief/Partnerships with NGOs/ Food Security • Social Transformation 	Soup kitchens <ul style="list-style-type: none"> • Distribution of food parcels • Integrated transport service • Ongoing registration of indigent households • Establish integrated food banks in each ward • Establish and support social infrastructure to address transversal issues • Food security programs with small scale farmers to produce and sell • Smart cities

The biggest constraint for businesses and creating jobs are:

- Funding
- Red tapes
- Political will
- Lack of capacity
- IGR Cooperation
- Skills shortage

6.3 FINANCIAL IMPLICATIONS

Catering for Mayors and Municipal Managers who attended the PCF in person:
R825.00

6.4 RELEVANT LEGISLATION / LEGAL IMPLICATIONS

Constitution of the Republic of South Africa, 1996, Section 152, 153, 154

6.5 STAFF IMPLICATIONS

None

6.6 PREVIOUS / RELEVANT COUNCIL RESOLUTIONS

None

6.7 RISK IMPLICATIONS

None

6.8 COMMENTS FROM SENIOR MANAGEMENT

6.8.1 COMMENTS: EXECUTIVE MANAGER FINANCIAL SERVICES

None

6.8.2 COMMENTS: EXECUTIVE MANAGER CORPORATE SERVICES

None

6.8.3 COMMENTS: EXECUTIVE MANAGER PLANNING & ECONOMIC DEVELOPMENT

None

6.8.4 COMMENTS: EXECUTIVE MANAGER ROADS & TRANSPORT PLANNING SERVICES

None

6.8.5 COMMENTS: MANAGER LEGAL SERVICES

None

APPENDIX

Annexure A: PCF Agenda

Annexure B: The WCG Road to Recovery presentation

Annexure C: PCF Summary and Resolutions

Annexure D: Garden Route District's PCF presentation



PREMIER'S COORDINATING FORUM

1 September 2020, 9h00-12h30

Venue: Hybrid Meeting
(Face-to-Face and Virtual)

Southern Sun Cape Sun, District Disaster Management Centres, MS teams

AGENDA

The **overall objectives** of the September 2020 Premier's Coordinating Forum are:

- To share the Western Cape Government's Recovery Plan priorities and the process for identifying these;
- To share the Western Cape Government's emerging ideas in relation to jobs, safety and dignity and well-being;
- To receive inputs from Western Cape's municipalities on their context to jobs, safety and dignity and well-being;

1 September 2020 – PREMIER'S COORDINATING FORUM		
09h00 – 09h10	Welcome	Mr. D Plato (Executive Mayor: City of Cape Town)
09h10 – 09h20	Opening <ul style="list-style-type: none"> Apologies and Confirmation of Agenda Minutes and Matters Arising: 3 March 2020 	Premier Winde
09h20 – 9h40	Setting the scene	Premier Winde
09h40 – 10h15	Provincial Context: Jobs, Safety, Well-Being and Dignity	WCG
10h15 – 11h00	Metro, District (incl. Local) Context: Jobs, Safety, Well-Being and Dignity <ol style="list-style-type: none"> City of Cape Town Garden Route District Cape Winelands District West Coast District Overberg District Central Karoo District 	Metro and District Executive Mayors
11h00 – 12h00	Discussion	Facilitated by Premier Winde
12h00 – 12h15	Resolutions	Dr H Malila (DG)
12h15 – 12h30	Way forward and concluding remarks	Premier Winde



**Western Cape
Government**

THE ROAD TO RECOVERY

Premier's Coordinating Forum

01 September 2020

What has happened since the PSP was finalised?

Food Insecurity before C-19

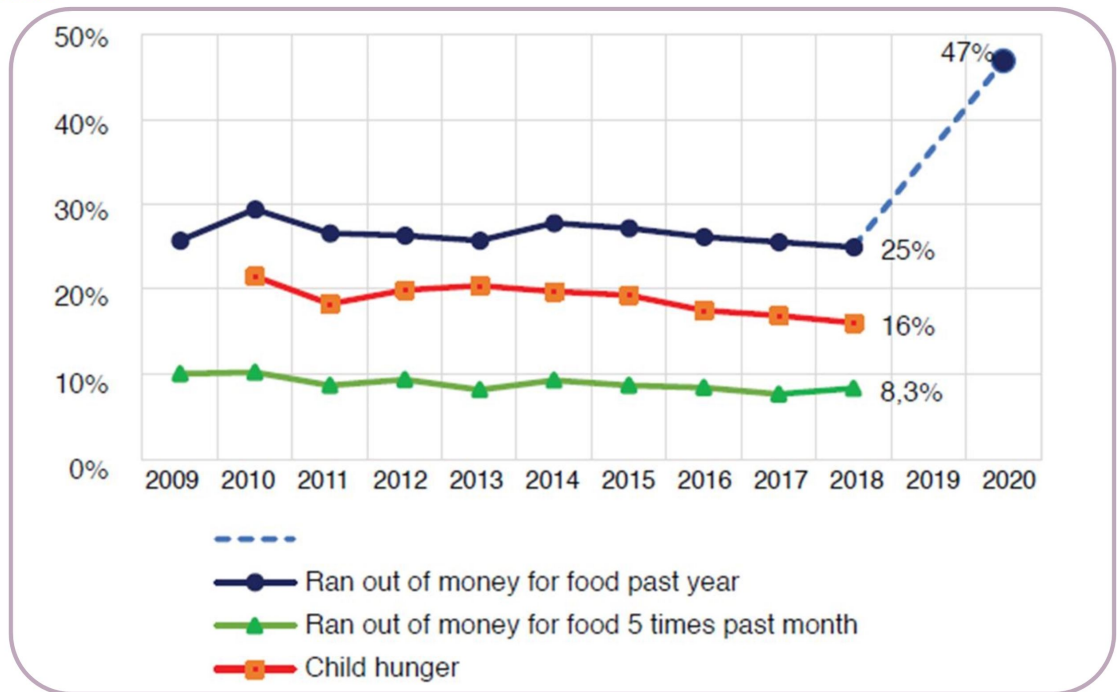


Before COVID:

- **The Western Cape's "double burden" of malnutrition:**
 - Underweight children: **11.9%**
 - Stunting: **22.9%**
 - Overweight and obese children between 2 and 14: **26%** of females and **22%** of males
 - Overweight and obese adults: **15%**
- **This is a huge economic problem!!**
 - The Western Cape stands to lose **R357 billion** in household spending from stunting and **up to R590 billion from obesity** to 2040. This is over 5% of GDP.

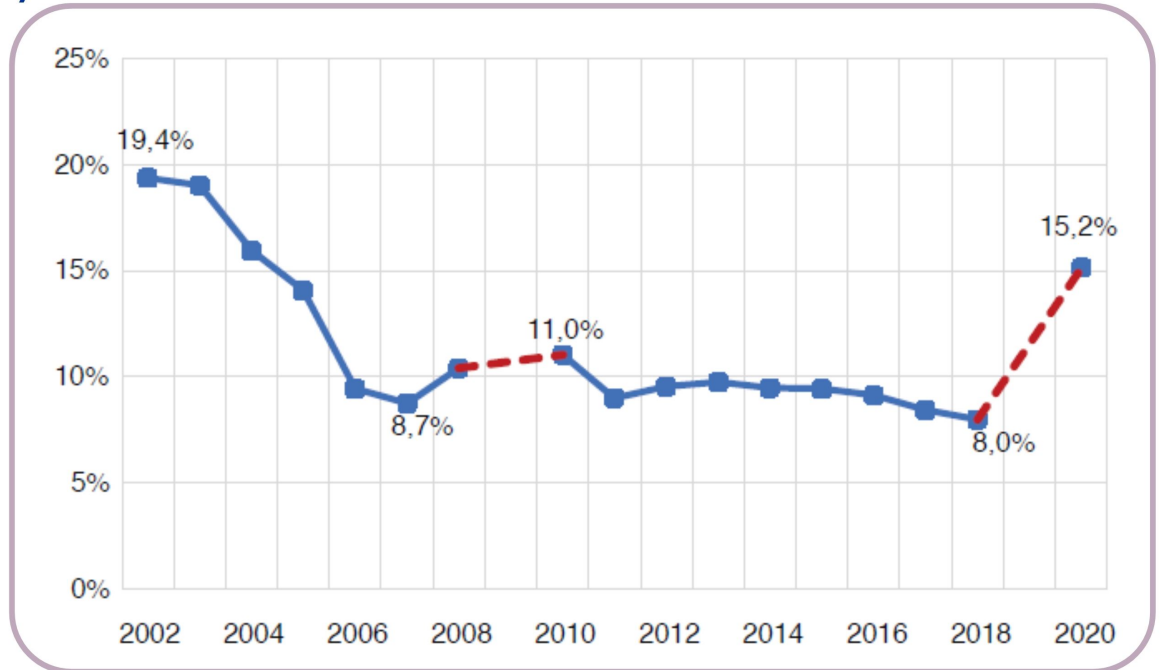
Food Insecurity during COVID

Recent research shows how much worse things may have gotten for households



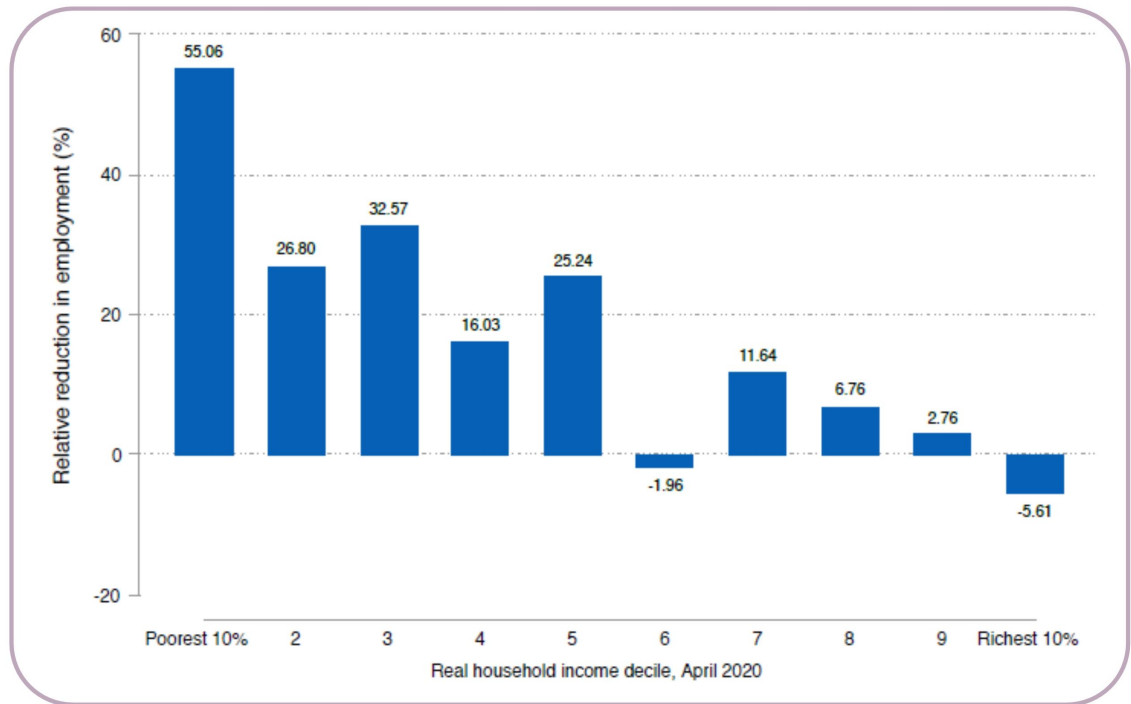
Food Insecurity during COVID

...and for children – using the measure of a child going hungry in the past seven days



Food Insecurity during COVID

Losses in employment & income have hit the poorest hardest



The economy before COVID



Before COVID:

- South Africa was in a recession – the economy had shrunk for 3 straight quarters
- Western Cape unemployment in 2019: **20.9%**
- Number of young people 15-24 not in education, employment, or training (NEETs) in the Western Cape in 2020: **28.4%**

The economy after C-19



During COVID:

- The NIDS-CRAM survey estimates that **3 million** people in SA lost their jobs during the initial lockdown period between February 2020 and April 2020.
 - **Women accounted for two thirds of the total**, although they make up half the workforce.
 - **Job losses impact much more on the poor:** groups who have always been more vulnerable – women, Africans, youth, and less educated people.
- The national economy is projected to **contract by 7.2%** in 2020.

Unemployment after C-19



After COVID:

- About 1 in every 3 people either lost their job or did not work and received no wages during April
- DEDAT's Economic Modelling medium-case scenario:
 - **Gross Value Add** will **decline by 13.6%** for 2020 and **bounce back by 8.1%** in 2021
 - **Employment** will **drop by 10.1% in 2020** and **increase by 6.1%** in 2021

Unemployment after C-19

DEDAT's Economic Modelling medium-case scenario at district level:

District / Metro	GVA		Employment	
	(2020/21)	(2021/22)	(2020/21)	(2021/22)
Province	- 13.6%	+ 8.1%	- 10.1%	+ 6.1%
Cape Town	- 13.4%	+ 7.9%	- 10.0%	+ 6.7%
Cape Winelands	- 12.9%	+ 7.9%	- 10.9%	+ 7.4%
Central Karoo	- 14.3%	+ 9.1%	- 9.6%	+ 6.8%
Garden Route	- 16.2%	+ 9.7%	- 11.5%	+ 7.8%
Overberg	- 14.7%	+ 9.2%	- 11.6%	+ 7.9%
West Coast	- 13.4%	+ 8.4%	- 7.0%	+ 4.9%



How many jobs are we losing?



In the Western Cape, 3 sectors will be hardest hit:

- The tourism sector is expected to lose **104 504 jobs** (60% of the sector) and lose R13bn in Gross Value Add in 2020.
- The construction sector is expected to lose **41 306 jobs** (26% of sector) and lose R12bn in Gross Value Add in 2020.
- The informal sector is expected to lose **38 276 jobs** (13% of the sector) in 2020.

Safety before C-19



Before COVID:

- **3944 murders Western Cape in 2018/19 – more than 10 murders per day**
- WC ratio of reported **contact crimes significantly above national ratio**
- Cost of violence containment estimated at **8.5% of GDP**
- Cost of violence against children: **R24 – 33 billion** in the Western Cape

Safety before C-19



Before COVID – murders in the different districts:

District / Metro	Est. population (2018)	No of murders (2018/19)	Murders / 100 000 ppl
Province	6.7 million	3944	59
Cape Town	4.4 million	3127	71
Cape Winelands	899 000	336	37
Central Karoo	74 000	19	26
Garden Route	608 000	215	35
Overberg	288 000	120	42
West Coast	448 000	127	28

Impact of COVID on stressors and risk factors for violence



Therefore, **murder could increase by 3.45% to 3.75%** solely due to the increased inequality caused by the COVID.

Alcohol and COVID



- **Before COVID:** Alcohol linked to **50% of homicides** and **42.6%** intentional injuries.
- **During COVID Lockdown Level 4 and 5:** **60-70% reduction** in hospital trauma admissions & **42-51% fewer homicides**.
- **Lockdown Level 3a:** **60% increase** in trauma emergency centre admissions and up to **200% increase in ICU** trauma admissions

Gender Based Violence and COVID



- **Before COVID:** 370 women murdered and 7 043 sexual offenses reported 18/19.
- **During COVID:**
 - Globally: **20 -75% increase** in cases of women victims of GBV
 - SA: **Decrease in reported cases and calls** to NGOs, however surge in online searches for domestic violence information
- **After COVID:** NGOs report increase in GBV reports since lockdown eased and a change in reports - more aggressive behaviour due to increase in stress

Youth Employment and COVID

COVID risks for future youth employment prospects



Number of days lost due to school closures (up to 7th Aug)

- For grades 7 and 12: **25% loss**
- GR 1, 2,3,6,10,11: **41% loss**
- GR 4,5,8,9: **57% loss**



If youth increasingly stay out of school it increases the risk of **dropping out** and the **risk of not completing matric**. This will affect a young person's chances of getting a skilled job after matric

The Digital Divide and COVID



- **Pre-COVID:** WC, only **25% of households** have **connectivity** at home & **90%** have **access to mobile phones**
- **During COVID:** 768 WCG Wi-Fi hotspots and broadband connectivity to 1200 schools had questions of accessibility

Mental Health impacts and COVID



- **During COVID:**
 - RSA: **60% are stressed, 46% are scared, 29% are lonely.**
 - The most vulnerable during lockdown at particular risk (loss of income, isolation etc)
- **After COVID:**
 - Increase in anxiety, depression and substance abuse
 - Loss of productivity (cost: R232 billion p.a.).
 - Risk of increase in child-headed households, school drop-outs, and exposure to physical and emotional violence.

Social Cohesion and C-19



Before C-19

- Large global survey (Edelman trust survey) released in March 2020, revealed that **South Africa ranked lowest in all four categories of trust** – in government, business, NGOs, media.
- Rising inequality jeopardises trust in institutions.

Social Cohesion and COVID



During C-19:

- Compliance with lockdown rules increased – this shows a sign of trust in government.
- HSRC study: poverty, when combined with a high perception of inequality, will have a strong link to **violence and social disintegration**.
- **Trust deficit** in government could have huge impacts on the capacity for the WCG to fulfil its social contract with communities.

What do we need to do...
that we didn't need to do before COVID?

What do we need to do?



Keep our residents **safe from COVID**.



Deal with the **physical and emotional impact of COVID**.



Support matriculants **to complete matric** and other students **to catch up on lost time**.



Deal with the **health backlogs**, e.g. vaccinations.

What do we need to do?



Anticipate an increase in violence owing to greater poverty and inequality by **rolling out violence prevention programmes**.



Ensure **all residents receive the nutrition they need** by leveraging our relationships with civil society and optimising the food value chain.



Identify **new initiatives** or **ramp up existing initiatives that can create many jobs in the short term** to address the humanitarian crisis.

What do we need to do?



Massively upscale public works and youth programmes, largely funded by national government.



Leverage **WCG public procurement** so that small businesses benefit.



Provide a “clearing-house” where Western Cape residents can access information about job and learning opportunities (jobs / EPWP / internships, online courses, etc).

What do we need to do?

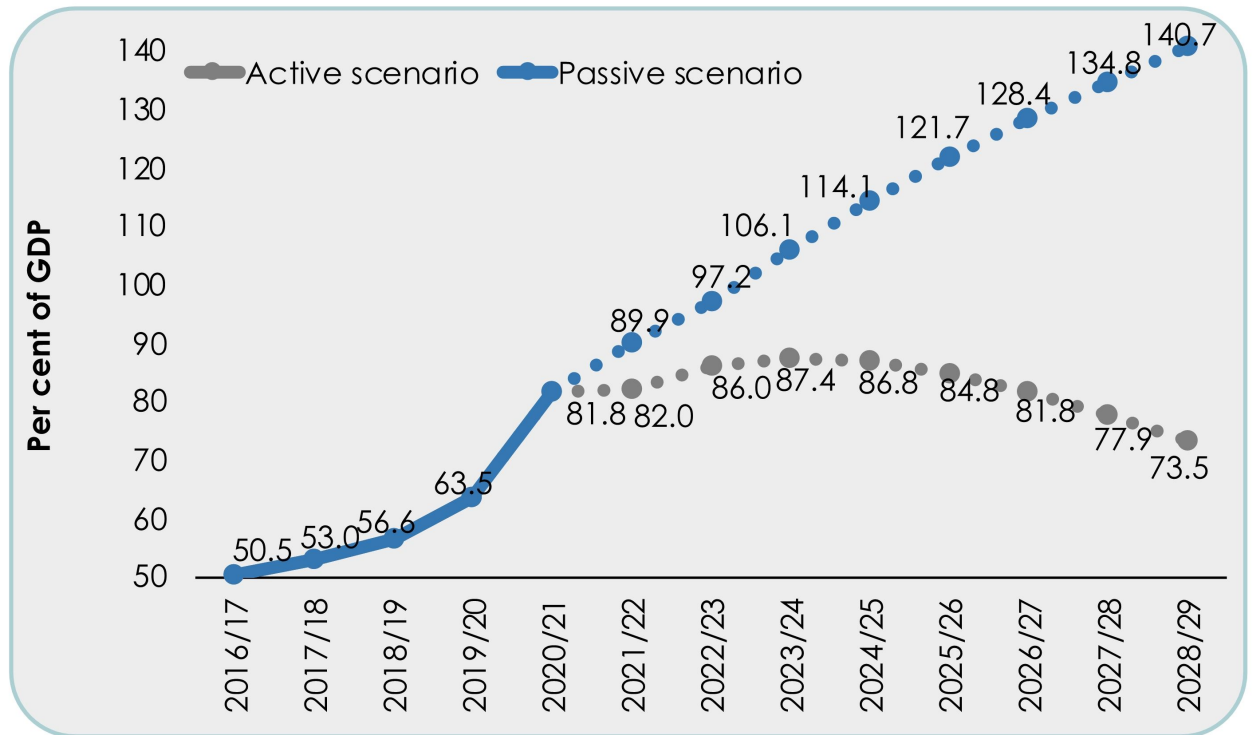


Build social cohesion with and between communities on an area basis, leveraging off COVID hotspot and JDMA learnings.

- Put communities at the centre of crafting solutions from the start.
- Work with municipalities and community structures to roll out violence prevention initiatives.
- Implement public works programmes linked to community needs, with a strong emphasis on municipal programmes.

What financial resources do we (not) have?

National scenarios for debt: GDP ratio



Provincial Equitable Share

- Under Active scenario, spending needs to be cut by R230 billion over two years
- This translates into **a reduction of \pm R5 billion** per year in the WC Provincial Equitable Share allocation
 - 7% of pre-COVID provincial spending
 - 25% of provincial spending excl. health and education
- This does not include uncertainty regarding cost of employment

What DO we have?



Western Cape
Government

Look at what we have! (3)

- **Newly galvanised civil society**
 - CAN network is bridging our social divides
- **Significant networks of influence**
 - Many close relationships between national, provincial, and local officials that can be leveraged

Look at what we have! (3)

- **New-found agility, collaboration, and energy**
 - Strengthened collaboration with municipalities
 - New field hospitals up and running in record time
- **New initiatives where we have shared data and co-designed initiatives together**
 - Collaborative work between WCG and civil society in Humanitarian workstream

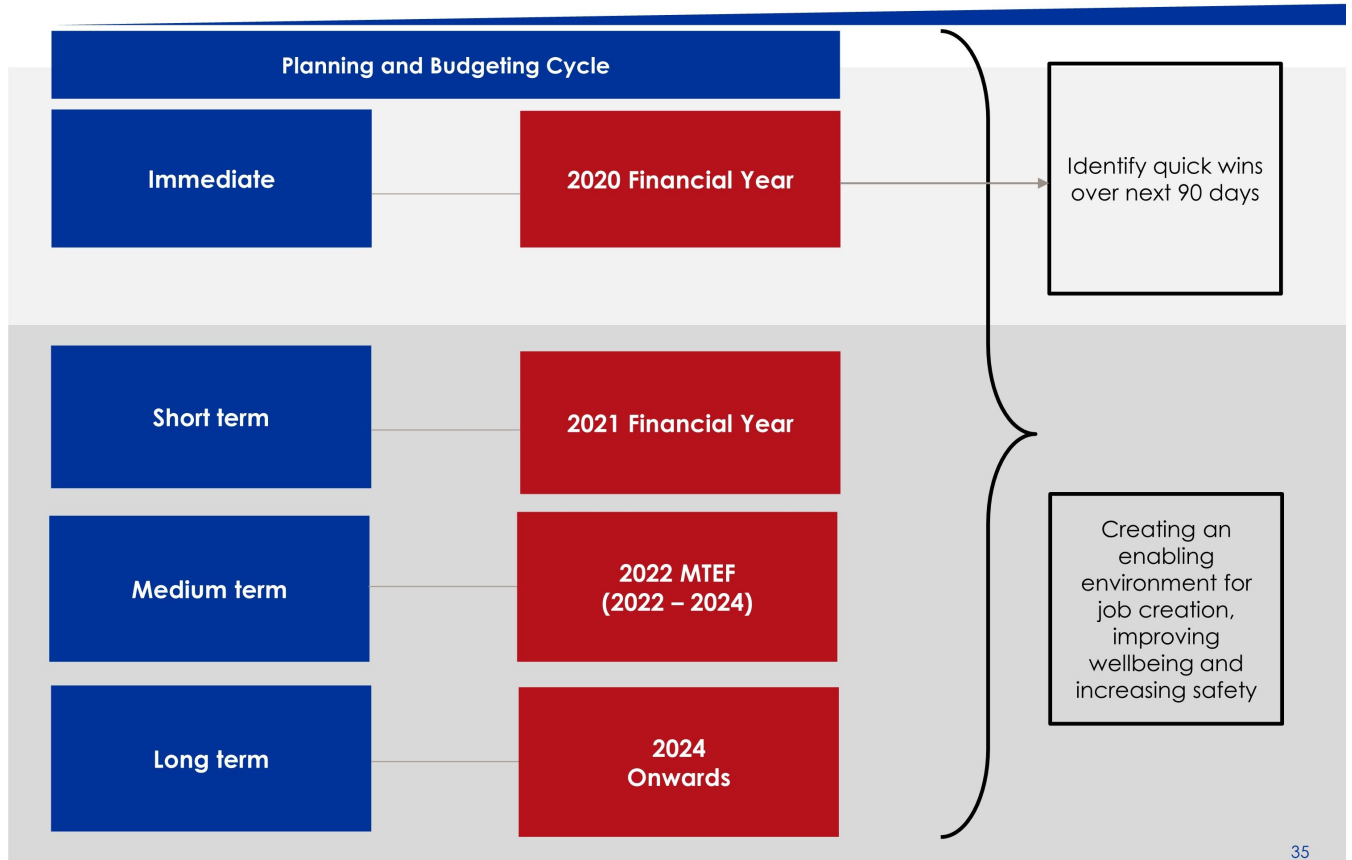
Where to from here?



Way forward

- COVID-19 has directed us to **elevate specific priorities in the PSP** as part of the **Recovery Plan** in the immediate, short, medium and long term.
- The three focus areas have been identified as **Jobs, Safety, Wellbeing**
 - The WCG is in the process of identifying what should be done within each – **PCF inputs will be critical in informing this**
- Ensure that the initiatives in the provincial **Safety Plan** include both policing and violence prevention (i.e. addressing the drivers of violence).

Timeframes for recovery plan implementation



And finally...

- We face the possibility of social and economic disintegration
 - And we have to do more with less
- We have shown that we have the resilience and capacity to do this
 - The key will be **how** we do it – more collaboratively with each other, and together with our partners and our communities



**Western Cape
Government**

Department of the Premier

BETTER TOGETHER.

PREMIER'S COORDINATING FORUM SUMMARY AND RESOLUTIONS

PRESENTATION TO PCF

Cape Sun

Dr HC Malila, Director-General

PCF – Summary

- Premier noted that the Cabinet Bosberaad resolved that the province should prioritise 3 focus areas – **Jobs, Safety and Dignity and Wellbeing**.
- **Hotspot model** should form the basis to get the economy up and running again.
- Need to recognise what **our competitive edge** is, but also what **new competitive edges** we have now due to COVID-19.
- Premier emphasised that government should find ways to **enable citizens to find better opportunities** – and look at **quick wins** over next 100 days.
- Dr Fast presented the **Western Cape context**, sketching out the situation in the WC before and after COVID-19; and potential threats and opportunities.
- Need to think about how we do things in government **quickly and innovatively**.
- Premier noted the **trust deficit** is very real and we have to **build trust with communities**, especially in light of budget cuts.
- City of Cape Town: outlined their **recovery approach and work packages – stabilisation, adapt and rebuild/recovery**. Core tenets of the economic recovery includes investment in infrastructure, construction (labour intensive and skills development), CBD recovery (live, work, play), enhance food security (support local food economies).

PCF – Summary

- **Garden Route: food security, homelessness and humanitarian relief/partnerships** with NGOs. Innovative funding models
- **Cape Winelands:** Jobs focus includes, **establishing new businesses**, leading to job creation, active **marketing of preferred tourism destination**, support to informal economy, EPWP focus. Safety: promotion of safer communities, COVID-19 awareness, safer city/towns and transport. Dignity – ECD, food security, GBV, skills development, mental health and community wellbeing, assist low income households, general humanitarian relief – homelessness.
- **West Coast:** Safety – policing and law enforcement, manage land invasions, supporting NHW & CPFs, decrease alcohol related crimes, partnerships are key.
- Job creation – focus on **growth industries, infrastructure**, improve **competitiveness, infrastructure, informal sector focus**. Dignity and wellbeing – safety net for vulnerable, ECD, youth development, partnerships, gender mainstreaming.
- Challenges to creating jobs in muni – overhead costs,
- Overberg: **Jobs** – brings dignity and brings safer community, tourism, job creation, private sector support, climate change and water augmentation, infrastructure, SMMEs and youth development. **Safety** – rural safety focus and building safer communities – NHW and CPFs. Dignity – GBV focus, waste and landfill sites. Jobs, Safety and Dignity interrelated.

Summary of DM inputs

Key themes across all municipalities

- **Interrelatedness** between Jobs, Safety and Dignity and Wellbeing.
- City of Cape Town outlined their **recovery approach and work packages – stabilisation, adapt and rebuild/recovery**.
- **Dignity and wellbeing** - Homelessness and humanitarian relief/partnerships, promotion of safer communities, safety net for vulnerable across all municipalities, ECD, COVID-19 awareness and response.
- **Safety** - Policing and law enforcement, GBV raised across almost all municipalities, rural safety.
- **Jobs** – themes coming out related to improving competitiveness, infrastructure, construction, informal sector focus., SMMEs and youth development, job creation, tourism destination marketing, local economic development, EPWP focus.
- **Biggest constraints to businesses and creating jobs in municipalities:**
 - Investor uncertainty – currency instability
 - Uncertain economic outlook
 - Long term impact of COVID-19
 - Skills deficit
 - Labour policies/legislation
 - Overhead costs

Resolutions

RESOLUTIONS For PCF to note:

1. Municipalities required to examine what pathways exist for people leaving the EPWP system - cannot be state dependent.
2. Bulk infrastructure needs to be maximised for economic growth.
3. Identify big levers in each district municipality to enable private sector investment; and to be discussed at President's Coordinating Committee and national.

Thank you

[BACK TO AGENDA](#)

DISTRICT COUNCIL

30 SEPTEMBER 2020

**DISPUTE OF GARDEN ROUTE MUNICIPALITY PROPERTIES BY KNYSNA MUNICIPALITY /
DISPUUT RAKENDE GARDEN ROUTE DISTRIKSMUNISIPALITEIT EIENDOMME DEUR KNYSNA
MUNISIPALITEIT / ISIPHIKISO SO MASPALA WASE GARDEN ROUTE NGAKU MASPALA
WASE KNYSNA**

(7/4/3/1)

(7/4/3/1)

16 SEPTEMBER 2019

**REPORT FROM THE MUNICIPAL MANAGER (M STRATU) AND EXECUTIVE MANAGER
PLANNING AND ECONOMIC DEVELOPMENT SERVICES (L MENZE)**

5) PURPOSE OF THE REPORT

To report on the letter received from Knysna Municipality with regards to Garden Route District Municipality's properties in Knysna Municipality and to seek Councils permission to defend the interests of GRDM.

6) DELEGATED AUTHORITY

Council

7) EXECUTIVE SUMMARY

On 12 August 2020, the Municipal Manager received a derogatory letter (attached hereto) from the Acting Municipal Manager of the Knysna Municipality entitled Disputed Properties: Garden Route and Knysna Municipality. The letter unpleasantly indicated that Knysna and the Garden Route District Municipality were embroiled in an ongoing dispute over ownership of properties mentioned in the letter. This decision as quoted in the letter is based on legal advice with which GRDM does not agree, received from Adv. Breitenbach SC in 2014. The basis of the dispute is that the property in terms of their registration still belongs to GRDM and that it is therefore not linked to performance in terms of the function performed.

5. **RECOMMENDATIONS**

It is recommended that:

- 5.1.1 Council grants the Municipal Manager permission to defend the interest of Garden Route District Municipality.
- 5.1.2 That the Municipal Manager report to Council on any developments with regards to this matter.

AANBEVELINGS

- 5.2.1 *Dat die Raad die Munisipale Bestuurder toestemming gee om die belange van die Garden Route Distriksmunisipaliteit te verdedig.*
- 5.2.2 *Dat Bestuur moet voortgaan om die Raad op 'n gereelde basis van vorderingsverslae te voorsien.*

ISIGQIBO

- 5.3.1 Ibhunga linika uMphathi Maspala ilungelo lokukhusela imfuno zoMaspala Wesithili se Garden Route District Municipality.
- 5.3.2 Sesokuba aBalawuli kufuneka baqhubekeke njalo banikezele rhoqo ngengxelo yokuqhubekayo kwiBhunga.

