



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 **THURSDAY, 26 NOVEMBER 2020** at **14:00** 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 **DONDERDAG, 26 NOVEMBER 2020** om **14:00** 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 NGOLWESINE, 26 KWEYENKANGA 2020** ngentsimbi ye **14:00** ukuqwalasela imiba ebekwe kwi agenda.

BHJ GROENEWALD
SPEAKER
SPEAKER
SOMLOMO

MG STRATU
Municipal Manager
Munisipale Bestuurder
Mphathi Masipala

Date: 16 NOVEMBER 2020

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

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J.1	None / Geen / Azikho	
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	CLOSURE / SLUITING / UQUKUNJELO	

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
 Ald JL Hartnick
 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 Stroebe
 Ald PJ Van der Hoven
 Ald T Teyisi
 Ald V Gericke
 Rdl / Cllr K Windvogel
 Rdl / Cllr JC Lambaatje
 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)**
 Cllr MG Matiwane **(as at 30 Sept 2020)**



Minutes of a **Council Meeting**
 of the 2016/2021 term of
 Garden Route District Council held **via Zoom**
 on **Friday, 30 October 2020** at **11:00**

Notule van 'n Raadsvergadering
van die 2016/2021 termyn
van Garden Route Distriksraad gehou via Zoom
op Vrydag, 30 Oktober 2020 om 11:00

Imizuzu **Yentlanganiso yeBhunga**
 yexesha 2016/2021 yoMasipala Wesithili se Garden Route
 nebibanjwe ngo **Zoom**
ngoLwesihlanu, 30 KweyeDwarha 2020 ngo **11:00**

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

The Speaker, Cllr 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 and due to 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
Cllr / Rdl / Ceba KS Lose	DA
Cllr / Rdl / Ceba D Saayman	DA
Ald S De Vries	ANC
Cllr / Rdl / Ceba CN Lichaba	ANC
Cllr / Rdl / Ceba MP Mapitiza	ANC
Cllr / Rdl / Ceba WT Harris	ICOSA
Ald PJ Van der Hoven	George Municipality
Ald V Gericke	George Municipality
Cllr / Rdl / Ceba EH Stroebe	George Municipality
Ald IC Krtzinger	George Municipality
Cllr / Rdl / Ceba J Fry	George Municipality
Ald GR Wolmarans	Knysna Municipality
Cllr / Rdl / Ceba L Tyokolo	Knysna Municipality

Cllr / Rdl / Ceba GM Matiwane
 Cllr / Rdl / Ceba ASM Windvogel
 Cllr / Rdl / Ceba GL Boezak
 Cllr / Rdl / Ceba IT Mangaliso
 Ald RH Ruiters
 Cllr / Rdl / Ceba E Meyer
 Cllr / Rdl / Ceba JP Johnson
 Ald BHJ Groenewald
 Cllr / Rdl / Ceba JC Lambaatjeen
 Cllr / Rdl / Ceba RR Wildschut

Knysna Municipality
 Bitou Municipality
 Hessequa Municipality
 Hessequa Municipality
 Mossel Bay Municipality
 Mossel Bay Municipality
 Kannaland Municipality
 Mossel Bay Municipality
 Oudtshoorn Municipality
 Oudtshoorn Municipality

OFFICIALS / AMPTENARE / AMAGOSA

Mr / Mnr / Mnu MG Stratu
 Mr / Mnr / Mnu J-W de Jager

Municipal Manager
 Executive Manager Financial
 Services

Mr / Mnr / Mnu K Nieuwoudt

Acting 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

Executive Manager: Planning
 & Economic Development

Mr / Mnr / Mnu S Maqekeni

Manager: Integrated Support
 Services & Legal Compliance

Ms / Me / Nkzn N Davids

Manager: Legal Services

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 IG Saaiman	Manager Performance Management
Ms / Me / Nkzn M James	Acting District IDP Manager
Mr / Mnr / Mnu S Dladla	Chief of Staff: Office of the Executive Mayor
Mr / Mnr / Mnu F Thaver	Fire Chief
Mr / Mnr / Mnu D Passmore	Project Manager
Mr / Mnr / Mnu H Pieters	Snr Communications Officer
Mr / Mnr / Mnu B Desha	Snr Translator/Intepreter/ Committee Officer
Mr / Mnr / Mnu C Scheepers	Deputy Manager Human Resources
Ms / Me / Nkzn R Matthews	Acting Snr Committee Officer
Mr / Mnr / Mnu P Mbulawa	Provincial Manager (HDA)

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

Ald T Teyisi	George Municipality
Cllr / Rdl / Ceba X Matyila	Bitou Municipality
Cllr / Rdl / Ceba SS Mbandezi	Mossel Bay Municipality
Cllr / Rdl / Ceba NF Kamte	ANC

OFFICIALS / AMPTENARE / AMAGOSA

Ms / Me / Nkzn B Holtzhausen	Executive Manager Corporate Services
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3.3 **COUNCILLORS WITHOUT LEAVE / RAADSLEDE SONDER VERLOF / OCEBA ABANGEKHO KWIKHEFU**

Cllr / Rdl / Ceba NV Gungubele	ANC
Cllr / Rdl / Ceba K Windvogel	Oudtshoorn Municipality

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 STELSWET, 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**

Noted / Kennis geneem / Luthathelwe ingqalelo

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

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

The Executive Mayor communicated that GRDM earlier in the week launched the District Safety Forum. The Forum includes all the government clusters, SOE's and all other sectors that have to do with changing people's lives. The District Safety Forum is being supported by all the seven (7) local municipalities in the region and the municipalities all signed pledges as support for this initiative.

This initiative is funded by the Department of Community Safety. The Executive Mayor urged all Councillors representing the Local Municipalities to ensure that their respective municipalities abide by the conditions. The Local Municipalities are urged to comply with the rules in order to obtain access to the funding.

On Saturday, 31 October 2020, the GRDM will be launching the clean-up project at 09:00 at Thembaletu. The Executive Mayor placed emphasis on the fact that the intention is to roll out this project in all seven (7) Local Municipalities. The Executive Mayor requested that the Local Municipalities partner with GRDM and that the intention is to assist the municipalities.

The Executive Mayor reported that this type of initiative as well as the launching of the District Safety Forum is a first of its kind in South Africa.

The Executive Mayor reported that bi-elections will commence and urged all Councilors to ensure that the manner in which the bi-elections take place is good and requested that this good spirit remains and to refrain from violence, etc.

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

The Speaker communicated the following: During the month of November, the following Cllrs are going to celebrate birthdays: Ald R Ruiters and Cllr IT Mangaliso.

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

The Municipal Manager communicated the following:

The Municipal Manager informed the Councillors that the GRDM had its workshop on the Growth and Development Strategy. The Councillors were furnished with the document and are urged to submit their comments on the document.

The Municipal Manager informed the Councillors that a discussion between GRDM and Mossel Bay municipality took place and the matter regarding the list of properties has been concluded and that a report regarding the way forward in terms of properties will be submitted for discussion at the next Council meeting.

The Municipal Manager informed the Councillors that the Human Settlement Development Agency has requested to engage Council on a very exciting project. Mr P Mbulawa requested that he presents the vision that the Department of Human Settlements has for the Southern Cape Corridor to enable GRDM to become a development agency.

NB: Mr P Mbulawa presented a Power Point Presentation from Housing Development Agency.

9. APPROVAL OF MINUTES OF COUNCIL MEETING / GOEDKEURING VAN NOTULES VAN RAADSVERGADERING / UKWAMKELWA KWEMIZUZU YENTLANGANO YEBHUNGA

9.1 Council meeting dated 30 September 2020 / Raadsvergadering gedateer 30 September 2020 / Intlanganiso yeBhunga ngomhla 30 KweyeMsintsi 2020 (pg 8-32)

RESOLVED

That the minutes of the Council meeting dated 30 September 2020, be approved, with the following corrections:

"That Cllr D Saayman's name be moved from Absent without leave to Councillors with leave.

That the following sentence on page 5: That Cllr.M.G. Matiwane, be requested to take the Oath of Office, as required in terms the Municipal Structures Act, 1998.

Be changed to the following: That Cllr M.G. Matiwane took the Oath of Office, as required in terms of the Municipal Structures Act, 1998.

That following recommendation on page 30: 5.1.5. That Council takes note that there were no objections received after the advertisement was published in the media for public comments, be removed from the minutes".

BESLUIT

Dat die notule van die Raadsvergadering gedateer 30 September 2020 goedgekeur word met die volgende korreksies:

- *"Dat Rdl D Saayman se naam verskuif word van Afwesig sonder verlof na Raadslede met verlof"*
- *Dat die volgende sin op bladsy 5: Dat Rdl G.M. Matiwane versoek word om 'n eed van die kantoor te neem, soos vereis ingevolge die Wet op Munisipale Strukture, 1998, verander na die volgende: Dat Cllr M.G. Matiwane die eed afgelê het, soos vereis ingevolge die Wet op Munisipale Strukture, 1998.*
- *Dat die volgende aanbeveling op bladsy 30: 5.2.5 Dat die Raad kennis neem dat daar geen besware ontvang was ten opsigte van die publieke deelname proses nie, verwyder word.*

ISIGQIBO

Seskuba imizuzu yentlangano yeBhunga yangomhla 30 KweyeMsintsi 2020, iphunyezwe nezi zilungiso:

- *"Sesokuba igama likaCeba D Saayman lisuswe kooCeba abangekhoyo ngaphandle kwekhefu.*
- *Sesokuba lombalo ulandelayo kwiphepha 5: Sesokuba uCeba M.G Matiwane, acelwe ukuba athathe Isifundo Seofisi njengoko kufunwa nguMthetho Wolawulo loMasipala, wango 1998. Uguqulwe ubengulo ulandelayo: Sesokuba uCeba M.G Matiwane uye wathabatha iSifundo se Ofisi njengoko kufunwa nguMthetho Wolawulo loMasipala, wango 1998.*
- *Sesokuba ezi zindululo esikwiphepha 30: 5.15. Sesokuba iBhunga lithathele ingqalelo ukuba akukhange kubekho ziphikiso eziye*

zafunyanwa aftwe kuye kwapapashwa intengiso kumaphephandaba ukuze uluntu luvakalise izimvo zalo, sisuswe kwimizuzu".

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 38-65)

- 10.1** Mayoral Committee meeting dated 25 August 2020 / *Burgemeesterskomitee vergadering 25 Augustus 2020* / Intlanganiso yeKomiti Kasodolophu ngomhla 25 KweyeThupa 2020.

RESOLVED

That the minutes of the Mayoral Committee meeting dated 25 August 2020, be noted.

BESLUIT

Dat kennis geneem word van die notule van die Burgemeesterskomiteevergadering gedateer 25 Augustus 2020.

ISIGQIBO

Seskuba imizuzu yentlangano Yekomiti kaSodolophu nebibanjwe ngomhla 25 KweyeThupa 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** Education, Training and Development: 14 July 2020 and Occupational Health and Safety: 16 July 2020:

RESOLVED

That the minutes of the Education, Training and Development meeting dated 14 July 2020 and Occupational Health and Safety meeting dated 16 July 2020, be noted.

BESLUIT

Dat kennis geneem word van die notules van die Onderrig-Opleiding en Ontwikkelingskomitee gedateer 14 Julie 2020 en Beroeps-en Veiligheidskomiteevergadering gedateer 16 Julie 2020.

ISIGQIBO

Sesokuba imizuzuyentlanganiso yeZemfundo, uQeqesho kunye Nophuhliso yangomhla 14 kweyeKhala 2020, ithathelwe ingqalelo.

12 **STANDING ITEMS / STAANDE ITEMS / IMIBA EMISIWEYO**

12.1 **APPOINTMENTS, SERVICE EXITS AND LABOUR RELATIONS INFORMATION FOR SEPTEMBER 2020 / AANSTELLINGS, UITDIENSTREDINGS EN ARBEIDSVERHOUDINGE INLIGTING VIR SEPTEMBER 2020 / ABAQASHIWEYO, ABASHIYE UMSEBENZI KUNYE NEMICIMBI YEZABASEBENZI KWINYANGA KWEYEMSINTSI 2020**

Refer: Report (9/3/1) dated 10 October 2020 from the Executive Manager: Corporate Services (B Holtzhausen) / Acting HR Manager (S Maqekeni) (pg. 82-91)

RESOLVED

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

BESLUIT

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

ISIGQIBO

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

**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 EXECUTIVE MAYOR / VERSLAG:
ARTIKEL 52 VERANTWOORDELIKHEDE VAN DIE UITVOERENDE BURGEMEESTER /
INGXELO: U MHLATHI 52 - UXANDUVA LUKA SODOLOPHU**

Refer: Report from the Executive Mayor (M Booysen) (pg 92-139)

RESOLVED

5.1.1 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 September 2020.

BESLUIT

5.2.1 *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 September 2020.*

ISIGQIBO

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

**B.2 UNAUDITED ANNUAL REPORT FOR 2019/20 FINANCIAL YEAR /JAARVERSLAG VIR
2019/20 FINANSIËLE JAAR /INGXELO ENGAPHICOTHWANGA YONYAKA KUNYAKA
MALI KA 2019/20**

Refer: Report from the Executive Mayor (M Booysen) (pg 140-466)

RESOLVED

5.1.1 That Council takes note and discuss the unaudited 2019/2020 Annual Report.

- 5.1.2 That Council takes note that the Annual Performance Report for the 2019/2020 financial year is included in the 2019/2020 Unaudited Annual Report
- 5.1.3 That Council takes note that the 2019/2020 Annual Financial Statements will be included in the Audited 2019/2020 Annual Report that will be tabled to Council in February 2021.

BESLUIITE

- 5.2.1 *Dat die Raad kennis neem van die ongeouditeerde 2019/2020 Jaarverslag en dit bespreek.*
- 5.2.2 *Dat die Raad kennis neem dat die Jaarlikse Prestasie Verslag vir die 2019/2020 finansiële jaar ingesluit is in die 2019/2020 Ongeouditeerde Jaarverslag*
- 5.2.3 *Dat die Raad kennis neem dat die 2019/2020 Jaarlikse Finansiële State ingesluit sal word in die 2019/2020 Geouditeerde Jaarverslag wat in Februarie 2021 ter tafel gelê sal word.*

ISIGQIBO

- 5.3.1 Sesokuba Ibhunga liyithathele inqalelo kwaye lixpxe ngengxelo engaphicothwanga kanyaka mali 2019/2020.
- 5.3.2 Sesokua iBhunga lithathele ingalelo ingxelo Yomsebenzo Yonyaka kunyakamali ka 2019/2020 Yengxelo Yonyaka Engaphicothwanga.
- 5.3.3 Sesokuba iBhunga lithathele ingqalelo ukuba Ingxelo Yonyaka Yezedmali ka 2019/2020 izakubandakanywa Kwingxelo Yonyaka ePhicothiweyo ka 2019/2020 nezakuthiwa theca kwiBhunga kwinyanga yoMdumba 2021.

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

None / Geen / Azikho

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

D.1 REPORT: ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDING 30 JUNE 2020 / JAARLIKSE FINANSIËLE STATE VIR DIE JAAR GEËINDIG 30 JUNIE 2020 / INGXELO YONYAKA YENGXELO ZEEMALI KUNYAKA OPHELA NGOMHLA 30 KWEYESILIMELA 2020

Refer: Report from the Executive Manager Financial Services (JW de Jager)(pg 467-562)

RESOLVED

- 5.1.1 That Council takes note of the annual financial statements for the year ending 30 June 2020.

BESLUIT

- 5.2.1 *Dat die Raad kennis neem van die jaarlikse finansiële state vir die jaar geëindig 30 Junie 2020.*

ISIGQIBO

- 5.3.1 Sesokuba iBhunga lithathele ingqalelo ingxelo yonyaka yezemali kunyaka ophela ngomhla 30 kweyeSilimela 2020.

D.2 DEVIATION REPORT: IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 01 SEPTEMBER 2020 TO 30 SEPTEMBER 2020/ AFWYKINGSVERSLAG: IMPLEMENTERING VAN DIE VOORSIENINGSKANAALBELEID VIR DIE PERIODE 01 SEPTEMBER TOT 30 SEPTEMBER 2020 / INGXELO YOTYESHELO: UKUMISELWA KOMGAQO WOLAWULO LWENCITHO KWIXESHA UMHLA 01 KWEYEMSINTSI 2020 UYAKUTSHO KUMHLA WE 30 KWEYEMSINTSI 2020

Refer: Report (9/8/2) dated 04 August 2020 from the Executive Manager Financial Services (JW de Jager)(pg 563-567)

RESOLVED

1. That the implementation of Section 36 of the Municipal Supply Chain Regulation in terms of the deviations for the period 1 September 2020 up to 30 September 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 September 2020 tot 30 September 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 ngeyeMsintsi 2020 uyakutsho kumhla 30 ngeyeMsintsi 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.

NB: Cllr AJ Rossouw left the meeting at 13:25.

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

E.1 REPORT TO COUNCIL ON THE RECORDS MANAGEMENT POLICY / VERSLAG RAKENDE DIE REKORDSBESTUURSBELEID / INGXELO NGOMGAQO WOLAWULO LWEZOGCINO

Refer: Report from the Executive Manager Corporate Services (B Holtzhausen)(pg 568-610)

RESOLVED

- 5.1 That Council approves the Records Management Policy.

BESLUIT

- 5.2 *Dat die Raad die Rekordbestuursbeleid goedkeur.*

ISIGQIBO

- 5.3 Sesokuba iBhunga liphumeze uMgaqo Wolawulo Lwezogcino.

E.2 REPORT ON THE TELEPHONE POLICY / VERSLAG RAKENDE DIE TELEFOON BELEID / INGXELO NGOMGAQO WEMFONONFONO

Refer: Report from the Executive Manager Corporate Services (B Holtzhausen)(pg 611-627)

RESOLVED

- 5.1. That Council approves the Telephone Policy.

BESLUIT

- 5.2 *Dat die Raad die telefoonbeleid goedkeur.*

ISIGQIBO

- 5.3 Sesokuba iBhunga liphumeze uMgaqo Wezemfonomfono.

E.3 REPORT ON THE ATTENDANCE OF COUNCIL, COMMITTEE MEETINGS AND WORKSHOPS FOR THE PERIOD 01 DECEMBER 2019 TO 30 SEPTEMBER 2020 BY COUNCILLORS / VERSLAG RAKENDE DIE BYWONING VAN RAAD, KOMITEEVERGADERINGS EN WERKSWINKELS VIR DIE PERIODE 01 DESEMBER 2019 TOT 30 SEPTEMBER 2020 / INGXELO NGOKUZINYASWA KWENTALANGANISO ZEBHUNGA, EZEKOMITI NAKUNYE NEWORKSHOP KWIXESHA LANGOMHLA 01 KWEYOMNGA 2019 UKUYA KUMHLA 30 KWEYOMSINTSI 2020 NGOOCEBA

Refer: Report from the Executive Manager Corporate Services (B Holtzhausen)(pg 628-640)

RESOLVED

- 5.1.1 That the content of the report be noted.
- 5.1.2 That if a Councillor identifies any mistakes on the annexure, the correction be emailed to the Office of the Speaker in order for Administration to correct it.

BESLUIT

- 5.2.1 Dat kennis geneem word van die inhoud van die verslag.
- 5.2.2 Dat indien enige Raadslid 'n fout op die aanhangsel identifiseer, dat die korreksie na die Kantoor van die Speaker ge-epos word sodat Administrasie dit kan korregeer.

ISIGQIBO

- 5.3.1 Sesokuba umongo wengxelo uthathelwe ingqalelo.
- 5.3.2 Sesokuba ukubangaba iBhunga liye laphawula iimpazamo kwizifakelo, izilungiso zithunyelwe nge email kwi Ofisi kaSomlomo ukuze ilungiswe Ngabasebenzi.

E.4 REPORT ON THE COUNCIL RESOLUTION REGISTER FOR THE PERIOD JULY TILL SEPTEMBER 2020 / VERSLAG RAKENDE DIE RAADSRESOLUSIE REGISTER VIR DIE PERIODE JULIE TOT SEPTEMBER 2020 / INGXELO NGOLUHLU LWEZIGQIBO ZEBHUNGA KWIXESHA LWENYANGA KWEYEKHALA UKUYA KWEYEMSINTSI 2020

Refer: Report from the Executive Manager Corporate Services (B Holtzhausen) (pg 641-676)

RESOLVED

- 5.1 That Council takes note of the report on the execution of Council resolutions for the period July until September 2020.

BESLUIT

- 5.2 Dat die Raad kennis neem van die Raads Resolusie Register vir die periode van Julie tot September 2020.

ISIGQIBO

- 5.3 Sesokuba iBhunga lithathele ingqalelo isimo sezigqibo zebhunga kwixesha lenyanga KweyeKhala ukuya kumhla KweyeMsintsi 2020.

E.5 REPORT ON THE GENDER MAINSTREAMING CHECKLIST AND MINUTES OF TASK TEAM COMMITTEE MEETINGS/ VERSLAG RAKENDE INKORPORERING VAN GESLAG GELYKHEIDS LYS EN NOTULES VAN TAAKSPAN VERGADERINGS / INGXELO NOLUHLU LWENTSINGISELO YESINI KUNYE NEMIZUZU YENTLANGANISO YEKOMTI YE TASK TEAM

Refer: Report from the Executive Manager Corporate Services (B Holtzhausen)(pg 677-698)

RESOLVED

- 5.1 That Council takes note of the Gender Mainstreaming Checklist and minutes of the TASK Team committee meetings.