6. **DISCUSSIONS / CONTENTS**

6.1 **BACKGROUND**

Garden Route District Municipality (GRDM), like many similar district municipalities in the country, is facing serious financial stresses that threaten the very survival of the institution. Currently the municipality is highly grant dependent and cannot survive without it. The financial grant dispensation in the country is not showing any signs of

improvement and the outlook is not promising, as the economy and the national revenue base are not growing. Various studies have been performed and all have concluded that the current financial dispensation is not sustainable and new strategies need to be employed. The Financial Fiscal Commission has tabled various approaches to address the funding model of District Municipalities, some of which are still being considered. There are no signs of such being implemented under the current dispensation.

Within the context of the above, the Council of Garden Route District Municipality in 2016 took a firm stance of leveraging on its property portfolio as a way or means of generating revenue base for the municipality. Moreover, they took an approach that these properties are not only a liability but become viable assets to the municipality to stimulate growth and development of the District Economy. A number of approaches have been processed after Council through a resolution gave Management the authority in the following regard to resuscitate its property Portfolio:

1. Leasing of certain properties on a long term basis;
2. Partnering with developers in certain properties;
3. Own development of certain properties to achieve certain development goals;
4. Partnering with provincial- and national government and entities to achieve certain development goals.

This approach as [the] Council guided was to be followed within the relevant prescripts in the attainment of a broad strategic objective as enunciated in above Council Resolution. Additionally, Council will gaudily recall that the implementation of these broad strategies was augmented by a fundamental resolution taken in May 23, 2017 which is outlined as follows on the utilization of Council Properties; that:

1. the Municipal Manager, assisted by Executive Management and monitored by the Executive Mayor, ensures that various legislative processes are employed to facilitate decision-making to achieve the following :
 - 1.1 Leasing of certain properties on a long term basis;
 - 1.2 Alienation (out-right sale) of certain properties;
 - 1.3 Partnering with developers in certain properties;
 - 1.4 Exchange with B-Municipalities of certain properties for mutual benefit;

- 1.5 Own development of certain properties to achieve certain development goals;
- 1.6 Partnering with Provincial and National governments and entities to achieve certain development goals
2. A comprehensive turnaround strategy be compiled per property with a proposed way forward, having due regard of legislative requirements.
3. The turnaround strategy mentioned in two (2) above, must be completed by 31 August 2017 and will be used as guideline for decision-making purposes.
4. Management engages in practical steps to encourage investors from the public and private sectors to come up with sustainable investment packages and that BBBEE will be considered as a priority.
5. A process towards the development and adoption of long-term Growth and Development Strategy be started urgently.
6. Progress reports be submitted to the Executive Mayor, Mayoral Committee and the Property Portfolio Committee on a monthly basis.
7. The necessary capacity from a technical point of view must be employed as and when the need arise.

The aforementioned resolutions were taken in line with Council's Immovable Property Management Policy, June 28, 2012, which clearly delineates the general principles and methods within which the municipality can explore to conclude a property transaction to ensure that the principles of competitiveness is given effect to: -

1. Public Tender;
2. Public Auction
3. Closed Tender;
4. Call for alternative proposals.

6. DISCUSSIONS

In view of the above background, Council will also recall that GRDM properties are sparsely located in all the municipal areas across the District. These properties from the deeds office records are registered under the name of Garden Route District Municipality.

Some on records are appearing on our name but somehow are appearing on the name of some B-Municipalities. The Legal Services Unit has been mandated to reverse such illegal transfers back to GRDM, as they were done without the consent of GRDM.

With other properties there has been a protracted Inter-Governmental Disputes lodged in terms of Inter-Governmental Relations Framework Act 13 of 2005 by certain Councils claiming to be rightful owners of properties belonging to GRDM.

These disputes were lodged despite the ownership on the deeds records showing that the property is belonging to GRDM. Various engagements were done to ameliorate the challenge faced as these disputes posed a threat to GRDM as its efforts to turn around this property portfolio would be thwarted.

On August 12, 2020 the Municipal Manager received a condescending letter (annexed herein) from the Acting Municipal Manager of Knysna Municipality titled Disputed Properties: Garden Route and Knysna Municipality. The letter obnoxiously indicated that Knysna and Garden Route District Municipality has been entangled in an ongoing dispute regarding the ownership that of properties that are mentioned on the letter. This decision as cited on the letter is based on a legal advice that GRDM disagrees with, of Adv. Breitenbach SC in 2014. The basis of contention is that the Property in terms of their registration still belong GRDM, and they are not performance linked in terms of function performed etc. It would therefore be imprudent of the Municipal Manager to advise Council to accede to unreasonable demands from Knysna Municipality's Council. Additionally, the Acting Municipal Manager's letter ignored a number of progressive meetings that were held by the municipalities in respect of GRDM properties in Knysna and a possible forging of partnership and working together in addressing some of the property needs and where a need arises with both parties reaching mutual agreement and / or *quid pro quo* arrangement. This meeting was held on November 05, 2019, and it addressed long-term solutions to property issues relating to Knysna and GRDM.

Currently, GRDM is housing the Knysna Municipality's Electricity Department in its property and our Environmental Health Practitioners are currently being accommodated in a smaller office by the same Municipality. The biggest challenge which may have stalled some of these meaningful discussions could be attributed to administrative changes in the Knysna Municipality. Especially at the higher stratum of leadership where the two municipalities were in discussions. In the above meeting, both municipalities agreed that any form of dispute would not enhance rapport and cooperative governance, therefore there must be a mutual understanding and cooperation which would benefit both Councils.

In view of the above the Municipal Manager of GRDM in response to the letter from Knysna outlined his disappointment with the position taken by Knysna Council as it flies against *bona fide* efforts that have been made since the term of the current Council. Furthermore GRDM has advised the Acting Municipal Manager that since 2016 there has been engagement with successive Executive Mayors and successive Municipal Managers of the same municipality when a solution is about established a threat of a dispute is [then] lodge by a different administration of the same municipality. The demands by the Knysna Municipality were consequently rejected by the Municipal Manager. Knysna Municipality have scrupulously made it clear that if GRDM does not accede to their demands or respond within 21 days of receipt thereof (of which we did), the Acting Municipal Manager is authorized by Council to serve a formal IGR Notice in terms of section 41 of the Inter-Governmental Relations Act 13 of 2005.

UITVOERENDE OPSOMMING

Garden Route Distriksmunisipaliteit (GRDM), soos baie soortgelyke distriksmunisipaliteite in die land, staar ernstige finansiële spanning in die gesig wat die instansie se voortbestaan bedreig. Tans is die munisipaliteit streng op toelae's afhanklik en kan nie daarsonder oorleef nie. Die bedeling van finansiële toelae in die land toon geen tekens van verbetering nie en die vooruitsigte is nie belowend nie, aangesien die ekonomie en die nasionale inkomste-basis nie groei nie. Verskeie studies is uitgevoer en almal het tot die gevolgtrekking gekom dat die huidige finansiële bedeling nie volhoubaar is nie en dat nuwe strategieë aangewend moet word.

Met die bereiking van hierdie strategiese doelwitte wat hierbo uiteengesit is, is die Raad daartoe verbind om bestuur te bemagtig en te monitor deur deel te neem aan die volgende besluitnemingsproses, wat gelei word deur toepaslike wetlike voorskrifte.

1. Verhuring van sekere eiendomme op 'n langtermyn basis.
2. In samewerking tree met ontwikkelaars in sekere eiendomme.
3. Eie ontwikkeling van sekere eiendomme om sekere ontwikkelings doelwitte te bereik.
4. In samewerking tree met provinsiale en nasionale regering en ander entiteite om sekere ontwikkelings doelwitte te bereik.

Die Raad sal onthou dat die bevordering van hierdie strategieë versterk is met 'n fundamentele resoluë wat die bestuur se strewë na die toekomstige bestuur van hierdie eiendomme eensgesind gemaak het. Op 23 Mei 2017 besluit die Raad dan soos volg oor die benutting van Raadseiendomme;

1. die Munisipale Bestuurder, bygestaan deur die Uitvoerende Bestuur en deur die Uitvoerende Burgemeester gemonitor, sorg dat verskillende wetgewende prosesse aangewend word om besluitneming te vergemaklik om die volgende te bereik
 - 1.1 Verhuring van sekere eiendomme op 'n langtermyn basis.
 - 1.2 Vervreemding (verkoop) van sekere eiendomme.
 - 1.3 In samewerking met ontwikkelaars tree in sekere eiendomme.
 - 1.4 Ruil met B-munisipaliteite van sekere eiendomme vir wedersydse voordeel
 - 1.5 Eie ontwikkeling van sekere eiendomme om sekere ontwikkelings doelwitte te bereik.
 - 1.6 In samewerking tree met provinsiale en nasionale regering en ander entiteite om sekere ontwikkelings doelwitte te bereik.
2. n Omvattende omkeerstrategie saamgestel word per eiendom wat die voorgestelde pad vorentoe insluit, met inagneming van die wetlike vereistes.
3. Die bogenoemde omkeerstrategie moet teen 31 Augustus 2020 voltooi wees, en sal as 'n riglyn vir besluitnemings doeleindes gebruik word.

4. Die bestuur moet beleggers uit die openbare en privaat sektore aanmoedig om met volhoubare beleggings pakette vorendag te kom en dat BBBEE as 'n prioriteit beskou sal word.
5. Dat daar dinging met die opstel van 'n langtermyn ontwikkeling-strategie begin word.
6. Vorderings verslae moet maandeliks aan die Uitvoerende Burgemeester, Burgemeesters Komitee en Eiendoms Portefeulje Komitee voorgele word.
7. Die nodige kapasiteit uit 'n tegniese oogpunt moet aangewend word soos en wanneer die behoefte ontstaan

Bogenoemde besluite is geneem in ooreenstemming met die Raad se beleid vir bestuur van onroerende bates, 28 Junie 2012, wat die algemene beginsels en metodes waarbinne die munisipaliteit kan beweeg om 'n eiendomstransaksie te sluit, duidelik uiteensit om te verseker dat die beginsels van mededingendheid toegepas word op: -

1. Openbare tender;
2. Openbare veiling
3. Geslote tender;
4. Versoek om alternatiewe voorstelle.

BESPREKING

In die lig van die bogenoemde agtergrond, sal die Raad ook onthou dat GRDM-eiendomme in al die munisipale gebiede regoor die Distrik geleë is. Volgens rekords ontvang vanaf die aktekantoor word hierdie eiendomme geregistreer onder die naam van die Garden Route Distriksmunisipaliteit. Op sommige rekords verskyn die eiendomme op GRDM se naam, maar op een of ander manier verskyn sommige daarvan op die naam van die B-munisipaliteite. Regsdienste is opdrag gegee om sulke onwettige oordragte na GRDM terug te allokeer.

Met sekere eiendomme is daar langdurige geskille aanhangig gemaak deur interregeringsdepartemente ingevolge die Raamwerk van die Interregeringsverhoudinge Wet 13 van 2005 deur sekere rade wat beweer dat hulle die regmatige eienaars is van eiendomme wat aan GRDM behoort.

Hierdie geskille is aanhangig gemaak ten spyte van die eienaarskap in die akte-rekords wat toon dat die eiendom aan GRDM behoort. Verskeie gesprekvoeringe het plaasgevind om die uitdaging te verbeter, aangesien hierdie geskille 'n bedreiging vir GRDM inhou, aangesien die pogings om hierdie eiendomsportefeulje om te keer benadeel sou word.

Op 12 Augustus 2020 ontvang die Munisipale Bestuurder 'n neerhalende brief (hierby aangeheg) van die Waarnemende Munisipale Bestuurder van die Knysna-munisipaliteit getiteld *Betwiste Eiendomme: Tuinroete en Knysna-munisipaliteit*. Die brief het onaangenaam aangedui dat Knysna en die Distriksmunisipaliteit Garden Route verstrengel is in 'n voortdurende dispuut oor die eienaarskap van eiendomme wat in die brief genoem word. Hierdie beslissing soos in die brief aangehaal, is gebaseer op 'n regsadvies waarmee GRDM nie saamstem nie, ontvang vanaf Adv. Breitenbach SC in 2014. Die grondslag van die geskil is dat die eiendom in terme van hul registrasie steeds aan GRDM behoort en dat dit dus nie aan prestasie gekoppel is in terme van die funksie wat verrig word nie. Die brief van die Waarnemende Munisipale Bestuurder ignoreer 'n aantal progressiewe vergaderings wat deur die munisipaliteite gehou was ten opsigte van GRDM-eiendomme in Knysna en 'n moontlike samesmelting van vennootskappe om saam te werk om aan sommige van die eiendomsbehoefte te voldoen, en waar 'n behoefte ontstaan met beide partye onderlinge ooreenkoms en / of quid pro quo. Hierdie vergadering is op 5 November 2019 gehou, en dit het langtermynoplossings aangaande eiendomskwessies rakende Knysna en GRDM aangespreek. Tans huisves GRDM die Knysna-munisipaliteit se elektrisiteitsafdeling in sy eiendom, en ons omgewingsgesondheidspraktisyns word tans in 'n kleiner kantoor deur dieselfde munisipaliteit gehuisves. Die grootste uitdaging wat sommige van hierdie betekenisvolle besprekings moontlik laat belemmer het, kan toegeskryf word aan administratiewe veranderinge in die Knysna-munisipaliteit. Veral op die hoër vlak van bestuur waar twee munisipaliteite in gesprek was. In die bogenoemde vergadering het albei munisipaliteite ooreengekom dat enige vorm van geskil nie beterskap en samewerkende bestuur sal verbeter nie, daarom moet daar 'n wedersydse begrip en samewerking wees wat beide rade sal bevoordeel.

In die lig van die bogenoemde het die Munisipale Bestuurder van GRDM in reaksie op die brief van Knysna sy teleurstelling uiteengesit oor die standpunt wat die Knysna-raad ingeneem het, aangesien dit teenstrydig is met die bona fide-pogings wat sedert die termyn van die huidige Raad aangewend is. Verder het GRDM die Waarnemende Munisipale Bestuurder in kennis gestel dat daar sedert 2016 gesprekvoering was tussen die opeenvolgende Uitvoerende Burgemeesters en opeenvolgende Munisipale Bestuurders van dieselfde munisipaliteit wanneer 'n oplossing alreeds bestaan, word 'n bedreiging van 'n dispuut deur 'n ander administrasie van dieselfde munisipaliteit ontvang. Die eise van die Knysna-munisipaliteit is gevolglik deur die Munisipale Bestuurder van die hand gewys.

Knysna Munisipaliteit het dit noukeurig laat blyk dat indien die GRDM nie binne 21 dae na ontvangs van hulle eise instem nie (wat ons gedoen het), die waarnemende munisipale bestuurder deur die Raad gemagtig is om 'n formele IGR-kennisgewing in terme van artikel 41 van die Wet op interregeringsverhoudinge 13 van 2005 te plaas.

6.3 FINANCIAL IMPLICATION

The financial implications are not determined at this stage, however, they will be quite huge for the municipality if they accede to such demands.

6.4 LEGAL IMPLICATIONS / LEGISLATIVE FRAMEWORK

South Africa: Constitution of the Republic of South Africa 1996

Inter-Governmental Relations Act 13 of 2005

Local Government: Municipal Structures Act 117 of 1998

Local Government: Municipal Systems Act 32 of 2000

Local Government: Municipal Finance Management Act 56 of 2003

Local Government: Municipal Asset Transfer Regulations GNR 878 dated 22 August 2008

Local Government: Municipal Property Valuations Act 6 of 2004

Eden Immovable Property Management Policy June 2012

6.5 STAFF IMPLICATIONS

None

6.6 PREVIOUS / RELEVANT COUNCIL RESOLUTIONS

None

6.7 RISKS IMPLICATIONS

None

6.8 COMMENTS FROM SENIOR MANAGEMENT

6.8.1 EXECUTIVE MANAGER: CORPORATE SERVICES

NONE

6.8.2 EXECUTIVE MANAGER: FINANCIAL SERVICES

NONE

6.8.3 EXECUTIVE MANAGER: COMMUNITY SERVICES

NONE

6.8.4 EXECUTIVE MANAGER: PLANNING AND ECONOMIC DEVELOPMENT

NONE

6.8.5 EXECUTIVE MANAGER: ROADS AND TRANSPORT SERVICES

NONE

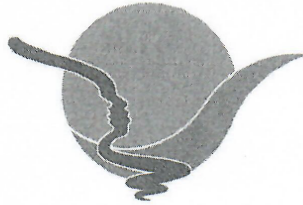
6.8.6 MANAGER: LEGAL SERVICES

NONE

Annexure A: Letter from Knysna to Garden Route District Municipality

Annexure B: Letter from Garden Route District Municipality to Knysna Municipality

Annexure C: Advocate Breitenbach SC Legal Opinion



KNYSNA
Municipality Munisipaliteit uMasipala
INCLUSIVE. INNOVATIVE. INSPIRED.

Collab. Ref.: 875 964
File Ref.: 13/R
M Paulsen

2020-08-12

Mr M Stratu
Municipal Manager
Garden Route District Municipality
54 York Street
George
6530

Via email: mm@gardenroute.gov.za

Dear Sir,

DISPUTED PROPERTIES: GARDEN ROUTE DISTRICT MUNICIPALITY & KNYSNA MUNICIPALITY

The Knysna Municipality and the Garden Route District Municipality have been embroiled in an ongoing dispute regarding ownership of the following properties within the jurisdiction of the Knysna Municipality:

- a) Erf 20, 21, 22 Belvidere;
- b) Portion 22 of the Farm 191 Westford;
- c) Erf 2790, Knysna (Gold Driving Range)
- d) Portion 0, 1 & 2 of the Farm 185 George (Swartvlei Caravan Park); and
- e) Portions 2 & 3 of the Farm Walker's Point (Buffelskop Caravan Park).

A report on above-mentioned disputed properties served before the Knysna Municipal Council on 6 August 2020, and the Municipal Council, subsequently, under item C09/08/2020, unanimously resolved as follows:

- a) That the content of the report with regard to the disputed properties with the Garden Route District Municipality, be noted;
- b) That the Acting Municipal Manager be instructed to address correspondence to the Garden Route District Municipality to request the transfer of the following properties to the Knysna Municipality:
 - 1. Portions 2 & 3 of the Farm Walker's point
 - 2. Erf 2790, Knysna
 - 3. Erf 20,21,22 Belvidere

4. Portion 22 of the farm Westford
 5. Portions 0,1 and 2 of the farm 185 George;
- c) That should the Garden Route District Municipality fail to respond to the Correspondence and/or accede to the request referred to in (b) above, within 21 days of receipt thereof, the Acting Municipal Manager be authorized to serve a formal IGR Notice in terms of Section 41 of the Intergovernmental Relations Framework Act 13 of 2005;
 - d) That should the IGR Notice in terms of Section 41 of the Intergovernmental Relations Framework Act 13 of 2005 referred to in (c) above, be served on the Garden Route District Municipality, the Acting Municipal Manager disclose the assets in (b), as contingent assets in the Annual Financial Statements;
 - e) That a progress report on the execution of the resolution in [b] and [c] above, be submitted to the next Ordinary Council meeting.

The recommendations to Council was based on the legal opinion of Adv Breitenbach SC, obtained by the Garden Route District Municipality during August 2014.

You are herewith thus formally requested to transfer above-mentioned properties into the name of the Knysna Municipality as the lawful owner of same. You are afforded **21 (twenty one) days** from receipt of this correspondence to respond in writing to the request of the Knysna Municipality.

Should you fail to respond and/or fail to accede to our request, the Knysna Municipality will proceed with the declaration of a formal intergovernmental dispute as per section 41 of the *Intergovernmental Relations Framework Act, 2005*.

We trust you find above in order.

Yours faithfully,


DR. LOUIS SCHEEPERS
ACTING MUNICIPAL MANAGER

/mb

14/5/2020.

Cc: Chief Financial Officer – Mbulelo Memani
 Director: Corporate Services – Phumla Makoma
 Manager: Legal Services & Properties – Melony Paulsen

ORDINARY COUNCIL MEETING
MINUTES
6 AUGUST 2020

C09/08/2020

**REPORT ON DISPUTED PROPERTIES WITH THE GARDEN ROUTE
DISTRICT MUNICIPALITY**

UNANIMOUSLY RESOLVED

- [a] That the content of the report with regard to the disputed properties with the Garden Route District Municipality, be noted;
- [b] That the Acting Municipal Manager be instructed to address correspondence to the Garden Route District Municipality to request the transfer of the following properties to the Knysna Municipality:

1. Portions 2 & 3 of the Farm Walker's point
 2. Erf 2790, Knysna
 3. Erf 20,21,22 Belvidere
 4. Portion 22 of the farm Westford
 5. Portions 0,1 and 2 of the farm 185 George;

- [c] That should the Garden Route District Municipality fail to respond to the Correspondence and/or accede to the request referred to in (b) above, within 21 days of receipt thereof, the Acting Municipal Manager be authorized to serve a formal IGR Notice in terms of Section 41 of the Intergovernmental Relations Framework Act 13 of 2005;
- [d] That should the IGR Notice in terms of Section 41 of the Intergovernmental Relations Framework Act 13 of 2005 referred to in (c) above, be served on the Garden Route District Municipality, the Acting Municipal Manager disclose the assets in (b), as contingent liabilities in the Annual Financial Statements;
- [d] That a progress report on the execution of the resolution in [b] and [c] above, be submitted to the next Ordinary Council meeting.

The Deputy Executive Mayor requested that his gratitude towards the submission of the item by the Acting Municipal Manager, to the Ordinary Council Meeting held on 6 August 2020, be recorded.

File Number:

Execution: Acting Municipal Manager
Chief Financial Officer
Director: Corporate Services
Manager: Legal Services and Properties



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OFFICE OF THE MUNICIPAL MANAGER

Enquiries: Suerhete Fransman
Reference: 8/3/1/1
Date: 02 September 2020

Acting Municipal Manager: Dr L Scheepers
Knysna Municipality
5 Clyde Street
Knysna
6570

Via e-mail: mm@knysna.gov.za

Sir,

RE: DISPUTED PROPERTIES- GARDEN ROUTE DISTRICT MUNICIPALITY & KNYSNA MUNICIPAL

We refer to the above, your letter dated 14th August 2020 and various subsequent discussions between yourself and writer hereof.

We note with disappointment the latest position taken by Knysna Municipality as it flies against all the bona fide efforts we have taken since the term of this Council began in 2016.

Over the years since 2016 we have been engaging the successive Mayors and Municipal Managers of Knysna Municipality regarding an amicable solution on the Garden Route District Municipality properties situated in the jurisdiction of Knysna Municipality and we thought we had made much progress.

For the record we do not agree with the opinions your municipality is relying on in claiming our properties to be yours and to this end we are prepared to protect interest of this Council to the end.

We reject your demand for the transfer of our properties with contempt and will not adhere to same.

We have proposed a discussion that excludes third parties to be held between us and your municipality, a position we still hold, so as to achieve an outcome that will be mutually beneficial. Kindly indicate your position in that regard so as to start the process again.

We reserve our rights and this letter is sent to you without prejudice.

Yours faithfully



MONDE STRATU
MUNICIPAL MANAGER

Date: 2/9/2020

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OPINION

for

THE EDEN DISTRICT MUNICIPALITY

ON

**DISPUTES WITH LOCAL MUNICIPALITIES
REGARDING THE ENTITLEMENT TO CERTAIN
IMMOVABLE PROPERTIES**

Furnished to —
Michael Evans
Webber Wentzel
Convention Tower, Heerengracht Street
Foreshore, Cape Town

Executive summary

1. The allocation, as between district and local municipalities, of immovable properties which were owned by interim metropolitan, urban and rural municipal structures (or their predecessors) is governed by the provisions of the Local Government: Municipal Structures Act and the relevant establishment notices and any establishment amendment notices made in terms of that Act.
 2. Whether such a property is to be allocated to the district municipality or to a local municipality depends for the most part on the function or functions with which the property is associated. If the property relates to a function to be undertaken exclusively by the district municipality, then the property is to be allocated to the district municipality. If the property relates to a function to be undertaken exclusively by a local municipality, then the property is to be allocated to the local municipality. If the property relates to functions to be carried out by both the district municipality and one or more local municipalities, then the property is to be allocated to its major user. A property which does not relate to any particular municipal function is to be allocated to the local municipality within whose area the property is situated.
 3. There is an exception to the function-dependent allocation of property as outlined in 2 above, namely: In the case of immovable properties associated exclusively with the functions listed in section 16C(a) of the relevant establishment amendment notices, the allocation depends entirely on the identity of the old owner of the properties. A property which belonged to a predecessor of the district municipality is allocated to the district municipality and a property which belonged to a predecessor of a local municipality is allocated to the local municipality.
 4. Specific provisions apply in respect of properties which, on implementation of the final phase of local government restructuring, fell within a district
-

management area, where the district management area has subsequently been disestablished and the relevant area incorporated within the area of a local municipality.

5. Applying the principles outlined above to the eleven properties in question:
 - 5.1 Two of the properties, namely Portion 1, Walker's Point, and Doornberg Outspan, Farm 32, George, must be registered in the name of Eden.
 - 5.2 The remaining properties must be registered in the names of the relevant local municipalities.

Introduction

6. Our consultant is the Eden District Municipality ("*Eden*").
7. We are asked to provide advice regarding eleven immovable properties, all situated within Eden's area of jurisdiction. Specifically, we are asked to advise, in respect of each property, whether it is Eden or one of the local municipalities falling within Eden's area which has the legal claim to ownership of the property.
8. We were briefed with comprehensive written instructions.¹ We do not repeat them here, but we allude to them below where appropriate.

Relevant provisions of the Structures Act and the establishment notices

9. The relevant municipalities, namely Eden and each of the local municipalities within Eden's area of jurisdiction (collectively, the "*new municipalities*"), were established on 5 December 2000 as part of the final phase of the restructuring of local government which formed part of South Africa's transition to a constitutional democracy.
10. Each individual new municipality, whether Eden or one of the local municipalities, took the place of (or put differently, succeeded) a number of local or regional government structures previously in place ("*the old municipalities*"). (This succession structure, entailing a series of mergers of several old municipalities into a single new municipality, was replicated across South Africa, with the effect that the final phase of restructuring reduced 842 interim metropolitan, urban and rural structures to 284 final structures.)

¹ The revised instructions to counsel dated 3 March 2014 and the further instructions in the e-mail of 19 June 2014.

11. Each of the properties which are the subject matter of this advice was in existence before 5 December 2000, and was owned by one of the old municipalities (or possibly by one of its predecessors). The old structures were disestablished simultaneously with the establishment of the new municipalities.
12. The legislation governing the establishment of the new municipalities, namely the Local Government: Municipal Structures Act² (*"the Structures Act"*), and the establishment notices made in terms of that Act regulated what was to happen to *inter alia* the staff, assets and liabilities of the old municipalities on their disestablishment.

Chapter 2 of the Structures Act

13. Chapter 2 of the Structures Act is headed *"Establishment of municipalities"*.
14. In terms of section 12 (headed *"MBCs to establish municipalities"*), the MEC for local government in each province was required to establish, by notice, a municipality in each municipal area demarcated in terms of the Local Government: Municipal Demarcation Act³.
15. Section 14 of the Structures Act is headed *"Regulation of effects of establishment of municipality on existing municipalities"*. Various provisions of section 14 are relevant to this advice; they are quoted below:

"(1)(a) A municipality established in terms of section 12 in a particular area supersedes the existing municipality or municipalities to the extent that the existing municipality or municipalities fall within that area.

² Act 117 of 1998

³ Act 27 of 1998

- (b) *The superseding municipality becomes the successor in law of the existing municipality subject to paragraph (c).*
 - (c) *Where a district municipality and one or more local municipalities within the area of the district municipality supersede the existing municipality or municipalities in that area, the district and local municipalities in that area become the successors in law of the existing municipality depending on the specific assets, liabilities, rights and obligations allocated to the district and local municipalities respectively in terms of the relevant section 12 notice or notices.*
- (2) *If subsection (1) is applicable, the section 12 notice, or any amendment of the section 12 notice, must –*
- (a) *provide for the disestablishment of the existing municipality ...;*
 - (b) *regulate the legal, practical and other consequences of the total or partial disestablishment of the existing municipality, including – ...*
 - (iii) *the transfer of assets, liabilities, rights and obligations, and the administrative and other records, from the existing municipality to the superseding municipality, or, if there is more than one superseding municipality, to any of the superseding municipalities, taking into account the interests of creditors of the existing municipality; ...*

Provided that if the superseding municipality is a district or local municipality a transfer referred to in ... (iii) must be effected in a way that would enable the superseding municipality to perform the

functions or exercise the powers assigned to it in terms of section 84(1) or (2) ..."

Chapter 5 of the Structures Act

16. Chapter 5 of the Structures Act is headed "*Functions and powers of municipalities*".
17. Section 83, headed "*General*", provides in subsection (1) that a municipality has the functions and powers assigned to it in terms of sections 156 and 229 of the Constitution of the Republic of South Africa, 1996 ("*the Constitution*"), and in subsection (2) that, in the case of a district municipality and the local municipalities falling within the area of the district municipality, those functions and powers "*must be divided ... as set out in this Chapter*".
18. Section 84 is headed "*Division of functions and powers between district and local municipalities*".
19. Section 84(1) provides that a district municipality has "*the following functions and powers*" – and then lists, in subsections (a) to (p), specific functions and powers. Most of the functions and powers listed in section 84(1) correspond to functional areas (or sometimes a part of a functional area) listed in Schedules 4B and 5B to the Constitution.
20. Section 84(2) provides that a local municipality has the functions and powers referred to in section 83(1) – that is, the functions and powers assigned to municipalities in terms of sections 156 and 229 of the Constitution – excluding the functions listed in section 84(1), which vest in the relevant district municipality.
21. The residual position in terms of the Structures Act is therefore that municipal functions and powers vest in local municipalities. A municipal function and

power will vest in a district municipality only if it is specifically listed in section 84(1).⁴

22. In terms of the proviso to section 14(2)(b) of the Structures Act, quoted above, the transfer of *inter alia* assets from old municipalities to new municipalities is required to be "*effected in a way that would enable the [new] municipality to perform the functions or exercise the powers assigned to it in terms of section 84(1) or (2)*".
23. While read at face value the proviso seems to relate to the process of transfer ("*transfer ... must be effected in a way ...*"), in our view the proviso is intended to relate to the allocation of assets and the like as between the district and the local municipalities into whose areas an old municipality falls. Assets relating to a function or power allocated in terms of section 84(1) to a district municipality are to be transferred to the district municipality, and assets relating to a function or power allocated to a local municipality are to be transferred to the local municipality.

The establishment notices

24. The establishment notices contemplated in section 12 of the Structures Act were published in respect of Eden and the local municipalities falling within Eden's boundaries in September 2000.⁵ An individual establishment notice was published in respect of each new municipality.
25. In terms of those notices, the old municipalities were disestablished with effect from midnight on the day before the effective date. Section 3 of each establishment notice lists the old municipalities to be disestablished, and those

⁴ We are instructed that, in respect of Eden and the local municipalities in its area, no authorisations in terms of section 84(1) and no adjustments in terms of section 85 of the Structures Act have been given or made.

⁵ We were briefed with copies of the establishment notices in respect of Eden, the Kaysna local municipality ("Kaysna") and the George local municipality ("George").

municipalities are defined in each establishment notice as the "*disestablished municipalities*". So, for example –

- 25.1 section 3 of the establishment notice in respect of Eden lists as the municipalities to be disestablished a portion of the Bo-Langkloof Transitional Representative Council, the Haarlem Transitional Local Council, the Klein Karoo District Council, the South Cape District Council, the Uniondale Transitional Council and the Uniondale Transitional Representative Council;
- 25.2 section 3 of the establishment notice in respect of Knysna lists as the municipalities to be disestablished the Belvidere Estate Transitional Local Council, the Breton Transitional Local Council, the Knoetzie Transitional Local Council, the Municipality of Knysna, a portion of the Outeniqua Transitional Representative Council, the Rhoenendal Transitional Local Council and the Sedgefield Transitional Local Council.
26. When it comes to the allocation of, for example, an asset, it is in most instances irrelevant which old municipality owned the asset. The fact that one of Eden's predecessors, as listed above, may have been the previous owner of the asset does not in itself give Eden a claim to that asset. However, in respect of a certain category of assets – namely assets associated exclusively with the functions listed in section 16C(a) of the establishment amendment notices dealt with below – the allocation depends entirely on which old municipality owned the assets, so that assets in this category which belonged to Eden's predecessors are allocated to Eden, assets which belonged to Knysna's predecessors are allocated to Knysna, and so forth.
27. Section 4 of each notice establishes a new municipality with effect from the effective date.

28. Section 16 of each notice deals with legal succession issues. Section 16 was significantly amended by establishment amendment notices, as we explain below, but it is nonetheless helpful to deal with the provisions of section 16 of the original establishment notices. In this regard –
- 28.1 Section 16(1)(a) provides that with effect from the effective date the new municipality will be the successor in law of the disestablished municipalities – that is, Eden will become the successor in law of the disestablished municipalities as listed in section 3 of the Eden establishment notice, Knysna will become the successor in law of the disestablished municipalities as listed in section 3 of the Knysna establishment notice, and so forth.
- 28.2 Section 16(1)(b) provides that *“the assets, liabilities and administrative and other records of the disestablished municipalities shall be transferred to the [new municipality]”* – that is, to Eden in the case of the disestablished municipalities as listed in section 3 of the Eden establishment notice, to Knysna in the case of the disestablished municipalities as listed in section 3 of the Knysna establishment notice, and so forth. In terms of section 16(1)(b), in other words, the assets to be acquired by a new municipality were the assets owned by the new municipality’s predecessors in law as listed in section 3, regardless of the function or power with which particular assets were associated.
29. It will be evident that section 16 as set out in the original establishment notices does not reflect the position summarised in paragraph 26 above. The position summarised in paragraph 26 above came about because of the amendments to the establishment notices, described below.
30. Section 16 of the original establishment notices did not take proper account of the legal succession provisions contained in respect of district and local
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municipalities in the Structures Act, specifically sections 14(1)(c) and 14(2)(b) thereof. The Structures Act provisions acknowledged that, on implementation of the final phase of local government restructuring, the area of every old municipality would fall within the area of (at least) two new municipalities,⁶ a district municipality and (at least) one local municipality. In terms of the proviso to section 14(2)(b), whether the assets of the old municipality are to be allocated to the district or the local municipality depends on the function or power with which the assets are associated and whether such function or power is one allocated to the district or the local municipality; and section 14(1)(c) provides that the extent to which each of the district and the local municipality becomes the successor in law to the old municipality depends on that allocation.

31. As will be seen from what follows, the defects in section 16 of the original establishment notices were remedied by their amendment.

The establishment amendment notices

32. Establishment amendment notices were published in respect of Eden and the local municipalities falling within Eden's boundaries on 4 December 2000 (i.e. on the eve of the effective date).⁷ The relevant amendments are set out below.
33. The amendment notices amplify the preamble to the establishment notices by recording that the MEC—

⁶ Save for the metropolitan municipalities and ignoring for the moment the case of district management areas.

⁷ In terms of section 16 of the Structures Act. We were briefed with copies of the establishment amendment notices in respect of Eden, Krysta and George. We were instructed that four further establishment amendment notices have been published in respect of these municipalities, but that the further amendments are not relevant to the issues on which our advice is sought.

"now gives notice of the regulation of the legal, practical and other consequences of the disestablishment of the disestablished municipalities, including ... the principles determining, and the process for, effecting the transfer of assets, liabilities, rights and obligations and administrative and other records to the [new] municipality".

34. Section 16 of the establishment notices, as indicated above, deals with legal succession.
35. Section 16(1) as amended provides that from the effective date the relevant new municipality (Eden in the case of the Eden establishment amendment notices, Knysna in the case of the Knysna establishment amendment notices, and so forth) will be the *"successor in law of the disestablished municipalities and the municipalities to be disestablished in terms of the [original establishment notices] in relation to the specific assets, liabilities, rights and obligations"* (our emphasis) transferred to the relevant new municipality (again, Eden in the case of the Eden establishment and amendment notices, Knysna in the case of the Knysna establishment and amendment notices, and so forth) *"in terms of"* the notice.
36. Section 16(1) of the establishment notices relates, in respect of each new municipality, to *all* of the disestablished municipalities, i.e. to those listed in section 3 of Eden's original establishment notice and those listed in section 3 of each of the local municipalities' establishment notices,⁸ and provides effectively that the new municipality will be the successor in law to the old municipalities to the extent that any of the old municipalities' assets are transferred to the new municipality. Section 16(1) as amended therefore mirrors section 14(1)(c) of the Structures Act.

⁸ See the definition of "Local Municipality Notices" in Eden's establishment amendment notice and the definition of "District Municipality Notice" in the local municipality's (for example Knysna's) establishment amendment notice.

37. Section 16(2) of the establishment notices as amended provides in respect of each new municipality that, subject to subsection (1) and section 16D of the establishment notices,⁹ all "*rights and obligations of the disestablished municipalities*" not allocated in terms of the amendment notice shall be allocated to the new municipality.
38. Section 16(2) has a narrower scope than does section 16(1), in two respects. First, it applies only to "*rights and obligations*", whereas section 16(1) applies also to "*assets and liabilities*". Second, it applies, in respect of each new municipality, only to the disestablished municipalities as listed in section 3 of that new municipality's original establishment notice. Thus if there are rights and obligations of the old South Cape District Council, the allocation of which is for some or other reason not addressed elsewhere in the notice, then applying section 16(2) they are to be allocated to Eden, regardless of with which function or power they are associated. This is because the South Cape District Council is a disestablished municipality listed in section 3 of Eden's original establishment notice. Such rights and obligations of, say, the old Municipality of Knysna are to be allocated to Knysna, because the old Municipality of Knysna is a disestablished municipality listed in section 3 of Knysna's original establishment notice.
39. Section 16A of the establishment amendment notices is headed "*Principles determining the transfer of assets, liabilities and records*". (In what follows we refer only to "*assets*", rather than to "*assets, liabilities and records*", as the immovable properties with which we are concerned are assets.)
40. Section 16A(1) and (2) of the establishment amendment notices of Eden and the local municipalities, read collectively, provide as follows:

⁹ Section 16D relates to assets dealt with in service delivery agreements. It does not appear from our instructions that any of the properties in question fall within this category.

40.1 Assets "*associated exclusively*" with functions to be carried out by Eden (as a district municipality) are to be transferred to Eden, whether they are assets of the old municipalities listed in section 3 of Eden's original establishment notice or of old municipalities listed in section 3 of any of the local municipalities' establishment notices.

40.2 Assets "*associated exclusively*" with functions to be carried out by a local municipality are to be transferred to that local municipality, whether they are assets of the old municipalities listed in section 3 of Eden's original establishment notice or of old municipalities listed in section 3 of that local municipality's establishment notice.

We point out that section 16A(1) and (2) are consistent with section 14(2)(b) of the Structures Act.

41. Section 16A(4) of the establishment amendment notices of Eden and the local municipalities, read collectively, provides as follows: Immovable properties associated with a function or functions to be carried out by Eden and one or more of the local municipalities¹⁰ are to be transferred to whichever municipality will be the major user of the properties, whether they are properties of the old municipalities listed in section 3 of Eden's original establishment notice or of old municipalities listed in section 3 of a local municipality's establishment notice.¹¹ Other municipalities with interests in such an immovable property are entitled to continue using it against payment of a proportionate share of the costs. Again, we point out that section 16A(4) is consistent with section 14(2)(b) of the Structures Act.

¹⁰ Or associated with a function or functions to be carried out by more than one local municipality.

¹¹ Section 16A(4) also deals with *movable* assets associated with functions to be carried out by more than one municipality.

42. Section 16A(11) of the establishment amendment notices of Eden and the local municipalities, read together,¹² provides that all immovable properties "*not associated with a particular function*" are to be transferred –
- 42.1 in the case of a property of one of the old municipalities listed in section 3 of Eden's original establishment notice, to the local municipality in whose area they are situated;
- 42.2 in the case of a property of one of the old municipalities listed in section 3 of a local municipality's original establishment notice, to that local municipality.
43. In our view, "*function*" in the context of section 16A(11) is not used in a broad, unrestricted sense. "*Function*" means a function as contemplated in the proviso to section 14(2)(b) and in sections 83 and 84 of the Structures Act – in other words, it is a function allocated as a local government matter. The effect is that, where an old municipality owns assets which cannot be linked to any particular local government function, such assets are to be transferred to the relevant local municipality. The section was presumably inserted in recognition of the fact that, for some or other historical reason, many municipalities own assets which cannot be linked to any specific, new-order municipal function, but which must nonetheless be allocated to a new owner.
44. We point out that section 16A(11) is not inconsistent with section 14(2)(b) of the Structures Act. Section 16A(11) only applies where the function to which the assets relate is not one allocated to a district municipality, so that the default, automatic allocation of such assets to the local municipality does not disenable the district municipality from performing any of its functions.

¹² Section 16A(11) does not apply to assets and liabilities referred to in subsection (7), namely "*financial assets and liabilities*".

45. Section 16B of the establishment amendment notices is headed "*The process for effecting the transfer of assets, liabilities, and records*". We do not deal with its specific provisions here, other than to note that neither the Structures Act nor the establishment notices contain vesting provisions, in terms of which assets and liabilities vest by operation of law in the successor in law municipalities (for example on the effective date or on the date of finalisation or verification of the schedule of assets, liabilities and records contemplated in section 16B), without any act of transfer being required. In respect of immovable properties, therefore, registration of transfer in the Deeds Office, or possibly simply the making of appropriate entries in the Registrar of Deeds' records and the endorsement of the title deeds,¹³ is necessary to give effect to any transfer.
46. Section 16C of the establishment amendment notices is headed "*Transfer of staff, assets and liabilities relating to functions other than those listed in section 84 of the Municipal Structures Act*". As with section 16A(11), the section appears to have been inserted to deal with the practical reality that many old municipalities had staff, assets and liabilities which related to functions other than those referred to in section 83(1) and allocated as between district and local municipalities in sections 84(1) and (2) of the Structures Act.
47. A comparison between the ten functions listed in paragraphs (l) to (x) of section 16C(a) of the establishment amendment notices and the functional areas listed in Schedules 4B and 5B of the Constitution (and contemplated in section 83(1) of the Structures Act) shows that most of the functions listed in section 16C(a) are not functions appearing in the Schedules: for example, while Schedule 5B lists "*municipal roads*" as a local government function, section 16C(a) refers to "*roads other than municipal roads*"; Schedules 4B

¹³ See for example the second proviso to section 16 of the Deeds Registries Act and section 14(4) of the Structures Act.

and 5B do not list housing, libraries, museums, disaster management or nature and environmental conservation, but section 16C(a) does. Certain of the functions listed in section 16C(a) may be functions assigned to local government by legislation (for example housing and disaster management). In respect of certain functions it is possible to argue that the function listed in section 16C(a) forms part of or is ancillary to a Schedule 4B or 5B function, for example ambulance services may be ancillary to "*municipal health services*" (a Schedule 4B function); traffic and law enforcement may be part of and/or ancillary to "*traffic and parking*" (a Schedule 5B function).

48. Section 16C(a) of the establishment amendment notices provides that, notwithstanding the provisions of section 16A of the notices, all assets "*associated exclusively*" with the ten functions listed in paragraphs (a)(i) to (x) are to be transferred –
 - 48.1 in the case of assets of an old municipality listed in section 3 of Eden's original establishment notice, to Eden; and
 - 48.2 in the case of assets of an old municipality listed in section 3 of the original establishment notice of a local municipality, to that local municipality.
49. In other words, under section 16C(a) what determines the identity of the new municipality-owner of assets in this category is the identity of the old municipality-owner, rather than whether the function with which such assets are associated is to be performed by Eden or a local municipality.
50. While the approach to the allocation of assets set out in section 16C(a) is at odds with the function-related approach required by the proviso to section 14(2)(b) of the Structures Act, it does not seem to us that section 16C(a) is *ultra vires* the provisions of section 14(2)(b) or otherwise obviously legally assailable. This is because section 14(2)(b) prescribes a function-related

allocation in respect of the functions contemplated in section 84 of the Structures Act, and the functions listed in section 16C(a) are not such functions.

51. The approach in section 16C(a) does appear to us potentially to give rise to practical problems, however. This is so particularly in relation to assets which by their nature form part of an integrated system and/or which relate to a function which demonstrates economies of scale, for example water supply systems. Assets relating to potable water supply systems are to be allocated to district municipalities, applying section 84(1) of the Structures Act and section 16A(1) and (2) of the establishment amendment notices. This makes practical sense, because such assets form part of an inherently integrated system which should be managed and maintained on a large (district) scale rather than a small (local) scale. However, in terms of section 16C(a) of the establishment amendment notices, assets associated exclusively with water supply systems other than potable water supply systems are to be allocated to their owner's successor in law. The result is that, within Eden's area, such assets could be allocated to a combination of Eden and any number of the local municipalities in its area, depending on historical ownership. Such allocation could result in fragmented ownership of assets which ought to comprise a whole.
52. Section 16C(b) of the establishment amendment notices of Eden and the local municipalities provides that, notwithstanding the provisions of section 16A of the notice –

"any ... asset ... of the disestablished municipalities not associated with a function referred to in section 84(1) of the Municipal Structures Act or paragraph (a) shall be transferred, in terms of the principles and process set out in sections 12, 12A, 16A and 16B of this Schedule, to the Local Municipality that will fulfil the function with which it is associated ..."

53. Section 16C(b) applies regardless of whether the assets in question belonged to the old municipalities listed in section 3 of Eden's original establishment notice or to the old municipalities listed in section 3 of a local municipality's establishment notice.

Tourism-related municipal functions

54. Certain of the properties on which our advice is sought – and, we are instructed, probably the most valuable of the properties – are tourist facilities. Examples are Portion 2, Walker's Point, which houses part of a caravan park, and erven 118 and 119, Calitzdorp, which house a hot water springs and spa holiday resort known as Warmwaterbad. The municipal function with which they are most closely associated is local tourism, a function listed in Part B of Schedule 5 to the Constitution.
55. Because of the importance of the relevant properties, we elaborate here on the allocation of the local tourism function between local and district municipalities.
56. Local tourism is one of the constitutional local government functions which are split between local and district municipalities. In terms of section 84(1) of the Structures Act, "*promotion of local tourism for the area of the district municipality*" is a district function. The remainder of the local tourism function is a local function, in terms of section 84(2).
57. Local tourism is not defined, either in the Constitution or in the Structures Act. In our view, that part of the function carved out and allocated to district municipalities – namely, the promotion of local tourism for the area of the district – is essentially a marketing function. Besides advertising the district and its attractions, it includes co-ordinating the marketing efforts of local municipalities and tourist businesses in the district. An example of property associated with the promotion of local tourism is a building housing a tourism
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information centre, which provides information to visitors about places of interest in the district.

58. It is so that a successful tourist resort such as Warmwaterbad will attract tourists to an area – and it may therefore be argued that the operation of such a resort promotes local tourism in the area. In our opinion, however, the better view is that the functional area carved out and allocated to district municipalities – limited as it is to tourism promotion – does not include the operation of tourist resorts. The fact that the operation of such resorts may have ancillary effects on tourism promotion does not, in our view, bring such operation within the scope section 84(1) of the Structures Act.
59. Our view is therefore that tourism resorts are associated with the residual tourism function, allocated to local municipalities in terms of the Structures Act, rather than with the function *“the promotion of local tourism for the area of the district municipality”*, allocated to district municipalities.¹⁴

Principles for the allocation of immovable properties

60. Against this background, we suggest that a practical approach to determining whether a particular immovable property is to be allocated to the district municipality (here, Eden) or to a local municipality is to follow the sequential process set out below.
61. Step 1: On 5 December 2000 was the property associated with a function listed in either section 16C(a) of an establishment amendment notice or section 84(1) of the Structures Act?¹⁵

¹⁴ We agree with the advice given to Eden by AH Swart in this regard, as set out in paragraphs [32] to [35] of his advice of 23 October 2013.

¹⁵ The answer to this question determines whether section 16C(b) applies. It is logically the first question because section 16C applies “*nonwithstanding*” the provisions of section 16A.

- 61.1 If yes, proceed to step 2 (in the case of a function listed in section 16C(a) of an establishment amendment notice) or to step 3 (in the case of a function listed in section 84(1) of the Structures Act).
- 61.2 If no, the property is to be allocated to a local municipality, more specifically –
 - 61.2.1 to the local municipality that, from 5 December 2000 onwards, would fulfil the function with which the property was associated, applying sections 16A(1) and (2) and 16C(b) of the establishment amendment notices; or
 - 61.2.2 to the local municipality within which the property is situated, applying section 16A(11) of the establishment amendment notices, where the property was not associated with any particular function.
- 62. Step 2: On 5 December 2000 was the property associated *exclusively* with the function or functions listed in section 16C(a) of the relevant establishment amendment notice?
 - 62.1 If yes, the property is to be allocated to its old owner's successor in law, applying section 16C(a) of the establishment amendment notice.
 - 62.2 If no, proceed to step 3.
- 63. Step 3: The properties which remain to be allocated, following steps 1 and 2, are properties associated with a function or functions listed in section 84(1) of the Structures Act or properties associated with a function or functions listed in section 16C(a) of an establishment amendment notice but not *exclusively* so associated. Such a property is to be allocated according to whether –

- 63.1 on 5 December 2000 it was associated exclusively with a function or functions to be carried out by the district municipality, in which case it is to be allocated to the district municipality, applying section 16A(1) and (2) of the establishment amendment notices; or
- 63.2 on 5 December 2000 it was associated with a function or functions to be carried out by both the district municipality and one or more local municipalities, in which case it is to be allocated to the major user of the property, applying section 16A(4) of the establishment amendment notices.¹⁶
64. The approach outlined above is fairly rough-and-ready, rather than refined and exact. A range of questions potentially arises in relation to the exact application of the establishment notices to particular factual scenarios. In our view, however, such questions do not cast doubt on the allocation of the eleven specific properties we are required to consider.

The properties

65. Below, we apply the sequential allocation process to ten of the eleven properties mentioned in our instructions. In respect of one property, namely Doornberg Outspan, Farm 32, George, different considerations apply, as the property was formerly situated within a district management area.

Portion 1, Walker's Point

66. We are instructed that this property, the formal description of which is Remainder Portion 1 of the Farm Walker's Point No 215, Division Knysna,

¹⁶ The third logical possibility – that it is a property associated *exclusively* with a function or functions to be carried out by the local municipality – will not arise in practice, because (i) a property associated *exclusively* with a section 16A(1) function or functions can never be a local function and (ii) a property associated *exclusively* with a section 16C(a) function or functions will have already been allocated, applying question 2.

has been a declared provincial nature reserve since 9 June 2000 and is currently let to Cape Nature and managed as part of the Goukamma Nature Reserve.

67. This property fell within the municipal area of the now-disestablished Sedgefield Transitional Local Council, which is an old municipality listed in section 3 of Knysna's establishment notice – in other words it is a predecessor in law of Knysna. According to Eden's letter to Knysna of 21 November 2012, however, since 1987 this property has been registered in the name of the South Cape Regional Services Council, which is an old municipality listed in section 3 of Eden's establishment notice – in other words it is a predecessor in law of Eden.
68. "*Nature and environmental conservation*" is a function listed in section 16C(a) of the establishment amendment notices. It appears from our instructions, specifically the declaration of the property as a provincial nature reserve on 9 June 2000, that on 5 December 2000 the property was associated exclusively with that function.
69. Applying the steps set out above:
 - 69.1 Step 1: On 5 December 2000 was the property associated with a function listed in either section 84(1) of the Structures Act or section 16C(a) of the establishment amendment notices? Yes (specifically "*nature and environmental conservation*" as listed in section 16C(a)) – so proceed to step 2.
 - 69.2 Step 2: On 5 December 2000 was the property associated *exclusively* with a function or functions listed in section 16C(a) of the establishment amendment notices? Yes.

69.3 Consequently, the property is to be allocated to its old owner's successor in law, applying section 16C(a). The property is thus to be allocated to Eden, as the successor in law of the South Cape Regional Services Council. (Had this property been registered in the name of Knysna's predecessor, our advice would have been that it is to be allocated to Knysna.)

70. We point out that this property is the only one of the eleven properties which falls into the category of properties associated *exclusively* with a function or functions listed in section 16C(a) of the establishment amendment notices. It is therefore the only property in respect of which the identity of its previous owner is a decisive factor in its allocation. As the remaining properties do not fall into the section 16C(a) category, the identity of their previous owners does not matter, and we do not identify their previous owners.

Portion 2, Walker's Point

71. We are instructed that this property, the formal description of which is Portion 2 of the Farm Walker's Point No 215, Division Knysna, currently houses the major portion of a caravan park. It also contains a derelict building which was once an ablution block (presumably serving the caravan park) and later a backpackers lodge. Based on the documents supplied to us, we assume that on 5 December 2000 this property was used for purposes of a caravan park.
72. Like Portion 1, Walker's Point, this property fell within the municipal area of the now-disestablished Sedgefield Transitional Local Council, one of Knysna's predecessors in law.
73. "Caravan park" is not a function expressly referred to in Schedule 4B or 5B of the Constitution, nor listed in section 84 of the Structures Act or section 16C(a) of the establishment amendment notices. In our view, however, it falls within the functional areas of "local tourism", a local government matter

listed in Schedule 4B of the Constitution, or possibly "*local amenities*" or "*municipal parks and recreation*", both local government matters listed in Schedule 5B of the Constitution.¹⁷ These are all local municipality functions in terms of section 84(2) of the Structures Act, read with sections 83(1) and 84(1) thereof.¹⁸

74. Applying the steps set out above:

74.1 Step 1: On 5 December 2000 was the property associated with a function listed in either section 84(1) of the Structures Act or section 16C(a) of the establishment amendment notices? No.

74.2 Consequently, the property is to be allocated to Knysna –

74.2.1 on the basis that it is associated with functions which, from 5 December 2000 onwards, Knysna would fulfil, applying sections 16A(1) and (2) and 16C(b) of the establishment amendment notices (specifically the local government functions of "*local tourism*", "*local amenities*" or "*municipal parks and recreation*" – we are instructed that, as a fact, Knysna is running the caravan park); or

74.2.2 if we are wrong that the caravan park is associated with one of the local government functions listed above, then on the basis that the property is not associated with any particular (municipal) function, as contemplated in section 16A(1) of the establishment amendment notices.

¹⁷ The different functional competences in Schedules 4 and 5 to the Constitution should be interpreted distinctly from one another – that is, they have different content (*Ex Parte President of the Republic of South Africa: In Re Constitutionality of the Liquor Bill 2000* (1) SA 732 (CC) paras 49-51 and 56).

¹⁸ See further paragraphs 54 to 59 above.

Portion 3, Walker's Point

75. We are instructed that a small area of this property, the formal description of which is Portion 3 of the Farm Walker's Point No 215, Division Knysna, houses the rest of the caravan park – i.e. that part of the caravan park not situated on Portion 2. The balance (some 90%) of the property is either part of the Goukamma Nature Reserve and let to Cape Nature (like Portion 1) or has been excised from the Reserve and is simply vacant, undeveloped land. Based on the documents supplied to us, we assume that was also the position on 5 December 2000.
76. Like Portions 1 and 2, this property fell within the municipal area of the now-disestablished Sedgefield Transitional Local Council, one of Knysna's predecessors in law.
77. Applying the steps set out above: first, assuming that on 5 December 2000 part of Portion 3 was part of the Goukamma Nature Reserve:
- 77.1 Step 1: On 5 December 2000 was the property associated with a function listed in either section 16C(a) of an establishment amendment notice or section 84(1) of the Structures Act? Yes (specifically part of the property was associated with "nature and environmental conservation" as listed in section 16C(a)) – so proceed to step 2.
- 77.2 Step 2: On 5 December 2000 was the property associated *exclusively* with the function or functions listed in section 16C(a) of the relevant establishment amendment notice? No, because another part of it was used for purposes of a caravan park and therefore was also associated with other functions (in our view, the local government functions of "local tourism", "local amenities" or "municipal parks and

recreation") and/or that part was vacant, undeveloped land. So proceed to step 3.

77.3 Step 3: Applying step 3, the property is to be allocated according to whether –

77.3.1 on 5 December 2000 it was associated exclusively with a function or functions to be carried out by Eden, in which case it is to be allocated to Eden, applying section 16A(1) and (2) of the establishment amendment notices; or

77.3.2 on 5 December 2000 it was associated with a function or functions to be carried out by both Eden and Knysna, in which case it is to be allocated to the major user of the property, applying section 16A(4) of the establishment amendment notices.

78. The property does not fall within the scope of paragraph 77.3.1. Neither the nature conservation functions nor the caravan park functions were to be carried out by Eden.

79. Although the property does not fit neatly with the scope of paragraph 77.3.2, it seems to us that, as between Eden and Knysna, the "*major user*" of the property was Knysna. The property is to be allocated to Knysna.

80. Applying the steps set out above on the assumption that Portion 3 has been excised from the Goukamma Nature Reserve (so that a small area of the property forms part of the Portion 2 caravan park and the rest of the property is vacant, undeveloped land) yields the same result, albeit by applying section 16A(11) of the establishment amendment notices. The property is to be allocated to Knysna.

Erf 2790, Knysna

81. We are instructed that this property, the formal description of which is Erf 2790, Knysna in the Municipality and Division of Knysna, is situated close to the Knysna Lagoon. Most of the property (some 1.5 hectares of 1.7 hectares) has been used as a golf driving range for many years. The rest of the property was used for health-related purposes (the running of mobile clinics and by environmental health inspectors), up to approximately two years ago. Knysna now uses a shed on the formerly health-related area of the property for electricity-related purposes. Eden now uses another small area of the property as a depot for roads-related storage purposes. Based on the documents supplied to us, we assume that on 5 December 2000 part of the property was used as a golf driving range and the rest was used for the running of mobile clinics and by environmental health inspectors.
82. The property fell within the municipal area of the now-disestablished Municipality of Knysna, one of Knysna's predecessors in law.
83. A golf driving range is not a function expressly referred to in Schedule 4B or 5B of the Constitution, nor listed in section 84 of the Structures Act or section 16C(a) of the establishment amendment notices. In our view, however, it falls within the functional area of "*local sport facilities*", a local government matter listed in Schedule 4B of the Constitution (or possibly within the functional areas of "*local amenities*" or "*municipal parks and recreation*", both local government matters listed in Schedule 5B of the Constitution).
84. In our view mobile clinics and environmental health inspections, fall within "*municipal health services*", a local government matter listed in Schedule 4B of the Constitution. It is, however, also a function listed in section 84(1) of the Structures Act.
85. Applying the steps set out above:

85.1 Step 1: On 5 December 2000 was the property associated with a function listed in either section 16C(a) of an establishment amendment notice or section 84(1) of the Structures Act? Yes (specifically part of the property was associated with "*municipal health services*" as listed in section 84(1) of the Structures Act) – so proceed to step 3.

85.2 Step 3: Applying step 3, the property is to be allocated according to whether –

85.2.1 on 5 December 2000 it was associated exclusively with a function or functions to be carried out by Eden, in which case it is to be allocated to Eden, applying section 16A(1) and (2) of the establishment amendment notices; or

85.2.2 on 5 December 2000 it was associated with a function or functions to be carried out by both Eden and Knysna, in which case it is to be allocated to the major user of the property, applying section 16A(4) of the establishment amendment notices.

86. The property does not fall within the scope of paragraph 85.2.1. Neither the golf driving range nor the municipal health functions were to be carried out by Eden.

87. Although the property does not fit neatly with the scope of paragraph 85.2.2 – Knysna was to be the sole user not the "*major user*" of the property – the allocation of the property to Knysna will best fit section 16A(4) of the establishment amendment notices. That allocation is also compatible with sections 16A(1) and (2) and 16C(b) of the establishment amendment notices. The allocation of the property to Eden would fit none of those provisions. The property is therefore to be allocated to Knysna.

Erven 20, 21 and 22 Belvedere

88. We are instructed that these properties are also situated close to the Knysna Lagoon. They are all zoned residential, but have at all relevant times been vacant, i.e. undeveloped.
89. The properties fell within the municipal area of the now-disestablished Belvidere Estate Transitional Local Council, one of Knysna's predecessors in law.
90. On 5 December 2000 the properties were not associated with any particular municipal function.
91. Applying the steps set out above:
 - 91.1 Step 1: On 5 December 2000 were the properties associated with a function listed in either section 84(1) of the Structures Act or section 16C(a) of the establishment amendment notices? No.
 - 91.2 Consequently, the properties are to be allocated to Knysna on the basis that on 5 December 2000 they were not associated with any particular (municipal) function, as contemplated in section 16A(11) of the establishment amendment notices.

Erven 264 and 271, Reebok

92. We are instructed that these properties are vacant. Erf 264 has been reserved for educational purposes. Erf 271 is zoned agricultural (although it is covered by indigenous vegetation and is seen as an important area of land for the purposes of promoting biodiversity).

93. The properties fell within the municipal area of the now-disestablished Municipality of Mossel Bay, one of Mossel Bay's predecessors in law. (Mossel Bay, like Knysna, is a local municipality falling within Eden's area.)
94. On 5 December 2000 the properties were not associated with any particular municipal function.
95. Applying the steps set out above:
 - 95.1 Step 1: On 5 December 2000 were the properties associated with a function listed in either section 84(1) of the Structures Act or section 16C(a) of the establishment amendment notices? No.
 - 95.2 Consequently, the properties are to be allocated to Mossel Bay, specifically on the basis that on 5 December 2000 they were not associated with any particular (municipal) function, as contemplated in section 16A(11) of the establishment amendment notices.

Erven 118 and 119, Calitzdorp

96. At all material times these properties have been used as a holiday resort and caravan park associated with hot water springs and a spa (known as Warmwaterbad). The spa is situated on erf 118, while erf 119 is used for staff accommodation.
97. The properties fell within the municipal area of the now-disestablished Calitzdorp Transitional Representative Council, one of Kannaland's predecessors in law. (Kannaland, like Mossel Bay and Knysna, is a local municipality falling within Eden's area.)
98. The use of the properties on 5 December 2000 raises issues similar to those which arise in relation to Portion 2 of Walker Bay (used as a caravan park). Again, in our view the use of the properties falls within the functional areas of

"local tourism", "local amenities" or "municipal parks and recreation", all local government matters listed in Schedules 4B and 5B of the Constitution. Assuming that to be correct, these are local municipality functions in terms of section 84(2) of the Structures Act, read with sections 83(1) and 84(1) thereof.¹⁹

99. Applying the steps set out above:

99.1 Step 1: On 5 December 2000 were the properties associated with a function listed in either section 84(1) of the Structures Act or section 16C(a) of the establishment amendment notices? No.

99.2 Consequently, the properties are to be allocated to Kannaland –

99.2.1 on the basis that they were associated with functions which Kannaland would fulfil as contemplated in sections 16A(1) and (2) and 16C(b) of the establishment amendment notices (specifically the local government functions of "local tourism", "local amenities" or "municipal parks and recreation"); or

99.2.2 if we are wrong that the hot springs holiday resort and caravan park were associated with the local government functions listed above, then on the basis that the property is not associated with any particular (municipal) function, as contemplated in section 16A(11) of the establishment amendment notices.

100. We have pointed out in paragraph 58 above that, while in our view the district municipality function does not cover the actual running and management of resorts, an argument can be made that the operation of a tourist resort which

¹⁹ See further paragraphs 54 to 59 above.

draws tourists to the area falls within the district municipality function of "promotion of local tourism for the area of the district municipality". For the reasons given earlier, we think such argument will fail if put to the test, for example in litigation. Should such an argument nonetheless be pursued, then Step 1 would yield the answer "yes", because the property would then be associated with a function listed in section 84(1) of the Structures Act; applying Step 3 may then result in an allocation of the property to its major user, namely Eden (currently its actual user).

101. We note that, as a fact, it is Eden which is operating the resort. In our view, the Structures Act and establishment notices do not provide for an exception where the ordinary principles of allocation yield the result that a property is to be allocated to a local municipality, but it is in fact the district municipality which is making use of the property.

Doornberg Outspan, Farm 32, George

102. This property is a farm, used for farming mohair sheep. In our view, as farmland, the property is not associated with any particular municipal function.
103. The property falls within what was formerly a district management area (and therefore formerly part of Eden).
104. In terms of section 16A(1) and 16A(2) of the establishment amendment notices of Eden and the local municipalities, read collectively, assets of the disestablished municipalities associated with functions to be carried out by the district municipality "which shall include functions to be carried out by the District Municipality in a District Management Area", were to be transferred to the district municipality. That provision does not address succession in respect of assets unrelated to any function to be carried out by the district municipality, such as farmland. At the same time, however, there is no room

for the application of section 16A(11), in terms of which immovable assets not associated with any particular function had to be transferred to the local municipality in whose area they are situated: by definition, land in a district management area was not situated within the area of any local municipality. In our view, therefore, on 5 December 2000 such assets fell to be transferred to the district municipality.