BESLUIT

- 5.2 Die Raad neem kennis van die Geslag Gelykheids Lys en notules van die TASK-spankomiteevergaderings.

ISIGQIBO

- 5.3 Sesokuba iBhunga lithathele ingqalelo Uluhlu Lwentsingiselo Yesini kunye nemizuzu yentlanganiso yekomiti ye Task Team.

NB: Cllr D Saayman left the meeting at 13:38.

E.6 UPDATED PROPOSAL TO RECRUITMENT AND SELECTION POLICY/ OPGEDATEERDE VOORSTEL TOT WERWING EN KEURINGSBELEID / ISICWANGCISO ESIHLAZIYIWEYO SOMSEBENZI WOKUGAYWA NOKUKHETHA

Refer: Report from the Executive Manager Corporate Services (B Holtzhausen) (pg 699-726)

RESOLVED

- 5.1.1 That Council approves the two (2) amendments as indicated on the policy, but that the policy be workshopped as a matter of urgency.
- 5.1.2 That it be noted that Cllr S de Vries objected to the approval of the above mentioned policy.

BESLUIE

- 5.2.1 *Dat die Raad die twee (2) wysigings soos aangedui op die beleid goedkeur, maar dat die beleid so gou as moontlik gewerkswinkel word.*
- 5.2.2 *Dat kennis geneem word dat Rdl S de Vries die goedkeuring van die beleid teenstaan.*

ISIGQIBO

- 5.3.1 Sesokuba iBhunga liphumeze izilungiso ezimbini(2) eziphawulwe kumgaqo, kodwa ipolisi iphinde ibanjwe I workshop yayo ngokukhawuleza.
- 5.3.2 Sesokuba kuthathelwe ingqalelo ukuba uCeba S de Vries uye waphikisana nokuphunyezwa komgaqo ophawulwe ngasentla.

**E.7 UPDATE ON IMPLEMENTATION OF MUNICIPAL COUNCILLORS PENSION FUND
RELATED RESOLUTIONS / TERUGVOER INSAKE IMPLEMENTERING VAN
MUNISIPALE RAADSLEDE PENSIOENFONDS VERWANTE BESLUITTE / INGXELO
NGOKUMISELWA KWEZIBONELELO ZOMHLALA PHANTSI WOCEBA BOMASIPALA
NOKWAYAMANISWA NEZIGQIBO**

Refer: Report from the Executive Manager Corporate Services (B Holtzhausen)(pg 727-737)

RESOLVED

- 5.1.1 That the update on implementation of Municipal Councillors Pension Fund related resolutions, be noted.
- 5.1.2 That Administration request that the curators of this fund make a presentation to discuss the content of the circular and that the **Councillors** that are members of the fund of the local municipalities in the GRDM area, be invited as well as the Human Resources personnel (of all the local municipalities in the area) that are involved with the pensionfund for councillors also be invited to attend the presentation.

BESLUITTE

- 5.2.1 *Dat kennis geneem word van die implementering van verwante besluite by die Munisipale Raadslede Pensioenfonds.*
- 5.2.2 *Dat Administrasie reël dat die kurators van hierdie fonds versoek word om 'n voorlegging te doen om die inhoud van die omsendbrief te bespreek, en dat die **Raadslede** wat lede is van die fonds van die plaaslike munisipaliteite in die GRDM-omgewing, sowel as die Menslike Hulpbron Personeelle (van al die plaaslike munisipaliteite in die omgewing) wat betrokke met die pensionfondse van Raadslede, genooi word om die aanbieding by te woon.*

ISIGQIBO

- 5.3.1 Sesokuba ingxelo entsha ngokumiselwa kwezigqibo ezayamaniswa Nesibonelelo Somhlalaphantsi Wooceba boMasipala, ithathelwe ingqalelo.

5.3.2 Sesokuba Abaphathi bacele ukuba abaabagcini bengxowa mali benze unikezelo lwengxelo ngomongo wesazinge kwaye ooCeba abangamalungu bengxowamali bomasipala basekuhlaleni bengingqi ye GRDM, bamanywe kuquka nabasebenzi beZengqesho (babonke omasipala basekuhlaleni kulengingqi) ababandakanyekayo kwingxowamali yomhlala phantsi yoceba nabo bamanywe ukuze bazimase unikezelo lwengxelo.

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

F.1 WHITE PAPER ON FIRE SERVICES / "WHITE PAPER" RAKENDE DIE BRANDWEERDIENSTE / "WHITE PAPER" NGOKWENKONZO YEZOMLILO

Refer: Report from the Executive Manager Community Services (C Africa)(pg 738-831)

RESOLVED

5.1 That the submission be noted by Council.

BESLUIT

5.2 *Dat die Raad kennis neem van die voorlegging.*

ISIGQIBO

5.3. Sesokuba ukunikezelwa kuthathelwe ingqalelo.

F.2 UPDATE REPORT ON THE ACTIONS TAKEN BY THE DISTRICT COVID-19 COMMAND COUNCIL TO ADDRESS THE COVID-19 PANDEMIC / OPDATERINGS VERSLAG RAKENDE DIE AKSIES GENEEM DEUR DISTRIK BEHEERRAAD OM DIE COVID-19 PANDEMIE AAN TE SPREEK / INGXELO ENTSHA NGAMANYATHELO AYE ATHATYATHWA LIBHUNGA LOLAWULO LESITHILI SE COVID-19 OKUJONGANA NOBHUBHANE COVID-19

Refer: Report from the Executive Manager Community Services (C Africa) / Manager Disaster Management (G Otto)(832-856)

RESOLVED

5.1 That Council takes note of the report.

BESLUIT

5.2 *Dat die Raad kennis neem van die verslag.*

ISIGQIBO

5.3 Sesokuba iBhunga lithathele ingqalelo lengxelo.

NB: Cllr GL Boezak left the meeting at 14:21.

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 DEBT RELIEF FOR TENANTS MAKING USE OF GARDEN ROUTE DISTRICT MUNICIPALITY PROPERTIES AT THE RESORTS / VERLIGTING VAN SKULD VIR HUURDERS WAT GEBRUIK MAAK VAN GARDEN ROUTE DISTRIKSMUNISIPALITEIT SE EIENDOM BY OORDE ./ UMNYINYIVA KUMATYALA ABAQESHI BEZAKHIWO ZEMBUNGA LOMASIPALA WESITHILI SE GARDEN ROUTE KWINDOWO ZOKUPHOLA

Refer Report from the Executive Manager: Economic Development & Planning (L Menze)) (pg 857-860)

RESOLVED

5.1.1. That all lease costs of the lessees be waived for the period 26 March 2020 to 30 September 2020 due to the Covid 19 pandemic that resulted in the National lockdown.

5.1.2 That the debt relief for tenants making use of **Garden Route District Municipality** properties at resorts become a standing item.

5.1.3 That an investigation be done regarding the businesses that are suffering financially that are making use of GRDM properties.

BESLUIT

5.2.1 *Dat afstand gedoen word van alle huurkoste van die huurders vir die periode 26 Maart 2020 tot 30 September 2020 as gevolg van die Covid-19 pandemie wat gelei het tot die Nasionale grendeltydperk.*

5.2.2 *Dat die verligting van skuld vir huurders wat gebruik maak van Garden Route **Distriksmunisipaliteit** se eiendomme by oorde 'n staande item word.*

- 5.2.3 *Dat ondersoek ingestel moet word na die ondernemings wat finansieël swaarkry wat van GRDM-eiendomme gebruik maak.*

ISIGQIBO

- 5.3.1 Sesokuba zonke indleko zokuqeshisa siqunyanyiswe kwixesha elisusela ngomhla 26 kweyoKwindla 2020 ukuya 30 kweyoMsintsi 2020 ngenxa yobhubhane we Covid-19 nokhekele ekumise ngxi kwentshukumo.

- 5.3.2 Sesokuba umnyinyizwa wetyala lwabaqeshi bendawo zokuphola zoMasipala Wesithili se Garden Route ubengumba imileyo.

- 5.3.3 Sesokuba kwenziwe uphando malunga namashishini naye achaphazeleka ngezemali nasebenzisa izakhiwo ze GRDM.

H.2 SALGA NATIONAL EXECUTIVE COMMITTEE ROTATIONAL ENGAGEMENT / SALGA NASIONALE UITVOERENDE KOMITEE ROTERENDE VERGADERING / INGXOXO EZIJIKELEZAYO ZEKOMITI EPHEZULU KAZWELONKE KA SALGA

Refer: Report from the Executive Manager: Economic Development and Planning (L Menze)(pg 861-864)

RESOLVED

- 5.1 That Council approves the request by SALGA for Garden Route District Municipality to host the National Executive Committee Engagement on 26 & 27 November 2020.

BESLUIT

- 5.2 *Dat die Raad die versoek vanaf SALGA goedkeur dat Garden Route Distriksmunisipaliteit die Nasionale Uitvoerende Komitee vergadering op 26 en 27 November 2020, aanbied.*

ISIGQIBO

- 5.3. Sesokuba iBhunga liphueze isicelo sika SALGA sokuba uMasipala Wesithili se Garden Route asindleke Ingxoxo Zekomiti Ephezulu Kazwelonke ngomhla 26 kunye 27 kweyeNkanga 2020.

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

CLOSURE / SLUITING / UQUKUNJELO

The meeting closed at 14:45 with 28 Councillors present / *Die vergadering sluit om 14:45 met 28 Raadslede teenwoordig* / Intlanganiso ivalwe ngo 14:45 iNooceba abayi 28.

.....
SPEAKER: CLLR BHJ GROENEWALD

.....
DATE / DATUM / UMHLA

BACK TO AGENDA



Minutes of a
Mayoral Committee meeting
held via Zoom,
on **Wednesday, 30 September 2020 at 09:00**

Notule van 'n **Burgemeesterskomiteevergadering**
gehou via Zoom,
Woensdag, 30 September 2020 om 09:00

Imizuzu
yeKomiti Kasodolophu
nebibanjwe ngo Zoom
NgoLwesithathu, 30 KweyoMsintsi 2020 ngo 09:00

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

The Executive Mayor, Ald 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

Adl M Booysen	Executive Mayor
Adl 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	
Adl IC Kritzingen	

AMPTENARE / OFFICIALS / AMAGOSA

Mr MG Stratu	Municipal Manager
Ms B Holtzhausen	Executive Manager Corporate Services
Mr J-W de Jager	Executive Manager Financial Services
Mr C Africa	Executive Manager Community Services
Mr L Menze	Executive Manager: Planning & Economic Development
Mr JG Daniels	Executive Manager Roads and Transport Planning 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
Mr G Otto	Manager Disaster Management
Mr J Compion	Manager Environmental Health Services
Mr P Dongi	Project Manager
Mr F Thaver	Chief Fire Officer
Mr B Desha	Senior Committee Officer / Translator / Interpreter
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

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 geneem/ Ithathelwe ingqlelo

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 UITVOERENDE BURGEMEESTER / 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 Committee that there is a report on the agenda regarding the Regional Landfill site and the progress thereof. The latest feedback has been received late last night and the report was compiled and has been distributed this morning. Further deliberations will take place when the report is being discussed.

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

(As per report on page 35-42)

9. CONFIRMATION OF MINUTES: 25 AUGUST 2020/ BEKRAGTIGING VAN NOTULE GEDATEER: 25 AUGUSTUS 2020 / UKUQINISEKISWA KWEMIZUZU: 25 KWEYETHUPA 2020 (pg. 7-34)

RESOLVED

That the Executive Mayoral Committee approves the minutes of the Executive Mayoral Committee meeting dated 25 August 2020.

BESLUIT

Dat die Uitvoerende Burgemeesterskomitee die notule van die Uitvoerende Burgemeesterskomiteevergadering gedateer, 25 Augustus 2020, goedkeur

ISIGQIBO

Sesokuba iKomiti Kasododlophu Obekekileyo iphumeze imizuzu yentkangansio yekomiti Kasodolophu Obekekileyo yangomhla 25 kweyeThupa 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 AUGUST 2020 / AANSTELLINGS, UITDIENSTREDINGS EN ARBEIDSVERHOUDINGE INLIGTING VIR AUGUSTUS 2020 / ABAQASHIWEYO, ABASHIYE UMSEBENZI KUNYE NEMICIMBI YEZABASEBENZI KWINYANGA YETHUPA 2020

Refer: Report (9/3/1) dated 14 September 2020 from the Executive Manager: Corporate Services (B Holtzhausen) / Acting HR Manager (Adv. S Maqeken) (pg. 35-42)

RESOLVED TO RECOMMEND TO COUNCIL

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

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

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

ISIGQIBO SOKUNDULULA KWIBHUNGA

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

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 NONE / GEEN / AZIKHO

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

13.1 AUDIT AND PERFORMANCE AUDIT COMMITTEE CHARTER / PRESTASIE OUDITKOMITEE HANDVES / TSHATA YEKOMITI YEZOPHICOTHO KUNYE NOPHICOTHO LOMSEBENZI

Refer: Report (4/1/2/4/1) dated 14 September 2020 from the Municipal Manager (MG Stratu) / Chief Audit Executive (P Lufele)(pg. 43-61)

RESOLVED TO RECOMMEND TO COUNCIL

That Council approves the APAC Charter.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat die Raad die OPOK Handves goedkeur.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iBhunga liphumeze iTshata ye APAC.

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 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)

Refer: Report (9/8/2) dated 08 July 2020 from the Executive Manager Financial Services (JW de Jager)(pg. 62-69)

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 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.

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 1 Julie 2020 tot 30 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 SOKUNDULULA KWIBHUNGA

1. Sesokuba ukumisela komhlathi 36 wemiqathango yoMthetho Wezencitho oMasipala kutyeshelo ukususela kumhla 1 uyakutsho kumhla 31 kweyeKhala 020), kuthathelwe ingqalelo.
2. Sesokuba kuthathelwe ingqalelo ukuba, ngokwemiqathango yoMhlathi 114) yoLawulo Lwezemali zikaMasipala, uMthetho 56 wango 2003, akukhange kuphunyezwe zinikisi maxabiso ezingandululwanga kwinkqubo efanelekileyo ekumiselweni kwencitho yomgaqo wolawulo lomasipala.

14.2 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 KWEYETHUPA 2020 UYAKUTSHO KUMHLA WE 31 KWEYETHUPA 2020

Refer: Report (9/8/2) dated 04 August 2020 from the Executive Manager Financial Services (JW de Jager)(pg. 70-75)

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 August 2020 up to 31 August 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.

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 Augustus 2020 tot 31 Augustus 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 SOKUNDULULA KWIBHUNGA

1. Sesokuba ukumisela koMhlathi 36 Wemiqathango Yomthetho Wezencitho zoMasipala kutyeshelo ukususela kumhla 1 ngeyeThupa 2020 uyakutsho kumhla 31 ngeyeThupa 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.

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

Refer: Report 23 September 2020 from the Executive Manager Financial Services (JW de Jager)(pg. 76-99)

RESOLVED TO RECOMMEND TO COUNCIL

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

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

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

ISIGQIBO SOKUNDULULA KWIBHUNGA

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

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

15.1 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. 407-469)

RESOLVED TO RECOMMEND TO COUNCIL

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

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

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

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iBhunga liphumeze ulungiso kuMgaqo Wokuwonga ngokuba Ngusibonda/Isibondakazi, kwaye olu lungiso lumiselwe ngokufanelekileyo.

15.2 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. 109-159)

RESOLVED TO RECOMMEND TO COUNCIL

That the following Human Resource Policies be approved by Council:

- Stop Gender Based Policy
- Leave Policy

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

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

- Stop Geslagsgeweld Beleid
- Verlofbeleid

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba lemiGaqo Yezengqesho ilandelayo iphunyezwe liBhunga:

- Stop Gender Based Policy
- Leave Policy

15.3 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

Refer: Report (9/5/2/1) dated 25 September 2020 from the Executive Manager Corporate Services (B Holtzhausen) / Acting HR Manager (S Maqekeni) (pg 160-169)

RESOLVED TO RECOMMEND TO COUNCIL

1. That Council resolution DC 520/08/13 dated August 2013 be rescinded.
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 dependent is then registered as the member (only if the eligible dependent is 18 years and older according to medical aid fund rules).
3. That the Group Life Insurance cover be extended to Senior Managerial employees.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

- 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.*

ISIGQIBO SOKUNDULULA KWIBHUNGA

- 5.3.1 Sesokuba isigqibo seBhunga DC 520/08/13 senyanga yeThupha 2013, sirhoxiswe.
- 5.3.2 Sesokuba kuqhutyekwe ngesibonelelo sobulungu bezonyango kubo bonke abasebenzi xabekwi medical aid ngethuba beshiya inkonzo yeBhunga ngethuba bethabatha umhlalaphantsi, umhlala phantsi waphambi kwexesha, ukugogeka, okanye ukub aubani uye wasweleka enabantu abaxhomekeke kwi medical aid yakhe nababhaliswe njengamalungu(abobafanalekileyo nabaneminyaka eyi 18 nangaphezulu ngokwemiqathango ye medical aid leyo).
- 5.3.3 Sesokuba isibonelelo se Group Life Insurance sandiselwe nabasebenzi Bolawulo Oluphezulu.

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

16.1 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

Refer: Report (10/1/3/4) dated 22 September 2020 from the Executive Manager Community Services (C Africa)(pg. 170 – 206)-

RESOLVED TO RECOMMEND TO COUNCIL

1. That Council takes note of the progress with regards to the establishment of a District Food Bank;
2. That the Council in principle support the concept MOU from Eden Community Hope Outreach (ECHO) and;
3. That the operational cost for the establishment of a District Food Bank be shared between the GRDM and all the B-Municipalities for the initial establishment period of three years, thereafter the District Food Bank must operate independently;
4. That after deliberations it has been resolved that the District Municipality continue with the project and that the Municipal Manager and the Executive Mayor escalate this matter at a Political Platform and engage again with the local municipalities in the district.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

1. *Dat die Raad kennis neem van die vordering rakende die vestiging van 'n Distrik Voedselbank.*
2. *Dat die Raad in beginsel die konsep MOU van Eden Community Hope Outreach (ECHO) ondersteun en;*
2. *Dat die bedryfskoste vir die oprigting van 'n Distriksvoedselbank gedeel word tussen die GRDM en al die B-munisipaliteite vir die aanvanklike vestigingsperiode van drie jaar, daarna moet die Distriksvoedselbank onafhanklik funksioneer.*

4. *Dat na besprekings is die volgende besluit geneem: dat die Distriksmunisipaliteit met die projek voortgaan en dat die munisipale bestuurder en die uitvoerende burgemeester die aangeleentheid op 'n politieke platform eskaleer en weer met die plaaslike munisipaliteite in die distrik in gesprek tree.*

ISIGQIBO SOKUNDULULA KWIBHUNGA

1. Sesokuba iBhunga lithathele ingqalelo ingxelo yomsebenzi osele wenziwe malunga nokumiselwa kwe District Food Pantry.
2. Sesokuba iBhunga lixhase umthetho siseko wesimiselo se MOU esivela kwi Eden Community Hope Outreach(ECHO);
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.
4. Sesokuba emveni kwengxoxo kuye kwagqitywa liBhunga loMasipala ukuba kuqhutyekwe ngenkqubo kwaye uMphathi Masipala kunye noSodolophu Obekekileyo bathabathele komba Kwinqanaba Lezopolitiko kwaye babambe iingxoxo kwakhona nomasipala basekuhlaleni kwisithili.

16.2 UPDATE REPORT ON THE ACTIONS TAKEN BY THE DISTRICT COVID-19 COMMAND COUNCIL TO ADDRESS THE COVID-19 PANDEMIC / OPDATERINGS VERSLAG RAKENDE DIE AKSIES WAT 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

Refer: Report (10/1/3/4) dated 08 September 2020 from the Executive Manager Community Services (C Africa) / Manager Disaster Management (G Otto)(pg 207 – 276)

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.

16.3 FIRE SERVICE SUMMER SEASONAL OPERATIONAL PLAN / BRANDWEERDIENSTE SOMER SEISOEN OPERASIONELE PLAN / ISICWANGCISO SENKQUBO ZEXESHA LEHLOBO KWINKONZO YEZOMILO

Refer: Report (10/1/3/4) dated 08 September 2020 from the Executive Manager Community Services (C Africa) / Chief Fire Officer (F Thaver)(pg 277 – 341)

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.

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 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 BEROEPSVEILIGHEIDSWET VIR MYNE (WET 29 VAN 1996): PAAIE DIENSTE / UKUCHONGWA KOMPHATHI MASIPALA NGOKWEMIQATHANGO YOMHLATHI 4 WOMTHETHO WEZEMPILO KWIMIGODI KUNYE NEZOKHUSELO, UMTHEHO 29 WANGO 1996:ISEBE LENKONZO ZENDLELE

Refer: Report (9/3/1) dated 02 September 2020 from the Executive Manager Roads and Transport Services (JG Daniels)(pg 342-345)

RESOLVED TO RECOMMEND TO COUNCIL

It is recommended that:

1. Council appoints the Municipal Manager in terms of Section 4 of the Mine Health and Safety Act (Act 29/1996).
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.