105. In February 2011, however, the district management area was disestablished and it was incorporated into George. George is a local municipality falling within Eden's area.
106. In terms of section 17 of the Structures Act, when municipal boundaries are re-determined, the provisions of sections 12 and 14 are applicable to the extent necessary to give effect to the redetermination, and the MEC is required to "*repeal, amend or replace*" any establishment notice if necessary in the circumstances.
107. We were briefed with a copy of the establishment amendment notice ("*the establishment sixth amendment notice*") which was promulgated specifically in relation to the disestablishment of the former district management area and its incorporation into George, namely the establishment sixth amendment notice.²⁰
108. It appears that the establishment sixth amendment notice leaves intact the provisions of sections 16 and 16A of the establishment amendment notices.
109. The establishment sixth amendment notice however also introduces an annexure to the notices, headed "*Transitional measures to facilitate the disestablishment of the District Management Area ... and the incorporation of the area concerned in the superseding municipality*". The annexure –

²⁰ The Eden District Municipality (DC4) Establishment Sixth Amendment Notice, P.N 63/2011 published in *Provincial Gazette* No. 6854 on 25 February 2011.

109.1 in item 1, defines "local municipal function" as "a function referred to in section 84(2) of the Municipal Structures Act and section 16C(a) of the Schedule to the [Eden establishment notice, as amended]";²¹

109.2 in item 2(1) (which appears beneath the heading "Transitional measures"), provides that the "transitional measures and principles" set out in item 2 apply "from the effective date" (being the date of the first general municipal elections held after the publication of the establishment sixth amendment notice);

109.3 in item 2(3)(a), provides as follows (our underlining):

"The following principles determine the transfer of assets and liabilities from the District Municipality to [George] in respect of the DMA:

(a) All ... immovable assets ... of the District Municipality associated exclusively with local municipal functions which from the effective date are to be carried out by [George] within or in respect of the DMA, must be transferred to [George], unless otherwise agreed to between the District Municipality and [George]."

110. The property is not "associated exclusively with local municipal functions ... to be carried out by [George]". Applying item 2(3)(a) of the annexure, it is not to be transferred to George, and therefore remains the property of Eden.

²¹ The inclusion, in the definition of "local municipal functions", of functions referred to in section 16C(a) is at odds with the manner in which such functions are treated in the establishment amendment notices. As we have explained, in terms of the establishment amendment notices, assets relating exclusively to functions listed in section 16C(a) on 5 December 2009 were not automatically to be transferred to the relevant local municipality; instead they were to be transferred to their old owner's successor in law, whether Eden or a local municipality.

111. The question arises whether section 16A(11) of the establishment amendment notices applies in respect of properties affected by the disestablishment of a district management area. In our view, it does not. The annexure to the establishment sixth amendment notice purports to set out comprehensively, in item 2(3), the principles determining the transfer of assets and liabilities from Eden to George in respect of the district management area (*"the following principles determine ..."*). There is nothing to suggest that those principles must be read subject to or together with the principles which applied earlier, on 5 December 2000, on the disestablishment of the old municipalities and the establishment of the new municipalities, as set out in section 16A of the establishment amendment notices.

112. Accordingly, the property remains the property of Eden.

Farm 459, Doordrift

113. This property is a farm, zoned agricultural, and covered by a mix of alien vegetation, proteas and reeds used and apparently illegally harvested for roofing (rietdak). It has a significant natural water source which is the primary feeder for the Gouritz River mouth settlement. Nothing in our instructions suggest, however, that on 5 December 2000 there were any municipal water works on the property.

114. The property fell within the municipal area of the now-disestablished Langeberg Transitional Representative Council, one of Hessequa Municipality's predecessors in law. (Hessequa is a local municipality falling within Eden's area.)

115. In our view, the property is not associated with any particular municipal function.

116. Applying the steps set out above:

116.1 Step 1: On 5 December 2000 was the property associated with a function listed in either section 84(1) of the Structures Act or section 16C(a) of the establishment amendment notices? No.

116.2 Consequently, the property is to be allocated to Hessequa, specifically on the basis it was not associated with any particular (municipal) function, as contemplated in section 16A(11) of the establishment amendment notices.

117. In summary:

117.1 two of the properties, namely Portion 1, Walker's Point, and Doornberg Outspan, Farm 32, George, must be registered in the name of Eden;

117.2 the remaining properties must be registered in the name of the relevant local municipality.

The way forward

118. We are instructed that our advice has significant negative implications for Eden. We are asked whether there are ways of limiting those implications.

119. Two possibilities have been raised with us in this regard.

120. The first possibility is the publication of a notice under section 16 of the Structures Act stopping any further transfers of staff, assets and liabilities between district and local municipalities, i.e. effectively maintaining the *status quo*. The rationale for such a notice would presumably be that more than thirteen years has passed since the establishment of the new municipalities. Whatever transfers needed to have been effected could and should have been effected by now; for the rest, it is best to entrench the *status quo* and not disrupt it.

121. In our view, this would be *ultra vires* the provisions of the Structures Act. The proviso to section 14(2) provides that establishment notices must regulate the transfer of staff, assets and liabilities in a way which enables district and local municipalities to perform the functions and exercise the powers allocated to them respectively in terms of section 84. A notice along the lines suggested will block such transfers (where they have yet to be effected) and will contravene the proviso to section 14(2). There is no other provision in the Structures Act which permits the MEC in effect to freeze an as-yet uncompleted process of transfer aimed at giving effect to the proviso to section 14(2), let alone to do so just because of the passage of time.
122. The second possibility is a notice under section 16 of the Structures Act amending the current position in respect of properties not associated with municipal functions. As we have explained, the current position is that –
- 122.1 the transfer of assets associated exclusively with the ten functions listed in section 16A of the establishment amendment notices depends on the identity of the old municipality-owner of those assets, rather than on an assessment of which municipality performs or should perform the relevant function;²² and
- 122.2 any other immovable properties not associated with a particular municipal function are to be transferred to the relevant local municipality.²³
123. The proposal is, via a new amendment notice, prospectively (i.e. as from the date of the notice) to provide for a different allocation of properties not associated with a particular municipal function – specifically, that such properties be allocated to their major user as at the date of the amendment

²² See paragraphs 46 to 49 above.

²³ See paragraphs 42 and 43 above.

notice. It seems to us that a default allocation is necessary to cover situations where there is no identifiable major user, for example in respect of undeveloped land; in such a case, a default allocation which depends on the identity of the old municipality-owner of the property (i.e. allocating the property to its successor-in-law) seems to us to be appropriate. This approach has the benefit of aligning allocation with actual use – save where there is no actual use, in which case historic ownership is preserved. It seems to us to be a practical approach, and not overly disruptive.²⁴

124. In our view, such a change would be lawful, provided the MEC follows the procedure laid down in section 16(2) of the Structures Act. It would not be *ultra vires* the Structures Act, because the new allocation would necessarily relate to functions other than functions contemplated in sections 84(1) and (2) of the Structures Act. As a result, the proviso to section 14(2) of the Structures Act would not present an impediment to the changes.
125. How would such a change affect the advice given in this opinion? For the most part, the allocation would remain the same. However, if the proposed amendment notice were promulgated, the allocation of the properties described below would change. (We base the analysis below on the information in our instructions. Because, in respect of those properties without a major user, the identity of the old municipality-owner becomes decisive, it is important to verify historical ownership.)
126. First, regarding Portion 1, Walker's Point: Our current advice is that this property is to be allocated to Eden, as the successor to the South Cape Regional Services Council. The notes to the table of "*Eden District Municipality Properties*" dated 15 October 2013, which formed part of our instructions, provide in respect of this property "*Conservation & partly*

²⁴ Another possibility is to allocate solely depending on the identity of the old municipality-owner of the property, i.e. without first considering whether the major user test yields a result. This seems to us to be a less pragmatic approach, because it has less regard for the *status quo*.

utilised by Knysna [Municipality]". Applying the major user test, this property would be allocated to Knysna, instead of to Eden, if the proposed amendments are implemented. If Knysna does indeed use the property, there is no room to apply the default allocation. (We also point out that Portions 2 and 3, Walker's Point, would be allocated to Knysna as their major user.)

127. Second, regarding Erven 20, 21 and 22 Belvedere: These are vacant properties and have no major user. Applying the proposed default allocation: According to the table of "*Eden District Municipality Properties*" dated 15 October 2013, the properties are registered in the name of the South Cape District Council, one of Eden's predecessors. Assuming that to be correct, they are to be allocated to Eden.
128. Third, regarding Erven 264 and 271, Reebok: These are also vacant properties and have no major user. Applying the proposed default allocation: According to the table of "*Eden District Municipality Properties*" dated 15 October 2013, Erf 264 is registered in the name of the South Cape Regional Services Council; and Erf 271 is registered in the name of the Divisional Council Mossel Bay. As far as we have been able to establish, with the aid of our instructing attorney, both the South Cape Regional Services Council and the Divisional Council Mossel Bay are predecessors of Eden.²⁵ Assuming that to be correct, the properties are to be allocated to Eden.
129. Fourth, regarding Farm 459, Doordrift: This is an undeveloped property and does not appear to have a major user. Applying the proposed default allocation: According to the table of "*Eden District Municipality Properties*" dated 15 October 2013, Farm 459 is registered in the name of the Hessequa

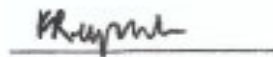
²⁵ It appears, although we have not been able finally to verify this against a copy of the relevant notice, that when the South Cape Regional Services Council was established (in terms of P.N. 332 of 31 March 1989), it was the successor to the Mossel Bay Divisional Council. The South Cape Regional Services Council was in turn succeeded by the South Cape District Council (in terms of P.N. 152 of 15 December 1995); and the South Cape District Council was then succeeded by Eden (in terms of the Establishment Notice).

Municipality. We do not have instructions on the name of the local authority in which it was previously registered. It seems likely that it was registered in the name of one of Hessequa's predecessors and (if so) there is no basis on which to reallocate it. Of course, this should be verified.

130. We have indicated above the effect of the proposed amendment on the specific properties we were instructed to consider. We are not able to comment on the effect of such an amendment more broadly. As will be clear from what is set out above, a property-by-property analysis is required.
131. It will also be clear from what is set out above that the means available to address the negative implications for district municipalities are limited. This is because the legislative allocation of functions in section 84 of the Structures Act, read with the basic constraint imposed by the proviso to section 14(2) of the Structures Act, sets as an underlying principle that assets must follow the allocation of functions.



Andrew Breitenbach SC



Kate Reynolds

Chambers
Cape Town
28 August 2014

BACK TO AGENDA

DISTRICT COUNCIL

30 SEPTEMBER 2020

FEEDBACK ON THE ADVERTISING OF COUNCILS INTENTION ON THE LONG TERM LEASING PROGRESS ON RENEWAL OF LEASE AGREEMENT FOR CELLPHONE OPERATORS /TERUGVOERINGSVERSLAG RAKENDE DIE RAAD SE INTENSIE VIR DIE ADVERTERING VAN DIE HERNUWING VAN DIE LANGTERMYN HUUROONKOMS VIR SELFOON OPERATEURS / UNIKEZELO LWENGXELO NGOKUPAPASHWA KWENJONGO ZEBHUNGA ZENKQUBO YOKUQESHISA IXESHA ELIDE NGOKUVUSELELWA KWEZIVUMELWANO ZENKQUBO ZE SELFONI

(18/4/1/1/6)

11 September 2020

REPORT FROM THE EXECUTIVE MANAGER: PLANNING AND ECONOMIC DEVELOPMENT SERVICES (L MENZE) / PROPERTIES & RESORTS (M APPELS)

2. PURPOSE OF THE REPORT

To inform Council about the outcome of advertisements placed in respect of the long-term lease agreements with the cell-phone operators.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Council approved that the Municipal Manager enter into contracts for a period of three (3) years and less than R10 million in terms of the Asset Transfer Regulations. A request was received from MTN and Vodacom to renew their contracts that expired during 2018 and 2019 for a period of 9 years and 11 months. In terms of the Asset Transfer Regulations, this power rests with the Council to approve the renewal of contracts for a period exceeding three (3) years.

5. **RECOMMENDATIONS**

- 5.1.1 That Council notes that no objections were received on the Council's intention to enter into long term lease agreements.
- 5.1.2 That Council grants approval for a long term lease to be entered into between MTN and Vodacom for a period of 9 years and 11 months.
- 5.1.3 That Council resolves that the property is not required for the provision of basic municipal services as provided for in Section 14 of The Local Government: Municipal Finance Management Act 56 of 2003.
- 5.1.4 That the lease period be for a period of 9 years 11 months be concluded subject to all outstanding payments owed to the municipality paid in full for the previous lease agreement.
- 5.1.5 That Council takes note that there were no objections received after the advertisement was published in the media for public comments .

AANBEVELINGS

- 5.2.1 *Dat die Raad kennis neem dat geen besware ontvang is rakende die Raad se voorneme om langtermyn-huurooreenkomste aan te gaan nie.*
- 5.2.2 *Dat die Raad goedkeuring verleen dat 'n langtermyn kontrak aangegaan kan word met MTN en Vodacom vir 'n periode van 9 jaar en 11 maande.*
- 5.2.3 *Dat die Raad bevestig dat die grond nie benodig word vir die voorsiening van basiese munisipale dienste soos bepaal in artikel 14 van die MFMA nie.*
- 5.2.4 *Dat die huurooreenkoms onderworpe is aan die betaling van alle uitstaande huurgelde wat aan die munisipaliteit verskuldig is.*

5.2.5 *Dat die Raad kennis neem dat daar geen besware ontvang was tenopsigte van die publieke deelname proses nie.*

IZINDULULO

- 5.3.3 Sesokuba iBhunga lithathele ingqalelo ukuba akukhange kubekho ziphikiso eziye zafunyanwa kwinjongo zeBhunga lokungenela kwisivumlelwano sokuqeshisa ixesha elide.
- 5.3.4 Sesokuba iBhunga linikeze impvume yokuqeshisa ixesha elide kunye nabakwa MTN nabakwa Vodacom ixesha leminyaka elithoba nenyanga ezilishumi elinanye.
- 5.3.5 Sesokuba iBhunga ligqibe ukuba imihlaba ayenzelwanga ukubonelela ngenkonzo ezingundoqo zomasipala njengoko kufunwa ngumhlathi 14 Worhulumente Basekhaya: uMthetho 56 Wolawulo Lwemali Zomasipala wango 2003.
- 5.3.6 Sesokuba ixesha lokuqeshisa ixesha leminyaka elitshoba nenyanga ezilishumi elinanye kuqulunqwe ngokuye kuhlawulwe zonke imali ezityalwa umasipala ngokupheleleyo, imali zesivumelwano sakuqala.
- 5.3.7 Sesokuba iBhunga lithathele ingqalelo ukuba akukhange kubekho ziphikiso eziye zafunyanwa emveni kwenziwa upapasho ukuze abantu bavakalise izimvo zabo.

6. DISCUSSION / CONTENTS

6.1 BACKGROUND

The Garden Route District Municipality (GRDM), like many similar district municipalities in the country, is facing serious financial stresses that threaten the very survival of the institution.

Currently the municipality is highly grant dependent and cannot survive without it. The financial grant dispensation in the country is not showing any signs of improvement and the outlook is not promising, as the economy and the national revenue base are not growing. Various studies have been performed and all have concluded that the current financial dispensation is not sustainable and new strategies need to be employed.

In achieving these broad strategic objectives enunciated [above] Council therefore committed to empower and monitor management in engaging in the following decision-making process thus guided by applicable legislative prescripts:

1. Leasing of certain properties of Council on a long-term basis;
2. Partnering with developers in certain properties of Council;
3. Own development of certain properties to achieve certain development goals;
4. Partnering with provincial- and national government and entities to achieve certain development goals.

Council will further vividly recall that the advancement of these strategies was reinforced with a fundamental resolution which gave concurrence to management's quest on the future management of resorts. On May 23, 2017, Council then resolved as follows on the utilization of Council Properties that:

1. the Municipal Manager, assisted by Executive Management and monitored by the Executive Mayor, ensures that various legislative processes are employed to facilitate decision-making to achieve the following :
 - 7.1 Leasing of certain properties on a long term basis;
 - 7.2 Alienation (out-right sale) of certain properties;
 - 7.3 Partnering with developers in certain properties;
 - 7.4 Exchange with B-Municipalities of certain properties for mutual benefit;
 - 7.5 Own development of certain properties to achieve certain development goals;
 - 7.6 Partnering with Provincial and National governments and entities to achieve certain development goals

In implementation of the above resolution, the municipality received letters from Mobile Telephone Networks Proprietary Limited (MTN) and Vodacom requesting extension of leases for sites known as T5142 Victoria Bay on Farm 195 Portion 108, Kraaibosch, dated May 27, 2020 and [for] ERF2219 Lorie Park, dated May 19, 2020 (respectively).

GRDM currently has four (4) lease agreements with cellphone operators. Two (2) of these, are active and need not to be renewed/extended. The proposed renewals both have expired. There was no initiation from the previous Manager charged with the responsibility of Properties Section. At this stage there is no indication as to why such an action was not done, however this was one of the charges preferred against him for such procrastination. Despite these not being renewed the municipality has received income from MTN, as well as, arrears payments. The signed Lease Agreement for Vodacom could not be located, as a result an amount of R709 471.33 including VAT has not been paid to the Municipality. There was verbal indication that the Tower was transferred to Provincial Department of Roads and Public Works but no transfer agreements are in place to ascertain that.

This is for the period of 1 August 2013 – 31 July 2018. However, Vodacom has since indicated in writing to the municipality that they are willing to make the payment and furthermore, they have thus indicated that they are willing to settle to July 2020 as they are currently operating the tower. However there is still a 1% VAT increase that Vodacom has not taken into consideration from August 2018 to date that the Finance Department is currently in negotiation with them.

The biggest challenge that the Property section observed on both towers was that an agreement was entered by Garden Route District Municipality and respective cellphone providers – however, there has been a perturbing trend wherein these cellphone providers are subletting to providers and thus a loss of potential income to the municipality. For the anticipated/requested renewal the issue of subletting will be inserted through the Legal Section of the Municipality on the Lease Agreement, wherein it must be done by the lessor.

We have noted on the previous agreements there was no such provision. This will enable the municipality to have full control of the operations of the tower.

In May 2018, Council will recall that management obtained a Council decision on determining the market value of high value capital assets, and [also] obtained authorization to amend Council's delegations and to inform Council of the administrative processes in terms of the Municipal Asset Transfer Regulations. In that Council Meeting of May 29, 2018, council resolved as follows:

1. That, in terms of Regulation 1(1) the market value of high-value capital assets be set at a threshold which is equal to the lesser value of R50 million or 1% of the total value of the capital assets of the Municipality.
2. That, in terms of Regulation 34(4), provision is made in the current system of delegations that the Municipal Manager be authorized to approve the public participation process for granting of rights to use, manage or control capital assets not exceeding R10 million and for a period not longer than three (3) years.
3. That Council delegates to the Municipal Manager its power to approve the granting of rights to use, manage or control capital assets not exceeding R10 million and for a period not longer than three (3) years.

The Municipal Asset Transfer Regulations (hereinafter referred to as the Regulations) came into effect on 1 September 2008. The purpose of the Regulations is to regulate the transfer and disposal of municipal capital assets.

The Regulations intends to create structure in the management of capital assets by Municipalities. The Regulations defines "capital asset" as –

- a) any immovable asset such as land, property or buildings; or
- b) any movable asset that can be used continuously or repeatedly for more than one year in the production or supply of goods or services, for rental to others or for administrative purposes, and from which future economic or social benefit can be derived, such as plant, machinery and equipment.

The Regulations also distinguishes between "exempted capital assets" which is exempted by section 14(6) or 90(6) of the Municipal Finance Management Act 56 of 2003 (MFMA) and "non-exempted capital assets" which is not exempted by section 14(6) or 90(6) of the MFMA from the other provisions of that section. However, this report will only deal with non-exempted capital assets.

The Regulations furthermore distinguishes between the transfer and permanent disposal of non-exempted capital assets and the granting of rights to use, control or manage municipal capital assets. In terms of Regulation 1(1), a "high-value" in relation to a capital asset of a Municipality means that the fair market value of the capital asset exceeds any of the following amounts:

- a) R50 million;
- b) 1% of the total value of the capital assets of the Municipality; or
- c) an amount determined by resolution of the Council which is less than (a) and (b).

On **granting of rights to use, control or manage municipal capital assets** the [next category of non-exempted capital assets] are those where rights to use, control or manage municipal assets are granted. The Regulations differentiate between capital assets where the rights that are granted has a value in excess of R10 million and are regarded as long-term if more than three (3) years. The same process in terms of capital assets of a higher and lesser value applies.

However, for the purposes of these two requests from MTN and Vodacom the lease period is for 9 years and 11 months. In nature they are long-term and would therefore require Council concurrence. The actual value of the lease period is still to be determined by all the parties involved. We have noted of the past few months challenges which are currently being resolved with regards to some telephone networks not being billed and such these lease agreements will not be concluded if there is still outstanding amount from the previous lease.

A team from Finance and Property Section is working on this issue to ensure that all payments due to Council are honoured. It is therefore for this reason that we request the Council in line with the above cited Regulations to embark on the process of renewing the above lease agreement.

Renewal Process

In assessing the considerations, it is clear that lease renewal should be driven largely by evenhandedness and what is perceived to be fair between lessor and lessee. The two effective parties namely:

- Kaaimans Pass, Remainder of Farm 195 (MTN)
- George GRDM Erf 2219 (Vodacom)

6.3 FINANCIAL IMPLICATIONS

- All costs in terms of the advertisements, will be borne by the cellphone operators.
- Council will benefit on the market related rental that will be payable by the two lessees.

6.4 RELEVANT LEGISLATION / LEGAL IMPLICATIONS

South Africa: Constitution of the Republic of South Africa 1996

Local Government: Municipal Structures Act 117 of 1998

Local Government: Municipal Systems Act 32 of 2000

Local Government: Municipal Finance Management Act 56 of 2003

Local Government: Municipal Property Valuations Act 6 of 2004

Eden Immovable Property Management Policy June 2012

Local Government: Municipal Asset Transfer Regulations RN878

6.5 STAFF IMPLICATIONS

None

6.6 PREVIOUS / RELEVANT COUNCIL RESOLUTIONS

"COUNCIL MEETING THAT TOOK PLACE ON 30 JUNE 2020

H.2 **RENEWAL OF LEASE AGREEMENT FOR CELLPHONE OPERATORS /
HERNUWING VAN HUUROOEENKOMS VIR SELFOON OPERATEURS /
ISIVUMELWANO SOHLAZIYO LWE CELLPHONE OPERATORS (1062155)**

Refer: Report (18/4/1/1/6) dated 1 June 2020 from the Executive Manager Planning
Economic Development (L Menze) Property Manager (M Appels)(pg 356-381)

RESOLVED

1. That Council grants approval for a long term lease to be entered into between MTN and Vodacom for a period of 9years and 11months.
2. That the property is not required for the provision of basic municipal services as provided for in Section 14 of The Local Government: Municipal Finance Management Act 56 of 2003.
3. The lease period be for a period of 9 years 11 months subject to all outstanding payments owed to the municipality paid in full.
4. That both Vodacom and MTN will be responsible for the advertisement costs to source the comments from the public as outlined in the Asset Transfer Regulations.
5. That this item be referred back to Council after the Public Participation Process and negotiations with both Vodacom and MTN has been concluded".

6.7 RISK IMPLICATIONS

None

6.8 COMMENTS FROM SENIOR MANAGEMENT**6.8.1 COMMENTS: EXECUTIVE MANAGER CORPORATE SERVICES**

NONE

6.8.2 EXECUTIVE MANAGER: FINANCIAL SERVICES

NONE

6.8.3 EXECUTIVE MANAGER: COMMUNITY SERVICES

NONE

6.8.4 EXECUTIVE MANAGER: PLANNING AND ECONOMIC DEVELOPMENT

NONE

6.8.5 EXECUTIVE MANAGER: ROADS AND TRANSPORT SERVICES

NONE

6.8.6 MANAGER: LEGAL SERVICES

NONE

BACK TO AGENDA

DISTRICT COUNCIL

30 SEPTEMBER 2020

REPORT ON THE PROGRESS MADE IN TERMS OF THE ESTABLISHMENT OF THE GARDEN ROUTE DISTRICT MUNICIPALITY AS A WATER SERVICES AUTHORITY / VERSLAG RAKENDE DIE VORDERING TEN OPSIGTE VAN DIE REGISTREER VAN DIE TUINROETE DISTRIKSMUNISIPALITEIT AS 'N WATER DIENSTE OWERHEID / INGXELO NGOMSEBENZI OSELE WENZIWE NGOKWEMIQATHANGO YOKUMISELWA KOMASIPALA WESITHILI SE GARDEN ROUTE NJENGE NKONZO YEZO GUNYAZISO LWAMANZI

(18/3/5/2)

16 September 2020

REPORT FROM EXECUTIVE MANAGER PLANNING AND ECONOMIC DEVELOPMENT (L MENZE): DISASTER MANAGER (G OTTO) / PROJECT MANAGEMENT UNIT (P DONGI)

2. PURPOSE OF THE REPORT

To inform council of the progress made regarding the proposed establishment of the Garden Route District Municipality as a Water Services Authority.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

5. RECOMMENDATIONS

5.1.1 That Council takes note of the progress made in terms of the establishment of the Garden Route District Municipality as a Water Services Authority.

5.1.2 That Council supports the intention of the district municipality to be registered as the Water Services Authority for the district.

5.1.3 That the Council Authorizes the Municipal Manager proceed and engage the National Minister of CoGTA to pronounce her decision on GRDM application considering that there was only one objection from the B Municipalities.

AANBEVELINGS

- 5.2.1. *Dat die Raad neem kennis van die vordering wat gemaak is met die totstandkoming van die Garden Route-distriksmunisipaliteit as 'n waterdienste-owerheid.*
- 5.2.2 *Dat die Raad ondersteun die voorneme van die distriksmunisipaliteit om as die Waterdienste-owerheid vir die distrik geregistreer te word.*
- 5.2.3. *Dat die Raad die Munisipale Bestuurder magtig gee om die Nasionale Minister van CoGTA te betrek om beslissing te gee rakende die GRDM-aansoek, aangesien die enigste beswaar van die B-munisipaliteite was.*

IZINDULULO

- 5.3.1 Sesokuba iBhunga lithathele ingalelo umsebenzi osele wenziwe ngokwemiqathango yokumiselwa koMasipala Wesithili se Garden Route njengoMgunyazisi Wenkonzo yeZamanzi.
- 5.3.2 Sesokuba iBhunga lixhase injongo zomasipala wesithili sokubhaliswa njengoMgunyazisi Wenkonzo yaManzi kwisithili.
- 5.3.3 Sesokuba iBhunga liGunyazise uMphathi Masipala ukuba aqhubekeke nokubamba ingxoxo kunye Nompathiswa kaZwelonke we CoGTA ukuze ebhengeze isigqibo sakhe kwisicelo se GRDM ngokuqwalasela ukuba kuye kwakho isiphikiso esinye komasipala Basekuhlaleni.

6. DISCUSSION/ CONTENTS

6.1 BACKGROUND

On the 22nd of March 2018 council supported the establishment of the Garden Route Water Management Forum as well as to start with the process to establish the Garden Route Water Services Authority (WSA).

Subsequent to this meeting engagements with the local municipal Water Services Authorities started in order to unpack the process in terms of the establishment of the Garden Route WSA as well as the areas to be transferred to the DM, should the DM be successful to become the WSA.

In addition to this Mr. Ntandazo Vimba the CEO of the Municipal Infrastructure Support Agent (MISA) committed to assist the Garden Route DM with the processes required to be registered as the WSA for the district. He also committed to assist and provide funding for the compilation of a district Water Resources and Bulk Water Supply Master Plan.

In order to unpack the support to be provided by MISA the Municipal Manager and the Disaster Manager met with the CEO of the Municipal Infrastructure Support Agent (MISA) on Wednesday 5 September 2018. During this meeting the draft guidelines for the proposed Regional Bulk Water Planning Study as well as the draft action plan on acquiring accreditation as a Water Services Authority were discussed.

During this meeting Mr. Themba Fosi the Deputy Director General, Local Government Support & Intervention Management at the Department of Cooperative Governance and Traditional Affairs advised that the Garden Route DM should start the process to be registered as the WSA for the Garden Route District by,

- (a) officially requesting the MEC to consider the re-allocation of this function as well as to;
- (b) request local municipalities in the district to formally resolve in terms of their support in terms of the registration of the Garden Route Water Services Authority;

GRDM REGIONAL PERSPECTIVE ON WATER SECURITY

The Constitution of the Republic enjoins all spheres of government to cooperate with one another in mutual trust and good faith to secure the well-being of all citizens. Within this framework of cooperative governance, the Garden Route District Municipality (GRDM) seeks to support and strengthen the water services within the district in order to ensure an increased level of water security and resilience within the face of climate change and other related risks.

With this in mind the Garden Route District Municipality would endeavour to implement a range of operational interventions that are in line with emerging best practice measures to respond, not only to the current drought disaster the Garden Route District and the threat that this have on the water security within the district, but to develop sustainable water security for the region as a whole. Due to the adverse impacts of climate change and associated uncertainty, exacerbated by population and economic growth, water service provision within the district is struggling with serious challenges within this “new normal” nexus. Improvements must be accelerated through the adoption of solutions which can deliver meaningful efficiency savings, productivity enhancements, and sustainable, inclusive results.

The gap between water demand and supply within the region is widening. At an aggregate level, it is forecast to get steadily worse, indicating increasing water shortages. The crisis is multidimensional. Accessible freshwater in the region has become scarce as more consumers are demanding water under conditions of climatic change.

Improving water governance remains a challenge since arrangements are generally fragmented. This silo approach has complicated a coordinated approach at local level. Typically, multiple local municipalities share separate responsibility for water allocation and its use. The harmonization of water services planning is required, and the local municipal interdependence of water services requires greater attention.

Additional effort is necessary to more adequately mainstream the principal water stakeholders into water policy design and/or implementation. The region is clearly at the crossroads with regard to the choices it is making for addressing water crises. It is therefore opportune for the Garden Route District Municipality to take stock of the water operations within the region, in order to identify the current and emerging water issues, as well as to determine the best ways in which it can support the local B-Municipalities to address issues to 2040 and beyond.

On the 1st of October 2018, the Garden Route District Municipal re-affirmed that they support the establishment of the Garden Route Water Services Authority (WSA). The establishment of the Garden Route Water Services Authority (WSA) would be to provide leadership, coordination, guidance and support to local B-Municipalities in defining their respective local areas' water operations.

The Municipal Infrastructure Support Agent (MISA) committed to assist the GRDM with the processes required to be registered as the WSA for the district. They also committed to assist and provide funding for the compilation of a district Water Resources and Bulk Water Supply Master Plan.

PROGRESS TO DATE

- Correspondence was sent to B – Municipalities informing them of the intentions of the DM on water provision
- Municipal Manager has communicated with National Minister and MEC on WSA and official letters were sent
- The idea was presented at the DCF and MMF and the B- Municipalities indicated that they would like to have further engagement on the matter
- Municipal Manager has also engaged MISA – CEO to assist with technical expertise and with the process of GRDM getting the WSA accreditation. A team of engineers from MISA have been seconded to assist with the process. A task team that consist of GRDM and MISA had been established and has been engaging since January 2019 on a regular basis.
- GRDM and MISA signed an MoU to guide the partnership
- MISA availed their technical team to assist with the development of Water Resources Plan and Master Plan with a special focus on Bulk Water Infrastructure

- The task team visited two district municipalities in the Western Cape and two District Municipalities in the Eastern Cape for a study tour on how they acquired their WSA status
- Draft Water Resources plan for consideration is done and have been finalised
- The Municipal Manager and the officials visited all the seven local Municipalities to further explain the rationale behind this move.
- George Municipality responded that the committee responsible for that function is not in agreement with the proposition and indicated that they are already performing the function
- Mossel Bay municipality responded to the correspondence also and whilst they don't totally disagree with the GRDM submission they however want a common ground with the assistance of the office of the MEC for local government.
- The other five municipality did not formally respond to the engagements and correspondence

6.3 FINANCIAL IMPLICATIONS

No financial implications at this stage.

6.4 LEGAL IMPLICATIONS / RELEVANT LEGISLATION

- The Constitution of the Republic of South Africa – Sections 24(b)(iii), 25(8) & 27(1)(b)
- Local Government Municipal Structures Act, 1998 (Act 117 of 1998) - Section 84(1)(b)
- National Water Act (Act 36 of 1998) - Chapter III (Sections 11-21)

6.5 STAFF IMPLICATIONS

None

6.6 PREVIOUS / RELEVANT COUNCIL RESOLUTIONS

EXTRACTION OF MINUTES OF A COUNCIL MEETING THAT TOOK PLACE ON 27 JUNE 2019

H.5 REPORT ON THE PROGRESS MADE IN TERMS OF THE ESTABLISHMENT OF THE GARDEN ROUTE DISTRICT MUNICIPALITY AS A WATER SERVICES AUTHORITY / VERSLAG RAKENDE DIE VORDERING TEN OPSIGTE VAN DIE REGISTRASIE VAN DIE GARDEN ROUTE DISTRIKSMUNISIPALITEIT AS 'N WATER DIENSTE OWERHEID / INGXELO NGOMSEBENZI OSELE WENZIWE EKUMISELENI UMASIPALA WESITHILI SE GARDEN ROUTE NJENGE GUNYALAWULO LWAMANZI(754894)

refer: Report (18/3/5/21) dated 13 June 2019 from the Executive Manager Planning & Economic Development (L Menze)/Manager Property Development Planning and Resorts (WJ Fourie)

RESOLVED

1. That Council takes note of the progress made in terms of the establishment of the Garden Route District Municipality as a Water Services Authority;
2. That Council supports the intention of the District Municipality to be registered as a Water Services Authority for the district;
3. That the local municipalities in the district be requested to formally resolve in terms of their support of the registration of the Garden Route Water Services Authority; through providing the Council resolutions on this matter

BESLUIT

1. Dat die Raad kennis neem van die vordering wat gemaak is ingevolge die stigting van die Garden Route Distriksmunisipaliteit as 'n Waterdienste owerheid.
2. Dat die Raad die voorneme van die distriksmunisipaliteit ondersteun om as die Water Dienste owerheid vir die distrik geregistreer te word;
3. Dat die plaaslike munisipaliteite in die distrik versoek word om formeel op te tree in terme van hul ondersteuning van die registrasie van die Garden Route Waterdienste Owerheid; deur die Raad se besluite oor hierdie aangeleentheid te verskaf

ISIGQIBO

1. Sesokuba iBhunga lithathele ingqalelo umsebenzi osele wenzkiwe ngokwemi miselo yokumisela uMasipala Wesithili se Garden Route njenge Gunya Lawulo Lwenkonzo Yamanzi.
2. Sesokuba iBhunga lixhase injongo zomasipala wesithili sokubhaliswa njenge Nkonzo Yegunyalawulo kwisithili.
3. Sesokuba oomasipala basekuhalelni kwisithili bacelwe bagqibe ngokusemthethweni ngokwemimiselo yenxaso yabo

yokubhaliswa koMasipala Wesithili se Garden Route Njenge Gunyalawulo lwenkonzo Yamanzi, ngokunikezele izindululo zamaBhunga azo ngalomba".

6.8 COMMENTS FROM SENIOR MANAGEMENT

6.8.1 COMMENTS: EXECUTIVE MANAGER CORPORATE SERVICES

NONE

6.8.2 EXECUTIVE MANAGER: FINANCIAL SERVICES

NONE

6.8.3 EXECUTIVE MANAGER: COMMUNITY SERVICES

NONE

6.8.4 EXECUTIVE MANAGER: PLANNING AND ECONOMIC DEVELOPMENT

NONE

6.8.5 EXECUTIVE MANAGER: ROADS AND TRANSPORT SERVICES

NONE

6.8.6 MANAGER: LEGAL SERVICES

NONE



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George Municipality
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Date: 23 June 2020

*Kantoor van die Munisipale Bestuurder
Office of the Municipal Manager*

Enquiries: T Botha
044 801 9069

Without prejudice

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6530

Per e-mail: info@gardenroute.gov.za
GOtto@gardenroute.gov.za

Dear Sir

REQUEST FOR ASSIGNMENT OF THE WATER SERVICES AUTHORITY FUNCTION TO GARDEN ROUTE DISTRICT MUNICIPALITY

Your letters dated 2 April 2020 and 28 May 2020, refer.

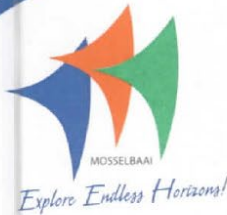
Your request to obtain a resolution from the George Municipal Council to recommend that the Garden Route District Municipality to be appointed as the Water Services Authority of the district, has not been approved.

At the Executive Mayor-in-Committee meeting held on 11 June 2020, it was resolved:

- “(a) that the request received from the Garden Route District Municipality to be assigned as a Water Services Authority (WSA), not be approved, as George Municipality is already performing the service and has the expertise, the necessary capacity and infrastructure to manage the water authority function efficiently; and
- (b) that the decision be conveyed to the Garden Route District Municipality and the MEC for Local Government.”

Yours sincerely,

T BOTHA
MUNICIPAL MANAGER



MOSSEL BAY MUNICIPALITY
MOSSELBAAI MUNISIPALITEIT
UMASIPALA MOSSEL BAYI

In antwoord verwys na nommer 12/3/19 N Prins
In reply quote number
Xa Uphendula chaza Le Nombolo

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2007 Rapport Dorp van die Jaar
2016 National Greenest Town
2017 Kweĳa Town of the Year!

Mr. M Stratu
Municipal Manager
Garden Route District Municipality
P O Box 12
GEORGE
6530



11 May 2020

By e-mail: mm@gardenroute.gov.za; and
rekords@gardenroute.gov.za; info@gardenroute.gov.za

Sir

**REQUEST FOR SUPPORT IN TERMS OF THE GARDEN ROUTE DISTRICT
MUNICIPALITY BEING DECLARED A WATER SERVICES AUTHORITY**

Your letter dated 02 April 2020 regarding the above refers.

Please be advised that the Executive Mayor under delegated powers in terms of E49-03/2020 resolved on 06 May 2020 in terms of Resolution UB55-05/2020 as follows:

- "1. That cognisance be taken of the attached letter, marked as Annexure A received from Garden Route District Municipality.
2. That the Deputy Mayor, Alderman D Kotzé, Councillor A Delleijn (Chairperson Infrastructure Services Committee), Councillor M Furness (Chairperson Finances Committee), the Municipal Manager and any other senior official deemed necessary be delegated to refer the matter to the MEC for local government for discussion in order to obtain clarity in this regard.
3. That pending the outcome of the meeting with the MEC for local government an item be referred to Council for consideration.

4. That GRDM be informed that the proposal is not supported as is, but that clarity will be sought and that a response will follow."

With regard to the recommendation you are therefore informed that support in respect of the Garden Route District Municipality being declared as a Water Services Authority is not supported as is, but that clarity will be sought, and a response provided to GRDM in due course.

Any queries regarding the above must be directed to the Office of the Municipal Manager via e-mail to: mmoffice@mosselbay.gov.za and admin@mosselbay.gov.za.

Yours faithfully,



**ADV THYS GILIOME
MUNICIPAL MANAGER**

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FOR COMPLETION: EX MAN PLAN'E DEV	
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DATE	11/08/2026



Garden Route District Municipality

DISTRICT DEVELOPMENT MODEL:

**WATER SERVICES AUTHORITY
AND
BULK WATER & SANITATION FUNCTIONS**

**IMPACT ASSESSMENT:
OVERVIEW OF BULK WATER &
SANITATION INFRASTRUCTURE**

Draft 0

7 September 2020



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DOCUMENT MANAGEMENT

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Garden Route District Municipality:
District Development Model:
Water Services Authority and Bulk Water & Sanitation Functions

Document Name:

Impact Assessment:
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Date	Revision / Version Name	Rev. No.	Details of Changes	Author
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Date	Approval	Name & Position	Signature
	For Authors		
	Municipal Project Leader		
	Municipal Manager		
	For Municipal Council		

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GLOSSARY OF ABBREVIATIONS & TERMS

AG	Auditor General
CoGTA	Ministry of two Departments, i.e. Department of Cooperative Governance (DCoG), and Department of Traditional Affairs
DCoG	Department of Cooperative Governance (see also CoGTA)
DEA	Department of Environmental Affairs (also Department of Environmental Affairs and Tourism)
DEADP	Department of Environmental Affairs & Development Planning (Western Cape Government)
DEAT	Department of Environmental Affairs and Tourism (also called Department of Environmental Affairs)
DHS	Department of Human Settlements (Western Cape Government)
DLG	Department of Local Government (Western Cape Government)
DM	District Municipality
DoE	Department of Energy
DORA	Division of Revenue Act
DORB	Division of Revenue Bill
DWA	Department of Water Affairs (also Department of Water & Sanitation)
DWS	Department of Water & Sanitation (also Department of Water Affairs)
EIA	Environmental Impact Assessment
EMI	Environmental Management Inspector
hh	Household (HH)
GRDM	Garden Route District Municipality (Also Eden DM)
IDP	Integrated Development Planning (or Plan)
JDA	Joint District Approach (see also DDM)
kl	kilo litre
kV	kilo Volt
kVA	kilo Volt Ampere
LM	Local Municipality
LV	Low Voltage
M m ³ /a	Million cubic metres per annum (year) (one cubic metre is equal to 1000 litres)
MEC	Member of Executive Committee of a Provincial Government
MFMA	Municipal Finance Management Act
MIS	Management Information System
MSL	Mean Sea Level
MuSSA	Municipal Strategic Self-Assessment
MV	Medium Voltage
NEMA	National Environmental Management Act
NT	National Treasury
PDDWF	Peak Daily Dry Weather Flow (for waste water)
SALGA	South African Local Government Association
SDF	Spatial Development Framework
SPLUMA	Spatial Planning Land Use Management Act
STATSSA	Statistics South Africa
TWL	Top of Water Level
UAW	Unaccounted-for Water
UWD	Unit Water Demand (e.g. in l/stand/d or kl/d)
WC	Western Cape
WCDM	Water Conservation & Demand Management
WSA	Water Service Authority <i>"A water services authority (WSA) is any municipality that has executive authority for water services within its area of jurisdiction in terms of the Municipal Structures Act."</i>
WSDP	Water Services Development Plan
WSP	Water Services Provider <i>"A water services provider (WSP) means any person who provides water services to consumers or to another water services institution, but does not include a water services intermediary"</i>

W&S	Water and Sanitation
WSMP	Water and Sanitation Master Plan
WTW	Water Treatment Works (also called Water Treatment Plant WTP)
WWTW	Waste Water Treatment Works (also called Waste Water Treatment Plant WWTP)
FBW&S	Free Basic Water & Sanitation: The
BW&S	Basic Water & Sanitation: The.....

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1. INTRODUCTION

1.1 BACKGROUND

The Garden Route District Municipality (GRDM) is – similar to all other district municipalities in the Western Cape (WC) – not a water services authority (WSA), while most other district municipalities (DM's) in South Africa are WSA's.

Garden Route District Municipality (DC4), decided to take the responsibility to improve the support to the seven local municipalities (LM's) in the district, for water and sanitation (W&S) services, beyond the normal support function of a DM's powers and functions. The aim is to avoid as far as possible, any water security and safety risk caused by:

- Ongoing droughts
- Non-revenue and other water losses
- Ever-increasing population and water demands in the area
- Lack of funds to implement developments for demand and to improve service levels

The GRDM recognise the need to protect, innovate, diversify and manage the existing water resources and assets effectively, efficiently and economically, to the highest possible value creation for all consumers in the district.

For the GRDM to achieve the highest level of sustainable water security, the decision was taken to take up the statutory responsibility of becoming the WSA of the district for all water and sanitation (W&S) services. Therefore, the GRDM took the responsibility to build the necessary capacity, obtain resources and develop the operational, management and governance for the functions.

In order to build capacity, identify resource needs, to establish as a WSA, and for the required possible revocation and transfer of the WSA powers and functions from the LM's to the GRDM – the relevant legislation prescribe various actions to be taken prior to allowing any changes to the allocation of powers and functions to take place.

The service supply mechanisms of each W&S service area in the district must also be reviewed and a detailed Section 78 impact assessment must be done, as well as a determination of the capacity of both the DM and the LM's that are currently the WSA's in the district area.

The impact assessment must include studies that would highlight ways to enhance to DM's support and investigate amongst others:

- the current and required future capacity of each municipal institution for both the WSA and WSP functions in each area,
- the ideal mechanism and arrangement for the supply of the W&S services,
- the existing and future needs for W&S infrastructure,
- the widest possible list of development opportunities, e.g. improvements to the utilisation of desalination plants in the area,
- the opportunities for optimisation of capital and operational expenditures for highest efficiency, effectiveness and economy,
- and the economic and financial viability and impact of any alteration.

It is expected that the studies of the impact assessment, might reveal the additional need to change the mechanisms by which water services are provided in many of the service supply areas, apart from WSA functions, e.g. whether the LM, or DM or an external service provider, should be doing the water services provision. Therefore, the possibility must also be investigated for GRDM to

become directly involved with the provision of W&S services in some areas, as a bulk water services provider (WSP), in addition to the district-wide WSA function.

There are also other possible ways in which the GRDM can become WSA, e.g. for only a few municipalities in the District, with possible WSP functions for the related municipalities.

The GRDM emphasises that the only intention of the initiative is to improve all W&S services to the highest level and not to take over any functions from the LM's, which are currently both the WSA's and WSP's for all people in their municipal borders.

The GRDM would only consider the WSP function for bulk W&S services, and only in some areas where the impact assessment studies indicates the need for GRDM or any other water institution in the area, to take over provision functions for improvement of W&S services to the required levels.

Some of the possible benefits of GRDM to become the WSA, and WSP where necessary are as follows:

1. Gain additional information on a district level, identify and utilise more possible opportunities for augmentation, technological innovation and regional projects currently not utilised due to local focus, or lack of funding at single LM's
2. Enable better integrated planning and prioritisation across a larger district area, resulting in opportunities to optimise existing resources better.
3. Integrate better with other regional planning activities, e.g. the district-wide spatial planning, improving the level of sustainability, efficiency and economy of development planning
4. Improve a regional focus to diversify water sources and options to lower the water supply risks.
5. Use economies of scale to negotiate additional grants as well as leveraging investment funding for certain projects
6. Enable additional inputs from a larger pool of stakeholders and role players, including the possible involvement of the public for private investments
7. Opening up additional opportunities of scale and innovation of service supply mechanisms and outsourcing, e.g. facilitating the outsourcing of the desalination plants in the area to dedicated specialist professional service providers.
8. To ensure that the same high-level service delivery is achieved across the district and to optimise the use of cross-subsidisation.

1.2 SCOPE OF WORK

Fig. 1: Illustration of WSA Assessment Process

The impact assessment studies and work outputs required for the development of the WSA functions and preparation for a District Bulk Water and Sanitation Master Plan are as follows:

1. Inception and Draft Process Plan
2. Overview of Bulk Water and Sanitation Infrastructure – (this document)
3. Overview of Water and Sanitation Policies Report
4. Overview of Operational and Maintenance Costs Report
5. Bulk Water and Sanitation Infrastructure Report. This report can be will include the following:
 - Water Conservation and Demand Management details
 - Risk and disaster management assessment
 - Identification of gaps, analyses and discussions
 - Identification of future alternative infrastructure development options
 - Prioritisation of future bulk water and sanitation developments

- Overall Cost estimation of highest priority water and sanitation developments
- 6. Economic Analyses and Risk Assessment Report
- 7. Transfer of Staff and Assets Report
- 8. Section 78 Impact Assessment Process Report – including the full S 78 assessment and participation processes.
- 9. District Bulk Water and Sanitation Master Plan
The work required for the 5th Report, i.e. Bulk Water and Sanitation Infrastructure – will supply information for the Section 78 Impact Assessment. This report can be developed further, parallel to the assessments and consultative processes for the WSA – and can become the District Bulk Water and Sanitation Master Plan.

The Master Plan, will supply information for further developments, which may be reported individually, i.e.:

- Pre-Feasibility Report(s) – summarising the highest priorities and recommendations
- Feasibility Report(s) – evaluation of only selected highest priority project and scenarios, with cost estimations.
- The above, can result also in further regional detailed feasibilities studies such as the Bitou and Knysna Cross-Border Study of 2013.

The Municipal Infrastructure Support Agent (MISA), a Section ... government structure of national Departments of Cooperative Governance and Traditional Affairs (COGTA) was requested to assist with:

- the technical aspects for the WSA development process, and especially to facilitate the required infrastructure planning studies – e.g. to update and extend the information related to current needs and future W&S infrastructure developments and,
- an updated District Bulk Water and Sanitation Master Plan, which forms part of the whole impact assessment process for the WSA development.

GRDM needs to develop internal capacity for increased support to LM's for W&S services, especially for the DM to develop WSA functions. Some capacity development is already required for the feasibility and assessment process required to become a WSA.

MISA work with other government institutions to build capacity in municipalities. MISA also supply technical capacity to COGTA for various functions, e.g. for the District Development Model (DDM) which aims at creating a joint district approach (JDA) to enhance integrated planning and optimise the value created by available funding, for improvement of all service delivery in the District. Aspects of the DM's capacity and organisational development are included in the assessment work.

1.3 PURPOSE OF THIS DOCUMENT

This report is the second report in the series of work outputs required for the impact assessment and determination of capacity – mentioned in 1.1 above and should be read together with the first report, i.e. the Inception and Draft Process Plan.

It is an overview of bulk water and sanitation infrastructure at the LM's in the district – with the aim to supply an infrastructure project summary of the district, including updated costs of projects planned for the following few years.

This document is also a reference to basic good practices and methods to guide the impact assessment process required for the GRDM to become a WSA.

Certain details are supplied for each LM in a separate section under standard sub-headings as required for a water services development plan (WSDP)

This document together with the first in the series – The Inception – aims at capturing the current status quo and some analyses, assessments and reporting of the possible expected impact on the W&S infrastructure for the planned GRDM WSA development. It would form the basis for the District Bulk W&S Master Plan, and can be used to initiate the consultation processes with the LM's.

The purpose of this document is to form a guideline and basis for laying out the different options and affects the bulk infrastructure component and any changes to the current WSA arrangements between GRDM and the LM's.

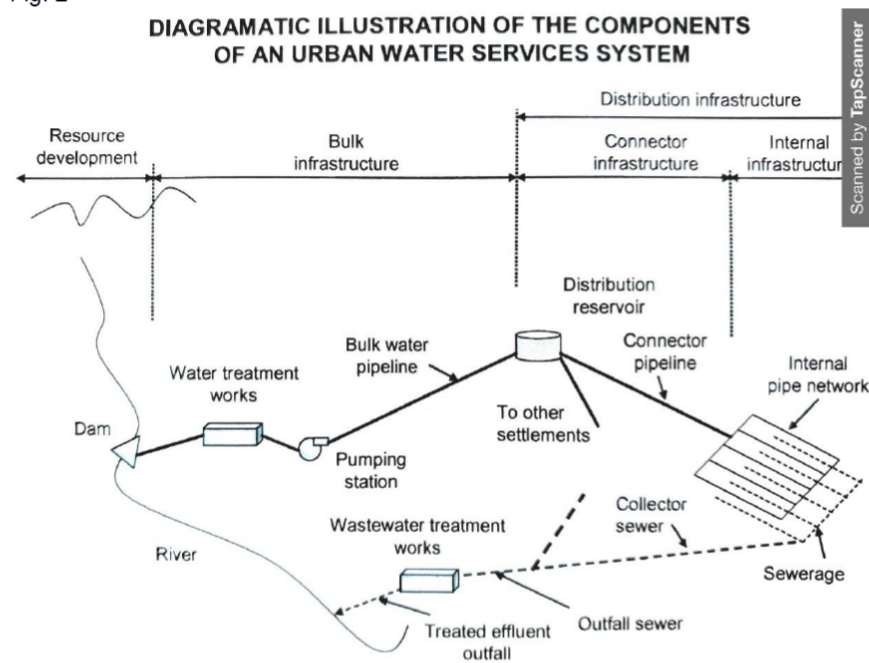
2. SUPPLYING OF WATER & SANITATION SERVICES

2.1 OVERVIEW OF BULK & RETICULATION INFRASTRUCTURE SYSTEMS

The GRDM's current vision is to become WSA in the Garden Route District, but also to do WSP functions for the bulk water supply and sanitation where necessary, in order to address the risks related to drought and to be involved in the development of projects related to the re-use of treated effluent.

The following picture indicate the difference between the bulk service level and the reticulation, which will still reside as function with the LM's:

Fig. 2



The bulk services would include the following and related pump stations where necessary:

- Abstraction of raw water from nature rivers, ground water and dams

- Transporting of raw water to water treatment works (WTW's) and main reservoirs
- Treatment of raw water at WTW's
- The main drainage of sewage (domestic and industrial) after bottom or drainage network collection
- Treatment of raw sewage at waste water treatment works (WWTW's)
- The release of treated effluent from WWTW's back to nature

2.2 DEFINING WATER INSTITUTIONS ROLES & RESPONSIBILITIES

2.2.1 GENERAL

The Water Services Act 108 of 1997 provides for municipal functions, providing W&S services, for WSA and WSP functions. The custodian of the Act is Department of Cooperative Governance (DCOG), and the Act provides for **water services institutions**, i.e.:

- WSA's
- WSP's
- Water Boards

The National Water Act 36 of 1998 provides for the way in which water resources is used, developed, protected, conserved, managed and controlled. The custodian of the Act is the Department of Water & Sanitation (DWS) and the Act provides for details of **Water management institutions**, i.e.:

- Catchment Management Agency (CMA)
- Water User Association – to manage water provision to the agricultural sector
- International Water Management Authority – for cross-border National arrangements)
- Any other entity fulfilling the management functions – and as recognised DWS

2.2.2 DCOG, DWS & DEVELOPING WSA MANDATE

DWS and DCOG plays a major role in optimising the allocation of powers and functions to the GRDM and / or any collaboration between the DM and the LM's.

The Constitution Section 155(7) stipulates that the National government and Western Cape Provincial government have the legislative and executive authority to see to the effective performance of municipalities in their functions regarding WSA functions by regulating the municipal executive authorities.

The Municipal Structures Act S 84 (3) stipulates that COGTA minister may consult with the minister of DWS and the Provincial MEC for Local Government, to authorise a LM any power and function listed in S 84. The Act also provides for conditions to be met before any revoking and transferring can take place.

The DWS has a responsibility to do capacity assessment and make recommendations regarding the assignment of W&S functions to GRDM to become a WSA. The auditor general (AG) must monitor the transfer, the value, costing and assets and personnel accountabilities.

To ensure most effective W&S service provision the WC DLG have to exercise its powers with regards to S155 (7) and S 154 (1) of the Constitution, regarding the duty to "support and strengthen the capacity of municipalities to manage their own affairs, to exercise their power and to perform their functions".

Apart from technical assessments, financial assessments are required to identify possible gaps in the funding of the W&S services and financial management of the functions.

For a credible supported revocation process and transfer of powers and functions, it is advised to obtain support and participation from WC MEC for LG. Also, to ensure that the submission contains all required technical documentation for each participating LM, prior to any review undertaken by DCOG, DWS and NT.

DCOG is currently working with DWS on creating a municipal powers and functions policy framework, which would include policy for the revocation and authorisation of WSA and WSP functions in terms of the Municipal Structures Act, and the latest views to re-configure the local government sphere, to better differentiate between different types and capacities of municipalities.

2.2.3 WATER SERVICES INTERMEDIARY

Water Services Intermediaries are not water services institutions, but provided for in the Water Services Act, to allow for persons or legal entities to provide W&S services to people, in terms of a private agreement. Thus, it is fulfilling WSP-function excluded from the WSP in the particular municipal area, but falling under the same authority as the applicable WSA in that area.

DWS recommended that the local WSA draw up a short agreements with each Intermediary, and to ensure that these (usually) Intermediaries provide adequate services to the correct standards required by the WSA.

Examples of Water Services Intermediaries in the Garden Route are entities providing services excluded from the WSP's services:

- Farmers providing services to all living on the farm
- Forestry villages providing services to all living in the village
- Landlords providing services to tenants

2.2.4 WATER SERVICES AUTHORITY & PROVIDER

While the WSA is the municipality with the executive authority for water services and responsible for W&S services to each person in the area – the water services provider (WSP) is any organisation appointed by the WSA to physically provide W&S services to each person / household.

WSP functions can be performed by a DM, LM, Water Board or any other public or private organisation appointed through contract by the WSA to do so.

In the Garden Route district, most LM's are both WSA and WSP, with certain WSP functions outsourced in some areas, e.g.:

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2.2.5 WATER BOARD

Water boards are established by the DWS with the primary function of providing water services to other water services institutions, and secondary functions, e.g. management services, training and assisting with catchment management services, etc.

The only Water board in the Garden Route district is the Overberg Water Board, which is the 3rd biggest water board in the Country.

Overberg Water supplies W&S services to certain areas in Hessequa Municipality

2.2.6 CATCHMENT MANAGEMENT AGENCY

The Catchment Management Agency (CMA) is formed by DWS, is delegated certain water resource management functions as per the National Water Act and operates within a defined catchment area as a water management area.

The Breede-Gouritz Catchment Management Agency (BGCMA) has been established (Gazette No 37677, 23 May 2014) through extending the boundary and area of operation of the Breede-Overberg Catchment Management Agency in terms of Section 78(4) of the National Water Act, 1998 (Act No. 36 of 1998).

The BGCMA has the following mandate:

- Ensure sustainable water use
- Uphold cooperative governance and participation, e.g. on initiatives to rehabilitate rivers
- Follow the aim to coordinate activities with the other water sector institutions and developers
- Ensure community participation to comply with allocated water use
- Implement the Catchment Management Strategy for Water Resource Management, including the following:
 - Water Use Regulation
 - Registration processes of water users
 - Authorisation of water use
 - Enforcement of compliance
 - Facilitate billing and collection for bulk water use
 - Participate and ensure dam safety
 - Physical Implementation
 - Water conservation and demand management projects
 - Participate on flood and drought management
 - Water resource rehabilitation
 - Institutional Support
 - Coordination of participatory bodies
 - Coordination of activities
 - Providing technical support
 - Building of capacity
 - Information Management
 - Dam storage and management
 - Data acquisition
 - Information generation and dissemination
 - Assessments and evaluation
 - Support supplied for knowledge sharing products

2.2.7 WATER USER ASSOCIATION

Water User Associations are water management institutions, formed by people who came together as cooperative associations of users, working together for their mutual benefits. They operate at a restricted local level to manage local water resource infrastructure for agricultural and other rural use. Thus, doing infrastructure management where there are no other relevant organisations, e.g. farmers sharing a dam.

Although established for their members, they may provide bulk water on behalf of a municipality. In the Garden Route district, there are a few examples, e.g.:

- Klein Karoo Rural Water Supply Scheme – operating in the Kannaland Municipality (Calitzdorp area) and Oudtshoorn Municipality for the towns of Oudtshoorn, Dysselsdorp and De Rust.
- Calitzdorp Irrigation Board
- Others, etc.

2.3 GRDM's W&S STAKEHOLDERS – NATIONAL, PROVINCIAL & LOCAL

TABLE

MAP OF STAKEHOLDER PARTICIPATION & LINES OF COMMUNICATION

STAKEHOLDER PARTICIPATION & CONSULTATION (+map of stakeholder communication)

2.4 EVALUATING CAPACITY OF MUNICIPALITIES FOR WSA FUNCTIONS

The performance of WSA's is a concern on all levels of government. The following list of challenges are identified by DCOG and DWS as common areas where WSA's fail, some items may apply to the LM's of GRDM – either persistently, or sporadically from time to time:

- Governance and administration instability, political instability
- Huge municipal debt and lack of revenue or debt recovery from many poor communities
- High non-revenue water losses and non-payments for use more than free basic services (FBS)
- Poor financial management (and performance)
- Lack of capacity to plan, deliver, operate and maintain infrastructure
- Service delivery backlogs
- Aged infrastructure, water, sanitation and electricity – in some cases so old that grant funding should be spend on repairs and maintenance instead of creating new assets to address backlogs and informal settlements
- Poor infrastructure operations and maintenance – especially at WWTW and WTW's
- Low reliability for services delivery – which is aggravated by breakdowns in ESKOM power supply

3. OVERVIEW OF PLANNING FOR W&S INFRASTRUCTURE

3.1 Town planning spluma

3.2 NATIONAL FOCUS ON WSA ROLES & POWERS AND FUNCTIONS

At a meeting in Jan 2019, of the DWS Minister with all WSA's, about powers and functions, the view was explained to re-configure the two-tier local government (LG) system within a larger municipal powers and functions policy framework.

It is proposed to differentiate between DM's for two types i.e. a C1-DM and C2-DM and recommended that a well-established C1-DM such as GRDM, should be a Development Supporter in terms of S 83 of the Municipal Structures Act, to coordinate, plan and support LM's by supplying assistance from strong facilitation, coordination and planning roles across the district.

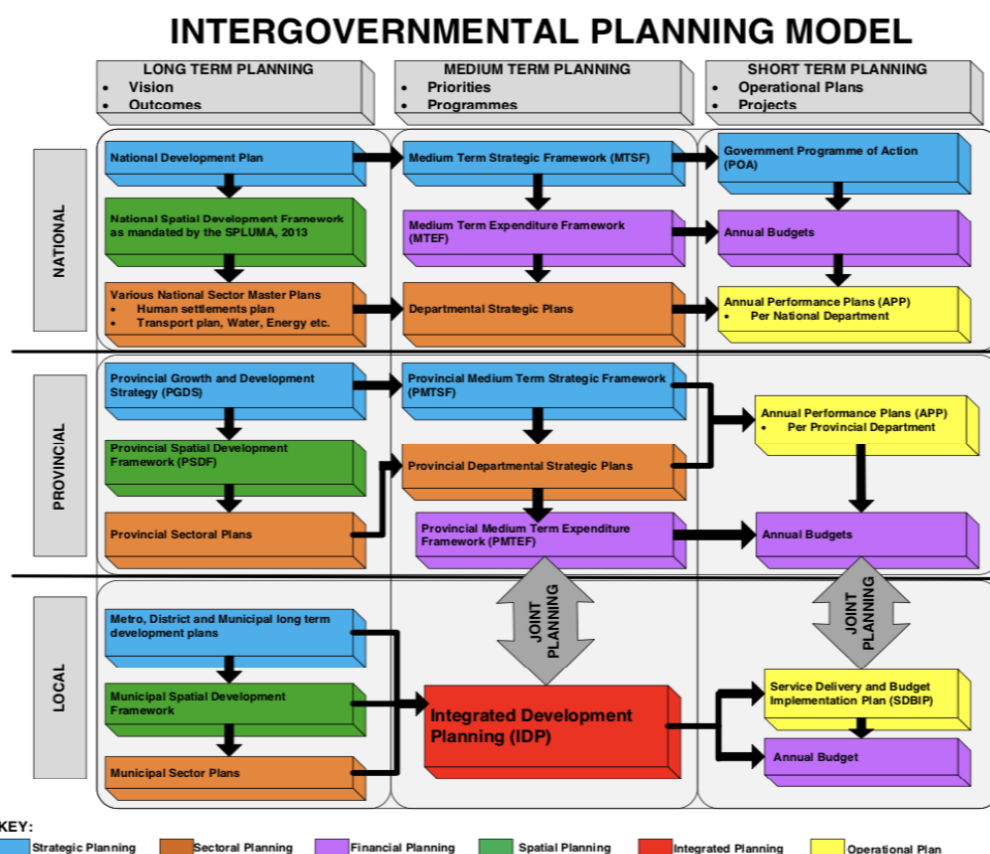
The C2-DM's would be the DM's with powers and functions for service delivery in terms of S 84. Both the C1 and C2 DM's require adequate capacity for those roles. It was also proposed that there should be a new funding model for district municipalities, according to their roles, hopefully to ensure that all mandates are adequately funded because DM's are mainly depending on grants.

The focus is currently (and included in the DDM approach) on developing DM's that can ensure: **Integrated, aligned, spatially led, sound regional planning that would remain central to successful district leadership regardless of how districts are re-configured.**

Proper planning includes many facets according to an Intergovernmental Planning Model, e.g.:

- Planning must be based on SPLUMA: thus National planning, provincial and local SDF's
- Provincial and local sector plans
- MTEF's and development priorities
- Long term development plans

Fig. ... The Intergovernmental Planning Model



All these planning elements must build up to the IDP, which must in turn reflect the needs for additional aspects of plans to be implemented.

One important aspect that is clear from the Intergovernmental Planning Model is the urgent need for detailed and expensive sector planning in each district, especially related to water and sanitation

development. When LM's need to do all this planning on their own, the result is generally a lack of detailed planning and reactive development, due to:

- the high cost for detailed sector and master planning, and
- the fact that it is undervalued and misunderstood as a low priority

At this stage, the LM's in the GRDM are expected to rely on their own resources to do master planning on their own, for their own local area, which result on the district level as:

- fragmented planning – because the scope of work is not universal and limited to local areas
- to different levels of quality – work is done with a variety of views, by different consultants
- not timeously aligned
- without a universal district valuation and prioritisation

The lack of adequate planning across SA, increase the W&S service vulnerability, which is also exposed and increased to other trends in the case of GRDM, e.g.:

- the ongoing drought
- relatively high population growth
- general lowering of municipal income
- relatively limited availability of professional technical and admin capacity in outlying municipalities

The lack of adequate planning result in the following – especially at those municipalities with the highest vulnerabilities and where planning is needed most, e.g.:

- non-revenue water losses are high
- dysfunctional water and sanitation systems
- lack of maintenance and old infrastructure causing unreliable service delivery

In order to address the above, the “focus is towards **monitoring the whole of government service delivery with a view to improving the alignment of governmental delivery and the integration of such delivery into IDPs and similar**. This includes also addressing challenges where possible, that require Inter-Ministerial cooperation.”