3. GRDM will not be held liable for any injuries, death or accidental damage that might arise from these mine operations.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dit word aanbeveel dat:

1. *Die Raad die Munisipale Bestuurder aanstel word in terme van artikel 4 van die Wet op Beroepsveiligheid vir Myne (Wet 29/1996).*
2. *Die Munisipale Bestuurder in oorleg met die Uitvoerende Bestuurder: Paaie Dienste 'n Mynbestuurder aanstel in terme van Artikel 3 van genoemde wet.*
3. *Dat GRDM nie aanspreeklik gehou sal word vir enige beserings, dood of toevallige skade wat mag voortspruit uit hierdie myn bedrywighede.*

ISIGQIBO SOKUNDULULA KWIBHUNGA

Kundululwe ukuba:

1. IBhunga lichonge uMphathi Masipala ngokwemithetho yoMhlathi 4 Wezempilo Zemigodi kunye Nokhuseleko(uMthetho 29/1996).
2. Sesokuba uMphathi Masipala, ngokuqhagamshelana noMphathi Oyintloko Wenkonzo Zezendlela, bachonge uMphathi Wenkqubo Zemigodi ngokwemi Miselo yoMhlathi 3 yomthetho ochaziweyo.
3. U Masipala akazothwaliswa xanduva lazo naziphina iziganeko zokonzakala, ukusweleka okanye umonakalo ngengozi nokusengabangewa yinkqubo yezemigodi.

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 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

Refer: Report (16/8) dated 09 September 2020 from the Executive Manager Planning Economic Development (L Menze) Acting District IDP Manager (M James)(pg 346-396)

RESOLVED TO RECOMMEND TO COUNCIL

That Council notes the Feedback report on the Premiers Coordinating Forum.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

Dat die Raad die kennis neem van die vorderingsverslag rakende die Premier se Koördineringsforum.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iBhunga lithathele ingqalelo uNikezelo lwengxelo yeButho Lolungelelwaniso lweNkulubaphathiswa.

18.2 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

Refer: Report (7/4/3/1) dated 16 September 2020 from the Municipal Manager (MG Stratu) Executive Manager: Planning Economic Development (L Menze) (pg 397-453)

RESOLVED TO RECOMMEND TO COUNCIL

It is recommended that:

1. That Council mandates the Executive Mayor to continue to engage with Knysna Municipality on a Political Level regarding the above mentioned matter.
2. Council grants the Municipal Manager permission to defend the interest of Garden Route District Municipality.
3. That the Municipal Manager report to Council on any developments in regards to this matter.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

1. *Dat die Raad die Uitvoerende Burgemeester 'n mandaat gee om verder met Knysna munisipaliteit op 'n politieke vlak die aangeleentheid soos hierbo genoem, te bespreek .*
2. *Dat die Raad die Munisipale Bestuurder toestemming gee om die belange van die Garden Route Distriksmunisipaliteit te verdedig.*
3. *Dat Bestuur moet voortgaan om die Raad op 'n gereelde basis van vorderingsverslae te voorsien.*

ISIGQIBO SOKUNDULULA KWIBHUNGA

1. Sesokuba iBhunga ligunyazise uSodolophu Obekekileyo ukuba aqhubekeke nengxoxo kunye noMasipala Wase Knysna Kwinqanaba Lezopolitiko malunga nalomba ungentla.
2. Ibhunga linika uMphathi Maspala ilungelo lokukhusela imfuno zoMasipala Wesithili se Garden Route District Municipality.
3. Sesokuba uMphathi Masipala anikezele ngengxelo yokuqhubekayo kwiBhunga.

18.3

FEEDBACK ON THE ADVERTISING OF COUNCILS INTENTION ON THE LONG TERM LEASING FOR THE RENEWAL OF LEASE AGREEMENT FOR CELLPHONE OPERATORS /TERUGVOERINGSVERSLAG RAKENDE DIE RAAD SE INTENSIE VIR DIE ADVERTERING VAN DIE HERNUWING VAN DIE LANGTERMYN HUURONKOMS VIR SELFON OPERATEURS / UNIKEZELO LWENGXELO NGOKUPAPASHWA KWENJONGO ZEBHUNGA ZENKQUBO YOKUQESHISA IXESHA ELIDE NGOKUVUSELELWA KWEZIVUMELWANO ZENKQUBO ZE SELFONI

Refer: Report (18/4/1/1/6) dated 11 September 2020 from the Executive Manager: Planning Economic Development (L Menze) / Project Manager (P Dongi)(pg 454-463)

RESOLVED TO RECOMMEND TO COUNCIL

1. That Council notes that no objections were received on the Council's intention to enter into long term lease agreements.
2. That Council grants approval for a long term lease to be entered into between MTN and Vodacom for a period of 9years and 11months.

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.
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. That Council takes note that there were no objections received after the advertisement was published in the media for public comments.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

1. *Dat die Raad kennis neem dat geen besware ontvang is rakende die Raad se voorneme om langtermyn-huurooreenkomste aan te gaan nie.*
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.*
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.*
4. *Dat die huurooreenkoms onderworpe is aan die betaling van alle uitstaande huurgelde wat aan die munisipaliteit verskuldig is.*
5. *Dat die Raad kennis neem dat daar geen besware ontvang was ten opsigte van die publieke deelname proses nie.*

ISIGQIBO SOKUNDULULA KWIBHUNGA

1. Sesokuba iBhunga lithathele ingqalelo ukuba akukhange kubekho ziphikiso eziye zafunyanwa kwinjongo zeBhunga lokungenela kwisivumlelwano sokuqeshisa ixesha elide.
2. Sesokuba iBhunga linikeze impvume yokuqeshisa ixesha elide kunye nabakwa MTN nabakwa Vodacom ixesha leminyaka elithoba nenyanga ezilishumi elinanye.

3. Sesokuba iBhunga ligqibe ukuba imihlaba ayenzelwanga ukubonelela ngenkonzo ezingundoqo zomasipala njengoko kufunwa ngumhlathi 14 Worhulumente Basekhaya: uMthetho 56 Wolawulo Lwemali Zomasipala wango 2003.
4. Sesokuba ixesha lokuqeshisa ixesha leminyaka elitshoba nenyanga ezilishumi elinanye kuqulunqwe ngokuye kuhlululwe zonke imali ezityalwa umasipala ngokupheleleyo, imali zesivumelwano sakuqala.
5. Sesokuba iBhunga lithathele ingqalelo ukuba akukhange kubekho ziphikiso eziye zafunyanwa emveni kwenziwa upapasho ukuze abantu bavakalise izimvo zabo.

18.4 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 NGOKWEMIQATHANGO YOKUMISELWA KOMASIPALA WESITHILI SE GARDEN ROUTE NJENGE NKONZO YEZO GUNYAZISO LWAMANZI

Refer: Report (18/3/5/2) dated 16 September 2020 from the Executive Manager: Planning Economic Development (L Menze) / Manager Disaster Management (G Otto) / Project Manager (P Dongi) (pg 464 – 548)

RESOLVED TO RECOMMEND TO COUNCIL

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 reconfirms its intention of the District Municipality to be registered as the Water Services Authority for the district.
3. That the Council authorizes the Municipal Manager to proceed and engage with the National Minister of COGTA to pronounce her decision on GRDM application considering that there was only one objection from the B Municipalities.
4. That Council mandates the Executive Mayor to proceed and engage the various municipalities in terms of the stated intentions of the District regarding the intention to become a Water Services Authority.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

1. *Dat die Raad neem kennis van die vordering wat gemaak is met die tot standkoming van die Garden Route-distriksmunisipaliteit as 'n waterdienste-owerheid.*
2. *Dat die Raad die voorneme bevestig van die Distriksmunisipaliteit om as die Waterdienste-owerheid vir die distrik geregistreer te word.*
3. *Dat die Raad die Munisipale Bestuurder magtiging gee om die Nasionale Minister van CoGTA te betrek om 'n beslissing te gee rakende die GRDM-aansoek, aangesien daar slegs een beswaar van die B-munisipaliteite was.*
4. *Dat die Raad die Uitvoerende Burgemeester 'n mandaat gee om met die verskillende munisipaliteite in gesprekvoering te tree om die Raad se intensies of voorneme om die Waterdienste Owerheid te word.*

ISIGQIBO SOKUNDULULA KWIBHUNGA

1. Sesokuba iBhunga lithathele ingalelo umsebenzi osele wenziwe ngokwemiqathango yokumiselwa koMasipala Wesithili se Garden Route njengoMgunyazisi Wenkonzo yeZamanzi.
2. Sesokuba iBhunga liqinisekise lixhaso injongo zoMasipala Wesithili sokubhaliswa njengoMgunyazisi Wenkonzo yaManzi kwisithili.
3. Sesokuba iBhunga liGunyazise uMphathi Masipala ukuba aqhubekeke nokubamba ingxoxo kunye Nomphathiswa kaZwelonke we CoGTA ukuze ebhengeze isigqibo sakhe kwisicelo se GRDM ngokuqwalasela ukuba kuye kwakho isiphikiso esinye komasipala Basekuhlaleni.
4. Sesokuba iBhunga ligunyazise uSodolophu Obekekileyo ukuba aqhubekeke nokubamba iingxoxo nomasipala abahlukileyo ngokumalunga nenjongo ezichaziweyo zeSithili malunga nenjongo zokuba Yinkonzo Yezogunyaziso Lwamanzi.

NB: REPORT ON ADDENDUM NUMBER TWO WAS DISCUSSED

16.4 GARDEN ROUTE REGIONAL WASTE MANAGEMENT FACILITY PUBLIC, PRIVATE PARTNERSHIP
PROCESS PROGRESS REPORT/ GARDEN ROUTE STREEK AFVALBESTUUR FASILITEIT PUBLIEKE,
PRIVATE VENNOOTSKAP PROSES VORDERINGSVERSLAG

Refer: Report dated 30 September 2020 from the executive manager: community services: (C Africa) / manager: district waste management (ME Hubbe) (pg. 2-10)

RESOLVED TO RECOMMEND TO COUNCIL

1. That Council considers possible legal action against the Board of Interwaste due to their non-compliance to the terms and conditions of the Public, Private Partnership Agreement.
2. That alternative financing options regarding the construction and operation of the Regional Waste Management Facility is urgently investigated.
3. That an urgent special District Council Forum and Municipal Managers Forum be held to discuss the existing matter.
4. That an urgent meeting is held with PetroSA Management to discuss the matter and the subsequent impact on the municipal waste disposal contracts.
5. That the decision of Interwaste Propriety Limited is brought under the attention of National Treasury and the Development Bank of Southern Africa for discussion and to obtain possible solutions.

BESLUIT OM BY DIE RAAD AAN TE BEVEEL

1. *Dat die Raad oorweging gee aan die moontlikheid om geregtelike stappe te neem teen die Raad van Interwaste Propriety Limited aangesien hulle nie hulle voorwaardes ten opsigte van die Publieke Private Ooreenkoms na gekom het nie.*
2. *Dat ander opsies, ten einde die oprigting en bestuur van die streek afvalbestuur fasiliteit te finansier, dringend ondersoek moet word.*
3. *Dat 'n dringende spesiale Distriksraadsforum en Munisipale Bestuudersforum georganiseer word om die nuutste verwikkeling ten opsigte van die afhandeling van die fasiliteit te bespreek.*

4. *Dat 'n dringende vergadering met PetroSA bestuur gehou word om die aangeleentheid te bespreek asook die impak daarvan.*
5. *Dat die besluit van Interwaste Propriety Limited onder die aandag van Nationale Tesourie en die Ontwikkelingsbank van Suider Afrika gebring word vir bespreking en die moontlike verkryging van oplossings.*

ISIGQIBO SOKUNDULULA KWIBHUNGA

1. Sesokuba iBhunga liqwalasele ukuthabatha amanyathelo asemthethweni ngakwiBhodi yabakwa Interwaste ngenxa yokungathobeli kwamo imimiselo nemigqaliselo Yesivumelwano, Soluntu Nobambiswano Lwabucala.
2. Sesokuba ingxelo ezi zezinye zezemali malunga nokwakhiwa kunye nenkqubo Yendawo Yolawulo Lwenkunkuma Kwingingqi iqwalaselwe ngokukhawuleza.
3. Sesokuba kubanjwe Intlangano Yebutho Lesithili kunye Nebutho Labaphathi Masipala ukuze kuxoxwe lombu ukhoyo.
4. Sesokuba kubanjwe intlanganiso engxamisekileyo Nabaphathi bakwa PetroSA ukuze kuxoxwe lombu kunye nefuthe kwisivumelwano somasipala solulahlwa kwenkunkuma.
5. Sesokuba isigqibo sabakwa Interwaste Propriety Limited saziswe uNondyebo Kazwelonke kunye neBhanki Yezophuhliso Yelomzantsi Afrika ukuze kuxoxwe kwaye kufunye isisombululo esifanelekileyo.

NB: REPORT ON ADDENDUM NUMBER ONE WAS DISCUSSED

13.2 INAUGURATION OF ANC COUNCILLOR: GARDEN ROUTE DISTRICT COUNCIL: CLLR: M.G. MATIWANE / INHULDIGING VAN ANC RAADSLID: GARDEN ROUTE DISTRICT COUNCIL : M.G MATIWANE

Refer: Report dated 29 September 2020 from the Municipal Manager (MG Stratu) (pg 2-6)

RESOLVED TO RECOMMEND TO COUNCIL

1. That cognizance be taken of the notice from the IEC, dated 28 September 2020.

2. That Cllr G.M. Matiwane, be inaugurated as a Councilor of Garden Route District Council with effect from 28 September 2020.
3. That Cllr. G.M. Matiwane, 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 kennisgewing ontvang vanaf die OVK gedateer, 28 September 2020.*
2. *Dat Rdl G.M. Matiwane ingehuldig word effektief 28 September 2020.*
3. *Dat Rdl G.M. Matiwane versoek word om 'n eed van die kantoor te neem, soos vereis ingevolge die Wet op Munisipale Strukture, 1998.*

ISIGQIBO SOKUNDULULA KWIBHUNGA

1. Sesokuba kuthathelwe ingqalelo isaziso sabakwa IEC, sangomhla 28 kweyoMsintsi 2020.
2. Sesokuba uCeba G.M Matiwane, afungiswe njengoceba weBhunga Lesithili se Garden Route ukususela ngomhla 28 kweyoMsintsi 2020.
3. Sesokuba uCeba G.M Matiwane, acelwe ukuba athabathe Isigundi Seofisi, njengoko kufunwa yimimiselo ye Municipal Structures Act, 1998.

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 09:37 / *Die vergadering sluit om 09:37* / Intlanganiso ivalwe nge 09:37.

.....

**EXECUTIVE MAYOR
CLLR M BOOYSEN**

.....
DATE / DATUM / UMHLA

BACK TO AGENDA

DISTRICT COUNCIL

26 NOVEMBER 2020

1. APPOINTMENTS, SERVICE EXITS AND LABOUR RELATIONS INFORMATION FOR OCTOBER 2020 / AANSTELLINGS, UITDIENSTREDINGS EN ARBEIDSVERHOUDINGE INLIGTING VIR OKTOBER 2020 / ABAQASHIWEYO, ABASHIYE UMSEBENZI KUNYE NEMICIMBI YEZABASEBENZI KWINYANGA YEKHALA 2020

(9/3/1)

5 November 2020

2 PURPOSE

To report on the appointments, service exits and labour relations matters for October 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 employment equity objectives, number of retired officials and an overview of related labor matters for the period October 2020.

5. RECOMMENDATIONS

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

AANBEVELING

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

ISINDULULO

Sesokuba ulwazi ngokuqashwa, ukuphuma kwinkonzo kunye nemicimbi yezabasebenzi kwinyanga yeKhala 2020 kuthathelwe inqalelo.

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: OCTOBER 2020

The following employees were appointed permanently in October 2020 and their conditions of service and benefits implemented accordingly:

NR	DEPARTMENT	DESIGNATION	STATION	NAME	RACE & GENDER	FROM DEMOGRAPHIC AREA
1	ROADS SERVICES	WORKER	UNIONDALE	T NXIKWE	A/M	UNIONDALE
2	ROADS SERVICES	SUPERVISOR: ROADS INFRASTRUCTURE	GEORGE	J JOSEPH (Internal)	C/M	GEORGE
3	ROADS SERVICES	OPERATOR: CONSTRUCTION	GEORGE	J SKWATSHA	A/M	GEORGE
4	CORPORATE SERVICES	WORKER: MAINTENANCE & TERRAIN	GEORGE	MW CRONJE	C/M	GEORGE
5	CORPORATE SERVICES	ACCESS CONTROLLER	GEORGE	A SOMTSEWU (Internal)	A/M	GEORGE

SERVICE EXITS: OCTOBER 2020

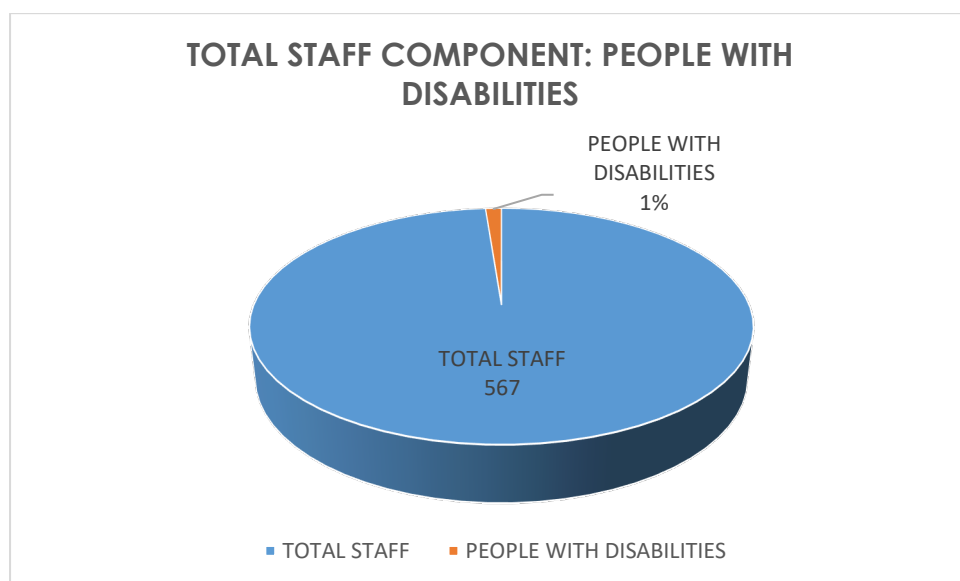
NR	DEPARTMENT	DESIGNATION	STATION	NAME	RACE & GENDER	REASON	TERMINATION DATE
1	ROADS SERVICES DEPARTMENT	SNR WORKER	GEORGE	PG LAMBRE CHT	C/M	DISMISSED	9 OCTOBER 2020

EMPLOYMENT EQUITY STATISTICS

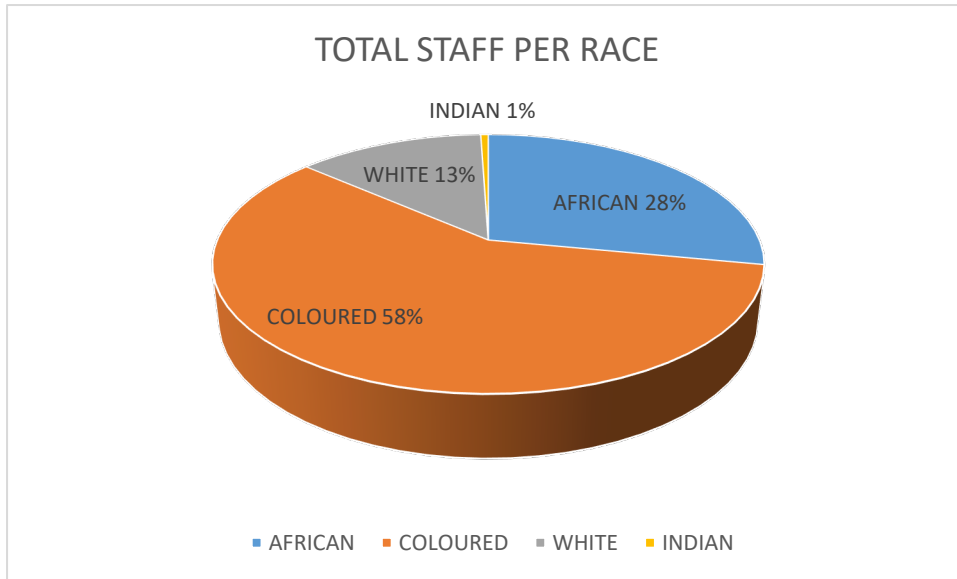
APPOINTMENTS

N R	DEPARTMENT	DESIGNATION	NAME	RACE & GENDER	PEOPLE WITH DISABILITIES	FROM DEMOGRAPHIC AREA
1	ROADS SERVICES	WORKER	T NXIKWE	A/M	N/A	UNIONDALE
2	ROADS SERVICES	SUPERVISOR: ROADS INFRASTRUCTUR E	J JOSEPH (Internal)	C/M	N/A	GEORGE
3	ROADS SERVICES	OPERATOR: CONSTRUCTION	J SKWATSHA	A/M	N/A	GEORGE
4	CORPORATE SERVICES	WORKER: MAINTENANCE & TERRAIN	MW CRONJE	C/M	N/A	GEORGE
5	CORPORATE SERVICES	ACCESS CONTROLLER	A SOMTSEWU (Internal)	A/M	N/A	GEORGE

EMPLOYMENT EQUITY STATS

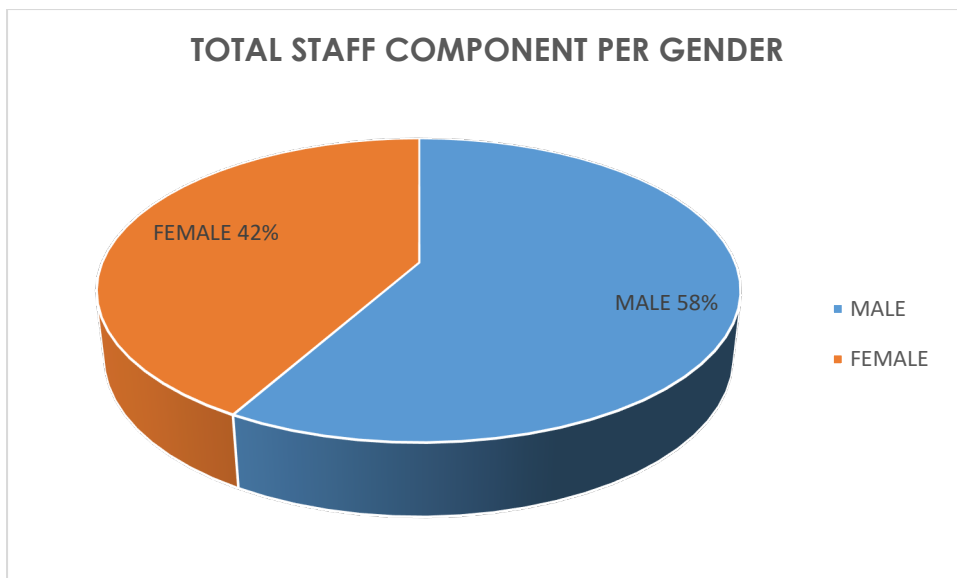


Description note: percentage (1%) People with disabilities so far
To improve the number of people with disabilities, adverts are also emailed to disability organizations nationally. Further all advertisements contain a paragraph whereby people with disabilities are encouraged to apply for vacant positions.