Recent decisions and direction on National level is to:

- strengthen the district support roles
- strengthen district service provision capabilities, including stronger financial grant support (for WSA-districts)
- Long term:
 - Some districts to be disestablished (e.g. some close to urban areas), redesign and restructure local government
 - Introducing a different type of municipality related to clustering LM's together
 - Establish a framework by which to define and implement the **Development Supporter** and **District Authority** type of Districts.
 - To investigate the creation of different technical services authorities to relieve the stress on local governments to deliver services when they suffer from fiscal constraints, skills and capacity shortages

Within the many ideas for the reconfiguration of local government, the following relates to the functions of water and sanitation:

- WSA authorisations to be reviewed by COGTA
- Guidelines are being prepared by COGTA and DWS, for the revocation and authorisation of WSA and WSP functions

A general trend is to keep WSA and WSP functions together with the same municipalities. GRDM is viewed as a **Development Supporter** type District and DCOG suggested to view the option of doing all WSA and WSP work only for the lowest capacity municipalities in the district, while supporting the other WSA local municipalities, with a stronger intergovernmental cooperation.

The national key issues to improve LG, includes the possibility to form technical service authorities to “relieve the stress on local governments to deliver services when they suffer from fiscal constraints, skills and capacity shortages” GRDM can become such an authority for W&S, not only to relieve some municipalities – but to ensure improvement, refinement and excellence in the district.

3.3 WATER SERVICES DEVELOPMENT PLAN (WSDP)

The Water Services Development Plan (WSDP) is the only statutory required master plan in terms of the Water Services Act and has to undergo a public participation process prior to finalisation and adoption. It must be submitted to the Minister of DWS, must be published as a public document, must be updated and refined at practical intervals – at least every five years.

The Water Services Act No. 108 of 1997 Section 2 (c) stipulates that each WSA must prepare and adopt a water services development plan (WSDP) which must according to S. 3 (3) supply measures to ensure the realisation of rights of access to basic water supply and basic sanitation to each person in the area of jurisdiction of the WSA.

These persons (the population in the applicable WSA area) are all residents and non-residents in the area of the WSA, including those who are not registered as South Africans and those who live in rural areas or areas where the services are not supplied by the WSP's, but by other suppliers – whether registered as Or not – such as farmers or forestry organisations, businesses, industries and land owners....

Basic water and sanitation is supplied in a variety of ways as long as it is according to the Regulations set by DWS regulations.

The Water Services Act S. 12 stipulates that each WSA must prepare as part of any IDP or separately, initiate and prepare a draft WSDP of the area as well as a summary thereof – according to S. 16 each WSDP must be updated regularly, at least every five years.

The Act S. 13 stipulates the requirements and required detail contents of the WSDP as follows:

1. Physical attributes of the applicable area.
2. The size and distribution of the population in that area.
3. A timeframe and implementation programme of the plan, for at least the following five years
4. The level of existing water services – for the whole population and future sections of the population. It should ideally also include for businesses, industry and other possible / probable water users.
5. The existing industrial water use
6. Existing effluent disposal – ideally indicated for domestic (population) as well as industrial separately
7. The specific number and location of persons in the area who are not provided with basic water and sanitation, as well as:
 - a. Those to whom W&S services cannot be provided during the following five years, with reference to:
 - b. The reasons thereof
 - c. A probable timeframe during which the services would be provided

8. The current and future provision of W&S services, including:
- The details of the WSP's and their contracts
 - Details about other water service institutions or relevant government institutions
 - The existing and proposed water sources and quantities of water from sources and treated effluent to natural water sources
 - The existing and proposed infrastructure needs
 - The needs related to the operations and maintenance of existing and proposed infrastructure
 - The total capital and operational costs of the W&S services and indications to the sources of funding – ideally total lifecycle costs.
 - Details of the tariff structures
 - All existing and proposed water conservation, recycling and environmental protection measured required for sustainability and planned for improvements.

As per S. 14, the WSDP is a public document of which compilation must undergo a full public participation process, and must be copied to the Minister of DWS, relevant MEC's and relevant Provincial Departments and all neighbouring WSA's

According to S. 18 of the Act, implementation in terms of the WSDP must be reported annually.

The implications to GRDM is that the compilation of an initial new district-wide WSDP is considered as most urgent for the development of a WSA function. This WSDP must include all water and sanitation planning for the whole district, i.e. including all seven local municipalities.

This GRDM district WSDP must also be adopted by the LM's as their updated WSDP,

4. MUNICIPAL BACKGROUND AND STATUS QUO

4.1 GENERAL

The approach to the obtaining of information is to regard a hierarchy of information sources and prioritised according to its expected accuracy and credibility. Many studies were done in the district area in the past and the aim is to read them together for the past and present infrastructure status.

The water services development plans (WSDP's) are legislative statutory requirement for each WSA, thus in GRDM each LM must have the information in terms of the requirements of the Water Services Act. A thorough study was commissioned by DWS on each water and sanitation facility and scheme in the district – it is called the Reconciliation Studies of all Towns.

These two documents are regarded as the highest priority sources of information and is supplemented by the following:

- Current IDPs & budgets, and latest annual reports
- Municipal and district-wide master planning done in the past
- Other feasibilities for W&S studies done on a district or local level
- Provincial and National master planning sources

The DDM district profile is used as basis for the municipal background and outline

4.2 GEOGRAPHIC OUTLINE OF THE DISTRICT

The Garden Route District Municipality (GRDM) is a C-type Municipality and includes seven (7) Local B-type Municipalities, i.e.:

- Kannaland
- Oudtshoorn
- Hessequa
- Mossel Bay
- George
- Knysna
- Bitou

All the B-Municipalities are both WSA's and WSP's for water services and sanitation / sewage / waste water services, while the GRDM does not have any delegated authority or service for water and sanitation (W&S)

- Map
- Current Status Quo & Context
- Overall Description of DM
- Description of each LM
- Who is WSA & WSP

4.3 DEMOGRAPHICS (WSDP)

- Previous WSDP info – old
- Newly updated info – Current IDP & Budget
- Any newly updated W&S planning information

Questions:

1. How did each aspect change since that year...to now 2020?

4.4 SOCIO ECONOMIC INFORMATION (WSDP)

- Previous WSDP info – old
- Newly updated info – Current IDP & Budget
- Any newly updated W&S planning information

Questions:

2. How did each aspect change since that year...to now 2020?

KNYSNA

3. Main economic drivers as per Recon Strategy 2011

Area	Economic Drivers
Knysna	<p>The lead economic sector in the Knysna LM is tourism, and this is likely to continue as a lead sector for the future. Agriculture and forestry related industries are also important economic drivers.</p> <p>Knysna is the administrative center for the LM and is equipped with numerous amenities (banks, post office, supermarkets, hospitals, schools, hotels, police stations etc). The town is seen as an economic center with opportunities for nearby impoverished communities.</p>
Buffelsbaai	<p>The economy for Buffelsbaai depends completely on the tourism sector and is really insignificant when compared to Knysna. The town is also a popular back-packers destination.</p>

Karatara	The town has a small economy which focuses primarily around the agricultural industry. The town does not however hold a sustainable economy, as Karatara offers very few economic, social and recreational opportunities. There were previous reports of Karatara being identified as the location for a University campus. This should transform the role of the settlement dramatically, offering significant economic and social opportunities. The establishment of a university campus in Karatara will contribute to the establishment of an economic base for the village, but the realization of such a project is small.
Rheenendal	Rheenendal is a small farming and forestry related town, equipped with a filling station, post office and shops along the main road. Opportunities may exist in creating an economically viable and sustainable settlement driven by the harvesting and manufacturing of indigenous timber and non-polluting light industrial activities, preferably related to agricultural and forestry activity.
Sedgefield	The lead economic sector in Sedgefield is tourism and this is likely to continue as a lead sector for the foreseeable future. The future economy of Sedgefield will depend heavily on this sector. The town is also popular for people to retire in. Sedgefield is equipped with numerous amenities (banks, post office, supermarkets, hospitals, schools, hotels, police stations, etc)

4.5 LEVEL OF W&S SERVICE DELIVERY

- Current percentage of HH's with services – comparison with SA + Province
- Events of break in service deliveries – droughts + other dysfunctionalities
- Capital & Operational
- WCDM
- Droughts
- Operational costs
- Repairs & Maintenance

4.6 LEVEL OF W&S PLANNING & ADMINISTRATIVE CAPACITY

4.7 LEVEL OF BASIC W&S SERVICES (FBS + water and WW quality)

4.8 FINANCIAL PROFILES & FUNDING CAPACITY

- Of Municipality as a whole – include per service sector income
- Of W&S income improvements

4.9 OVERALL STATUS OF W&S INFRASTRUCTURE

CURRENT INFRASTRUCTURE ASSET INFORMATION (summary)

- Current assets
- Planned Capital Projects
- Operational Costs
- Repairs & Maintenance Needs
- Refer to each section below
- Highlight the different items with updated information

- List projects done and still outstanding
- List "slippage" on initial plans
- Indicate overall abilities to catch up – financial overview + grant funding, in context of population and economic growth – refer to town planning info
- Do outline of risk & opportunities register
- Summarise key projects of highest priority
- Indicate how GRDM would be able to assist with key high priorities – scale, additional funding, additional opportunities, additional responsibilities, within the risks context

5. OPTIONS FOR THE SERVICE DELIVERY MECHANISMS

5.1 GENERAL PRINCIPLE DECISIONS

The service delivery mechanism is the way in which government entities and organisations arrange themselves in order to deliver the W&S services, i.e. the different WSA;s and WSP;s as well as the applicable Water Services Institutions and Water Resource Management Institutions.

Although it is the work operations required for the W&S services and related infrastructure development, that are most important – the different organisations need to reach consensus about each individual water service area, before a detailed assessment can continue.

Since initial engagements, the GRDM indicated the aim to become WSA for the whole district, but if certain of the current LM's – that are currently the WSA – decide not to participate in the district-wide initiative to transfer the WSA function, the GRDM would then have to work only with the LM's who agree to participate. Those LM's would also have to agree to participate and allow detailed impact and capacity assessments to be done on their operations, assets, finances, funding, liabilities, etc., therefore the following principle decisions were taken by the GRDM:

1. The DM aims at becoming the WSA for the whole district, or WSA within certain local municipal borders.
It is not a requirement for a WSA to be the WSA in the whole district.
2. In the areas where the DM would be WSA – it would include both water and sanitation services.
3. In the areas where the DM is the WSA, WSP functions would not be transferred also, unless the LM (current WSP) requests the DM to do so, or if it is a recommendation from the assessment processes.
4. If there are any areas where the local WSP request the DM to take over the WSP functions or certain of the WSP functions, or where the results of a detailed assessment process indicates that the DM should take over the WSP functions (as a whole or partially): – the DM would only consider WSP functions for bulk W&S services, no reticulation.

The GRDM aims at becoming the WSA in the district and would consider the water services provider (WSP) functions only for the bulk water and sanitation supply functions, and only in certain areas where it would be the best for the relevant LM.

The WSP for the reticulation and supply services would stay with the LM's in the district.

5. Any WSP function for bulk W&S services would only be considered by the DM, in areas where the DM would also be the WSA.
6. Prior to commencement of any assessments, the GRDM and each local municipality (currently the WSA in its area) should first discuss the initiative and confirm cooperation and participation, or not.
Certain LM's in the district may not be interested in transferring their WSA functions and / or not interested in allowing any assessments to take place within their municipal borders.
7. Prior to commencement of any assessment, each participating LM (currently the WSA) would have to indicate what their preferred agreed relationship scenario would be with the GRDM as WSA, and the arrangement with their WSP's in each of the water and sanitation service areas.

The different scenarios, which depends on the needs and detail characteristics in each local community / town / water supply area) needs to be investigated as part of the assessment process in order to ensure the best decisions in each water supply area.

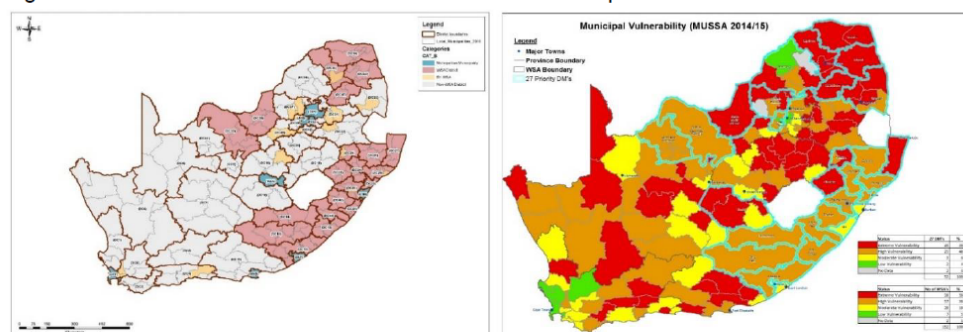
8. Service level agreements (SLA's) with the WSA and with each WSP will be required after the transfer of services. However, agreements would be drawn up as part of the assessment process, prior to the transferring of any functions.

5.2 MUNICIPAL W&S PERFORMANCE

The municipal performance for W&S services are illustrated below. On the left the graph show many grey areas (including GRDM area) that are districts, which are not WSA-districts. Thus the LM's are the WSA's in these areas. On the right-hand, the water vulnerability is illustrated with many municipalities "extreme" and "high" indicators – which includes the vulnerability related to the readily available bulk supply – so, not only institutional performance.

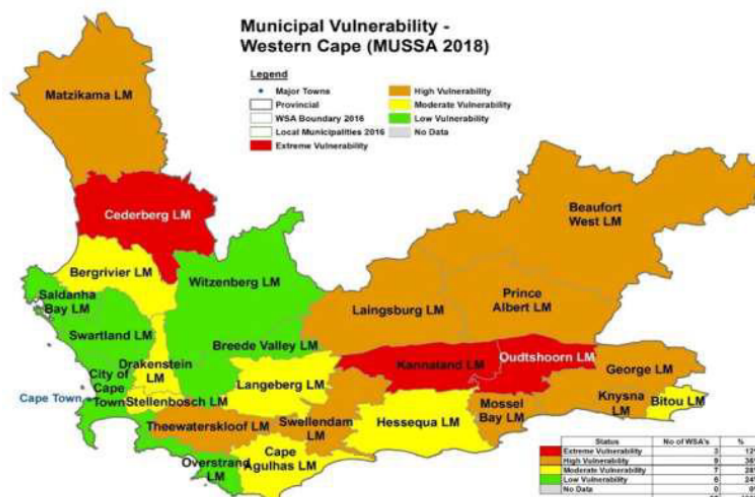
Vulnerability also include current development status and capacity, e.g. in 2015 Knysna Municipality indicates an extremely high vulnerability, mainly due to the past drought of 2009/10 and the devastating effect it can have in the areas. Also, due to the absence of a large bulk water storage, lack of available funding to complete the current relatively expensive bulk water augmentation projects and high risks regarding the current wastewater treatment capacity. The DWS approved regional bulk infrastructure grant (RBIG) funding for the continuation of development in Bitou and Knysna after the cross-border study was done – this was however stopped during that time. The area also continuously experience a high population growth rate and high demand for high-level W&S services, in an area where the topography has many hills and dales, which requires many pump stations running at high costs, to get water and sewage to the correct destinations.

Fig. 3: Performance of Water Services Authorities & Municipal Self-Assessments



The report of 2018 indicates an overview for the Western Cape municipalities, with many improvements, and only Kannaland and Oudtshoorn Municipalities in the extremely vulnerable red areas – due to the recent drought – as follows:

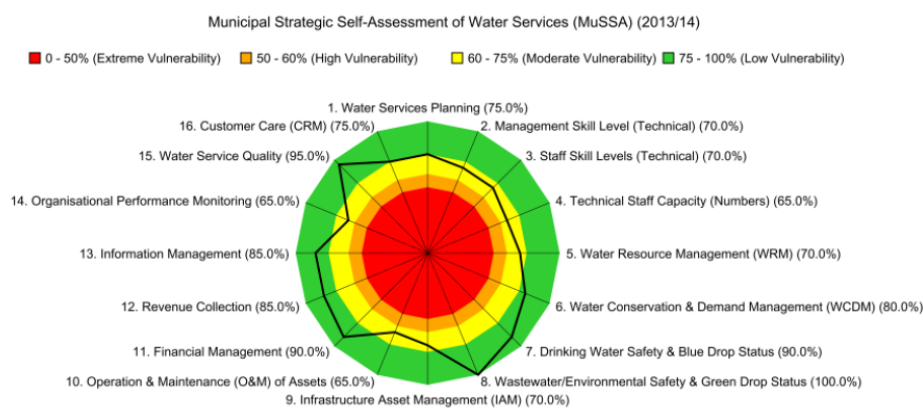
Fig 4. Western Cape MUSSA Vulnerability, 2018



According to the DWS Municipal Strategic Self-Assessment done by all municipalities – the following spider-graph outcomes of the August 2015 report, supply a summary of the status quo during 2014, of the capacities for W&S services in the District, in line with comparison with the performance against Back to Basics pillars.

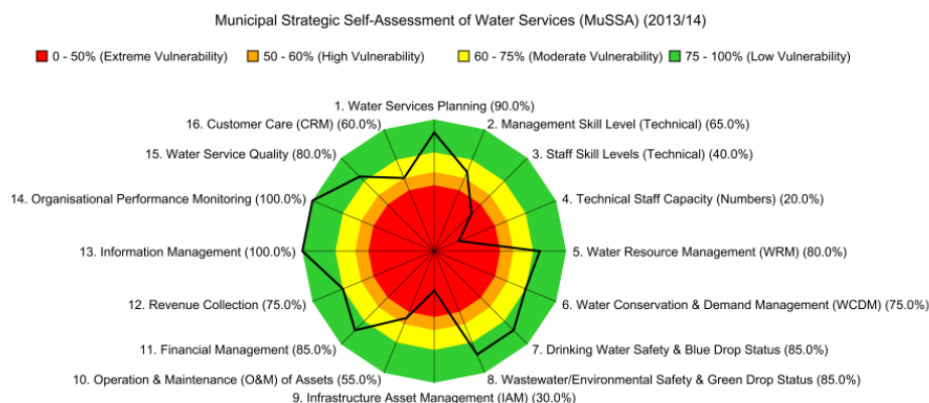
5.2.1 BITOU

Moderate vulnerability, back to basics pillars indication – performing well and assessment confidence level: green.



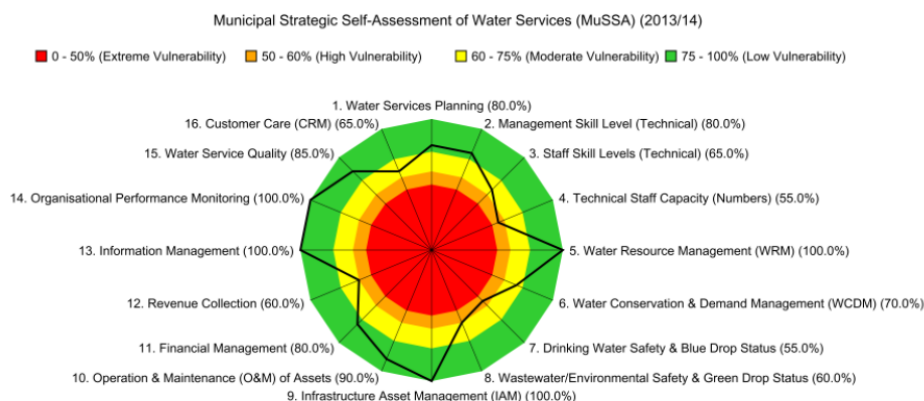
5.2.2 GEORGE

Moderate vulnerability, back to basics pillars indication – performing well and assessment confidence level: green.



5.2.3 HESSEQUA

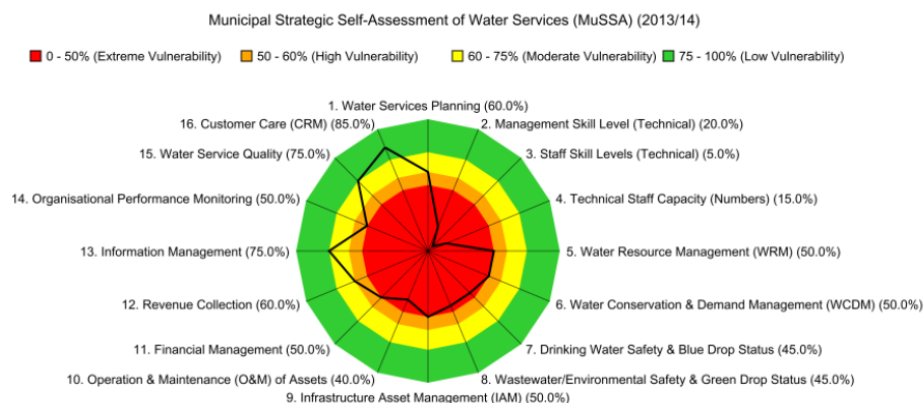
Moderate vulnerability, back to basics pillars indication – performing well and assessment confidence level: orange.



5.2.4 KANNALAND

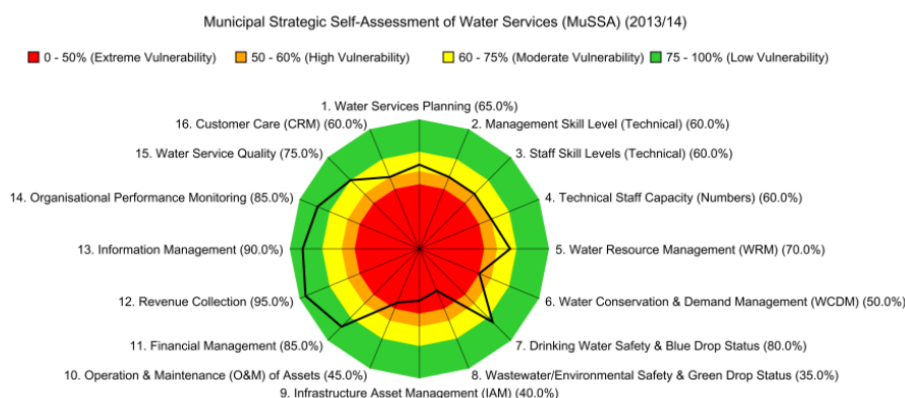
Extreme vulnerability, back to basics pillars indication – showing dysfunctional and assessment confidence level: orange.

After the municipal election of August 2016, many improvements to the governance and municipal management had many positive effects on the municipality's capacity, e.g. the dysfunctionality was addressed and the municipality is on a path to improve the service delivery levels and abilities.



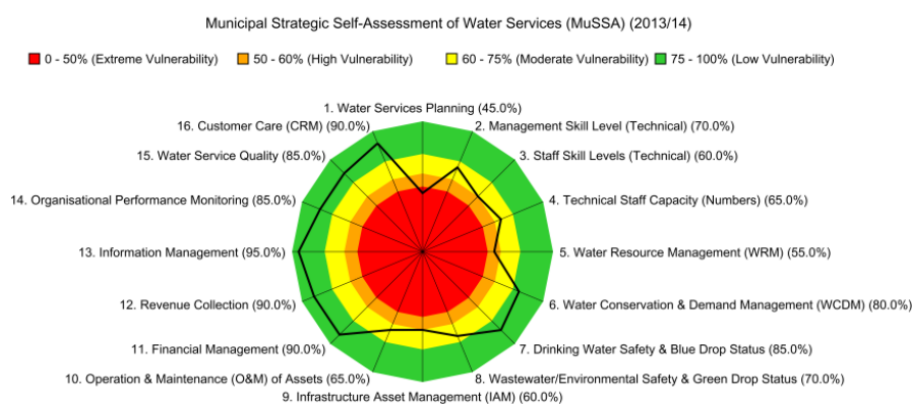
5.2.5 KNYSNA

High vulnerability, back to basics pillars indication – performing well and assessment confidence level: green.



5.2.6 MOSSEL BAY

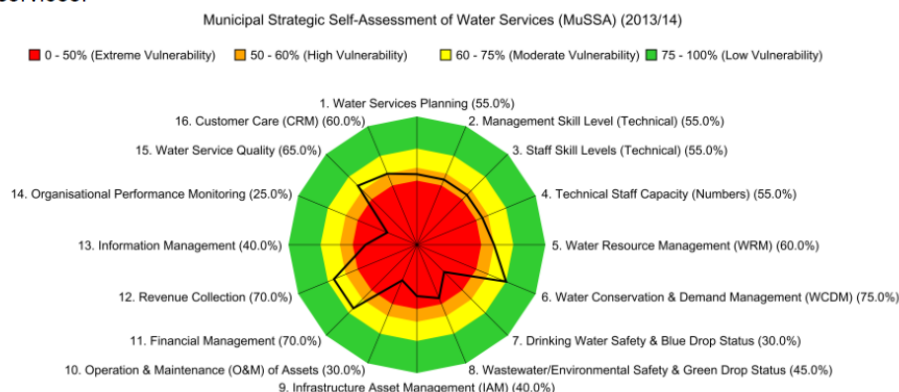
Moderate vulnerability, back to basics pillars indication – performing well and assessment confidence level: green.



5.2.7 OUDTSHOORN

Extreme vulnerability, back to basics pillars indication – showing dysfunctional and assessment confidence level: green.

During 2016 and 2017, the Municipality was placed under administration to address a then bad level of governance and municipal management, and the dysfunctionality was addressed. The municipality improved and currently has a moderate to high ability to supply sustainable and a high level of services.



5.3 FEASIBLE OPTIONS FOR WSA AND WSP ARRANGEMENTS

An early suggestion was made by DCOG and DWS with reference to the two-tier C1 and C2 DM's within a larger Powers and Functions Policy Framework, i.e. for GRDM to consider transferring the WSA functions in order to assist mainly the lower capacity municipalities in the district, according to the MUSSA and other profiles e.g.:

- Kannaland
- Hessequa
- Oudtshoorn

The MUSSA and other assessments do not clearly indicate the highest risks related to W&S services because of the many variables, and each LM in the district has moderate to high (if not extreme) vulnerability due to a different set of risks or issues.

Although the participation of the LM's in the assessment process for GRDM to become a WSA in the district, is the decision that each LM must take. This impact assessment also have to illustrate the best way forward for each, therefore it cannot be assumed that GRDM should simply select LM's from which to transfer the WSA function. It also depends on the possible ways in which the changes may improve the way in which the local communities, households and public are going to experience high-valued W&S services.

The GRDM currently has very limited capacity to implement the WSA functions and no capacity to take on any WSP functions, while both functions are with the LM's, which may not be implementing all functions perfectly but also not too badly, compared to the average capacity and performance viewed across SA, with reference to Fig 3 above.

The reason why GRDM considers WSA functions is mainly to further improve the W&S services – and not to take over any management just for the sake of taking it over. This is especially required

on the bulk service level and especially with a risk management approach to avoid certain risks such as the effect of eminent droughts in the area – which is relevant in the context of many municipalities not having adequate bulk storage capacity and / or high level of infrastructure development of current and alternative water sources.

It is expected that

Different options are proposed for the future service delivery mechanism as follows:

5.3.1 OPTION 1: GRDM BECOMES WSA ONLY, FOR WHOLE DISTRICT

Advantages	Disadvantages	Difficulties & Possibility
The WSP functions stay as they are – not difficult to transfer all	WSP functions are not necessarily optimised	In some municipalities may

5.3.1 OPTION 2: GRDM BECOMES WSA ONLY, FOR SOME LM AREAS

Advantages	Disadvantages	Difficulties & Possibility

5.3.2 OPTION 3: GRDM BECOMES WSA AND WSP FOR SOME LM AREAS

Advantages	Disadvantages	Difficulties & Possibility

5.3.1 OPTION 4: GRDM WSA & WSP: SOME LM AREAS & WSP: DESALINATION

Advantages	Disadvantages	Difficulties & Possibility

5.3.2 THE ROLE OF GRDM WITH EACH OPTION

5.4 PROPOSED PHASED APPROACH TO TRANSFERRING OF FUNCTIONS

There is no current urgent need, such as total dysfunctionality and total lack of service delivery – to urge GRDM to take over the WSA and possible WSP functions from the LM's, in order to restore services and / or to recover a total dysfunctionality.

There is however, a sense of urgency to **improve the overall sustainable W&S services**, especially through addressing the highest risks, e.g. possible drought, lack of funding for the development of the currently needed bulk water infrastructure.

The assessment process to investigate the best way forward regarding the revocation and reallocation of powers and functions for WSA and WSP, must ideally be applied to the DM and all LM's for both WSA and WSP functions in order to get a credible overall outcome.

Therefore, a phased approach to the transfer of WSA (and WSP where required) functions is proposed, also to allow for the relevant LM's to adopt to the new service delivery mechanism. Certain municipalities may not be interested in participating on the initiative at this stage, but may later prepare themselves to consider a new service delivery mechanism, which may include outsourcing of WSP functions.

An outline of the most probable options and their phased approach is as follows:

6. DISCUSSION OF ASSESSMENT & OPTIONS

6.1 WSA & WSP CHANGES & IMPACT ON INFRASTRUCTURE

7. CONCLUSION & RECOMMENDATIONS

- Refer to WSA : WSP relation
- Indicate summarised list of recommendations

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SECTION A: BITOU MUNICIPALITY

1. WATER RESOURCES & EXISTING INFRASTRUCTURE (WSDP & RECON)

- Potential for alternative technologies & additional sources

1.1 Water Resources and Existing Infrastructure

The towns in the Bitou LM are each supplied by local schemes, as shown in **Figure 3-1** and indicated in **Table 3-1**. Plettenberg Bay and a number of villages in the vicinity are supplied by a combination of sources, which could be considered a regional scheme.

Table 3-1 Summary of current water requirement and supply for the towns in Bitou LM

Town	Population	Water Requirement million m ³ /a	Supply source	Current yield million m ³ /a
Plettenberg Bay	33 514	3.43	Keurbooms River	3.154
			Groundwater	0.362
			Roodefontein Dam (Piesangs River)	0.296
Kurland	2 411	0.127	Wit River	0.13 (assumed)
Natures Valley	791	0.102	Groot River (natural pool)	0.12 (assumed)

The municipality is performing very well with respect to drinking water quality standards and has managed to ensure Blue Drop status for the water supply system of Plettenberg Bay. Nature's Valley also scored within the limits for certification, however due to the current state of treatment infrastructure subsequent to flooding, it has been decided not to issue Blue Drop status at this point in time (DWA, 2009). All WTWs received the Blue Drop Certificate in the 2010 assessment (DWA, 2010).

In terms of the overall Green Drop Assessment, the municipality is performing quite well. Most of the works scored well above 70%. The WWTWs still require more improvement in relation to Waste Water Quality compliance; Kurland WWTW must improve on Operational Monitoring of Waste Water Quality (DWA, 2010).

Table 3-2 Summary of water services infrastructure for the towns in Bitou LM

Town	Service Level	Non Revenue Water		WTW	BDS	WWTW	GDS
		million m ³ /a	%				
Plettenberg Bay	91% urban; 9% informal	1.5	44	Yes	98.75	Yes	79
Kurland	100% urban	0.02	16	Yes	96.55	Yes	77.5
Nature's Valley	100% urban	0.031	30	Yes	96.35	No	N/appl.

BDS – Blue Drop Score; GDS – Green Drop Score

1.2 Water Backlogs

The service levels are generally above RDP standards in the urban areas, although they may be below RDP standards in certain areas (i.e. former townships and informal settlements). The levels of service in the rural areas are generally above RDP.

According to the Community Survey 2007, 98% of the households in the Bitou LM have access to water, with only about 200 households still lacking access (DCGTA, 2009). However, only 89% have access to the basic level of sanitation services, with a backlog of about 1 300 households.

1.3 Water Balance & Shortfall

As shown in **Table 3-3**, Plettenberg Bay and Kurland experience a shortfall of water, while Nature's Valley might have water shortages from 2020 onwards. The shortfall could increase by 2035 to a possible total shortfall of 6.7 million m³/a for the Bitou LM, if the development boom in and around Plettenberg Bay continues.

Table 3-3 Summary of Water Balance / Shortfall for 2010, 2020 and 2035 per town in Bitou LM (in million m³/a)

Town	Low-growth scenario			High-growth scenario		
	2010	2020	2035	2010	2020	2035
Plettenberg Bay	-0.101	-0.494	-1.162	-0.383	-2.317	-6.235
Kurland	-0.001	-0.015	-0.038	-0.009	-0.155	-0.325
Natures Valley	0.015	0.004	-0.014	0.007	-0.035	-0.134
Total	-0.087	-0.505	-1.214	-0.385	-2.507	-6.694

1.4 Available Water Resources and Interventions

Currently all towns are supplied by local surface water schemes, with the Plettenberg Bay supply being augmented by groundwater. In order to alleviate the shortfall in water supply and to allow for the further development, several local intervention options are available, e.g.:

- Water Conservation and Water Demand Management
- Upgrade of existing infrastructure to increase yield or assurance of supply
- Rainwater harvesting to support the WC/WDM Strategy
- Groundwater development
- Surface water schemes
- Water re-use
- Desalination (coastal towns).

Table 3-4 Summary of recommended interventions for reconciliation of Water Requirements and Water Availability – per town in Bitou LM

Town	Recommended Interventions	Expected additional yield [million m ³ /a]	Date of implementation
Plettenberg Bay	Implementation of a WC/WDM strategy.	30% reduction in requirements	2010
	Re-use of water from existing WWTW.	1.0	2010

	Expansion of the existing wellfield in the Kwanokathula Aquifer.	0.5	2010
	Artificial recharge of TMG aquifer with winter surplus water.	0.5	2015
	Off-channel storage dam on Keurbooms River.	3.0	2025
Kurland	Implementation of a WC/WDM strategy.	10% reduction in requirements	2010
	Groundwater development of the TMG Aquifer.	0.2	2010
Natures Valley	Implementation of a WC/WDM strategy.	20% reduction in requirements	2010
	Groundwater development of TMG Aquifer close to Nature's Valley.	0.15	2015
	Desalination of seawater or brackish water from the lagoon.	Unknown	Beyond 2030

1.5 Remote areas outside of schemes

1.6 Water Quality

1.7 Integration of schemes

1.8 Long term planning and optimisation of future interventions

2. SANITATION INFRASTRUCTURE

- Potential for alternative technologies & re-use

2.1 Existing Infrastructure

2.2 Sanitation Backlogs

2.3 Available Resources and Interventions

2.4 Remote areas outside of schemes

2.5 Waste Water Quality

2.6 Integration of schemes

2.7 Long term planning and optimisation of future interventions

3. OPERATIONAL COSTS (WSDP)
4. CURRENT ASSET CONDITIONS AND REQUIRED R&M (WSDP)
5. WATER CONSERVATION & DEMAND MANAGEMENT (WSDP & RECON)
6. RISK & DISASTER (DROUGHT & FLOOD) MANAGEMENT
7. GAP IDENTIFICATION, ANALYSIS & DISCUSSION
8. PROPOSED ROLE OF GRDM

SECTION B: GEORGE

1. DEMOGRAPHICS (WSDP)

- Previous WSDP info – old
- Newly updated info – Current IDP & Budget
- Any newly updated W&S planning information

Questions:

4. How did each aspect change since that year...to now 2020?

According to the Department of Social Development's 2018 projections, George Municipality currently has a population of 213 189, rendering it the biggest municipal area by population within the Garden Route District. This total is estimated to increase to 236 655 by 2024 which equates to 1.8 per cent average annual growth over this period. The growth of George Municipality's population for the 2018 to 2024 period is slightly below that of the Garden Route District's rate of 1.9 per cent.

2. SOCIO ECONOMIC INFORMATION (WSDP)

- Previous WSDP info – old
- Newly updated info – Current IDP & Budget
- Any newly updated W&S planning information

Questions:

5. How did each aspect change since that year...to now 2020?

3. LEVEL OF W&S SERVICES (WSDP) Service levels

3.1 Service level information

Municipality	Town/ Area	Piped Water inside dwelling	Yard tap	Standpipe
George	George			
	Uniondale			
	Haarlem			

3.2 Drinking Water and Waste Water Quality

George area

The George Municipality was awarded the Blue drop for the operations at the Watertreatment plant and received a Blue Drop Score of 100% in 2009 and full compliance with drinking water quality standards. In the DWA 2010 Blue Drop Report, the Blue Drop Score has dropped to 96.9%.

In 2010 the George Municipality was awarded the **Green Drop Excellence Award for Excellence for Medium System** and it was said that *"It is remarkable that this Municipality is managing their Klein Krantz and Outeniqua waste water treatment facilities with excellence and is the only authority which is not a metro or an aspiring one, that managed to qualify for the "elusive" Green Drop Status"* (DWA, 2010).

Uniondale

Information to be collected

Haarlem

In 2010 the WTW has achieved a Blue Drop Score of 5.5%, noted in DWA (2009) that "drastic and urgent improvement of DWQ management are required to ensure that the communities could trust that continued safe water is supplied to them."

4. FINANCIAL PROFILE (WSDP)

- Of Municipality as a whole – include per service sector income
- Of W&S income improvements

5. WATER RESOURCES & EXISTING INFRASTRUCTURE (WSDP & RECON)

- Potential for alternative technologies & additional sources

5.1 Existing Water resources and Infrastructure

Raw water abstraction works and mains

George area

- Raw water is pumped from the Garden Route Dam via two 600 mm diameter main pipelines (5.0 km long) into two 30 Ml raw water balancing dams at the WTW. From these dams water gravitates to the New WTW, and is pumped up to the old WTW.
- The pump station at the outlet works was refurbished in 2006, and has an existing capacity of 14.2 million m³/a.

Uniondale

- Raw water from the Kammanassie River and Holdrif River is pumped to a downstream WTW. There are no details on the abstraction works, or existing infrastructure relaying water out of this surface water source.

The bulk supply pipeline is a 125 mm asbestos cement pipe [AC] Class D that serves four reservoir stations.

Haarlem

- The water from the Haarlem Dam is mostly used for irrigation in the Haarlem area. The town withdraws water from the irrigation pipe network, and it is known that this connection is limited to 10 l/s. There is no information available on the details of this connection, and information of the infrastructure from this connection point to the town.
- The 2004 WSDP has further noted that there are no bulk meters in the town, not even at the extraction point of the irrigation scheme.

The following table shows a summary of bulk raw water which were supplied by the different schemes in and around the George area for the period from 2013/14 to 2017/18:

Distributi on system	Source	Financial year – Ml/a				
		17/18	16/17	15/16	14/15	13/14
George/ Wilderness	Swart and Kaaimans river	11 472,853	12 825,832	12 781,538	11 557,0 84	11 177,3 49
	Touwriver	327,185	343,092	357,273	400,345	300,680
	Groundwat er	232,461	171,346	-	92,424	70,265
Subtotal		12 032,4 99	13 343,2 70	13 138,8 12	12 049,8 53	11 548,2 94
Uniondale	Haarlem dam and Holriver	286,582	298,451	301,814	316,304	226,366
Haarlem	Haarlem dam	194,084	203,230	208,222	210,763	191,801
Total		12 513,1 65	13 844,9 61	13 648,6 48	12 576,9 20	11 158866

Water Treatment Works

George area

- The Old and New WTWs supply treated water to the whole George area, which includes George, Pacaltsdorp, Heroldsbaai, Victoria Bay and Wilderness.
- The Old and New WTWs currently have a peak design capacity of 25 Ml/day and 20 Ml/day respectively. The WTWs were last upgraded in 2008 and are in a good condition.

Uniondale

The WTW comprises of chemical flocculation and recipitation for treating the raw water at the WTW. The design capacity of the plant is unknown

Haarlem

- The WTW works comprises of a disinfection facility, with no information on exact chemical process. The design capacity of the treatment works is unknown.

The table below shows the capacity of the Water treatment works in the George area:

Water distribution system	Watertreatment Works	Capacity in Ml/d
George Wilderness	Old George WTW	25,000
	New George WTW	20,000
	Ebb and Flow WTW	1,700
Uniondale	Uniondale WTW	1,500
Haarlem	Haarlem WTW	1,000

Reticulation network

George area

The total reservoir capacity in the George and Pacaltsdorp area is 39.8 Ml. There is limited information available on the internal reticulation, but it is understood to be in a fair condition.

Uniondale

- Uniondale is served with treated water by means of four sets of reservoir stations. The reservoirs are situated on different contour heights, implying four different pressure zones. Even though there are pipes connecting the first three systems, these zones are only linked during emergencies.

Haarlem

- The reticulation network comprises mainly of asbestos cement Class C pipes and PVC Class 9 pipes.

5.2 Water Backlogs

5.3 Water Balance / Shortfall

George area

Detail water balance models are in place for each of the distribution systems in George Municipality's management area.

Uniondale

Due to the limited information available on the existing sources, it is not possible to develop a realistic water balance. There are currently no shortfalls in water supply experienced, and based on the preliminary water balance no shortfalls are expected for the low and medium-

growth scenarios. A shortfall might be expected for the high-growth scenario after 2020.

Haarlem

Assuming that the allocation from the Haarlem Dam to domestic use is still unchanged, water shortages can be expected now under the medium and high-growth scenarios. The shortfall would increase to 0.124 million m³/a by 2035.

5.4 Interventions as foreseen at 2011

George area

As a result of the current situation the LM is in the process of implementing the following emergency augmentation schemes:

- The proposed Malgas River pumping scheme comprises of a low diversion weir on the Malgas River with a pump station located downstream of the proposed dam site
- and a 500 mm diameter pipeline would be required to convey water from the diversion weir to the water treatment works in George. The LM is currently in progress with design of this scheme. Further details of this option are provided in Section 2d below.
- George LM implemented a project involving the re-use of water from the Outeniqua WWTW
- discharging approximately 10 ML/day of treated water from the WWTW into the Garden Route Dam.

Emergency boreholes have been drilled in close vicinity of the Garden Route Dam to supplement the water supply system. A number of high yielding boreholes (10 - 30 l/s) were drilled and tested resulting in a potential emergency supply of 7 ML/d. The boreholes are well located for inclusion into the town's water reticulation system and selected boreholes are currently being brought into production.

Uniondale

- There is insufficient information on unaccounted for water, and various assumptions have been made which assumes theoretical water losses to be in the order of 17% (see Section 1a). However, the end user requirement is relatively high and could be reduced with user education and awareness campaigns.
- Hence, WC/WDM principles need to be implemented, including water loss management and user education. A survey of the actual bulk system inclusive of pipelines, pump stations and WTW is proposed, in order to identify problem areas and repair where possible.

Focus should be placed on Asset Management and optimization of the operation and maintenance (e.g. use of balancing dam and reservoirs), with the aim that this will reduce the current water consumption by 2.5%.

Haarlem

- There is insufficient information on unaccounted for water, and various assumptions have been made which assumes theoretical water losses to be in the order of 17% (see Section 1a). However, the end user requirement is relatively high and could be reduced with user education and awareness campaigns.
- Hence, WC/WDM principles need to be implemented, including water loss management and user education. A survey of the actual bulk system inclusive of pipelines, pump

stations and WTW is proposed, in order to identify problem areas and repair where possible.

Focus should be placed on Asset Management and optimization of the operation and maintenance (e.g. use of balancing dam and reservoirs), with the aim that this will reduce the current water consumption by 2.5%.

5.5 Water Quality

George area

The George Municipality has been awarded the Blue drop for the operations at the Wastewater treatment plant and receive a Blue Drop Score of 100% in 2009 and full compliance with drinking water quality standards. In the DWA 2010 Blue Drop Report, the Blue Drop Score has dropped to 96.9%.

5.6 Long term planning and optimisation of interventions

Over the years the following ways to augment the water for the municipal area have been considered and implementation of these actions are as shown below:

Proposed action	Comment
Water Demand Management	Already implemented
Refurbishment of Kaimans river	Already implemented
Malgas River Pumping station	Already implemented
First phase of the Re-use of treated effluent	Already implemented
Raining of Garden Route Dam spillway	Planning in progress

6. SANITATION INFRASTRUCTURE

- Potential for alternative technologies & re-use

6.1 Existing Infrastructure

Wastewater Treatment works (WWTW)

George

George and its surrounding towns are serviced by a waterborne sewerage system with several WWTWs.

- The Outeniqua WWTW is an activated sludge plant with a design capacity of 15 MI/d and was last upgraded in 2005. The design capacity reflected in the 2010/11 WSDP is 16.5 MI/d.

- The Gwaing WWTW consists of bio-filters and as design capacity of 12 MI/d. The WWTW was last upgraded in 2008 and is in a good condition. The design capacity reflected in the 2010/11 WSDP is 11,0 MI/day. The Haroldsbaai WWTW consists of oxidation ponds with a design capacity of 0.113 MI/d. The oxidation ponds are in a good physical condition.
- The Kleinkrantz WWTW, which serves Wilderness, is an activated sludge plant and has a design capacity of 1.1 MI/d. The WWTW was last upgraded in 2005 and is in a good physical condition
- All the sewage in Victoria Bay is pumped to one communal conservancy tank. The capacity and the physical condition of the sewer reticulation and conservancy tank are unknown.
- Neither of the WWTW has a market for their sludge. Sludge is disposed of and stored on the WWTW sites.

Uniondale

There is no information available on the sewerage network. There are sanitation ponds (possibility oxidation) located on the South Eastern boundary of the town, implying that at least some portions of the town are serviced with water borne sewerage.

Haarlem

There is limited information on the sewerage network within Haarlem. Information in the WSDP indicates that the town is supplied with waterborne sewerage, but this may be limited to certain portions specifically. No information is available on sewerage treatment.

The table below shows a summary of the Wastewater treatment plants in the George area, its different capacities and the treatment processes:

Sewer system	drainage	Hydraulic capacity MI/d	Organic capacity Kg COD/d	Treatment processes
Gwaing		11,000	10 450	Activated sludge and BNR
Outeniqua		15,000	15 000	Activated sludge
Kleinkrantz		2,500	2 208	Activated sludge
Harolds bay		0,300	210	Oxidation Pond system
Uniondale		1,000	640	Activated sludge
Haarlem		0,100	Unknown	Activated sludge

6.2 Sanitation Backlogs

6.3 Available Resources and Interventions

6.4 Waste Water Quality

George area

In 2010 the George Municipality was awarded the **Green Drop Excellence Award for Excellence for Medium System** and it was said that *"It is remarkable that this Municipality is managing their Klein Krantz and Outeniqua waste water treatment facilities with excellence and is the only authority which is not a metro or an aspiring one, that managed to qualify for the "elusive" Green Drop Status"* (DWA, 2010).

6.5 Long term planning and optimisation of future interventions

7. OPERATIONAL COSTS (WSDP)

Total operating revenue has increased by 10.69% or R220 million for the 2019/20 financial year when compared to the 2018/19 Adjustments Budget. For the two outer years, operational revenue will increase by 5.17 % and 4.22% respectively.

Total operating expenditure for the 2019/20 financial year has been appropriated at R2,279 million. When compared to the 2018/19 Adjustments Budget, operational expenditure has increased by 15.63% in the 2019/20 budget and has increased by 5.10% for 2020/2021 and increased by 3.37% for 2021/2022 being the outer years of the MTREF.

With respect to Operating and Maintenance costs of the Water and Sanitation services the following were recorded in the 3 years of 2015/16, 2016/17 and 2017/18:

Water services				
Expenditure or Income		Actuals for 2017/18	Actuals for 2016/17	Actuals for 2015/16
Expenditure	Water purification	R 59 240 342,48	R 65 654 160,54	R 58 584 934,54
Expenditure	Water distribution	84 071 859,20	90 476 213,12	103 724 739
Expenditure	Filtration plant			
Nett Expenditure				
Income	Water Purification			
Income	Water distribution			
Income	Filtration plant			
Income				

Sewerage services			

8. CURRENT ASSET CONDITIONS AND REQUIRED R&M (WSDP)

9. WATER CONSERVATION & DEMAND MANAGEMENT (WSDP & RECON)

10. RISK & DISASTER (DROUGHT & FLOOD) MANAGEMENT

The 2020/21 Integrated Development Plan of the George Municipality contains the following list of activities which the municipality will consider with respect to the drought situation in the area.

- Execute water demand management measures.
- Enhance irrigation efficiencies.
- Promotion of biological farming reducing nutrient loads in hydrological systems.
- Ensure water balance between agriculture and urban development.
- Maintenance and repair of dams, reservoirs, boreholes and irrigation systems (minimize water wastage).
- Plan for future impacts of drought.
- Encouraging planting of drought resistant fodder.

11. GAP IDENTIFICATION, ANALYSIS & DISCUSSION

12. PROPOSED ROLE OF GRDM

References:

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2. George Municipality: 2017/18 Annual Water Services Development Plan Performance and Water Services Audit Report as compiled by Ix Engineers
3. Reconciliation Strategy for George dated November 2014 by Umvoto Africa
4. Reconciliation Strategy for Uniondale dated November 2014 by Umvoto Africa
5. Reconciliation Strategy for Haarlem dated November 2014 by Umvoto Africa

SECTION C: HESSEQUA MUNICIPALITY

The municipality does not have a recent WSDP and figures used for Hessequa were obtained primarily from external sources.

1. DEMOGRAPHICS

Hessequa Municipality is situated in the Southern Cape Coast on the Garden Route; about 320 km's from Cape Town on the N2 and is situated on the western border of the Eden District Municipality between Swellendam and Mosselbay Municipalities. Hessequa Municipality is under the District of Garden Route District Municipality in the province of Western Cape. Coordinates: 34°10'S 21°15'E. It abuts on the Swellendam Municipality to the west, the Kannaland Municipality to the north, the Oudtshoorn Municipality to the northeast, and the Mossel Bay Municipality to the east. At present, the Municipal area of Hessequa includes the towns of Heidelberg, Riversdale, Albertinia, Witsand, Gouritsmond, Slangrivier, Stilbaai and Jongensfontein.

Both the administrative and legislative seats of the Municipality are located in Riversdale. There are either satellite municipal offices or some municipal presence in 7 of the towns and villages. Some of the towns and villages are situated as far as 80 km from the municipal head office.

The municipality has 9 wards with an area of 5,733 km²

2. SOCIO ECONOMIC INFORMATION

According to the Census 2011, **Hessequa Municipality** has a total population of 52,642 with 15,873 households. According to the Department of Social Development's 2018 projections, Hessequa Municipality currently has a population of 55 059.

The IDP 2017 to 2022 gives the 2018 Hessequa estimated population of 55 559, after five years this population is estimated to be 57 406. This equates an estimated annual growing rate over this time span of 0.7 per cent. The estimated population growth rate of Hessequa is therefore 0.2 percentage points lower than the estimated population growth of the Garden Route District's annual average population growth rate of 0.9 per cent.

The socio-economic profile illustrates how the socio-economic environment impacts on the standard of living within the Municipality. The following points are of note:

- A high dependency ratio albeit slightly lower compared to its 2013 level indicates much strain on the working age to support their economic dependents (children and aged population).
- Hessequa has 17 731 households growing at a rate of 1.8 per cent per annum. This should be noted for municipal planning going forward.

- At 78.5 per cent, Hessequa's literacy rate is much lower than that of the Province. The Matric pass is the highest in the District rate but has decreased substantially from 2013 to 2014. There are also relatively low dropout rates and learner-teacher ratios in the municipal area.
- There was a large increase in the ART patient load and also a high mother-to-child transmission rate. The TB patient loads showed a large decrease. Fortunately there is a low neonatal mortality rate and no maternal mortalities. There are also comparatively low levels of malnutrition and pregnancy terminations. Issues in health however remain with regard to the relatively high levels of teenage pregnancies and the low immunisation rate.
- The Municipality has the lowest level of households under the lower bound poverty line within the District. The Municipality however has the lowest and slowly increasing per capita income.
- Hessequa Municipality outperforms the District in terms of access to water, electricity, sanitation and formal dwellings, but there is still room for improvement in terms of household access to refuse removal.
- Overall, Hessequa Municipality appears to be less affected by crime compared to its fellow municipalities. It however has the highest incidence of drug-related crime in the District.
- The Municipality has the second smallest share of the District economy and is growing at a slow pace. The economy has exceeded its pre-recession growth levels. The largest sectors are finance, insurance, real estate and business services, followed by 15 manufacturing and agriculture. Construction is the fastest growing sector in Hessequa.
- Hessequa has the second smallest share of employment in the District, with employment showing a negative growth trend. The largest proportion of the working population is employed within the commercial services, general government and CSP services and agriculture sectors.
- Hessequa Municipality Wi-Fi access levels at 30.32 per cent lags behind the District. Increased access, readiness and usage of internet would offer greater potential for economic growth in the Municipality.

3. LEVEL OF W&S SERVICES (WSDP)

3.1 Drinking Water and Waste Water Quality

The 2016 table below indicates access to housing and services in the Hessequa Municipal area. With a then total of 17 371 households, 95.8 per cent have access to formal housing.

Community Survey 2016	Hessequa	Garden Route District
Total number of households	17 371	189 345
Formal main dwelling	16 645	162 325
	95.8%	85.7%
Water (piped inside dwelling/within 200m)	15 730	183 441
	90.6%	96.9%
Electricity (primary source of lighting)	17 022	178 646
	98.0%	94.3%
Sanitation (flush/chemical toilet)	18 628	181 973
	97.7%	96.1%
Refuse removal (at least weekly)	15 936	168 079
	83.6%	88.8%

Access to water, electricity and sanitation services were however significantly higher than 80 percent at 90.6 percent for water, 98 percent for electricity, 97.7 percent for sanitation and 83.6 percent.

Information from the 2017 to 2022 IDP regarding Water services:

SERVICE STANDARD DEFINITION: Households with access to piped water inside the dwelling or yard or within 200 metres from the yard.

Area	2011	2016	Total change 2011 - 2016	Average annual change 2011 - 2016	Average annual growth 2011 - 2016
Hessequa	98%	90.6%	176	35	0.2%
Garden Route District	97.6%	96.9%	23 188	4 638	2.7%

Although Hessequa experienced an annual increase of household access to piped water (to within 200 metres of the yard) of approximately 35 households per annum between 2011 and 2016, the proportion of households with overall access to piped water declined over this period from 98 per cent in 2011 to 90.6 per cent in 2016, indicating that access to piped water was unable to keep pace with the growth in the total number of households.

Piped water access within the Hessequa municipal area per ward

Hessequa	Piped (tap) water inside the dwelling	Piped (tap) water inside the yard	Piped (tap) water on community stand: distance less than 200m from dwelling	Piped (tap) water to community stand: distance less than 200m and 1000m from dwelling	Piped (tap) water on community stand: distance greater than 1000m (1 km) from dwelling	No access to piped (tap) water	Unspecified	Total
Total	12945	2271	442	40	9	326	48	16080
Ward 1	1222	235	70	8	-	65	14	1613
Ward 2	1862	599	-	3	-	66	10	2540
Ward 3	2132	127	17	10	-	25	5	2314
Ward 4	1253	411	119	5	6	29	-	1824
Ward 5	870	311	30	-	-	3	3	1216
Ward 6	1525	171	26	3	-	100	3	1828
Ward 7	1822	131	146	4	-	19	9	2134
Ward 8	1272	190	14	-	-	-	3	1478
Ward 9	987	95	20	3	-	21	3	1132

Information from the 2017 to 2022 IDP regarding Sanitation services:

SERVICE STANDARD DEFINITION: Households with access to a flush or chemical toilet connected to the sewerage system.

Area	2011	2016	Total change 2011 - 2016	Average annual change 2011 - 2016	Average annual growth 2011 - 2016
Hessequa	90.8%	98.0%	2 603	521	3.4%
Garden Route District	85.8%	94.3%	37 895	7 579	4.9%

Hessequa experienced significant progress in household access to sanitation services as the proportion of households with access to acceptable standards of sanitation services increasing from 90.8 per cent in 2011 to 98.0 per cent in 2016. The Municipality was able to provide an additional 521 households with access annually; access growing at an average annual rate of 3.4 per cent.

Toilet facilities use within the Hessequa municipal area per ward

Hessequa	None	Flush toilet (connected to sewerage system)	Flush toilet (with septic tank)	Chemical toilet	Pit latrine with ventilation (VIP)	Pit latrine without ventilation	Other	Unspecified	Total
Total	316	12893	1619	23	503	346	332	48	16080
Ward 1	71	1032	332	3	45	38	77	14	1613
Ward 2	30	2160	215	3	86	33	4	10	2540
Ward 3	31	1802	291	-	99	67	18	5	2314
Ward 4	61	1324	208	3	125	63	40	-	1824
Ward 5	17	1142	8	-	3	5	39	3	1216
Ward 6	46	1334	262	-	52	62	69	3	1828
Ward 7	46	1809	171	6	31	21	42	9	2134
Ward 8	8	1421	14	-	3	9	22	-	1478
Ward 9	6	869	117	9	60	48	20	3	1132

4. FINANCIAL PROFILE (IDP)

- Of Municipality as a whole – include per service sector income
- Of W&S income improvements

The main Economic Sectors in Hessequa:

Trade (20.3%), community services (18.5%), construction (15.6%), finance (15%), agriculture (14.3%), transport (12.2%), manufacturing (3%)

From the 2017 to 2022 IDP:

Income	Final Budget	Actual
	R'000	R'000
Grants	86 893	80 272
Taxes, Levies and tariffs	298 793	305 536
Other	104 238	110 011
Sub Total	489 925	495 819
Less Expenditure	478 742	429 407
Net Surplus	11 183	66 412

Table 9.: Operating Budget Overview - Please refer to AFS for more detailed information

Detail	Expected norm (% of total budget exp) %	Actual/Total Final budget (%)	Variance %
Employee Cost	33,50%	32,90%	0,60%
Repairs & Maintenance	8,00%	14,78%	-6,78%
Finance Charges & Depreciation	10,01%	3,53%	6,48%

Table 10.: Operating ratios

Detail	2017/18	2018/19
	R'000	
Final Budget	90,682	92 477
Actual	62,292	68 065
% spent	68.69%	73,60%
For more information on under expenditure, please refer to page 49, TL1, explanation on under performance of capital expenditure		

Table 11.: Total Capital Expenditure

5. WATER RESOURCES & EXISTING INFRASTRUCTURE (WSDP & RECON)

Currently the towns in the Hessequa LM are mostly supplied by local surface water and groundwater schemes. In order to alleviate the shortfall in water supply and to allow for the further development, several local intervention options are available, e.g.:

- Water Conservation and Water Demand Management
- Upgrade of existing infrastructure to increase yield or assurance of supply
- Groundwater development
- Surface water schemes
- Water re-use
- Desalination (coastal towns).
- Potential for alternative technologies & additional sources

5.1 Existing Infrastructure

The towns in the Hessequa LM are supplied from different local surface water and groundwater sources. Heidelberg, Slangrivier and Witsand are supplied from the Overberg Water Board as the Water Services Provider, as shown in **Figure 3-3** and indicated:

Summary of current water requirement and supply for the towns in Hessequa LM

Town	Population	Water Requirement million m ³ /a	Supply source	Current yield million m ³ /a
Albertinia	4 934	0.225	Boreholes	0.417

			Fountains	0.078
Gouritzmond	1 170	0.16	Doordriftonfontein Spring	0.85
Heidelberg	8 307	0.41	Overberg Water Board (Duivenhoks River)	0.375
Jongensfontein	1 212	0.165	Fountains	0.160
Melkhoutfontein	2 382	0.106	Fountain	0.160
Riversdale	13 446	1.006	Korente-Vette Government Water Scheme (Korentepoort Dam)	1.56
Slangrivier	2 349	0.068	Overberg Water Board	0.068
Stilbaai	3 185	0.923	Boreholes	0.200
			Springs	0.744
			Olive Grove Dam	0.25
Witsand	227	0.071	Overberg Water Board	0.0533
			Borehole	0.0196

The Hessequa Municipality failed to submit the relevant documentation for the assessment of drinking water standard (Blue Drop) and effluent standard (Green Drop) in the 2009 assessment. The Blue Drop assessment in 2010 revealed an average score of only 46.2%, indicating poor performance of the municipality in terms of drinking water quality. Only the WTW for Heidelberg, Slangrivier and Witsand, which is run by Overberg Water, has just missed the Blue Drop Certification with a score of 92.9%.

Their failure to adhere to the Blue Drop Certification Programme and Green Drop Certification Programme's requirements necessitates that all systems under the jurisdiction of the LM be subjected to strict regulatory audits. As for now the Department is unable to assure the public of the confidence it has in the Drinking Water Quality and Waste Water Quality managing abilities of the municipality, since it is classified with Zero Blue Drop and Zero Green Drop scores.

Summary of water services infrastructure for the towns in Hessequa LM

Town	Service Level	Non-Revenue Water	
		million m ³ /a	%
Albertinia	96% urban; 4% RDP	0.021	9.4
Gouritzmond	96% urban; 4% RDP	0.065	41
Heidelberg	96% urban; 4% RDP	0.108	27
Jongensfontein	96% urban; 4% RDP	0.071	45
Melkhoutfontein	56% urban; 40% RDP; 4% informal	0.032	30
Riversdale	98% urban; 2% RDP	0.24	24
Slangrivier	96% urban; 4% RDP	0.0274	40.3
Stilbaai	98.9% urban; 0.4% RDP; 0.7% informal	0.126	12
Witsand	100% urban	0.004	5.2

5.2 Water Backlogs

The service levels are generally above RDP standards in the urban areas, although they may be below RDP standards in certain areas (i.e. former townships and informal settlements). The levels of service in the rural areas are generally above RDP.

According to the Community Survey 2007, 98% of the households in the Hessequa LM have access to water, with only about 170 households still lacking access (DCGTA, 2009). 95% have access to the basic level of sanitation services, with a backlog of about 600 households.

Out of a total population of 533 500 in the Eden District Municipality, 11 000 suffer from a lack of basic water services (i.e. below RDP standard), of which 4 700 do not have access to water. About 48 800 people do not have sufficient sanitation services (i.e. below RDP standard). There is also a backlog with regards to housing for 107 000 people.

From the little information available on the rural areas, it is clear that a substantial amount of work will have to be done to provide rural communities and farm dwellers with access to water sources of adequate quality and quantity as a large percentage of these communities are still getting their water from sources such as streams and channels.

Backlog of water and sanitation services (after DCGTA, 2009)

Local Municipality	Total Households	Households below basic level of water services		Households below basic level of sanitation services	
Bitou LM	12 647	206	1.6%	1 364	10.8%
George LM	42 793	702	1.6%	5 902	13.8%
Hessequa LM	12 481	169	1.4%	584	4.7%
Kannaland LM	6 344	378	6.0%	846	13.3%
Knysna LM	17 418	829	4.8%	4 422	25.4%
Mossel Bay LM	28 348	705	2.5%	1 173	4.1%

Oudtshoorn LM	17 910	245	1.4%	1 873	10.5%
WCDMA04 are	N/av.	N/av.	N/av.	N/av.	N/av.
Total	137 941	3 234	19.3%	16 164	82.6%

5.3 Water Balance / Shortfall

As shown in **Table 3-11**, Jongensfontein, Witsand, Heidelberg and Slangrivier experience a shortfall of water, while Albertinia, Melkhoutfontein, Riversdale and Stilbaai might have water shortages from 2020 onwards. The shortfall could increase by 2035 to a possible total shortfall of 6.4 million m³/a for the Hessequa LM, if the development boom along the coast continues.

Shortfalls are currently experienced during the summer holiday periods. This is usually addressed by water restrictions.

Summary of Water Balance / Shortfall for 2010, 2020 and 2035 per town in Hessequa LM (in million m³/a)

Town	Low-growth scenario			High-growth scenario		
	2010	2020	2035	2010	2020	2035
Albertinia	0.261	0.237	0.195	0.121	-0.249	-0.872
Gouritzmond	0.637	0.630	0.619	0.616	0.500	0.253
Heidelberg	0.016	-0.027	-0.101	-0.021	-0.289	-0.723
Jongensfontein	-0.007	-0.008	-0.010	-0.017	-0.064	-0.148
Melkhoutfontein	0.053	0.053	0.053	0.037	-0.052	-0.242
Riversdale	0.554	0.554	0.554	0.357	-0.365	-1.312
Slangrivier	0.002	0.008	0.017	-0.024	-0.248	-0.585
Stilbaai	0.324	0.303	0.266	0.189	-0.720	-2.434
Witsand	0.000	-0.009	-0.024	-0.012	-0.128	-0.333
Total	1.840	1.741	1.569	1.246	-1.615	-6.396

5.4 Available Water Resources and Interventions

The Eden District Municipality area falls nearly completely into the Gouritz Water Management Area (WMA). Only the western part of the Hessequa LM and the area around Haarlem in the east fall outside the WMA boundary.

The topography and climate within the Gouritz WMA is such that three distinct water resource zones can be distinguished. These are the:

- The semi arid Great Karoo consisting of the Gamka River catchment to the north of the Swartberg Mountains (mainly outside of the Eden DM area) and the Touws/Buffels/Groot River catchments, to the west of the Klein Swartberg Mountains (partly outside of the Eden DM area).
- The Olifants River which is fed by mountain streams rising in the Swartberg Mountains to the north, the central Kammanassie Mountains and the coastal Outeniqua Mountains in the south.
- The Coastal Belt which has been subdivided into two areas namely the Gouritz / Goukou / Duiwenhoks sub-area, extending from the western boundary of the WMA to (and including) the catchment of the lower Gouritz River. The remaining

coastal belt to the eastern boundary of the WMA, referred to as the Coastal sub-area.