Description note: Staff establishment per race.

Coloured : 331 – 58%
 African : 159 – 28%
 White : 74 – 13%
 Indian : 3 - 1%



Description note: Per Gender

Males : 330 - 58%
 Females : 237 - 42%

Both the Recruitment and Selection Policy as well as the Employment Equity Policy were recently approved by Council to strengthen the recruitment of applicants from the designated groups. Further improvements are envisaged in the revised Recruitment and Selection Policy.

LABOUR RELATIONS: OCTOBER 2020

DISCIPLINARY HEARINGS					
N O	DEPART	DATE	NATURE OF DISCIPLINARY HEARING	PROGRESS MADE	OUTCOMES
1	Roads Dept	27 Aug 2020	Theft	In process	Disciplinary hearing was scheduled for the 06th October 2020, however on request from the union representative, hearing postponed.
2	Roads Dept	01 Sept 2020	Abscondment	In process	Disciplinary hearing is schedule for the 29 October 2020.
3	Roads Dept	23 Sept 2020	Gross insubordination, Absenteeism	In process	Disciplinary hearing is scheduled for the 11th & 12th Nov and 18 & 19 Nov 2020
4	Roads Dept	30 Sept	Absent	In Process	Awaiting date

GRIEVANCES					
N O	DEPART	DATE	NATURE OF GRIEVANCE	PROGRESS MADE	OUTCOMES
1.	Community Services	07 Aug 2019	Extra hours Remuneration on extra hours	In Process	Meeting is scheduled for the 9 th November 2020.
2.	Roads	21 Aug 2019	Spreading of false statements	In process	HOD resolved to refer the matter a formal investigation. Awaits feedback before 16 Nov 2020.
3.	Roads	05 Feb 2020	Unfair labour Practise	In Process	HOD resolved to refer the matter for a formal investigation. Awaits feedback before 16 Nov 2020
4.	Corporate Services	04 Aug 2020	Unfair labour practice	In Process	Grievance is scheduled for the 13 th Nov 2020.
5.	Corporate Services	20 Aug 2020	Unfair labour practice	In Process.	Step 3 was scheduled for the 15th October 2020. The MM requested statements from witnesses. Hearing date 09 Nov 2020.

6.	Corporate Services	19 October 2020	Unfair Labour Practise	In Process	Step 1 conducted on 29 Oct 2020, direct supervisor to deliver ruling before 12 Nov 2020.
INCAPACITY INVESTIGATIONS					
N O	DEPART	DATE	NATURE OF INCAPACITY	PROGRESS MADE	OUTCOMES
1.	Roads	26 Mar 2019	Sleeping Disorder	In process	Follow up meeting scheduled for 14 Oct 2020, awaits ruling chairperson before 30 Oct 2020.
2.	Roads	12 Jun 2019	Ankle injury	In process	Updated medical report received from specialist; follow up incapacitating hearing to be held before 30 Oct 2020.
3.	Roads	08 October 2019	Skin condition	In Process	Follow up meeting scheduled for 02 Nov 2020. The doctor report shows that the employee is not fit to do his work, the employer looked for alternative position, there is nothing. Chairperson recommends dismissal with immediate effect. Employee dismissed on 03 Nov 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	At Council Meeting dated 30 Sept 2020, Manager Legal Services and Acting HR Manager was nominated to finalised the negotiations with the aggrieved employees. Matter still under negotiations.

CONTRACT APPOINTMENTS FOR OCTOBER 2020(21)

NR	INITIALS & SURNAME	POSITION	DEPARTM	STATION	GEN & RACE	PERIOD
1	MAART AL	STUDENT	CORPORATE	GEORGE	F/C	01/10/20 - 31/03/22
2	MEYER MG	DISPOSAL CLERK	CORPORATE	GEORGE	M/C	01/10/20 – 30/11/20
3	MDAKA A	DISPOSAL CLERK	CORPORATE	GEORGE	M/A	01/10/20 -30/11/20
4	JACOBS CL	CLEANER	CORPORATE	GEORGE	F/C	01/10/20 – 15/12/20
5	MTSHAKACA N	CLEANER	CORPORATE	GEORGE	F/A	01/10/20 – 15/12/20
6	LUTANGO L	INTERN	COMMUNITY	GEORGE	M/A	01/10/20 – 30/09/21
7	MAGWEBU ME	PEER EDUCATOR	PLANNING	GEORGE	M/A	09/10/20 – 31/10/20
8	SOYAMBA V	PEER EDUCATOR	PLANNING	GEORGE	M/A	09/10/20 – 31/10/20
9	MANSFIELD L	PEER EDUCATOR	PLANNING	GEORGE	M/C	09/10/20 – 31/10/20
10	SOBHUZA M	PEER EDUCATOR	PLANNING	GEORGE	M/A	09/10/20 – 31/10/20
11	MDINGI A	PEER EDUCATOR	PLANNING	GEORGE	M/A	09/10/20 – 31/10/20
12	HESS DK	LAW ENFORCEMENT	PLANNING	OUDTSHOORN	M/C	05/10/20 – 28/02/21
13	CARELSE AAB	LAW ENFORCEMENT	PLANNING	OUDTSHOORN	M/C	05/10/20 – 28/02/21
14	JACOBS C	LAW ENFORCEMENT	PLANNING	OUDTSHOORN	F/C	05/10/20 – 28/02/21
15	PIKAAN S	LAW ENFORCEMENT	PLANNING	OUDTSHOORN	F/C	05/10/20 – 28/02/21
16	MOSES RRG	LAW ENFORCEMENT	PLANNING	OUDTSHOORN	F/C	05/10/20 – 28/02/21
17	MANAK L	EPWP WORKER	ROADS	SLANGRIVIER	M/A	01/10/20 – 31/03/21
18	SAALMON G	EPWP WORKER	ROADS	SLANGRIVIER	M/C	01/10/20 – 31/03/21
19	LOTTERING A	EPWP WORKER	ROADS	SLANGRIVIER	M/C	01/10/20 – 31/03/21
20	GUSHMAN L	EPWP WORKER	ROADS	SLANGRIVIER	M/A	01/10/20 – 31/03/21
21	NTSENDWANA MJ	WORKSHOP ASST	ROADS	GEORGE	M/A	12/10/20 – 18/12/20

6.2 Discussion

As stipulated in the report.

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

No Staff implications.

6.6 Previous / Relevant Council Resolutions:

There are no previous or relevant Council resolutions related to this matter.

6.7 Risk Implications

There are no foreseen risks associated with the proposed decision for Council to not implement the Directions.

6.8 Comments from Executive Management:

6.8.1 Executive Manager: Roads and Transport Planning Services

6.8.2 Executive Manager: Planning and Economic Development

6.8.3 Executive Manager: Community Services

6.8.4 Executive Manager: Corporate Services

6.8.5 Executive Manager: Financial Services

6.8.6 Manager: Legal Services

BACK TO AGENDA

DISTRICT COUNCIL

26 NOVEMBER 2020

**1. REPORT ON THE COUNCIL RESOLUTION REGISTER FOR THE MONTH OCTOBER 2020 /
VERSLAG RAKENDE DIE RAADSRESOLUSIE REGISTER VIR DIE MAAND VAN OKTOBER
2020 / INGXELO NGOLUHLU LWEZIGQIBO ZEBHUNGA KWIXESHA LWENYANGA
KWEYEDWARHA 2020**

2 PURPOSE

To submit the report on the execution of Council Resolutions for the month of October 2020, to Council.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

At a Special Council meeting that took place on 27 February 2019 it was resolved that Council approve the Council Resolution Policy.

Council is hereby informed of all the resolutions that has been executed for October 2020.

5. RECOMMENDATION

5.1 That Council takes note of the report on the execution of Council resolutions for the period October 2020.

AANBEVELING

5.2 *Dat die Raad kennis neem van die Raads Resolusie Register vir die periode van Oktober 2020.*

ISINDULULO

5.3 Sesokuba iBhunga lithathele ingqalelo isimo sezigqibo zeBhunga kwixesha lenyanga eyeDwarha 2020.

6. DISCUSSION / CONTENTS

6.1 Background

Included in the 2020/2021 SDBIP is a KPI assigned to the Executive Manager: Corporate Services which determines that the HOD must report to Council on the execution of Council Resolutions.

6.2 Discussion

This report serves as notification on execution of Council resolutions for the period October 2020. On the attached Annexure, details of all the resolutions that was loaded on the electronic system (Collaborator) and the progress made with the execution thereof.

6.3 Financial Implications

There are no financial implications for the municipality.

6.4 Legal Implications

None

6.5 Staff Implications

There is no staff implications.

6.6 Previous / Relevant Council Resolutions:

Council resolved at a Special Council meeting dated 27 February 2019, which resolution is as follow:

"E.3 That Council approves the Council Resolution Register".

6.7 Risk Implications

There are no foreseen risks.

6.8 Comments from Executive Management:

6.8.1 Executive Manager: Roads and Transport Planning Services

NONE

6.8.2 EXECUTIVE MANAGER: PLANNING AND ECONOMIC DEVELOPMENT

NONE

6.8.3 EXECUTIVE MANAGER: COMMUNITY SERVICES

None

6.8.4 Executive Manager: Corporate Services

None

6.8.5 Executive Manager: Financial Services

None

6.8.6 Manager: Legal Services

None

ANNEXURE

See Council Resolution register attached.

Council Resolution Actions

This Report only displays data when the task 'Complete Resolution Action' is send to the user responsible

Item Ref	Item Nr	Item Title					Responsible user	Resolution Outcome
1108467	1108467	Report on appointments, exists and labour relations for Aug 2020					SCHEEPERSC	Completed
Action Ref	Resolution Action	HOD user	Action User	% Complete	FB Comment	Due Date	Resolution Action Taken	Action Status
1119816	<p>RESOLVED</p> <p>1. That the information on the appointments, service exits and labour relations matters for August 2020, be noted.</p> <p>2. That, in future the report must contain the percentage of people that were appointed with disabilities.</p> <p>BESLUIT</p> <p>1. Dat kennis geneem word van die aanstellings,</p>	HOLTZHAUSENT	MAQEKENIS	100.0000	Proof attached.	2020-10-12	Proof attached.	Completed

	<p>uitdienstredings en arbeidsverhoudinge inligting vir Augustus 2020.</p> <p>2. Dat in die toekoms die verslag die persentasie moet aandui van aanstellings wat gemaak van persone met gestremdhede.</p> <p>ISIGQIBO</p> <p>1. Sesokuba ulwazi ngokuqashwa, ukuphuma kwinkonzo kanye nemicimbi yezabasebenzi kwinyanga KweyeThupa 2020 kuthathelwe inqgalelo.</p> <p>2. Sesokuba, kwixa elizayo ingxelo kufuneka iqulathe imiyinge yabantu abagoge ngokwamalungu omvimba abaye baqshwa.</p>							

Item Ref	Item Nr	Item Title					Responsible user	Resolution Outcome
1117408	1117408	Deviation Report: 01 September 2020 up to 30 September 2020					GOLOGOLOS	
Action Ref	Resolution Action	HOD user	Action User	% Complete	FB Comment	Due Date	Resolution Action Taken	Action Status
1128861	<p>RESOLVED</p> <p>1.That the implementation of Section 36 of the Municipal Supply Chain Regulation in terms of the deviations for the period 1 September 2020 up to 30 September 2020, be noted.</p> <p>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</p>	STANDERJ	MPURUT	100.0000	resolution noted	2020-11-10	resolution noted	Completed

	Chain Management policy of a municipality.							
Item Ref	Item Nr	Item Title					Responsible user	Resolution Outcome
1119628	1119628	REPORT TO COUNCIL ON THE RECORDS MANAGEMENT POLICY					BRINKHUYSS	Completed
Action Ref	Resolution Action	HOD user	Action User	% Complete	FB Comment	Due Date	Resolution Action Taken	Action Status
1128866	RESOLVED 5.1 That Council approves the Records Management Policy.	HOLTZHAUSENT	BRINKHUYSS	100.0000	100	2020-11-09	Sent policy to Communication to publish on the website To legal for the policy register To all staff for notification	Completed
Item Ref	Item Nr	Item Title					Responsible user	Resolution Outcome
1120051	1120051	REPORT TO COUNCIL ON THE TELEPHONE POLICY					BRINKHUYSS	Completed
Action Ref	Resolution Action	HOD user	Action User	% Complete	FB Comment	Due Date	Resolution Action Taken	Action Status
1128868	RESOLVED 5.1. That Council approves the Telephone Policy.	HOLTZHAUSENT	BRINKHUYSS	100.0000	100	2020-11-09	Policy sent to Legal for Policy Register Communication for publication on the website To all staff .	Completed

Item Ref	Item Nr	Item Title					Responsible user	Resolution Outcome
1120631	1120631	White Paper on Fire Services / "White Paper" rakende die Brandweerdienste					TAITL	Completed
Action Ref	Resolution Action	HOD user	Action User	% Complete	FB Comment	Due Date	Resolution Action Taken	Action Status
1128902	RESOLVED 5.1. That the submission be noted by Council.	AFRICAC	THAVERF	100.0000	Complete	2020-11-17	None	Completed
Item Ref	Item Nr	Item Title					Responsible user	Resolution Outcome
1121186	1121186	Update on implementation of Municipal Councillors Pension Fund related resolutions					JANSEVANRENSBURGL	
Action Ref	Resolution Action	HOD user	Action User	% Complete	FB Comment	Due Date	Resolution Action Taken	Action Status
1128875	RESOLVED 5.1.1. That the update on implementation of Municipal Councillors Pension Fund related resolutions, be noted. 5.1.2. That Administration request	HOLTZHAUSENT	MAQEKENIS			2020-11-09		Completed

	that the curators of this fund make a presentation to discuss the content of the circular and that the Councillors that are members of the fund of the local municipalities in the GRDM area, be invited as well as the Human Resources personnel (of all the local municipalities in the area) that are involved with the pensionfund for councillors also be invited to attend the presentation.							
Item Ref	Item Nr	Item Title					Responsible user	Resolution Outcome
1121435	1121435	Report on Gender Mainstreaming					SCHEEPERSC	
Action Ref	Resolution Action	HOD user	Action User	% Complete	FB Comment	Due Date	Resolution Action Taken	Action Status
1128870	RESOLVED 5.1. That Council takes note of the Gender Mainstreaming	HOLTZHAUSENT	MAQEKENIS			2020-11-09		In Progress

	Checklist and minutes of the TASK Team committee meetings.							
Item Ref	Item Nr	Item Title					Responsible user	Resolution Outcome
1121692	1121692	REPORT: SECTION 52 – RESPONSIBILITIES OF MAYOR - QUARTER 1 ENDING 30 SEPTEMBER 2020					CAMPHERG	
Action Ref	Resolution Action	HOD user	Action User	% Complete	FB Comment	Due Date	Resolution Action Taken	Action Status
1128828	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 September 2020.	STANDERJ	HOEKL			2020-11-10		Completed
	Item Nr	Item Title					Responsible user	Resolution Outcome

Item Ref								
1123711	1123711		DRAFT ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2020				HOEKL	
Action Ref	Resolution Action	HOD user	Action User	% Complete	FB Comment	Due Date	Resolution Action Taken	Action Status
1128857	RESOLVED 5.1.1 That Council takes note of the annual financial statements for the year ending 30 June 2020.	STANDERJ	HOEKL			2020-11-10		Completed

[BACK TO AGENDA](#)

BUDGET STEERCOM

23 NOVEMBER 2020

MAYORAL COMMITTEE

26 NOVEMBER 2020

DISTRICT COUNCIL

26 NOVEMBER 2020

1. **2ND ADDITIONAL ALLOCATION ADJUSTMENT BUDGET 2020/2021 MTREF (MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK / VERSLAG: 2DE ADDISIONELE TOEKENNING AANSUIWERINGSBEGROTING 2020/2021 MEDIUM TERMYN EN INKOMSTE EN UITGAWE RAAMWERK (MTIUR) / ULONGEZELELO LWESIBONELELO KULUNGELELWABISO LOLWABIWO-MALI LUKA 2020/2021 MRTREF(INGENISON YEXESHA ELIFUTSHANE KUNYE NOBUME BEZENCITHO)**

2 PURPOSE

The report is tabled to Council in terms of section 28(2) (Municipal Adjustments Budgets) as required in terms of the Municipal Finance Management Act 56 of 2003.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Executive Mayor must table an adjustment budget to Council for consideration and approval. Additional revenues/allocations received from National and/or Provincial government must be tabled before council at the first Council meeting following the gazette – such allocations (totalling R2,1m) is included here.

5. RECOMMENDATIONS

That Council take the following resolutions:

- (1) That the 2nd adjustments budget (additional allocation) of Garden Route District Municipality for the financial year 2020/2021 as set out in the schedules contained in Section 4 be **approved**:

- i. Table B1 Adjustments Budget Summary;

- ii. Table B2 Adjustments Budget Financial Performance (by standard classification);
 - iii. Table B3 Adjustments Budget Financial Performance (by municipal vote);
 - iv. Table B4 Adjustment Budget Financial Performance (revenue by source); and
 - v. Table B5 Adjustment Budget Capital Expenditure (by municipal vote and funding source)
- (2) That Council approves the Adjustment Operating Expenditure Budget of R409,638,887
- (3) That Council approves the Adjustment Operating Revenue Budget of R400,579,025
- (4) That Council approves the Adjustment Capital Budget of R8,135,000 (no adjustments)
- (5) That a revised Service Delivery and Budget Implementation Plan (SDBIP) for the 2020/21 financial year be compiled and tabled to the Executive Mayor for approval.

AANBEVELINGS

Dat die Raad die volgende resolusies aanvaar:

- (1) *Dat die 2de Aangepaste Begroting (addisionele toekenning) van Garden Route Distriksmunisipaliteit vir die finansiële jaar 2020/2021 soos vervat in die skedules van Seksie 4 goedgekeur word:*
- i. *Tabel B1 Aangepaste Begrotings Opsomming;*
 - ii. *Tabel B2 Aangepaste Begroting Finansiële Prestasie (volgens standaard klassifikasie);*
 - iii. *Tabel B3 Aangepaste Begroting Finansiële Prestasie (volgens pos);*
 - iv. *Tabel B4 Aangepaste Begroting Finansiële Prestasie (volgens finansieringsbron); en*
 - v. *Tabel B5 Aangepaste Kapitale Begroting (volgens pos en finansieringsbron)*

- (2) *Dat die Raad die Aangepaste Uitgawe Begroting van R409,638,887 goedkeur.*
- (3) *Dat die Raad die Aangepaste Inkomste Begroting van R400,579,025 goedkeur.*
- (4) *Dat die Raad die Aangepaste Kapitaal Begroting van R8,135,000 goedkeur.*
- (5) *Dat die hersiende Dienslewering- en Begrotings Implementerings Plan vir 2020/2021 opgestel en aan die Uitvoerende Burgermeester voorgelê word vir goedkeuring.*

IZINDULULO

Okokuba iBhunga lithathe ezi zigqibo zolandelayo:

- (1) Sesokuba ulungelelwaniso lwesibini lolwabiwo-mali(izibonelelo ezongezelelweyo) loMasipala Wesithili se Garden Route kunyakamali ka 2020/2021 njengoko kudandalazisiwe kuluhlu oluqulathwe kuMhlathi 4 luphunyezwe:
 - i. Table B1 Ushwankathelo Lolungelelwaniso lolwabiwo-Mali
 - ii. Table B2 Ulungelelwaniso Lolwabiwo-Mali loMsebenzi Wezemali(ngokumiselwa ngokufanelekileyo);
 - iii. Table B3 Ulungelelwaniso Lolwabiwo-Mali loMsebenzi Wezemali (ngokwe voti yomasipala);
 - iv. Table B4 Ulungelelwaniso Lolwabiwo-Mali loMsebenzi Wezemali (ingeniso ngokovimba); kunye
 - vi. Table B5 Ulungelelwaniso Lolwabiwo-Mali Incitho Eyinkunzi (ngokwevoti yomasipala kunye novimba wesibonelelo)
- (2) Sesokuba iBhunga liphumeze uLungelelwaniso Lolwabiwo-Mali Lwencitho Eqhubayo neyi R409,638,887.
- (3) Sesokuba iBhunga liphumeze uLungelelwaniso Lolwabiwo-Mali LWengeniso eQhubayo neyi R400,579,025.

- (4) Sesokuba iBhunga liphumeze uLungelelwaniso Lolwabiwo-mali Oluyinkunzi lwe R8,135,000.(akhukho lungelwano).
- (5) Sesokuba Isicwangciso Sonikezelo Lwenkonzo kunye Nokumiselwa Kolwabiwo-Mali(SDBIP) sonyakamali ka 2020/21 siqulunqwe kwaye sithiwe thaca kuSodolophu Obekekileyo ukuze siphunyezwe.

6. DISCUSSION / CONTENTS

6.1 Background

Section 28 of the Municipal Finance Management Act 2003 (No.56) (MFMA) determines that a Municipality may revise an approved annual budget through an adjustment budget.

Subsection (2) also determines that an adjustment budget:

- a) Must adjust the revenue and expenditure estimates downwards if there is material under-collection of revenue during the current year;
- b) May appropriate additional revenues that have become available over and above those anticipated in the annual budget, but only to revise or accelerate spending programmes already budgeted for;
- c) May, within a prescribed framework, authorize unforeseeable and unavoidable expenditure recommended by the mayor;
- d) May authorize the utilization of projected savings in one vote towards spending under another vote;
- e) May authorize the spending of funds that were unspent at the end of the past financial year where the under-spending could not reasonably have been foreseen at the time to include projected roll-overs when the annual budget for the current year was approved by the Council;
- f) May correct any errors in the annual budget; and
- g) May provide for any other expenditure within a prescribed framework.

Subsection (4) determines that only the mayor may table an adjustment budget in the municipal Council, but an adjustment budget in terms of subsection (2) (b) to (g) may only be tabled within any prescribed limitations as to timing or frequency.

Subsection (5) states that when an adjustment budget is tabled, it must be accompanied by an explanation of how the adjustment budget affects the annual budget and a motivation of any material changes to the annual budget.

Subsection (6) states very clearly that property rates and tariffs may not be increased during a financial year except when required in terms of a financial recovery plan.

Cognizance must also be taken of Section 15 of the MFMA which refers to the appropriation of funds for expenditure.

Subsection (a) determines very clearly that expenditure may only be incurred in terms of an approved budget; and (b) Within the limits of the amounts appropriated for the different votes in an approved budget.

Also take note of Section 23 (3) of the Budget and Reporting Regulations which refers to the timeframes of tabling of adjustment budgets.

Subsection (3) states-

If a national or provincial adjustments budget allocates or transfers additional revenues to a municipality, the mayor of the municipality must, at the next available council meeting, but within 60 days of the approval of the relevant national or provincial adjustments budget, table an adjustments budget referred to in section 28(2)(b) of the Act in the municipal council to appropriate these additional revenues.

6.2 Discussion

GRDM received additional grant funding from Provincial Treasury of R2.1m.

In addition, GRDM also received the outcome of the conditional grant roll-over applications from National and Provincial Treasury.

NT granted approval for all conditional grants, except R1.3m relating to the Rural Roads Asset Management Systems (RRAMS) grant and PT granted approval for all conditional grant except for R350,000 relating to funding for interns and R590,488 relating to the Integrated Transport Planning grant.

These adjustments have to be brought into the 2020/21 budget by means of an Adjustment Budget tabled to Council for approval.

Detail and further explanation is provided in the report below.

6.2 Financial Implications

Financial implications as per the Report attached

6.3 Legal Implications

Municipal Finance Management Act, No 56 of 2003

Municipal Budget and Reporting Regulations, 17 April 2009

6.5 Staff Implications

None.

6.6 Previous / Relevant Council Resolutions:

There are no previous or relevant Council resolutions related to this matter.

6.7 Risk Implications

None

6.8 Comments from Executive Management:

6.8.1 Executive Manager: Roads and Transport Planning Services

6.8.2 Executive Manager: Planning and Economic Development

6.8.3 Executive Manager: Community Services

6.8.4 Executive Manager: Corporate Services

6.8.5 Executive Manager: Financial Services

6.8.6 Manager: Legal Services

ANNEXURES



GARDEN ROUTE DISTRICT MUNICIPALITY

FINANCIAL YEAR 2020 - 2021

2nd ADJUSTMENT BUDGET REPORT

2020/2021 MTREF

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Glossary

Adjustments budget – Prescribed in section 28 of the MFMA. The formal means by which a municipality may revise its annual budget during the year.

Allocations – Money received from Provincial or National Government or other municipalities.

Budget – The financial plan of the Municipality.

Budget related policy – Policy of a municipality affecting or affected by the budget, examples include tariff policy, rates policy and credit control and debt collection policy.

Capital expenditure - Spending on assets such as land, buildings and machinery. Any capital expenditure must be reflected as an asset on the Municipality's balance sheet.

Cash flow statement – A statement showing when actual cash will be received and spent by the Municipality. Cash payments do not always coincide with budgeted expenditure timings. For example, when an invoice is received by the Municipality it is shown as expenditure in the month it is received, even though it may not be paid in the same period.

DORA – Division of Revenue Act. Annual legislation that shows the total allocations made by national to provincial and local government.

Equitable share – A general grant paid to municipalities. It is predominantly targeted to help with free basic services.

Fruitless and wasteful expenditure – Expenditure that was made in vain and would have been avoided had reasonable care been exercised.

GFS – Government Finance Statistics. An internationally recognised classification system that facilitates like for like comparison between municipalities.

GRAP – Generally Recognised Accounting Practice. The new standard for municipal accounting.

IDP – Integrated Development Plan. The main strategic planning document of the Municipality

MBRR – Local Government: Municipal Finance Management Act (56/2003): Municipal budget and reporting regulations April 2009

MFMA – The Municipal Finance Management Act – No. 56 of 2003. The principle piece of legislation relating to municipal financial management.

MTREF – Medium Term Revenue and Expenditure Framework. A medium term financial plan, usually 3 years, based on a fixed first year and indicative further two years budget allocations. Also includes details of the previous and current years' financial position.

Operating expenditure – Spending on the day to day expenses of the Municipality such as salaries and wages.

Rates – Local Government tax based on the assessed value of a property. To determine the rates payable, the assessed rateable value is multiplied by the rate in the rand.

SDBIP – Service Delivery and Budget Implementation Plan. A detailed plan comprising quarterly performance targets and monthly budget estimates.

Strategic objectives – The main priorities of the Municipality as set out in the IDP. Budgeted spending must contribute towards the achievement of the strategic objectives.

Unauthorised expenditure – Generally, spending without, or in excess of, an approved budget.

Virement – A transfer of budget.

Virement policy - The policy that sets out the rules for budget transfers. Virements are normally allowed within a vote. Transfers between votes must be agreed by Council through an Adjustments Budget.

Vote – One of the main segments into which a budget. In Garden Route District this means the different GFS classification the budget is divided.

Legislative Framework

This report has been prepared in terms of the following enabling legislation.

The Municipal Finance Management Act – No. 56 of 2003

Section 28 Municipal Adjustment Budgets

Local Government: Municipal Finance Management Act (56/2003): Municipal budget and reporting regulations

Schedule B format of adjustment budgets

PART 1 – IN-YEAR REPORT

SECTION 1 – MAYORAL SPEECH

The reason for the adjustment budget tabled at council today is to include the following expenditure into the approved budget for the 2020/2021 financial year:

Additional Grants allocations as per **Section 28(2)(b)** of the Municipal Finance Management Act, 56 of 2003 that states:

- May appropriate additional revenues that have become available over and above those anticipated in the annual budget, but only to revise or accelerate spending programmes already budgeted for;

Section 23(3) of the Budget and Reporting Regulations which refers to the timeframes of tabling of adjustment budgets states-

- If a national or provincial adjustments budget allocates or transfers additional revenues to a municipality, the mayor of the municipality must, at the next available council meeting, but within 60 days of the approval of the relevant national or provincial adjustments budget, table an adjustments budget referred to in section 28(2)(b) of the Act in the municipal council to appropriate these additional revenues.

The details of the above inclusions into the budget are as follows:

Additional Provincial Conditional Grants

Provincial Government Additional Adjustment Funds		
Section	Project Description	Additional Funds
Exec & Council	Western Cape Financial Management Support Grant:	2 108 000,00
	Breakdown is as follows:	
	Revenue enhancement (Identifying of Alternative Revenue Sources)	200 000,00
Finance		
IT Section	Data cleansing	200 000,00
Finance	Upskilling of Finance Staff and Financial Reforms	200 000,00
Risk Management	Risk Management and Internal Audit system	1 508 000,00

In the Provincial Gazette Extraordinary 8345 dated 3 November 2020 as issued by Western Cape Government, the above additional conditional grant allocations were made to Garden Route District Municipality. This is therefore added to operating revenue and operation expenditure in the 2020/21 budget.

National grant allocations Roll-over not approved:

National Government Roll - Overs Not Approved		
Section	Project Description	Roll - Over Amount
Roads	Rural Roads Asset Management Systems	1 300 000,00
		1 300 000,00

Rural Roads Asset Management Systems grant (R1,300,000)

A formal tender process has been concluded in order to deliver on the RRAMS project. The total cost of the final awarded contract is substantially less than the grant allocations from National Government for the current and coming years. As we are not able to use this funding for any other purpose, we are not in a position to utilise the full grant allocation.

We have engaged the National Department of Transport in an effort to deliver the project in a shorter period of time (2 years) in order to identify alternative usage of the funding that the National Department has available.

Provincial Grant allocation Roll-over not approved:

Provincial Government Roll - Overs Not Approved		
Section	Project Description	Roll - Over Amount
Roads	Integrated Transport Planning	590 488,00
Corporate	WC Finance Management Internship Program - HR	350 000,00
		940 488,00

Integrated Transport Planning grant (R590,488)

Delays due to COVID 19 resulted in delayed expenditure of this grant. However, a formal tender process was concluded and the award to the successful bidder is within the allocation received for the current year. There is therefore no loss to

Council as a result of the roll-over not being approved, as these conditional funding cannot be utilised for any other purpose.

Municipal Finance Management Internship Support Programme (R350,000)

Implementation of the programme programme as a support to all interns throughout the District was set for March – June 2020. Unfortunately, due to COVID 19 and the resulting lockdown levels, implementation was delayed.

Application for roll-over was submitted to Provincial Treasury – it is unfortunate that PT decided to not roll-over the grant funding to 2020/21, even though we indicated that implementation can be done and concluded before the end of our and their current financial years.

Summary

Total unspent grants not approved by National and Provincial Government: R2 240 488.

Total new conditional grants added to the 2020/21 budget: R2 108 000.

The net impact on the Approved budget is R0, as the expenditure and income is increased and decreased with equal amounts.

I would therefore like to recommend that council approve the following resolutions:

- (1) That the adjustment budget of Garden Route District Municipality for the financial year **2020/2021** as set out in the schedules contained in Section 4 be approved:
 - (i) Table B1 Adjustments Budget Summary;
 - (ii) Table B2 Adjustments Budget Financial Performance (by standard classification);
 - (iii) Table B3 Adjustments Budget Financial Performance (by municipal vote);
 - (iv) Table B4 Adjustments Budget Financial Performance (revenue by source); and
 - (v) Table B5 Adjustments Budget Capital Expenditure (by municipal vote and funding source)

- (2) That the adjusted operating expenditure budget of Garden Route District Municipality for the financial year **2020/2021 of R409,638,887** be approved.
- (3) That the adjusted operating revenue budget of Garden Route District Municipality for the financial year **2020/2021 of R400,579,025** be approved.
- (4) That the adjusted capital budget of Garden Route District Municipality for the financial year **2020/2021 of R8,135,000**, be approved.
- (5) That a revised Service Delivery and Budget Implementation Plan (SDBIP) for the **2020/2021** financial year be compiled and tabled to the Executive Mayor for approval .

SECTION 2 – RESOLUTIONS

Municipal Financial Management Act, 56 of 2003 - SECTION 28 Municipal adjustment budgets.

These are the resolutions being presented to Council in terms of Municipal Finance Management Act, 56 of 2003 on the adjustment budget and related information.

RECOMMENDATION:

- (1) That the adjustment budget of Garden Route District Municipality for the financial year **2020/2021** as set out in the schedules contained in Section 4 be approved:
 - (i) Table B1 Adjustments Budget Summary;
 - (ii) Table B2 Adjustments Budget Financial Performance (by standard classification);
 - (iii) Table B3 Adjustments Budget Financial Performance (by municipal vote);
 - (iv) Table B4 Adjustments Budget Financial Performance (revenue by source); and
 - (v) Table B5 Adjustments Budget Capital Expenditure (by municipal vote and funding source)

- (2) That the adjusted operating expenditure budget of Garden Route District Municipality for the financial year **2020/2021 of R409,638,887** be approved.
- (3) That the adjusted operating revenue budget of Garden Route District Municipality for the financial year **2020/2021 of R400,579,025** be approved.
- (4) That the adjusted capital budget of Garden Route District Municipality for the financial year **2020/2021 of R8,135,000** be approved.
- (5) That a revised Service Delivery and Budget Implementation Plan (SDBIP) for the **2020/21** financial year be compiled and tabled to the Executive Mayor for approval.

SECTION 3 - EXECUTIVE SUMMARY

3.1 Introduction

The Adjustment budget is tabled to Council for approval. This adjustment budget includes additional gazetted conditional grant funding of R2.108m from the Western Cape Government.

3.2 Adjustment Budget

Municipal Budget and Reporting Regulations

The reason for the adjustment budget tabled at council today is to include the following expenditure into the approved budget for the 2020/2021 financial year:

Additional Grants allocations as per **Section 28(2)(b)** of the Municipal Finance Management Act, 56 of 2003 that states:

- May appropriate additional revenues that have become available over and above those anticipated in the annual budget, but only to revise or accelerate spending programmes already budgeted for;

Section 23(3) of the Budget and Reporting Regulations which refers to the timeframes of tabling of adjustment budgets states-

- If a national or provincial adjustments budget allocates or transfers additional revenues to a municipality, the mayor of the municipality must, at the next

available council meeting, but within 60 days of the approval of the relevant national or provincial adjustments budget, table an adjustments budget referred to in section 28(2)(b) of the Act in the municipal council to appropriate these additional revenues.

Provincial Government allocated an additional R2 108 000 for the Western Cape Financial Management Support Grant and this additional allocation has been included in this adjustment budget.

Operational Budget

The Provincial Government Gazette 8345 dated 3 November 2020 states that R2,108,000 is allocated to the Garden Route District Municipality.

The different grants required for inclusion into the budget are as follows:

1. Projects funded by means of other sources that is Memorandum of Understanding or Service Level Agreements.

These grants are funded by means of SLA or MOU whereby the municipality enter into agreement with the respective funders to implement projects as per the stipulated agreements.

3.3 Provision of basic services

The municipality as a category C municipality do not deliver basic services in respect of the following:

- Provision of Water services
- Provision of sanitation services
- Provision of refuse
- Provision of housing

3.4 SDBIP and MTREF financial sustainability

The municipality tabled a balanced/funded budget during the May council approval budget process. The SDBIP was compiled on the basis of this approved budget.

The roll-over projects tabled in this report for inclusion in the budget is either funded from a National or Provincial allocation or a result of a negotiation process end being concluded by means of a Memorandum of Understanding (MOU) or Service Level Agreement (SLA).

The adjustment will have no negative effect on the sustainability of the original budget as approved by council.

3.5 High level summary of adjustments

The following table illustrates the Original Budget approved by council for the **2020/2021** MTREF period during the May council budget approval process and the subsequent movement of the proposed August rollover budget.

Revised High-level summary of budget approval required:

The following table explains the effect that the approval of the unspent grants and additional appropriation will have on the Operational budget of Council.

More details regarding these changes are explained in Part 2 of the budget document as required in terms of the budget regulation.

There is no proposed changes to the capital budget.

OPERATIONAL BUDGET - 2nd Adjustment Budget (25 November 2020)							
DESCRIPTION	Approved Budget 2020/2021	Roll - Over Budget Amounts	Roll - Over Budget 2020/2021	2nd Adjustment Budget 2020/2021 Amounts	2nd Adjustment Budget 2020/2021	Approved Budget 2021/2022	Approved Budget 2022/2023
Operational Income	392 172 437,00		392 172 437,00		392 172 437,00	480 210 956,00	500 357 455,00
Additional Equity Share Funds		3 227 000,00	3 227 000,00		3 227 000,00		
Unspent Grants		5 312 075,69	5 312 075,69		5 312 075,69		
Unspent Grants not Approved:							
PT: WCFMSG				- 350 000,00	- 350 000,00		
PT: Intergrated Transport Planning Grant				- 590 488,00	- 590 488,00		
NT: Rural Roads Asset Management Grant				- 1 300 000,00	- 1 300 000,00		
Additional PT Grants				2 108 000,00	2 108 000,00		
Revised Operational Income	392 172 437,00	8 539 075,69	400 711 512,69	- 132 488,00	400 579 024,69	480 210 956,00	500 357 455,00
Operational Expenditure	401 232 299,00		401 232 299,00		401 232 299,00	482 450 832,00	501 210 284,00
National Grants		5 796 000,00	5 796 000,00		5 796 000,00		
NT: Rural Roads Asset Management Grant				- 1 300 000,00	- 1 300 000,00		
Provincial Grants		2 743 075,69	2 743 075,69		2 743 075,69		
PT: WCFMSG				- 350 000,00	- 350 000,00		
PT: Intergrated Transport Planning Grant				- 590 488,00	- 590 488,00		
Additional PT Grants				2 108 000,00	2 108 000,00		
Revised Operational Expenditure	401 232 299,00	8 539 075,69	409 771 374,69	- 132 488,00	409 638 886,69	482 450 832,00	501 210 284,00
Surplus / (Deficit)	- 9 059 862,00	0,00	- 9 059 862,00	-	- 9 059 862,00	- 2 239 876,00	- 852 829,00
Capital Budget	8 135 000,00	-	8 135 000,00	-	8 135 000,00	430 000,00	430 000,00
Less funded from CRR	8 135 000,00		8 135 000,00		8 135 000,00	430 000,00	430 000,00
Surplus / (Deficit) after Capital	- 9 059 862,00	0,00	- 9 059 862,00	-	- 9 059 862,00	- 2 239 876,00	- 852 829,00

Section 4 – Annual Budget Tables

DC4 Garden Route - Table B1 Adjustments Budget Summary - 25 November 2020

Description	Budget Year 2020/21									Budget Year +1 2021/22	Budget Year +2 2022/23
	Original Budget	Prior Adjusted	Accum. Funds	Multi-year capital	Unfore. Unavoid.	Nat. or Prov. Govt	Other Adjusts.	Total Adjusts.	Adjusted Budget	Adjusted Budget	Adjusted Budget
R thousands	A	A1	B	C	D	E	F	G	H		
Financial Performance											
Property rates	–	–	–	–	–	–	–	–	–	–	–
Service charges	–	–	–	–	–	–	–	–	–	–	–
Investment revenue	14 091	–	–	–	–	–	–	–	14 091	15 937	18 833
Transfers recognised - operational	174 269	–	–	–	–	(132)	(140 250)	(140 382)	33 887	178 902	182 687
Other own revenue	203 812	–	–	–	–	–	148 789	148 789	352 601	285 372	298 838
Total Revenue (excluding capital transfers and contributions)	392 172	–	–	–	–	(132)	8 539	8 407	400 579	480 211	500 357
Employee costs	239 508	–	–	–	–	–	1 507	1 507	241 015	253 657	268 985
Remuneration of councillors	13 360	–	–	–	–	–	–	–	13 360	13 894	14 449
Depreciation & asset impairment	3 930	–	–	–	–	–	–	–	3 930	4 205	4 206
Finance charges	–	–	–	–	–	–	–	–	–	–	–
Materials and bulk purchases	51 197	–	–	–	–	–	–	–	51 197	51 421	52 167
Transfers and grants	1 230	–	–	–	–	–	–	–	1 230	1 085	926
Other expenditure	92 007	–	–	–	–	(132)	7 032	6 900	98 907	158 188	160 477
Total Expenditure	401 233	–	–	–	–	(132)	8 539	8 407	409 639	482 451	501 211
Surplus/(Deficit)	(9 060)	–	–	–	–	–	–	–	(9 060)	(2 240)	(853)
Transfers and subsidies - capital (monetary allocations) (National / Provincial and District)	–	–	–	–	–	–	–	–	–	–	–
Transfers and subsidies - capital (monetary allocations) (National / Provincial Departmental Agencies, Households, Non-profit Institutions, Private Enterprises, Public Corporations, Higher	–	–	–	–	–	–	–	–	–	–	–
Surplus/(Deficit) after capital transfers & contributions	(9 060)	–	–	–	–	–	–	–	(9 060)	(2 240)	(853)
Share of surplus/ (deficit) of associate	–	–	–	–	–	–	–	–	–	–	–
Surplus/ (Deficit) for the year	(9 060)	–	–	–	–	–	–	–	(9 060)	(2 240)	(853)
Capital expenditure & funds sources											
Capital expenditure	8 135	–	–	–	–	–	–	–	8 135	430	430
Transfers recognised - capital	–	–	–	–	–	–	–	–	–	–	–
Borrowing	–	–	–	–	–	–	–	–	–	–	–
Internally generated funds	8 135	–	–	–	–	–	–	–	8 135	430	430
Total sources of capital funds	8 135	–	–	–	–	–	–	–	8 135	430	430
Financial position											
Total current assets	173 685	–	–	–	–	–	–	–	173 685	176 353	180 626
Total non current assets	314 316	–	–	–	–	–	–	–	314 316	317 493	320 884
Total current liabilities	74 604	–	–	–	–	–	–	–	74 604	71 376	75 243
Total non current liabilities	144 852	–	–	–	–	–	–	–	144 852	153 541	162 752
Community wealth/Equity	268 545	–	–	–	–	–	0	0	268 545	268 928	263 515
Cash flows											
Net cash from (used) operating	(3 288)	0	–	–	–	–	–	–	0	3 936	5 461
Net cash from (used) investing	(8 135)	–	–	–	–	–	–	–	(8 135)	(430)	(430)
Net cash from (used) financing	–	–	–	–	–	–	–	–	–	–	–
Cash/cash equivalents at the year end	143 131	0	–	–	–	–	–	–	0	166 496	171 527
Cash backing/surplus reconciliation											
Cash and investments available	143 159	–	–	–	–	–	–	–	143 159	146 664	151 695
Application of cash and investments	11 466	–	–	–	–	–	81 372	81 372	92 839	9 292	14 564
Balance - surplus (shortfall)	131 692	–	–	–	–	–	(81 372)	(81 372)	50 320	137 372	137 131
Asset Management											
Asset register summary (WDV)	254 584	–	–	–	–	–	–	–	254 584	254 178	253 771
Depreciation & asset impairment	3 930	–	–	–	–	–	–	–	3 930	4 205	4 206
Renewal and Upgrading of Existing Assets	1 500	–	–	–	–	–	–	–	1 500	–	–
Repairs and Maintenance	4 059	–	–	–	–	–	–	–	4 059	4 276	4 291
Free services											
Cost of Free Basic Services provided	–	–	–	–	–	–	–	–	–	–	–
Revenue cost of free services provided	–	–	–	–	–	–	–	–	–	–	–
Households below minimum service level											
Water:	–	–	–	–	–	–	–	–	–	–	–
Sanitation/sew erage:	–	–	–	–	–	–	–	–	–	–	–
Energy:	–	–	–	–	–	–	–	–	–	–	–
Refuse:	–	–	–	–	–	–	–	–	–	–	–