A hot and dry Karoo climate predominates in the Great Karoo and Olifants catchment regions whilst along the coastal belt the climate is more temperate with significantly higher rainfall, occurring year round. Cold fronts approaching from the south-west bring rain to the coastal belt, whilst thunderstorms occur over the inland Karoo and Olifants River catchments between February and April. The MAP decreases from east to west, ranging from as high as 1000 mm in the south-east to as low as 160 mm in the north of the WMA. Frost occurs in the Central Karoo in winter, typically from June to August, and snowfalls occur over the high mountains.

In the interior, runoff from the Great Karoo and Olifants River catchments is very erratic and dams generally only fill after major flood events. Surface water is used opportunistically and irrigators have become accustomed to operating at low assurances of supply. Urban users rely extensively on groundwater. In the high rainfall (eastern) areas of the coastal belt extensive use is made of run-of-river yield. In the central and western regions of the coastal belt storage dams supply towns and irrigators. Groundwater is used to supplement urban supply, and for limited irrigation use, rural domestic use and stock watering.

Water is generally drawn from a variety of sources such as dams, rivers, aquifers and boreholes in the Eden District area. Quality of water from the different sources is regularly monitored and reported on, and is generally acceptable.

Approximately 40% of the water drawn from sources is returned to the sources. The quality of the water is also regularly checked and reported on.

Currently the towns in the Hessequa LM are mostly supplied by local surface water and groundwater schemes. In order to alleviate the shortfall in water supply and to allow for the further development, several local intervention options are available, e.g.:

- Water Conservation and Water Demand Management
- Upgrade of existing infrastructure to increase yield or assurance of supply
- Groundwater development
- Surface water schemes
- Water re-use
- Desalination (coastal towns).

5.5 Remote areas outside of schemes

The Community Database (DWA, 2008) lists 8 rural communities with a total population of 5 407. Most of these are scattered farming communities located between the coast and the Langeberg Mountain range that have their own local water supply.

The small places of Vermaaklikheid and Puntjie are located on the Duivenhoks River close to the river mouth. Vermaaklikheid has a population of about 380 people and can be described as a scattered village with a restaurant and post office. Puntjie is not listed on the DWA community database and is considered a small village for holiday makers. The households in both villages are supplied from local boreholes.

Since it is not expected that these places will grow significantly, the current supply is considered adequate. Should the need arise to cater for additional water requirements, the local aquifers could be further developed.

5.6 Water Quality

The Performance Log of the Municipal Blue Drop Scores for 2014 indicates Hessequa number 100 out of 152 municipalities.

The criteria used during these Blue Water Services Assessments were analysed with criteria weights:

Water Safety Planning 35%

DWQ Process Management & Control 8%

Drinking Water Quality Compliance 30%

Management, Accountability & Local Regulation 10%

Asset Management 14%

Water Use Efficiency & Water Loss Management 3%

The Hessequa Municipality failed to submit the relevant documentation for the assessment of drinking water standard (Blue Drop) and effluent standard (Green Drop) in the 2009 assessment. The Blue Drop assessment in 2010 revealed an average score of only 46.2%, indicating poor performance of the municipality in terms of drinking water quality. Only the WTW for Heidelberg, Slangrivier and Witsand, which is run by Overberg Water, has just missed the Blue Drop Certification with a score of 92.9%. Their failure to adhere to the Blue Drop Certification Programme and Green Drop Certification Programme's requirements necessitates that all systems under the jurisdiction of the LM be subjected to strict regulatory audits. As for now the Department is unable to assure the public of the confidence it has in the Drinking Water Quality and Waste Water Quality managing abilities of the municipality, since it is classified with Zero Blue Drop and Zero Green Drop scores.

Town	WTW	BDS
		%
Albertinia	Yes	41.25
Gouritzmond	No, (only chlorination)	24.75
Heidelberg	No (Overberg Water Board supplies treated water)	0 (92.9)
Jongensfontein	Yes	25.75
Melkhoutfontein	No (only chlorination)	0
Riversdale	Yes	53.38
Slangrivier	No (Overberg Water Board supplies treated water)	0 (92.9)
Stilbaai	Yes	0
Witsand	No (Overberg Water Board supplies treated water)	0 (92.9)

5.7 Integration of schemes

One of the major challenges of the Hessequa municipal region is the vast geographic layout, and it includes the vast number of households that are in the rural areas. Distances between settlements are far and cannot be integrated with existing water sources.

5.8 Long term planning and optimisation of future interventions

No	Project description	Ward	Budget 2020/2021	Budget 2021/2022	Budget 2022/2023
12.2	Replacement of Water Infrastructure - GLS Report - H/B	9	1 130 000	500 000	3 000 000
12.3	Upgrading of Main Water Supply (GLS REPORT) - Witsand	4	500 000	250 000	250 000
12.4	Water Network Reinforcement GLS - Riversdale	6,7,8	1 430 000	500 000	500 000
12.6	Telemetric system - Hessequa	HQ	1 000 000		
12.7	Network reinforcement (phase 1) - GLS - W/S	4			500 000
12.8	New Water Networks Distribution - GLS - S/B	1,3	6 482 406	1 000 000	1 000 000
12.1	Water Security Measures - H/Q	HQ	1 950 000	1 000 000	1 000 000
12.1 3	New water infrastructure for 11 new erven at Melkhoutfontein	1	200 000		
12.1 4	Lighting requirements at WTW - HQ	HQ	400 000		
12.1 5	LOW LEVEL RESERVIOR REHABILITATION - R/D	6,7,8	1 000 000		
12.1 7	TELEMETRIC SYSTEM - H/Q	HQ	558 101		
12.1 8	UPGRADING OF SANDFILTERS	6,7,8	200 000		
12.1 9	MAIN WATER SUPPLY - A/B	2	870 412		

6. SANITATION INFRASTRUCTURE

Waste water required for re-use must be of a high volume and a good quality of standard. This is not foreseen in Hessequa until waste water from the larger plants can be brought to higher chemical and biological quality.

The alternative technologies is developing rapidly and the potential of smaller decentralised plants can be investigated as large outfall sewerlines and large cost pump stations can be minimised.

6.1 Existing Infrastructure

The general condition of the infrastructure is stable but maintenance and upgrading needed at most works. The upgrading of the Riversdale Works is to be done in the next financial year. The works is flooded by milk product from the cheese factory and the inlet works designed and built to remove these industrial pollutants like fats has not been commissioned. This will be done as part of the works in the 2020/21 project.

6.2 Sanitation Backlogs

The service levels are generally above RDP standards in the urban areas, although they may be below RDP standards in certain areas (i.e. former townships and informal settlements). The levels of service in the rural areas are generally above RDP.

According to the Community Survey 2007, 98% of the households in the Hessequa LM have access to water, with only about 170 households still lacking access (DCGTA, 2009). 95% have access to the basic level of sanitation services, with a backlog of about 600 households.

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From the little information available on the rural areas, it is clear that a substantial amount of work will have to be done to provide rural communities and farm dwellers with access to water sources of adequate quality and quantity as a large percentage of these communities are still getting their water from sources such as streams and channels.

Backlog of water and sanitation services (after DCGTA, 2009)

Local Municipality	Total Households	Households below basic level of water services		Households below basic level of sanitation services	
Bitou LM	12 647	206	1.6%	1 364	10.8%
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Oudtshoorn LM	17 910	245	1.4%	1 873	10.5%
WCDMA04 are	N/av.	N/av.	N/av.	N/av.	N/av.
Total	137 941	3 234	19.3%	16 164	82.6%

6.3 Available Resources and Interventions

6.4 Remote areas outside of schemes

Areas outside the schemes are treating effluent in French drains and local treating points.

6.5 Waste Water Quality

No data on achieving success in the management and operational system could be found in previous reports on Green Drop.

Town	WWTW	GDS
		%
Albertinia	Yes	0
Gouritzmond	Yes susceptible to serious damage during floods	0
Heidelberg	Yes (but	0
Jongensfontein	Yes	0
Melkhoutfontein	Yes	0
Riversdale	Yes (reached its design capacity – risk of spills)	0
Slangrivier	Yes	0
Stilbaai	Yes (condition questionabl e)	0
Witsand	Yes	0

6.6 Integration of schemes

It is not recommended for any consolidation, rather to desentralise

6.7 Long term planning and optimisation of future interventions

11.1	Infrastructure - Sanitation	Upgrading of existing Sewerage Infrastructure (GLS) - Albertinia	1 460 000	750 000	750 000
11.2	Infrastructure - Sanitation	Bulk Sewer Upgrade phase 1 (GLS) - Stilbaai			1 485 000
11.3	Infrastructure - Sanitation	Replacement of Pumpstation Equipment - H/B	80 000	-	-
11.4	Infrastructure - Sanitation	Replacement of Pumpstation Equipment - S/R	100 000	-	-
11.5	Infrastructure - Sanitation	Flow meter - Sewerage - Hessequa	200 000	300 000	
11.6	Infrastructure - Sanitation	Upgrading of Sewerage works - Phase 2 - R/D (Ref 313781)	5 512 896		
11.7		Upgrad. Sewerage works-Phase 2-R/D-Counter Funding (Ref 313781)	3 880 134	7 708 705	
11.8		Upgrading of Sewerage works - Phase 3 - R/D (Ref 343289)		6 029 254	14 232 900
11.9		UPGRADE SEWERAGE WORKS - R/D	2 147 611		
11.10		Upgrading of sewerage system - H/B	1 425 000	500 000	

11.11	Infrastructure - Sanitation	Upgrade Existing Gravity - S/B	1 765 800	720 000	1 000 000
11.12	Infrastructure - Sanitation	New Gravity Distribution - GLS Development - S/B	320 000		1 370 000
11.13	Infrastructure - Sanitation	Standby pump for irrigationsystem sewer dams - Jft.	30 000		
11.14	Infrastructure - Sanitation	SERVICES OF INFORMAL AREAS - H/Q	350 000		
11.15	Infrastructure - Sanitation	Laboratory Equipment - H/Q	100 000		100 000
11.16	Infrastructure - Sanitation	Upgrading of Sewer Infrastructure (Unserved Erven) - GM	1 500 000		
11.17		New Sewerage line 11 erven - Melkhoutfontein	200 000		
11.18		Additional Toilets - Dollar Square - Heidelberg	50 000		

7. OPERATIONAL COSTS (IDP)

Description	2016/17	2017/18			
	Actual	Original Budget	Adjustment Budget	Actual	Variance to Budget
Waste Water Management	R'000				
Total Operational Revenue	23 852	27 335	31 100	21 635	9 465
Expenditure:					
Employees	9 244	9 957	10 483	10 718	(235)
Inventory	1 253	1 931	1 638	1 420	218
Depreciation and amortisation	2 976	4 303	4 303	3 283	1 019
Bulk Purchases	233	286			
Interest Paid	1 113	1 656	1 476	1 268	208
Bad debts	598	476	476	807	(331)
Contracted Services	1 699	1 693	2 070	1 731	339
Loss on Disposal of PPE					
Gains/(Loss) on Sale of Fixed Assets					
General Expenses	599	794	965	809	156
Total Operational Expenditure	17 716	21 096	21 411	20 036	1 375
Net	6 136	6 239	9 689	1 599	8 090
<i>Variances equal to actual minus adjustment budget</i>					

Table 128.: Financial Performance: Waste Water (Sanitation) services

8. CURRENT ASSET CONDITIONS AND REQUIRED R&M

9. WATER CONSERVATION & DEMAND MANAGEMENT (WSDP & RECON)

10. RISK & DISASTER (DROUGHT & FLOOD) MANAGEMENT

11. GAP IDENTIFICATION, ANALYSIS & DISCUSSION

Town	Recommended Interventions	Expected additional yield [million m ³ /a]	Date of implementation
Albertinia	Full Implementation of WC/WDM strategy	2.5% reduction in requirements	2012
	Extension and Optimization of existing Wellfield	0.1	2012
	Further Groundwater development of the Skurweberg Aquifer	0.3	2015
	Re-use of water	0.5	2028
Gouritzmond	Develop and Implement a WC/WDM strategy	20% reduction in requirements	2012
	Groundwater development	0.5	2020
Heidelberg	Develop and Implement a WC/WDM strategy	5% reduction in requirements	2012
	Utilise current allocation from the Irrigation Board for Heidelberg.	0.186	2012
	Overberg Water to get an increase in abstraction quantity from the Duivenhoks system.	0.5	2015
Jongensfontein	Develop and Implement a WC/WDM strategy	25% reduction in requirements	2012
	Groundwater development	0.05	2012
Melkhoufontein	Develop and Implement a WC/WDM strategy	15% reduction in requirements	2012
	Groundwater development of Bredasdorp Aquifer	0.1	2015
	Abstraction from and conjunctive use with Olive Grove Dam	0.1	2025
Riversdale	Develop and Implement a WC & DM strategy	5-10% reduction in requirements	2012
	Increase abstraction from the Vette River through leiwater / irrigation exchange		2015
	Groundwater development of Skurweberg Aquifer		2020
Slangrivier	Implement a WC & DM strategy	25% reduction in requirements	2012
	Incremental increase supply from Overberg Water	0.6	2012
Stillbaai	Implement a WC & DM strategy	4% reduction in requirements	2012
	Permit full storage capacity in Olive Grove Dam	0.2	2012
	Groundwater development and conjunctive use	2	2015
Witsand	Implement a WC & DM strategy	10% reduction in requirements	2012
	Groundwater development of the Bredasdorp Aquifer	0.15	2012
	Groundwater development of the TMG Aquifer	0.15	2025

Hessequa LM: Required Actions – Infrastructure Upgrade

Issue	Action	Responsibility	Schedule
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WWTW capacity not sufficient for peak requirement.	Upgrade WWTW for peak season usage.	Hessequa LM	2012
WWTW susceptible to serious damage during floods.	Relocate Heidelberg water works out of flood plain, to be undertaken in conjunction with required upgrade.	Hessequa LM	2012
Water allocation from Irrigation Board not utilized to supplement the shortfall in the potable water supply	Implement the utilisation of the full water allocation from the Irrigation Board	Hessequa LM	2012
Landfill site poses health risks	A new landfill site should be constructed for the Albertinia service area.	Hessequa LM	2012

SECTION D: KANNALAND

SECTION E: KNYSNA MUNICIPALITY WC 048

1. LEVEL OF W&S SERVICES (WSDP)

1.1 PLANNING & ADMINISTRATIVE OVERVIEW

Knysna Municipality is both WSA and WSP for all W&S services within the Knysna municipality's borders. The WSDP was first drafted in March 2007 and updated regularly a few times since then – roughly every 2 to 3 years.

The Municipality has a project management unit (PMU) working with the Water & Sanitation section of the Technical Services Department, to manage the implementation of water services projects for which Municipal Infrastructure Grant (MIG) and other funding is utilised.

Although there may be many areas for improvement of overall management of W&S services, the general municipal capacity to develop infrastructure and manage W&S services, is good.

According to the WSDP of 2013, the following policies and planning documents are in place (to be managed by the WSA):

1. Service level policy for water and sanitation
Community participation is done each year through the IDP through which the level of services are discussed.
2. In 2013, 100% of hh's in urban areas have access to at least basic clear drinkable water according to RDP standards.
3. Although the population grow continuously, especially of poor hh's, the strategic goal is to sustain ever-growing, reliable services to all and to develop W&S services and infrastructure in line with the population and economic growth and development, to meet the future needs.
4. Basic services are supplied to informal settlements, water to all and sanitation for communal use with focus on continuously improving sanitation.
5. By 2011/12, 80.3% of households in urban areas have access to flush toilets or flush septic tanks. Bucket eradication was done successfully by 2008. A limited number of buckets prevail in temporary use, e.g. for new informal dwellers. Since 2012, the WC Dept of Human Settlements supply grant funds for the ongoing accommodation of sanitation structures for every 5 hh's.

1.2 LEVEL OF BASIC SERVICES

The service levels are generally above RDP standards in the urban areas, although they may be below RDP standards in certain areas (i.e. former townships and informal settlements). The levels of service in the rural areas are generally above RDP.

Resource	Households	Households with Access to Safe Drinking Water		Households with No Access to Safe Drinking Water (Backlogs)	
		Number of HH	%	Number of HH	%
Community Survey 2007	14 732	14 025	95,2%	707	4,8%
Census 2011	21 893	21 542	98,4%	350	1,6%
Community Survey 2016	22 952	20 473	89,2%	2 479	10,8%

1.3 Drinking Water and Waste Water Quality

Town	Service Level	Piped Water inside dwelling	Yard Tap	Standpipe
Knysna	83% urban; 17% RDP	48%	35%	17%
Buffelsbaai	93% urban; 17% RDP	54%	39%	7%
Karatara	82% urban; 18% RDP	48%	34%	18%
Rheenendal	82% urban; 18% RDP	48%	34%	18%
Sedgefield	100% urban	58%	42%	0%

2. FINANCIAL PROFILE (WSDP)

- Of Municipality as a whole – include per service sector income
- Of W&S income improvements

3. WATER RESOURCES & EXISTING INFRASTRUCTURE (WSDP & RECON)

- Potential for alternative technologies & additional sources

3.1 Water Resources and Existing Infrastructure

The Knysna LM comprises Knysna as its administrative center, the coastal towns of Buffelsbaai and Sedgefield, and the inland towns of Karatara and Rheenendal.

Water Resources

The towns in the Knysna LM are supplied from different local surface water and groundwater sources, as shown in **Figure 3-5** and indicated in **Table 3-17**.

Table 23-1-1 Summary of current water requirement and supply for the towns in Knysna LM (2011)

Town	Population	Water Requirement million m ³ /a	Supply source	Current yield million m ³ /a	Water Supply million m ³ /a (AAWS)
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		(AAWD)			
Knysna	44 445	3.425	Knysna River and Gouna River	3.918	4,79
			Boreholes	0.185	
			Glebe Dam	0.511	
			Bigai Springs	0.180	
Buffelsbaai	660	0.040	Goukamma River	0.041	0,041
			Boreholes	N/av.	
Karatara	700	0.081	Karatara River	0.081	0,081
Rheenendal	3 425	0.088	Homtini River	0.088 (assumed)	0,088
			Boreholes	N/av.	
Sedgefield	13 530	0.792	Karatara River	0.740	0,916
			Boreholes	0.176	

Table 23-1-2 Summary of authorised/registered water use for the towns in Knysna LM (2011)

Town	Groundwater		Surface Water		Storage	
	Description	Registered Abstraction (million m ³ /a)	Description	Registered Abstraction (million m ³ /a)	Description	Reg'd Capacity
Knysna	Belvidere boreholes (x4)	0,2	Knysna River*	3,9	Akkerkloof Dam Glebe Dam	0,86 million m ³ /a ??? million m ³ /a
	Lake Brenton boreholes (x2)	0,55	Gouna River* Grootkops River Bigai Springs	0,84 ??? ???		
Buffelsbaai	N/A		Goukamma River	0,041	N/A	
Karatara	N/A		Karatara River**	0,075	N/A	
Rheenendal	N/A		Homtini River	0,07	N/A	
Sedgefield	3 boreholes	0,014	Karatara River	0,74	N/A	

*The registered abstraction for Gouna River (22102341, wrong coordinates) is 0,54 million m³/a and for Knysna River (22061572, wrong coordinates) is 0,088 million m³/a.

** The registered abstraction for Karatara River (22061484, wrong coordinates) differ from WMP

Table 23-1-3 Summary of Infrastructure Capacity for existing water use for the towns in Knysna LM (2011)

Town	Groundwater		Surface Water		Storage	
	Description	Capacity (million m ³ /a)	Description	Capacity (million m ³ /a)	Description	Capacity
Knysna	Knysna Boreholes	???	Knysna River	3,31	Akkerkloof Dam Glebe Dam	0,78 million m ³ /a ??? million m ³ /a
			Gouna River Grootkops River Bigai Springs	1,07 ??? ???		
Buffelsbaai	N/A		Groundwater	0,041	N/A	
Karatara			Karatara River	0,081	N/A	
Rheenendal			Homtini River	0.095	N/A	

Sedgefield			Karatara River	0,74???	N/A	
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Table 23-1-4 Summary of water services infrastructure for the towns in Knysna LM (2011)

Town	WTW		Reservoirs	Pump Stations	Pipelines	Pipelines
	Description	Capacity	Capacity		Raw Water	Potable Water
Knysna	Knysna WTW	22,0 MI/d	(41 No) 32,5 MI	???	20,6 km	230 km
Buffelsbaai	Buffelsbaai WTW	1,0 MI/d	(4 No) 1,522 MI	(1 No) 8,8 l/s	13,0 km	6,31 km
Karatara	Karatara WTW	1,0 MI/d	(2 No) 0,8 MI*	None	5,0 km**	12 km
Rheenendal	Rheenendal WTW	1,0 MI/d	(1 No) 0,339 MI	None	???	4,5 km
Sedgefield	Ruigtevlei WTW	2,5 MI/d	(3 No) 8 MI	(1 No)	???	66 km

BDS – Blue Drop Score; GDS – Green Drop Score

* The MTO Forestry reservoir (0,3 MI) feeding Bosdorp is too low to provide adequate pressure

** The pipeline is in poor condition and need to be replaced

3.2 Water Backlogs

3.3 Water Balance & Shortfall

As shown in **Table 3-19**, Buffelsbaai and probably Karatara experience a shortfall of water, while all towns might have water shortages under normal climatic conditions from 2015 onwards. The shortfall could increase by 2035 to a possible total shortfall of 9.6 million m³/a for the Knysna LM, if the development boom in the coastal towns continues.

Table 3-19 Summary of Water Balance / Shortfall for 2010, 2020 and 2035 per town in Knysna LM (in million m³/a)

Town	Low-growth scenario			High-growth scenario		
	2010	2020	2035	2010	2020	2035
Knysna	1.264	0.895	0.268	0.853	-2.172	-7.807
Buffelsbaai	-0.001	-0.002	-0.003	-0.003	-0.009	-0.021
Karatara	0.001	0.003	0.005	-0.004	-0.034	-0.078
Rheenendal	0.007	0.007	0.007	0.004	-0.005	-0.021
Sedgefield	0.088	0.003	-0.142	0.064	-0.630	-1.698
Total	1.359	0.906	0.135	0.914	-2.850	-9.625

3.4 Available Water Resources and Interventions

Currently the towns in the Knysna LM are supplied by local surface water and groundwater schemes. In order to alleviate the shortfall in water supply and to allow for the further development, several local intervention options are available, e.g.:

- Water Conservation and Water Demand Management
- Upgrade of existing infrastructure to increase yield or assurance of supply
- Surface water schemes
- Groundwater development
- Water re-use
- Desalination (for coastal towns).

Table 3-20 Summary of recommended interventions for reconciliation of Water Requirements and Water Availability – per town in Knysna LM (2011)

Town	Recommended Interventions	Expected additional yield [million m ³ /a]	Planned date of implementation	Current Status (2020)
Knysna	Full implementation of WC/WDM strategy	10% reduction in requirements	2012	
	Integration of emergency boreholes into bulk water supply system	2.0	2012	
	Integrate emergency re-use scheme into bulk water supply system			
	Increase abstraction capacities from existing run-of river schemes and dams	2.0	2015	
	Groundwater development of TMG Aquifer	1.0	2025	
Buffelsbaai	Full implementation of WC/WDM strategy	15% reduction in requirements	2012	
	Increase abstraction capacities from existing run-off river scheme	0.01	2012	
	Groundwater development	0.01	2015	
Karatara	Full implementation of WC/WDM strategy	30% reduction in requirements	2012	
	Groundwater development	0.03	2015	
	Increase abstraction capacities from existing run-of river scheme and develop off-channel storage dam	N/av.	Beyond 2035	
Rheenenal	Full implementation of WC/WDM strategy	35% reduction in requirements	2012	
	Integration of emergency boreholes into bulk water supply system and further groundwater development	0.03	2012	
	Increase abstraction capacities from existing run-of river scheme	0.04	2020	
Sedgefield	Full implementation of WC/WDM strategy	15% reduction in requirements	2012	
	Integrate emergency boreholes into bulk water system and further groundwater development	0.6	2012	
	Integrate emergency desalination plant into bulk water system	0.5	2020	

3.5 Water Quality

The Knysna Municipality is managing its water supply systems with distinction since all scored exceptionally well. Water supply is tested weekly by the Eden DM, and no quality problems are experienced. Some concerns were raised previously about the process controlling and credibility of sample analysis. The Department of Water Affairs is urging the municipality to give serious attention to the slightly elevated Aluminum levels in some of its systems as soon as possible. However, the drinking water quality complies with the Drinking Water Quality standards

Table 3-18 Summary of water services infrastructure for the towns in Knysna LM

Town	Service Level	Non-Revenue Water		WTW	BDS
		million m ³ /a	%		%
Knysna	83% urban; 17% RDP	0.758	22	Yes	92.25
Buffelsbaai	93% urban; 17% RDP	0.013	33	Yes	86.8
Karatara	82% urban; 18% RDP	0.037	46	Yes	91.8
Rheenendal	82% urban; 18% RDP	0.042	48	Yes (needs upgrading)	70
Sedgefield	100% urban	0.221	28	Yes (Ruigtevlei WTW)	91.85

BDS – Blue Drop Score; GDS – Green Drop Score

3.6 Integration of schemes

Table 23-7:

Water Resource	Intervention	Potential Yield
Knysna / George Regional Scheme	Hoëkraal and the Goukamma Dams (high costs of transferring this water across the large distances and difficult terrain to each of the towns made them unfeasible, since George and Knysna are roughly 60 km apart)	???
Knysna / Bitou Regional Scheme	Bitou Bulk Water Augmentation including Wadrif Dam	???

3.7 Long term planning and optimisation of future interventions

Table 23-8:

Town	Water Resource	Intervention	Potential Yield
Knysna	Reduce Water Requirement	Reduce water use by 25% over 10 years	10% reduction in consumption
	Water Re-use	Option 1: Re-use treated effluent for irrigation and industrial end-users	0,15 million m ³ /a
		Option 2: Pump treated effluent to upper Knysna River Estuary to form part of EWR	0,47 million m ³ /a
		Option 3: Reclaim treated effluent for potable use	3,3 million m ³ /a

		Option 4: Blend treated effluent with Akkerkloof Dam freshwater (project commissioned in 2010?)	1,1 million m ³ /a (3 MI/d)
	Ground Water	Develop Table Mountain Group (TMG) Aquifer (27 boreholes drilled around 2010/11?? What is the yield?) Develop Enon Formation Aquifer	1,28 million m ³ /a (3,5 MI/d) ???
	Surface Water	Increase capacity of existing Charlesford / Eastford Pump scheme to 300 l/s Increasing the capacity of the existing Gouna pump scheme to 150 l/s A new off-channel dam on the right bank of the Knysna River just downstream of Charlesford to store surplus water during wet months A new off-channel dam could be constructed in the valley just north of the Eastford pump station to store surplus water during wet months A new on-channel dam on Gouna or Grootkops Rivers A new on-channel dam on Goukamma River A new on-channel dam on the upper Knysna River Raising of the Akkerkloof Dam (not considered cost-effective) Raising of the Glebe Dam (not considered feasible due to EWR requirements)	1,5 million m ³ /a 0,6 million m ³ /a ??? ??? 3 million m ³ /a 3,2 million m ³ /a ??? 0,03 million m ³ /a 0,3 million m ³ /a
	Rainwater harvesting	Implemented as part of WC/WDM strategy	???
	Alien Vegetation Clearing	Increase river flows	???
	Desalination	Seawater Lagoon water west of Lake Brenton	??? ???
Buffelsbaai	Reduce Water Requirement	Reduce water use by 25% over 10 years	2,5% reduction in consumption
	Water Re-use	Not possible due to septic tanks	
	Ground Water	Develop Peninsula Formation Sand dunes below town	10-20 l/s 1 l/s ???
	Surface Water	Additional abstraction from Goukamma River	
	Rainwater harvesting	Implement as part of WC/WDM strategy	???
	Alien Vegetation Clearing	Not reported	???
	Desalination	Seawater (small scale)	???
Karatara	Reduce Water Requirement	Reduce water use by 30% over 10-20 years	10% reduction in consumption
	Water Re-use	Potential is low but can be considered for indirect use (irrigation, etc.)	???
	Ground Water	Explore and develop Peninsula Formation aquifer	10-20 l/s

		Explore and develop Kaaimans Group aquifer	1,4 l/s ???
	Surface Water	Additional abstraction from Karatara River	???
		Investigate possibility of off-channel storage dam	???
	Rainwater harvesting	Implement as part of WC/WDM strategy	???
	Alien Vegetation Clearing	Increase river flows	???
	Desalination	Not considered	???
Rheenendal	Reduce Water Requirement	Reduce water use by 30% over 10-20 years	10% reduction in consumption
	Water Re-use	Potential is low but can be considered for indirect use (irrigation, etc.)	???
	Ground Water	Explore and develop Peninsula Formation aquifer	10-20 l/s
	Surface Water	Additional abstraction from Karatara River	???
		Investigate possibility of off-channel storage dam	???
	Rainwater harvesting	Implement as part of WC/WDM strategy	???
	Alien Vegetation Clearing	Increase river flows	???
	Desalination	Not considered	???
Sedgefield	Reduce Water Requirement	Reduce water use by 25% over 10-20 years	10% reduction in consumption
	Water Re-use	Potential is low but can be considered for indirect use (irrigation, etc.) Artificial recharge of aquifer	???
	Ground Water	Explore and develop Peninsula Formation aquifer	10-20 l/s
		Explore and develop Kaaimans Group aquifer	1,4 l/s ???
	Surface Water	Additional abstraction from Karatara River	???
		Investigate possibility of off-channel storage dam	???
		Investigate possibility of off-channel storage dam constructed on the banks of the Hoëkraal River on the farm Swarttrivier	0,4 million m ³
	Rainwater harvesting	Implement as part of WC/WDM strategy	???
	Alien Vegetation Clearing	Increase river flows	???
	Desalination	Upgrade / extend desalination plant	???

4. SANITATION INFRASTRUCTURE

- Potential for alternative technologies & re-use

4.1 Existing Infrastructure

Town	WWTW		Pump Stations		Pipelines	
	Description	Capacity	Description	Capacity	Description	Capacity

Knysna	Knysna WWTW (activated sludge) Sequential Batch Reactor (SBR) Brenton WWTW (activated sludge)	6,5 MI/d 0,9 MI/d 0,3 MI/d	Knysna Belvidere Brenton	338 l/s 353 l/s 25 l/s	Knysna (gravity) Knysna (rising) Belvidere (gravity) Belvidere (rising) Brenton (gravity) Brenton (rising)	181 km 21 km 6,3 km 1,8 km 4,8 km 1,8 km
Buffelsbaai	None, serviced by septic tanks	N/A				
Karatara	Karatara WWTW	1,0 MI/d	N/A			
Rheenendal	Petro WWTW Beacon WWTW	0,3 MI/d 0,5 MI/d	Rheenendal	18 l/s	Gravity Rising	4,4 km 0,7 km
Sedgefield	Groenvlei WWTW (SBR)	1,0 ml/d	Sedgefield	137 l/s	Gravity	27,6 km 9,3 km

4.2 Sanitation Backlogs

Resource	Households	Households with Access to Safe Drinking Water		Households with No Access to Safe Drinking Water (Backlogs)	
		Number of HH	%	Number of HH	%
Community Survey 2007	14 732	14 025	95,2%	707	4,8%
Census 2011	21 893	21 542	98,4%	350	1,6%
Community Survey 2016	22 952	20 473	89,2%	2 479	10,8%

4.3 Available Resources and Interventions

Town	Issue	Action	Responsibility	Schedule	Current Status
Knysna	Treated effluent from WWTW is discharged directly into Knysna Lagoon.	Divert treated water to a preferred upstream point on the Knysna River.	Knysna LM	2012	

4.4 Waste Water Quality

The Knysna LM was awarded the “Green Drop Award for most promising performance for smaller systems”, since

“In spite of all the challenges faced this municipality scored an average of 75% for all the systems it is responsible for. This is deemed as remarkable since all criteria is complied with except for effluent compliance. Should serious attention be given to effluent compliance this could be the first smaller municipality that will qualify for a Green Drop on all its systems.” (DWA, 2010)

4.5 Integration of schemes

4.6 Long term planning and optimisation of future interventions

5. OPERATIONAL COSTS (WSDP)

6. CURRENT ASSET CONDITIONS AND REQUIRED R&M (WSDP)

7. WATER CONSERVATION & DEMAND MANAGEMENT (WSDP & RECON)

The Knysna Municipality has developed a Water Demand Management Strategy (CES, 2008). However, it is unknown which actions have been implemented so far, if any

8. RISK & DISASTER (DROUGHT & FLOOD) MANAGEMENT

9. GAP IDENTIFICATION, ANALYSIS & DISCUSSION

10. PROPOSED ROLE OF GRDM

The Municipality provides all water and sanitation services in the urban areas. In general there are sufficient personnel available to operate the current infrastructure, but use is made of a support services provider for the operation of the WWTW in Brenton.

SECTION F: MOSSEL BAY MUNICIPALITY

SECTION G: OUDTSHOORN MUNICIPALITY