DC4 Garden Route - Table B2 Adjustments Budget Financial Performance (functional classification) - 25 November 2020

Standard Description	Ref	Budget Year 2020/21									Budget Year +1 2021/22	Budget Year +2 2022/23
		Original Budget	Prior Adjusted 5 A1	Accum. Funds 6 B	Multi-year capital 7 C	Unfore. Unavoid. 8 D	Nat. or Prov. Govt 9 E	Other Adjusts. 10 F	Total Adjusts. 11 G	Adjusted Budget 12 H	Adjusted Budget	Adjusted Budget
R thousands	1, 4	A	A1	B	C	D	E	F	G	H		
Revenue - Functional												
<i>Governance and administration</i>		217 258	-	-	-	-	(132)	8 539	8 407	225 665	225 665	235 701
Executive and council		217 030	-	-	-	-	(132)	8 539	8 407	225 437	225 421	235 442
Finance and administration		228	-	-	-	-	-	-	-	228	244	258
Internal audit		-	-	-	-	-	-	-	-	-	-	-
<i>Community and public safety</i>		9 330	-	-	-	-	-	-	-	9 330	9 810	10 785
Community and social services		-	-	-	-	-	-	-	-	-	-	-
Sport and recreation		8 656	-	-	-	-	-	-	-	8 656	9 096	10 027
Public safety		-	-	-	-	-	-	-	-	-	-	-
Housing		-	-	-	-	-	-	-	-	-	-	-
Health		674	-	-	-	-	-	-	-	674	714	757
<i>Economic and environmental services</i>		165 584	-	-	-	-	-	-	-	165 584	174 473	179 752
Planning and development		-	-	-	-	-	-	-	-	-	-	-
Road transport		165 473	-	-	-	-	-	-	-	165 473	174 355	179 627
Environmental protection		111	-	-	-	-	-	-	-	111	118	125
<i>Trading services</i>		-	-	-	-	-	-	-	-	-	70 263	74 120
Energy sources		-	-	-	-	-	-	-	-	-	-	-
Water management		-	-	-	-	-	-	-	-	-	-	-
Waste water management		-	-	-	-	-	-	-	-	-	-	-
Waste management		-	-	-	-	-	-	-	-	-	70 263	74 120
<i>Other</i>		-	-	-	-	-	-	-	-	-	-	-
Total Revenue - Functional	2	392 172	-	-	-	-	(132)	8 539	8 407	400 579	480 211	500 357
Expenditure - Functional												
<i>Governance and administration</i>		129 355	-	-	-	-	1 758	1 173	2 931	132 285	134 673	142 415
Executive and council		49 165	-	-	-	-	1 508	823	2 331	51 495	51 758	55 113
Finance and administration		77 489	-	-	-	-	250	350	600	78 089	80 032	84 241
Internal audit		2 701	-	-	-	-	-	-	-	2 701	2 883	3 061
<i>Community and public safety</i>		85 264	-	-	-	-	-	807	807	86 071	89 824	92 642
Community and social services		12 914	-	-	-	-	-	80	80	12 994	11 606	12 305
Sport and recreation		13 494	-	-	-	-	-	-	-	13 494	14 351	14 210
Public safety		26 063	-	-	-	-	-	-	-	26 063	28 550	29 327
Housing		-	-	-	-	-	-	-	-	-	-	-
Health		32 793	-	-	-	-	-	727	727	33 520	35 316	36 800
<i>Economic and environmental services</i>		179 235	-	-	-	-	(1 890)	4 059	2 169	181 404	188 236	193 452
Planning and development		7 087	-	-	-	-	-	-	-	7 087	6 856	6 442
Road transport		168 818	-	-	-	-	(1 890)	4 059	2 169	170 987	177 834	183 256
Environmental protection		3 330	-	-	-	-	-	-	-	3 330	3 546	3 753
<i>Trading services</i>		4 606	-	-	-	-	-	2 500	2 500	7 106	67 273	70 469
Energy sources		-	-	-	-	-	-	-	-	-	-	-
Water management		-	-	-	-	-	-	-	-	-	-	-
Waste water management		-	-	-	-	-	-	-	-	-	-	-
Waste management		4 606	-	-	-	-	-	2 500	2 500	7 106	67 273	70 469
<i>Other</i>		2 773	-	-	-	-	-	-	-	2 773	2 444	2 233
Total Expenditure - Functional	3	401 232	-	-	-	-	(132)	8 539	8 407	409 639	482 451	501 210
Surplus/ (Deficit) for the year		(9 060)	-	-	-	-	-	-	-	(9 060)	(2 240)	(853)

DC4 Garden Route - Table B3 Adjustments Budget Financial Performance (revenue and expenditure by municipal vote) - 25 November 2020

Vote Description [Insert departmental structure etc]	Ref	Budget Year 2020/21									Budget Year +1 2021/22	Budget Year +2 2022/23
		Original Budget	Prior Adjusted	Accum. Funds	Multi-year capital	Unfore. Unavoid.	Nat. or Prov. Govt	Other Adjusts.	Total Adjusts.	Adjusted Budget	Adjusted Budget	Adjusted Budget
R thousands		A	A1	B	C	D	E	F	G	H		
Revenue by Vote	1											
Vote 1 - Executive and Council		217 030	-	-	-	-	(132)	8 539	8 407	225 437	225 421	235 442
Vote 2 - Budget and Treasury Office		-	-	-	-	-	-	-	-	-	-	-
Vote 3 - Corporate Services		228	-	-	-	-	-	-	-	228	244	258
Vote 4 - Planning and Development		-	-	-	-	-	-	-	-	-	-	-
Vote 5 - Public Safety		-	-	-	-	-	-	-	-	-	-	-
Vote 6 - Health		674	-	-	-	-	-	-	-	674	714	757
Vote 7 - Community and Social Services		-	-	-	-	-	-	-	-	-	-	-
Vote 8 - Sport and Recreation		8 656	-	-	-	-	-	-	-	8 656	9 096	10 027
Vote 9 - Waste Management		-	-	-	-	-	-	-	-	-	70 263	74 120
Vote 10 - Roads Transport		-	-	-	-	-	-	-	-	-	-	-
Vote 11 - Waste Water Management		-	-	-	-	-	-	-	-	-	-	-
Vote 12 - Water		-	-	-	-	-	-	-	-	-	-	-
Vote 13 - Environment Protection		111	-	-	-	-	-	-	-	111	118	125
Vote 14 - Roads Agency Function		165 473	-	-	-	-	-	-	-	165 473	174 355	179 627
Vote 15 - Electricity		-	-	-	-	-	-	-	-	-	-	-
Total Revenue by Vote	2	392 172	-	-	-	-	(132)	8 539	8 407	400 579	480 211	500 357
Expenditure by Vote	1											
Vote 1 - Executive and Council		52 598	-	-	-	-	1 508	823	2 331	54 928	55 370	58 974
Vote 2 - Budget and Treasury Office		24 275	-	-	-	-	400	-	400	24 675	24 748	26 197
Vote 3 - Corporate Services		42 386	-	-	-	-	(150)	350	200	42 586	43 946	45 994
Vote 4 - Planning and Development		23 512	-	-	-	-	-	-	-	23 512	21 489	21 596
Vote 5 - Public Safety		33 222	-	-	-	-	-	80	80	33 302	36 221	37 462
Vote 6 - Health		34 993	-	-	-	-	-	727	727	35 720	37 671	39 299
Vote 7 - Community and Social Services		-	-	-	-	-	-	-	-	-	-	-
Vote 8 - Sport and Recreation		13 494	-	-	-	-	-	-	-	13 494	14 351	14 210
Vote 9 - Waste Management		4 606	-	-	-	-	-	2 500	2 500	7 106	67 273	70 469
Vote 10 - Roads Transport		3 345	-	-	-	-	(1 890)	4 059	2 169	5 514	3 479	3 629
Vote 11 - Waste Water Management		-	-	-	-	-	-	-	-	-	-	-
Vote 12 - Water		-	-	-	-	-	-	-	-	-	-	-
Vote 13 - Environment Protection		3 330	-	-	-	-	-	-	-	3 330	3 546	3 753
Vote 14 - Roads Agency Function		165 473	-	-	-	-	-	-	-	165 473	174 355	179 627
Vote 15 - Electricity		-	-	-	-	-	-	-	-	-	-	-
Total Expenditure by Vote	2	401 232	-	-	-	-	(132)	8 539	8 407	409 639	482 451	501 210
Surplus/ (Deficit) for the year	2	(9 060)	-	-	-	-	-	-	-	(9 060)	(2 240)	(853)

DC4 Garden Route - Table B4 Adjustments Budget Financial Performance (revenue and expenditure) - 25 November 2020

Description	Ref	Budget Year 2020/21									Budget Year +1 2021/22	Budget Year +2 2022/23
		Original Budget	Prior Adjusted	Accum. Funds	Multi-year capital	Unfore. Unavoid.	Nat. or Prov. Govt	Other Adjusts.	Total Adjusts.	Adjusted Budget	Adjusted Budget	Adjusted Budget
R thousands	1	A	A1	B	C	D	E	F	G	H		
Revenue By Source												
Property rates	2	-	-	-	-	-	-	-	-	-	-	-
Service charges - electricity revenue	2	-	-	-	-	-	-	-	-	-	-	-
Service charges - water revenue	2	-	-	-	-	-	-	-	-	-	-	-
Service charges - sanitation revenue	2	-	-	-	-	-	-	-	-	-	-	-
Service charges - refuse revenue	2	-	-	-	-	-	-	-	-	-	-	-
Rental of facilities and equipment		1 614							-	1 614	1 711	2 314
Interest earned - external investments		14 091							-	14 091	15 937	18 833
Interest earned - outstanding debtors		3 710							-	3 710	3 933	4 969
Dividends received									-	-		
Fines, penalties and forfeits									-	-		
Licences and permits		111							-	111	118	125
Agency services		184 673							-	184 673	194 899	201 609
Transfers and subsidies		174 269					(132)	(140 250)	(140 382)	33 887	178 902	182 687
Other revenue	2	13 704	-	-	-	-	-	148 789	148 789	162 493	84 711	89 821
Gains									-	-		
Total Revenue (excluding capital transfers and contributions)		392 172	-	-	-	-	(132)	8 539	8 407	400 579	480 211	500 357
Expenditure By Type												
Employee related costs		239 508	-	-	-	-	-	1 507	1 507	241 015	253 657	268 985
Remuneration of councillors		13 360							-	13 360	13 894	14 449
Debt impairment		1 841							-	1 841	1 970	2 108
Depreciation & asset impairment		3 930	-	-	-	-	-	-	-	3 930	4 205	4 206
Finance charges									-	-		
Bulk purchases		-	-	-	-	-	-	-	-	-	-	-
Other materials		51 197							-	51 197	51 421	52 167
Contracted services		32 272	-	-	-	-	(132)	5 982	5 850	38 122	94 882	96 225
Transfers and subsidies		1 230							-	1 230	1 085	926
Other expenditure		57 894	-	-	-	-	-	1 050	1 050	58 944	61 337	62 144
Losses									-	-		
Total Expenditure		401 233	-	-	-	-	(132)	8 539	8 407	409 639	482 451	501 211
Surplus/(Deficit)		(9 060)	-	-	-	-	-	-	-	(9 060)	(2 240)	(853)
Transfers and subsidies - capital (monetary allocations) (National / Provincial and District)									-	-		
Transfers and subsidies - capital (provincial allocations) (National / Provincial Departmental Agencies, Households, Non-profit Institutions, Private Enterprises, Public Corporations, Higher									-	-		
Transfers and subsidies - capital (in-kind - all)									-	-		
Surplus/(Deficit) before taxation		(9 060)	-	-	-	-	-	-	-	(9 060)	(2 240)	(853)
Taxation									-	-		
Surplus/(Deficit) after taxation		(9 060)	-	-	-	-	-	-	-	(9 060)	(2 240)	(853)
Attributable to minorities									-	-		
Surplus/(Deficit) attributable to municipality		(9 060)	-	-	-	-	-	-	-	(9 060)	(2 240)	(853)
Share of surplus/ (deficit) of associate									-	-		
Surplus/ (Deficit) for the year		(9 060)	-	-	-	-	-	-	-	(9 060)	(2 240)	(853)

DC4 Garden Route - Table B5 Adjustments Capital Expenditure Budget by vote and funding - 25 November 2020

Description	Ref	Budget Year 2020/21									Budget Year +1 2021/22	Budget Year +2 2022/23
		Original Budget	Prior Adjusted 5 A1	Accum. Funds 6 B	Multi-year capital 7 C	Unfore. Unavoid. 8 D	Nat. or Prov. Govt 9 E	Other Adjusts. 10 F	Total Adjusts. 11 G	Adjusted Budget 12 H	Adjusted Budget	Adjusted Budget
R thousands		A		B	C	D	E	F	G	H		
Capital expenditure - Vote												
Multi-year expenditure to be adjusted	2											
Vote 1 - Executive and Council		5 000	-	-	-	-	-	-	-	5 000	-	-
Vote 2 - Budget and Treasury Office		-	-	-	-	-	-	-	-	-	-	-
Vote 3 - Corporate Services		-	-	-	-	-	-	-	-	-	-	-
Vote 4 - Planning and Development		-	-	-	-	-	-	-	-	-	-	-
Vote 5 - Public Safety		-	-	-	-	-	-	-	-	-	-	-
Vote 6 - Health		-	-	-	-	-	-	-	-	-	-	-
Vote 7 - Community and Social Services		-	-	-	-	-	-	-	-	-	-	-
Vote 8 - Sport and Recreation		1 500	-	-	-	-	-	-	-	1 500	-	-
Vote 9 - Waste Management		-	-	-	-	-	-	-	-	-	-	-
Vote 10 - Roads Transport		-	-	-	-	-	-	-	-	-	-	-
Vote 11 - Waste Water Management		-	-	-	-	-	-	-	-	-	-	-
Vote 12 - Water		-	-	-	-	-	-	-	-	-	-	-
Vote 13 - Environment Protection		-	-	-	-	-	-	-	-	-	-	-
Vote 14 - Roads Agency Function		-	-	-	-	-	-	-	-	-	-	-
Vote 15 - Electricity		-	-	-	-	-	-	-	-	-	-	-
Capital multi-year expenditure sub-total	3	6 500	-	-	-	-	-	-	-	6 500	-	-
Single-year expenditure to be adjusted	2											
Vote 1 - Executive and Council		30	-	-	-	-	-	-	-	30	90	90
Vote 2 - Budget and Treasury Office		-	-	-	-	-	-	-	-	-	30	30
Vote 3 - Corporate Services		1 575	-	-	-	-	-	-	-	1 575	310	310
Vote 4 - Planning and Development		30	-	-	-	-	-	-	-	30	-	-
Vote 5 - Public Safety		-	-	-	-	-	-	-	-	-	-	-
Vote 6 - Health		-	-	-	-	-	-	-	-	-	-	-
Vote 7 - Community and Social Services		-	-	-	-	-	-	-	-	-	-	-
Vote 8 - Sport and Recreation		-	-	-	-	-	-	-	-	-	-	-
Vote 9 - Waste Management		-	-	-	-	-	-	-	-	-	-	-
Vote 10 - Roads Transport		-	-	-	-	-	-	-	-	-	-	-
Vote 11 - Waste Water Management		-	-	-	-	-	-	-	-	-	-	-
Vote 12 - Water		-	-	-	-	-	-	-	-	-	-	-
Vote 13 - Environment Protection		-	-	-	-	-	-	-	-	-	-	-
Vote 14 - Roads Agency Function		-	-	-	-	-	-	-	-	-	-	-
Vote 15 - Electricity		-	-	-	-	-	-	-	-	-	-	-
Capital single-year expenditure sub-total		1 635	-	-	-	-	-	-	-	1 635	430	430
Total Capital Expenditure - Vote		8 135	-	-	-	-	-	-	-	8 135	430	430
Capital Expenditure - Functional												
Governance and administration		6 605	-	-	-	-	-	-	-	6 605	430	430
Executive and council		5 030	-	-	-	-	-	-	-	5 030	60	60
Finance and administration		1 575	-	-	-	-	-	-	-	1 575	370	370
Internal audit		-	-	-	-	-	-	-	-	-	-	-
Community and public safety		1 500	-	-	-	-	-	-	-	1 500	-	-
Community and social services		-	-	-	-	-	-	-	-	-	-	-
Sport and recreation		1 500	-	-	-	-	-	-	-	1 500	-	-
Public safety		-	-	-	-	-	-	-	-	-	-	-
Housing		-	-	-	-	-	-	-	-	-	-	-
Health		-	-	-	-	-	-	-	-	-	-	-
Economic and environmental services		30	-	-	-	-	-	-	-	30	-	-
Planning and development		30	-	-	-	-	-	-	-	30	-	-
Road transport		-	-	-	-	-	-	-	-	-	-	-
Environmental protection		-	-	-	-	-	-	-	-	-	-	-
Trading services		-	-	-	-	-	-	-	-	-	-	-
Energy sources		-	-	-	-	-	-	-	-	-	-	-
Water management		-	-	-	-	-	-	-	-	-	-	-
Waste water management		-	-	-	-	-	-	-	-	-	-	-
Waste management		-	-	-	-	-	-	-	-	-	-	-
Other		-	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditure - Functional	3	8 135	-	-	-	-	-	-	-	8 135	430	430
Funded by:												
National Government		-	-	-	-	-	-	-	-	-	-	-
Provincial Government		-	-	-	-	-	-	-	-	-	-	-
District Municipality		-	-	-	-	-	-	-	-	-	-	-
Transfers and subsidies - capital (monetary allocations) (National / Provincial Departmental Agencies, Households, Non-profit Institutions, Private)		-	-	-	-	-	-	-	-	-	-	-
Transfers recognised - capital	4	-	-	-	-	-	-	-	-	-	-	-
Borrowing		-	-	-	-	-	-	-	-	-	-	-
Internally generated funds		8 135	-	-	-	-	-	-	-	8 135	430	430
Total Capital Funding		8 135	-	-	-	-	-	-	-	8 135	430	430

DC4 Garden Route - Table B6 Adjustments Budget Financial Position - 25 November 2020

Description	Ref	Budget Year 2020/21									Budget Year +1 2021/22	Budget Year +2 2022/23
		Original Budget	Prior Adjusted	Accum. Funds	Multi-year capital	Unfore. Unavoid.	Nat. or Prov. Govt	Other Adjusts.	Total Adjusts.	Adjusted Budget	Adjusted Budget	Adjusted Budget
		A	3 A1	4 B	5 C	6 D	7 E	8 F	9 G	10 H		
R thousands												
ASSETS												
Current assets												
Cash		143 131					-		-	143 131	146 637	151 668
Call investment deposits	1	-	-	-	-	-	-	-	-	-	-	-
Consumer debtors	1	-	-	-	-	-	-	-	-	-	-	-
Other debtors		23 956							-	23 956	22 758	21 620
Current portion of long-term receivables		3 867							-	3 867	4 099	4 345
Inventory		2 731							-	2 731	2 859	2 993
Total current assets		173 685	-	-	-	-	-	-	-	173 685	176 353	180 626
Non current assets												
Long-term receivables		59 705							-	59 705	63 288	67 085
Investments		27							-	27	27	27
Investment property		86 108							-	86 108	86 969	87 839
Investment in Associate									-	-	-	-
Property, plant and equipment	1	166 336	-	-	-	-	-	-	-	166 336	164 969	163 588
Biological									-	-	-	-
Intangible		2 139							-	2 139	2 239	2 345
Other non-current assets									-	-	-	-
Total non current assets		314 316	-	-	-	-	-	-	-	314 316	317 493	320 884
TOTAL ASSETS		488 001	-	-	-	-	-	-	-	488 001	493 846	501 510
LIABILITIES												
Current liabilities												
Bank overdraft									-	-	-	-
Borrowing		-	-	-	-	-	-	-	-	-	-	-
Consumer deposits									-	-	-	-
Trade and other payables		37 449	-	-	-	-	-	-	-	37 449	31 991	33 495
Provisions		37 155							-	37 155	39 385	41 748
Total current liabilities		74 604	-	-	-	-	-	-	-	74 604	71 376	75 243
Non current liabilities												
Borrowing	1	28	-	-	-	-	-	-	-	28	28	28
Provisions	1	144 823	-	-	-	-	-	-	-	144 823	153 513	162 724
Total non current liabilities		144 852	-	-	-	-	-	-	-	144 852	153 541	162 752
TOTAL LIABILITIES		219 456	-	-	-	-	-	-	-	219 456	224 917	237 995
NET ASSETS	2	268 545	-	-	-	-	-	-	-	268 545	268 929	263 515
COMMUNITY WEALTH/EQUITY												
Accumulated Surplus/(Deficit)		249 572	-	-	-	-	-	0	0	249 572	246 180	236 990
Reserves		18 973	-	-	-	-	-	-	-	18 973	22 749	26 524
TOTAL COMMUNITY WEALTH/EQUITY		268 545	-	-	-	-	-	0	0	268 545	268 928	263 515

DC4 Garden Route - Table B7 Adjustments Budget Cash Flows - 25 November 2020

Description	Ref	Budget Year 2020/21									Budget Year +1 2021/22	Budget Year +2 2022/23
		Original Budget	Prior Adjusted 3 A1	Accum. Funds 4 B	Multi-year capital 5 C	Unfore. Unavoid. 6 D	Nat. or Prov. Govt 7 E	Other Adjusts. 8 F	Total Adjusts. 9 G	Adjusted Budget 10 H	Adjusted Budget	Adjusted Budget
		A										
R thousands												
CASH FLOW FROM OPERATING ACTIVITIES												
Receipts												
Property rates									-	-		
Service charges									-	-		
Other revenue		200 102						3 227	3 227	203 329	281 440	293 869
Transfers and Subsidies - Operational	1	174 269					(132)	5 312	5 180	179 449	178 902	182 687
Transfers and Subsidies - Capital	1	-							-	-	-	-
Interest		17 801							-	17 801	19 869	23 801
Dividends									-	-		
Payments												
Suppliers and employees		(394 231)					132	(8 539)	(8 407)	(402 637)	(475 190)	(493 970)
Finance charges		-							-	-	-	-
Transfers and Grants	1	(1 230)							-	(1 230)	(1 085)	(926)
NET CASH FROM/(USED) OPERATING ACTIVITIES		(3 288)	-	-	-	-	-	0	0	(3 288)	3 936	5 461
CASH FLOWS FROM INVESTING ACTIVITIES												
Receipts												
Proceeds on disposal of PPE									-	-		
Decrease (increase) in non-current receivables									-	-		
Decrease (increase) in non-current investments									-	-		
Payments												
Capital assets		(8 135)							-	(8 135)	(430)	(430)
NET CASH FROM/(USED) INVESTING ACTIVITIES		(8 135)	-	-	-	-	-	-	-	(8 135)	(430)	(430)
CASH FLOWS FROM FINANCING ACTIVITIES												
Receipts												
Short term loans									-	-		
Borrowing long term/refinancing									-	-		
Increase (decrease) in consumer deposits									-	-		
Payments												
Repayment of borrowing									-	-		
NET CASH FROM/(USED) FINANCING ACTIVITIES		-	-	-	-	-	-	-	-	-	-	-
NET INCREASE/ (DECREASE) IN CASH HELD		(11 423)	-	-	-	-	-	0	0	(11 423)	3 506	5 031
Cash/cash equivalents at the year begin:	2	154 555							-	154 555	143 131	146 637
Cash/cash equivalents at the year end:	2	143 131						0	0	143 131	146 637	151 668

DC4 Garden Route - Table B8 Cash backed reserves/accumulated surplus reconciliation - 25 November 2020

Description	Ref	Budget Year 2020/21									Budget Year +1 2021/22	Budget Year +2 2022/23
		Original Budget	Prior Adjusted 3	Accum. Funds 4	Multi-year capital 5	Unfore. Unavoid. 6	Nat. or Prov. Govt 7	Other Adjusts. 8	Total Adjusts. 9	Adjusted Budget 10	Adjusted Budget	Adjusted Budget
		A	A1	B	C	D	E	F	G	H		
R thousands												
Cash and investments available												
Cash/cash equivalents at the year end	1	143 131	-	-	-	-	-	0	0	143 131	146 637	151 668
Other current investments > 90 days		-	-	-	-	-	-	(0)	(0)	(0)	(0)	(0)
Non current assets - Investments	1	27	-	-	-	-	-	-	-	27	27	27
Cash and investments available:		143 159	-	-	-	-	-	-	-	143 159	146 664	151 695
Applications of cash and investments												
Unspent conditional transfers		6 894	-	-	-	-	-	-	-	6 894	-	-
Unspent borrowing									-	-		
Statutory requirements									-	-		
Other working capital requirements	2	(51 583)	-					33 895	33 895	(17 688)	(52 869)	(53 735)
Other provisions		37 155	-						-	37 155	39 385	41 748
Long term investments committed		27	-					(0)	(0)	27	27	27
Reserves to be backed by cash/investments		18 973	-					-	-	18 973	22 749	26 524
Total Application of cash and investments:		11 466	-	-	-	-	-	33 894	33 894	45 361	9 292	14 564
Surplus(shortfall)		131 692	-	-	-	-	-	(33 894)	(33 894)	97 798	137 372	137 131

Description	Ref	Budget Year 2020/21									Budget Year	Budget Year
		Original	Prior	Accum.	Multi-year	Unfore.	Nat. or	Other	Total	Adjusted	Adjusted	Adjusted
		Budget	Adjusted	Funds	capital	Unavoid.	Prov. Govt	Adjusts.	Adjusts.	Budget	Budget	Budget
R thousands		A	7	8	9	10	11	12	13	14		
		A	A1	B	C	D	E	F	G	H		
CAPITAL EXPENDITURE												
<u>Total New Assets to be adjusted</u>	1	6 635	-	-	-	-	-	-	-	6 635	90	90
Roads Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Storm water Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Electrical Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Water Supply Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Sanitation Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Solid Waste Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Rail Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Coastal Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Information and Communication Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Community Facilities		-	-	-	-	-	-	-	-	-	-	-
Sport and Recreation Facilities		-	-	-	-	-	-	-	-	-	-	-
Community Assets		-	-	-	-	-	-	-	-	-	-	-
Heritage Assets		-	-	-	-	-	-	-	-	-	-	-
Revenue Generating		-	-	-	-	-	-	-	-	-	-	-
Non-revenue Generating		-	-	-	-	-	-	-	-	-	-	-
Investment properties		-	-	-	-	-	-	-	-	-	-	-
Operational Buildings		250	-	-	-	-	-	-	-	250	-	-
Housing		-	-	-	-	-	-	-	-	-	-	-
Other Assets	6	250	-	-	-	-	-	-	-	250	-	-
Biological or Cultivated Assets		-	-	-	-	-	-	-	-	-	-	-
Servitudes		-	-	-	-	-	-	-	-	-	-	-
Licences and Rights		-	-	-	-	-	-	-	-	-	-	-
Intangible Assets		-	-	-	-	-	-	-	-	-	-	-
Computer Equipment		955	-	-	-	-	-	-	-	955	30	30
Furniture and Office Equipment		130	-	-	-	-	-	-	-	130	60	60
Machinery and Equipment		-	-	-	-	-	-	-	-	-	-	-
Transport Assets		300	-	-	-	-	-	-	-	300	-	-
Land		5 000	-	-	-	-	-	-	-	5 000	-	-
Zoo's, Marine and Non-biological Animals		-	-	-	-	-	-	-	-	-	-	-
<u>Total Renewal of Existing Assets to be adjusted</u>	2	1 500	-	-	-	-	-	-	-	1 500	-	-
Roads Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Storm water Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Electrical Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Water Supply Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Sanitation Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Solid Waste Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Rail Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Coastal Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Information and Communication Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Infrastructure		-	-	-	-	-	-	-	-	-	-	-
Community Facilities		-	-	-	-	-	-	-	-	-	-	-
Sport and Recreation Facilities		1 500	-	-	-	-	-	-	-	1 500	-	-
Community Assets		1 500	-	-	-	-	-	-	-	1 500	-	-
Heritage Assets		-	-	-	-	-	-	-	-	-	-	-
Revenue Generating		-	-	-	-	-	-	-	-	-	-	-
Non-revenue Generating		-	-	-	-	-	-	-	-	-	-	-
Investment properties		-	-	-	-	-	-	-	-	-	-	-
Operational Buildings		-	-	-	-	-	-	-	-	-	-	-
Housing		-	-	-	-	-	-	-	-	-	-	-
Other Assets	6	-	-	-	-	-	-	-	-	-	-	-
Biological or Cultivated Assets		-	-	-	-	-	-	-	-	-	-	-
Servitudes		-	-	-	-	-	-	-	-	-	-	-
Licences and Rights		-	-	-	-	-	-	-	-	-	-	-
Intangible Assets		-	-	-	-	-	-	-	-	-	-	-
Computer Equipment		-	-	-	-	-	-	-	-	-	-	-
Furniture and Office Equipment		-	-	-	-	-	-	-	-	-	-	-
Machinery and Equipment		-	-	-	-	-	-	-	-	-	-	-
Transport Assets		-	-	-	-	-	-	-	-	-	-	-
Land		-	-	-	-	-	-	-	-	-	-	-
Zoo's, Marine and Non-biological Animals		-	-	-	-	-	-	-	-	-	-	-

Total Upgrading of Existing Assets to be adjusted	2a	-	-	-	-	-	-	-	-	-	-	-	-
Roads Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Storm water Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Electrical Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Water Supply Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Sanitation Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Solid Waste Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Rail Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Coastal Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Information and Communication Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Community Facilities		-	-	-	-	-	-	-	-	-	-	-	-
Sport and Recreation Facilities		-	-	-	-	-	-	-	-	-	-	-	-
Community Assets		-	-	-	-	-	-	-	-	-	-	-	-
Heritage Assets		-	-	-	-	-	-	-	-	-	-	-	-
Revenue Generating		-	-	-	-	-	-	-	-	-	-	-	-
Non-revenue Generating		-	-	-	-	-	-	-	-	-	-	-	-
Investment properties		-	-	-	-	-	-	-	-	-	-	-	-
Operational Buildings		-	-	-	-	-	-	-	-	-	-	-	-
Housing		-	-	-	-	-	-	-	-	-	-	-	-
Other Assets	6	-	-	-	-	-	-	-	-	-	-	-	-
Biological or Cultivated Assets		-	-	-	-	-	-	-	-	-	-	-	-
Servitudes		-	-	-	-	-	-	-	-	-	-	-	-
Licences and Rights		-	-	-	-	-	-	-	-	-	-	-	-
Intangible Assets		-	-	-	-	-	-	-	-	-	-	-	-
Computer Equipment		-	-	-	-	-	-	-	-	-	-	-	-
Furniture and Office Equipment		-	-	-	-	-	-	-	-	-	-	-	-
Machinery and Equipment		-	-	-	-	-	-	-	-	-	-	-	-
Transport Assets		-	-	-	-	-	-	-	-	-	-	-	-
Land		-	-	-	-	-	-	-	-	-	-	-	-
Zoo's, Marine and Non-biological Animals		-	-	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditure to be adjusted	4	8 135	-	-	-	-	-	-	-	8 135	90	90	
Roads Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Storm water Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Electrical Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Water Supply Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Sanitation Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Solid Waste Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Rail Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Coastal Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Information and Communication Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Infrastructure		-	-	-	-	-	-	-	-	-	-	-	-
Community Facilities		-	-	-	-	-	-	-	-	-	-	-	-
Sport and Recreation Facilities		1 500	-	-	-	-	-	-	-	1 500	-	-	-
Community Assets		1 500	-	-	-	-	-	-	-	1 500	-	-	-
Heritage Assets		-	-	-	-	-	-	-	-	-	-	-	-
Revenue Generating		-	-	-	-	-	-	-	-	-	-	-	-
Non-revenue Generating		-	-	-	-	-	-	-	-	-	-	-	-
Investment properties		-	-	-	-	-	-	-	-	-	-	-	-
Operational Buildings		250	-	-	-	-	-	-	-	250	-	-	-
Housing		-	-	-	-	-	-	-	-	-	-	-	-
Other Assets		250	-	-	-	-	-	-	-	250	-	-	-
Biological or Cultivated Assets		-	-	-	-	-	-	-	-	-	-	-	-
Servitudes		-	-	-	-	-	-	-	-	-	-	-	-
Licences and Rights		-	-	-	-	-	-	-	-	-	-	-	-
Intangible Assets		-	-	-	-	-	-	-	-	-	-	-	-
Computer Equipment		955	-	-	-	-	-	-	-	955	30	30	
Furniture and Office Equipment		130	-	-	-	-	-	-	-	130	60	60	
Machinery and Equipment		-	-	-	-	-	-	-	-	-	-	-	-
Transport Assets		300	-	-	-	-	-	-	-	300	-	-	-
Land		5 000	-	-	-	-	-	-	-	5 000	-	-	-
Zoo's, Marine and Non-biological Animals		-	-	-	-	-	-	-	-	-	-	-	-
TOTAL CAPITAL EXPENDITURE to be adjusted	4	8 135	-	-	-	-	-	-	-	8 135	90	90	

Description	Ref	Budget Year 2020/21									Budget Year	Budget Year
											+1 2021/22	+2 2022/23
		Original Budget	Prior Adjusted	Accum. Funds	Multi-year capital	Unfore. Unavoid.	Nat. or Prov. Govt	Other Adjusts.	Total Adjusts.	Adjusted Budget	Adjusted Budget	Adjusted Budget
		A	7	8	9	10	11	12	13	14		
		A	A1	B	C	D	E	F	G	H		
Household service targets	1											
Water:												
Piped water inside dwelling									-	-		
Piped water inside yard (but not in dwelling)									-	-		
Using public tap (at least min.service level)	2								-	-		
Other water supply (at least min.service level)									-	-		
Minimum Service Level and Above sub-total		-	-		-		-	-			-	
Using public tap (< min.service level)	3								-	-		
Other water supply (< min.service level)	3,4								-	-		
No water supply									-	-		
Below Minimum Service Level sub-total		-	-	-	-	-	-	-			-	-
Total number of households	5	-	-	-	-	-		-	-	-	-	-
Sanitation/sewerage:												
Flush toilet (connected to sewerage)									-	-		
Flush toilet (with septic tank)									-	-		
Chemical toilet									-	-		
Pit toilet (ventilated)									-	-		
Other toilet provisions (> min.service level)									-	-		
Minimum Service Level and Above sub-total		-	-	-	-	-	-	-			-	-
Bucket toilet									-	-		
Other toilet provisions (< min.service level)									-	-		
No toilet provisions									-	-		
Below Minimum Service Level sub-total		-	-	-	-	-	-	-			-	-
Total number of households	5	-	-	-	-	-		-	-	-	-	-
Energy:												
Electricity (at least min. service level)									-	-		
Electricity - prepaid (> min.service level)									-	-		
Minimum Service Level and Above sub-total		-	-	-	-	-	-	-			-	-
Electricity (< min.service level)									-	-		
Electricity - prepaid (< min. service level)									-	-		
Other energy sources									-	-		
Below Minimum Service Level sub-total		-	-	-	-	-	-	-			-	-
Total number of households	5	-	-	-	-	-		-	-	-	-	-
Refuse:												
Removed at least once a week (min.service)									-	-		
Minimum Service Level and Above sub-total		-	-	-	-	-	-	-			-	-
Removed less frequently than once a week									-	-		
Using communal refuse dump									-	-		
Using own refuse dump									-	-		
Other rubbish disposal									-	-		
No rubbish disposal									-	-		
Below Minimum Service Level sub-total		-	-	-	-	-	-	-			-	-
Total number of households	5	-	-	-	-	-		-	-	-	-	-
Households receiving Free Basic Service	15											
Water (6 kilolitres per household per month)		-	-	-	-		-	-	-	-	-	-
Sanitation (free minimum level service)		-	-	-	-		-	-	-	-	-	-
Electricity/other energy (50kwh per household per month)		-	-	-	-		-	-	-	-	-	-
Refuse (removed at least once a week)		-	-	-	-		-	-	-	-	-	-
Cost of Free Basic Services provided (R'000)	16											
Water (6 kilolitres per indigent household per month)		-	-	-	-		-	-	-	-	-	-
Sanitation (free sanitation service to indigent households)		-	-	-	-		-	-	-	-	-	-
Electricity/other energy (50kwh per indigent household)		-	-	-	-		-	-	-	-	-	-
Refuse (removed once a week for indigent households)		-	-	-	-		-	-	-	-	-	-
Cost of Free Basic Services provided - Informal Settlements (R'000)												
Formal Settlements (R'000)		-	-	-	-	-	-	-	-	-	-	-
Total cost of FBS provided		-	-	-	-	-	-	-	-	-	-	-
Highest level of free service provided												
Property rates (R'000 value threshold)									-	-		
Water (kilolitres per household per month)									-	-		
Sanitation (kilolitres per household per month)									-	-		
Sanitation (Rand per household per month)									-	-		
Electricity (kw per household per month)									-	-		
Refuse (average litres per week)									-	-		
Revenue cost of free services provided (R'000)	17											
Property rates (tariff adjustment) (impermissible values per section 17 of MPRA)									-	-		
Property rates exemptions, reductions and rebates and impermissible values in excess of section 17 of MPRA		-	-	-	-	-	-	-	-	-	-	-
Water (in excess of 6 kilolitres per indigent household per month)		-	-	-	-	-	-	-	-	-	-	-
Sanitation (in excess of free sanitation service to indigent households)		-	-	-	-	-	-	-	-	-	-	-
Electricity/other energy (in excess of 50 kwh per indigent household per month)		-	-	-	-	-	-	-	-	-	-	-
households)		-	-	-	-	-	-	-	-	-	-	-
Municipal Housing - rental rebates									-	-		
Housing - top structure subsidies									-	-		
Other									-	-		
Total revenue cost of subsidised services provided		-	-	-	-	-	-	-	-	-	-	-

PART 2 SUPPORTING DOCUMENTATION

Section 5 - Adjustments to budget assumptions

The budget assumption as tabled with the Original budget and First Adjustment Budget 2020/2021 is still applicable.

Section 6 – Adjustments to budget funding

The adjustment to budget funding will be on the expenditure side where additional budgeting will be added to the existing budget to ensure the implementation of projects funded by the gazetted conditional grants.

The balance in the municipal bank account at 30 June 2020 is the following:

- Current account R186,348,886
- **Total balance R186,348,886**

Section 7 – Adjustments to expenditure on allocations and grant programmes

Adjustments to the grants for the different proposed roll-over grant funded projects are as follows:

Additional Provincial Government Allocation:

Provincial Government Additional Adjustment Funds		
Section	Project Description	Additional Funds
Exec & Council	Western Cape Financial Management Support Grant:	2 108 000,00
	Breakdown is as follows:	
Finance	Revenue enhancement (Identifying of Alternative Revenue Sources)	200 000,00
IT Section	Data cleansing	200 000,00
Finance	Upskilling of Finance Staff and Financial Reforms	200 000,00
Risk Management	Risk Management and Internal Audit system	1 508 000,00

National grant roll-over allocations not approved:

National Government Roll - Overs Not Approved		
Section	Project Description	Roll - Over Amount
Roads	Rural Roads Asset Management Systems	1 300 000,00
		1 300 000,00

Provincial Grant roll-over allocations not approved:

Provincial Government Roll - Overs Not Approved		
Section	Project Description	Roll - Over Amount
Roads	Integrated Transport Planning	590 488,00
Corporate	WC Finance Management Internship Program - HR	350 000,00
		940 488,00

Total adjustments:

Operating Revenue - R 132 488

Operating Expenditure - R 132 488

Net effect: R 0

Section 8 – Adjustments to Grants made by the Municipality

The municipality do not intent making any allocation to external parties from its own revenues resources.

Section 9 – Adjustments to Councillor and Allowances and Employee Benefits

No adjustments to councillor allowance and employee benefits are permissible during this budget process. All adjustments required will be done during the January mid-year budget process.

Section 10 – Adjustments to Service Delivery and Budget Implementation Plan

As part of council's resolution Service Delivery and Budget Implementation Plan will be revised and presented to the Mayor to incorporate these projects.

This will be concluded as per the legislative requirements.

Section 11 – Adjustment to Capital expenditure

No adjustments to the capital budget are proposed during this adjustment budget process.

Section 12 – Municipal Manager’s quality certificate



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OFFICE OF THE MUNICIPAL MANAGER

Enquiries:	L. Hoek
Reference:	6/18/7/2020-2021
Date:	13 November 2020

QUALITY CERTIFICATE

I **Monde Stratu**, municipal manager of **Garden Route District Municipality**, hereby certify that the **2nd Adjustment Budget 2020/2021 MTREF** and supporting documentation have been prepared in accordance with the Municipal Finance Management Act and the regulations made under the Act.

Print Name B. Holtzhausen (Acting)

Accounting Officer of **GARDEN ROUTE DISTRICT MUNICIPALITY (DC4)**.

Signature B. Holtzhausen

Date 16/11/2020

BACK TO AGENDA

1. REVISED PERFORMANCE MANAGEMENT POLICY/FRAMEWORK(ORGANIZATIONAL AND INDIVIDUAL) 2020/2022/HERSIENDE PRESTASIE BESTUUR BELEID/RAAMWERK(ORGANISATORIES AND INDIVIDUEEL) 2020/2022 / UMGAQO WOLAWULO LOMSEBENZI OLUNGELELANISIWEYO/UBUME(ESEQUMRHU KUNYE NESEZIKU) 2020/2022

2 PURPOSE

The purpose of this report is to provide Council with the revised Performance Management Policy/Framework for both the Organizational and individual Performance Management.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The revised Policy/Framework was workshopped and is presented to Council for final approval

5. RECOMMENDATION

5.1. That Council approves the Policy/Framework

AANBEVELING

5.2 *Dat die Raad die Beleid/Raamwerk goekeur*

ISINDULULO

5.3 Sesokuba iBhunga liphumeze uMgaqo/Ubume

6. DISCUSSION / CONTENTS

6.1 Background

With Individual Performance development and implementation underway, a few adjustments were made to the current approved policy/framework to accommodate the roll out.

6.2 Discussion

The adjustments within the policy are as follows;

- The date of the policy changed from 2018/2020 to 2020/2022

- Pg. 16 Departmental SDBIP adjustments – Only two adjustments per Department will be allowed for the financial year
- Pg. 22 Further cascading of individual performance implementation levels adjusted to address the actual performance – for the completion of implementation by June 2021

6.3 Financial Implications

There are no financial implications for the Council, seeing that the policy is adjusted and developed internally by the performance unit.

6.4 Legal Implications

None. The policy was developed within the framework of all legislative requirements for performance management.

6.5 Staff Implications

The implementation is for all staff at the Garden Route District Municipality

6.6 Previous / Relevant Council Resolutions:

6.7 Risk Implications

There are no foreseen risks at this stage associated with the proposed adjustments

6.8 Comments from Executive Management:

6.8.1 Executive Manager: Roads and Transport Planning Services

6.8.2 Executive Manager: Planning and Economic Development

6.8.3 Executive Manager: Community Services

6.8.4 Executive Manager: Corporate Services

6.8.5 Executive Manager: Financial Services

6.8.6 Manager: Legal Services



**PERFORMANCE MANAGEMET POLICY/FRAMEWORK
ORGANIZATIONAL AND INDIVIDUAL PERFORMANCE**

2020 - 2022

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1. Introduction

Performance Management is a process which measures the implementation of the organisation's strategy. It is also a management tool to plan, monitor, measure and review performance indicators to ensure efficiency, effectiveness and the impact of service delivery by the Municipality.

Performance Management is the practice of linking the long-term strategic objectives of an organisation to its day-to-day performance by setting measurable key performance indicators (KPI's) and monitoring performance against those indicators. When implemented correctly, it is an essential tool to monitor whether or not a municipality is on track to meet targets or serves as an early warning system to identify areas where improvement is required to enhance service delivery and recognise excellent performance.

The municipality deliver services essential to the well-being and development of the communities they serve. To ensure that service delivery is as efficient and economical as possible, municipalities are required to formulate strategic plans, allocate resources to the implementation of those plans, and monitor and report the results. Performance information is essential to focus the attention of the public and oversight bodies on whether municipalities are delivering value for money, by comparing their performance against their budgets and service delivery plans, and to alert managers to areas where corrective action is required.

The Constitution of South Africa (1996), Section 152, dealing with the objectives of local government paves the way for performance management with the requirements for an "accountable government". The democratic values and principles in terms of Section 195 (1) are also linked with the concept of performance management, with reference to the principles of *inter alia*:

- the promotion of efficient, economic and effective use of resources;
- accountable public administration;
- to be transparent by providing information;
- to be responsive to the needs of the community; and
- to facilitate a culture of public service and accountability amongst staff.

The Municipal Systems Act (MSA), (Act 32 of 2000) requires municipalities to establish a Performance Management System (PMS). Further, the MSA and the Municipal Finance Management Act (MFMA) (Act 56 of 2003) requires the Integrated Development Plan (IDP) to be aligned to the municipal budget and to be monitored

for the performance of the budget against the IDP via the Service Delivery and Budget Implementation Plan (SDBIP).

In addition, Regulation 7(1) of the Local Government: Municipal Planning and Performance Management Regulations, 2001 states that "A municipality's performance management system entails a framework that describes and represents how the municipality's cycle and processes of performance planning, monitoring, measurement, review, reporting and improvement will be conducted, organised and managed, including determining the roles of the different role players."

This policy therefore describes how the municipality's performance process, for the organisation as a whole will be conducted, organised and managed. It also has the following objectives:

- Clarify processes of implementation
- Ensure compliance with legislation
- Demonstrate how the system will be managed
- Define roles and responsibilities
- Promote accountability and transparency
- Reflect the linkage between the IDP, Budget, SDBIP and individual and service provider performance

1.1.1 Objectives of a Performance Management System

The Municipality's PMS is the primary mechanism to monitor, review and improve the implementation of its strategy and to measure the progress made in achieving its objectives as identified in the IDP. The PMS process plan includes the following objectives that the system should in addition fulfil:

a) Facilitate strategy deployment

Facilitates strategy (IDP) deployment throughout the municipality and align the organization in executing its strategic objectives.

b) Facilitate increased accountability

Provide a mechanism for ensuring increased accountability between the local community, the municipal council and the municipal management team.

c) Facilitate learning and improvement

Facilitate learning in order to enable the municipality to improve delivery.

d) Provide early warning signals

Ensure decision-makers are timeously informed of performance related risks, so that they can facilitate intervention, if necessary.

e) Facilitate decision-making

Provide appropriate management information that will allow efficient, effective and informed decision-making, particularly on the allocation of resources.

1.2 Principles Governing Performance Management System

The following principles informs the Municipality's PMS:

f) Simplicity

The system is developed to operate accurately and effectively, but also in a simple and user-friendly manner which will enable the municipality to develop, implement, manage and review the system without placing an unnecessary great burden on the existing capacity of the Municipality.

g) Implementable

Considering the resource framework of the Municipality, the PMS should be implementable with the resources of the Municipality, which will include time, institutional, financial, and technical resources.

h) Transparency and accountability

The development and implementation of a PMS should be inclusive, transparent and open. The general public should, through the system be made aware of how the operations of the Municipality are being administered, how public resources are being spent and who is responsible for what. The implementation framework, captured as part of this policy, will outline the implementation of this principle.

i) Efficient and sustainable

Like other services within the Municipality, be cost effective and should be professionally developed, managed and operated in a sustainable manner.

j) Public participation

The constituency of the Municipality should be granted their legal rights, in terms of the Constitution and the MSA, through encouragement of public participation by the Municipality during the development and implementation of a PMS. The implementation framework indicates the time, kind of involvement and responsibilities in terms of public participation.

k) Integration

Developed and implemented in such a manner that it will be integrated within the integrated development process of the Municipality and its individual performance management.

l) Objectivity

Developed on a sound value system where the management of the system and the information is based upon being objective and credible. The adopted performance assessments ensure objectivity and credibility in the management of performance.

m) Reliability

Provide reliable information on the progress made by the Municipality in achieving the objectives as set out in its IDP. The system provides for the use of source documents to verify the information entered into the system.

1.3 Roles and Responsibilities

The following table sets the roles and responsibilities of stakeholders in performance planning, measurements and analysis and performance reporting and reviews:

ROLE PLAYER	ROLES AND RESPONSIBILITIES
Municipal Council	<p>The municipal council adopts and approves the following:</p> <ul style="list-style-type: none"> • A process to guide the planning, drafting, adoption and review of the IDP; • The IDP including organisational indicators and targets; • Changes to the IDP, organisational indicators and target; • The organisational PMS; • Performance monitoring, review and oversight mechanisms and structures; • Adopts performance management policy and system; and • Approval of performance bonuses of the Section 57 Managers.
Executive Mayor	<p>The functions performed by the Executive Mayor includes and are not limited to the following:</p> <ul style="list-style-type: none"> • Identifies, reviews and evaluates the Municipality's needs in order of priority;

ROLE PLAYER	ROLES AND RESPONSIBILITIES
	<ul style="list-style-type: none"> • Recommend strategies, projects and services to the Council in order to address priorities; • Responsible for the management of the PMS and submits to Council for adoption; • Draft performance agreement, including measurable key performance indicators (KPI's) and targets for the Municipal Manager; • Bi-annual formal performance evaluation of the Municipal Manager; • Ensures the performance agreements of Section 57 employees are made public; • Approves the organisational SDBIP and municipal projects as per the IDP; and • Presents the mid-year and annual report to Council.
Mayoral Committee	Provide strategic awareness and manage the development of the IDP and PMS. Monitor progress via portfolio Committee Meetings and advise the Mayor accordingly.
Portfolio Committee	<ul style="list-style-type: none"> • Manage the implementation of the strategy; and • Review and monitor the implementation of the IDP and the PMS.
Municipal Manager (MM)	<ul style="list-style-type: none"> • The functions performed by the Municipal Manager includes and are however not limited to the following: • Provide strategic direction and develop strategies and policies for the organisation; • Manage the development and implementation of the IDP; • Development of the PMS; • Identify indicators and set targets; • Submission of the draft SDBIP to the Executive Mayor; • Manage the implementation of the IDP and PMS; • Draft and approve performance agreements, including measurable KPI's and targets for Section 57 employees and performance development plans for lower level staff;

ROLE PLAYER	ROLES AND RESPONSIBILITIES
	<ul style="list-style-type: none"> • Monitor the implementation of the IDP and the PMS, identifying risks early; • Formal bi-annual performance evaluation of the Section 57 Managers (Executive managers) • Ensure that regular monitoring, measurement and analysis of performance information takes place and ensure performance reporting is done in terms of legislation; • Propose response strategies to the Mayor and/or Council; and • Co-ordinate the compilation of the Annual Report.
Section 56 Managers / Executive managers	<ul style="list-style-type: none"> • Assist in providing strategic direction and developing strategies and policies for the organisation; • Assist the Municipal Manager with the development and implementation of the IDP; • Ensure that performance agreements are inclusive and that mandatory KPI's are included as per legislative requirements; • Ensure that performance information complies with the SMART principles and audit standards of the Auditor-General (AG); • Ensure that accurate, reliable and evidenced performance results are provided for performance measures on a quarterly basis; • Ensure that evidence to support the performance achievements is collected, stored and submitted for internal and external audit purposes. • Draft performance agreements, including measurable key performance indicators and targets for immediate subordinates (Department Heads / Managers) and performance development plans for lower level staff where applicable; and • Formal bi-annual performance evaluation of immediate subordinates (Department Heads / Managers) lower level

ROLE PLAYER	ROLES AND RESPONSIBILITIES
	staff where applicable.
Department Heads / Managers / Sub Directorate Heads	<ul style="list-style-type: none"> • Ensure that performance agreements are inclusive and that mandatory KPI's are included as per legislative requirements; • Ensure that performance information complies with the SMART principles and audit standards of the AG; • Ensure that accurate, reliable and evidence-based performance results are provided to the relevant director for performance measurement on a quarterly basis; • Ensures that evidence to support the performance achievements is collected, stored and submitted for internal and external audit purposes; • Draft performance agreements, including measurable KPI's and targets for immediate subordinates and performance development plans for lower level staff where applicable; and • Formal bi-annual performance evaluation of all employees within the department.
Performance Management Unit / Performance Management Office	<ul style="list-style-type: none"> • The delegated PMS Officer/Manager are required to co-ordinate and ensure good quality of performance reporting and reviews on an ongoing basis; • It is this Manager/Officer's role to ensure conformity to reporting formats and verify the reliability of reported information, where possible (pre-audit of performance information); • The Municipal Manager must review overall performance quarterly while the PMS Manager/Officer should support him/her in verifying the performance data and prepare the quarterly organisational performance reports for submission to the Performance Audit Committee; • Render municipal wide support with updating and correcting of performance information on the web-based PMS; and

ROLE PLAYER	ROLES AND RESPONSIBILITIES
	<ul style="list-style-type: none"> • Render municipal wide support and assistance with the drafting of individual performance agreements and performance development plans including the development of measurable individual KPI's and targets.
Internal audit	<ul style="list-style-type: none"> • Must on a quarterly basis audit the performance measurement of the Municipality; and • Must submit quarterly reports on their audits to the Municipal Manager and the Audit Committee; and • Provide input to management in terms of the quality of the performance indicators.
Performance Audit Committee	<p>The MSA (Sections 45 & 46) and the Municipal Planning and Performance Management Regulations (No. R 796 of 2001, Section 14) provide clear guidelines on the formal monitoring, audit and reporting of performance of the Municipality. In terms of Regulation 14 (4) (a) the Performance Audit Committee must:</p> <ul style="list-style-type: none"> • Verify the relevance of the PMS and the performance information; • Review the quarterly reports compiled by the internal auditor; • Review the PMS of the Municipality and report to the Council in this regard; and • Submit an audit report to Council at least twice a year.

2. Legislative Overview

This Performance Management Policy has been developed in accordance with promulgated local government legislation, regulations and other guidelines.

Below is a summary of the legislation which informs PMS of the Municipality. To view the promulgated local government legislation, regulations and other guidelines in more detail refer to the manual on performance management.

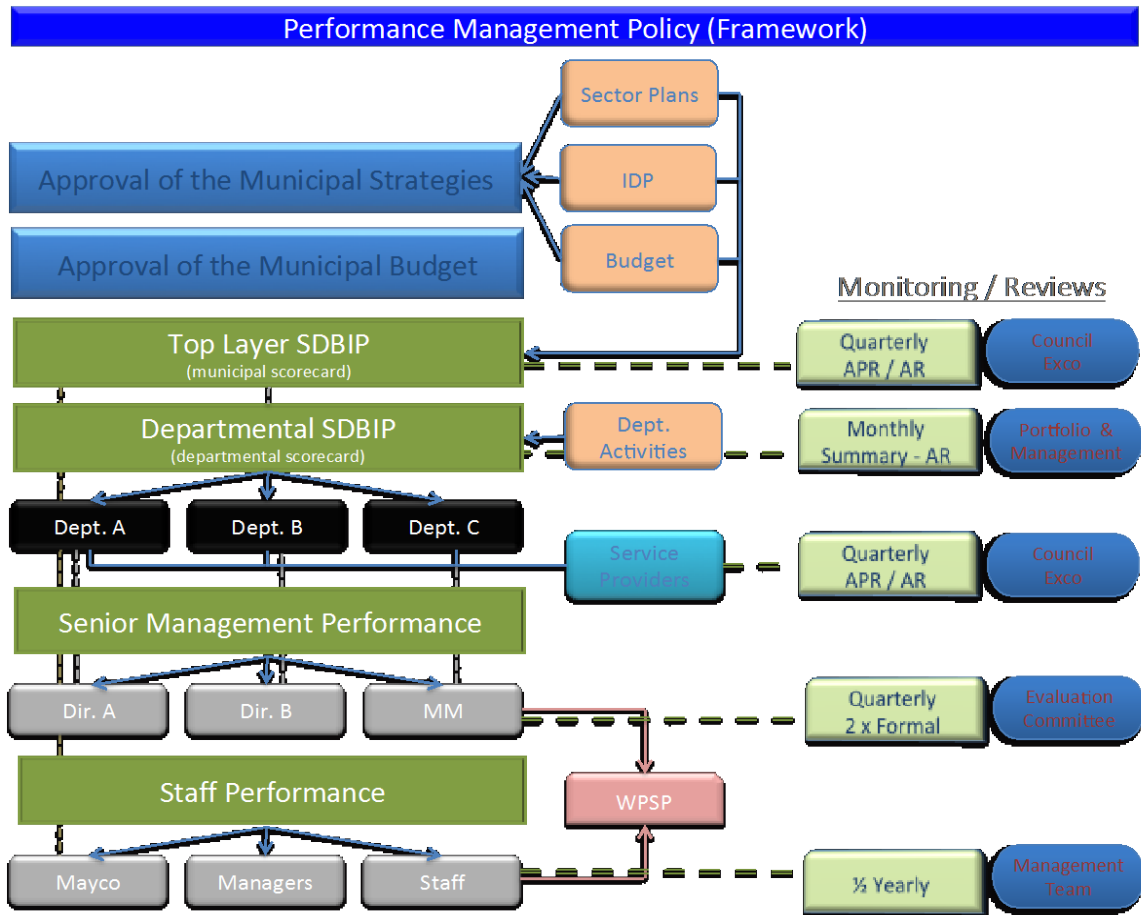
- The Constitution of the Republic of South Africa, 1996
- The White Paper on Transforming Public Service Delivery (Batho-Pele) (1997)
- The Municipal Systems Act, 2000 (Act 32 of 2000)

- Municipal Finance Management Act, 2003 (Act 56 of 2003)
- MFMA Circular No. 13 – Service delivery budget implementation plan.
- Municipal Performance Regulation for Municipal Managers and Managers directly accountable to MM's (R805, Aug 2006)
- Municipal Planning and Performance Management Regulations (R796, Aug 2001)
- Local Government: Regulations on appointment and conditions of employment of senior managers (R21, Jan 2014)
- Framework for Managing Programme Performance Information (2007)

3. Performance Management System (PMS)

Each municipality must adopt a PMS which explains the complete performance management cycle. The cycle starts with the establishment of an oversight body (Council) who is responsible for the establishment of a policy which describes the performance management process within the municipality.

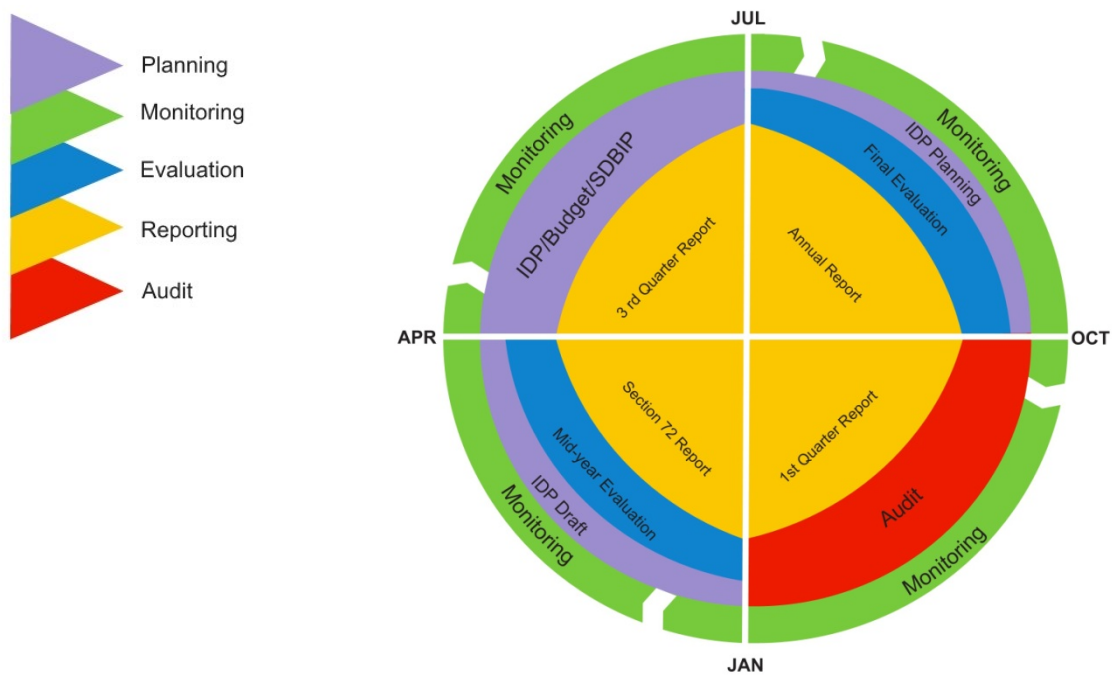
The policy must explain the performance management cycle as it will be implemented, including timeframes and the implementation framework. The policy must be adopted by Council after consultation with the relevant stakeholders and reviewed annually during the IDP cycle. An overview of the performance policy must be included in the IDP chapter dealing with performance.



Performance management is aimed at ensuring that municipalities monitor their IDP's and continuously improve their operations and in terms of Section 19 of the Local Government: Municipal Structures Act 117 of 1998, that they annually review their overall performance in achieving their constitutional objectives and to deliver services in an effective and efficient manner.

3.1 Performance Cycle

The overall planning, budgeting, performance monitoring and reporting cycle can be summarised as follows:



Each of the above cycles can be explained as follows:

- **Performance Planning** ensures that the strategic direction of the Municipality more explicitly informs and aligns the IDP with all planning activities and resource decisions. This is the stage where Key Performance Areas (KPA's) and KPI's are designed to address the IDP objectives and targets are set. The planning of the IDP starts with the beginning of the new financial year and the **IDP process plan must be submitted to Council by 31 August** every year.
- **Performance Monitoring** is an ongoing process to determine whether performance targets have been met, exceeded or not met. Projections can also be made during the year as to whether the final target and future targets will be met. It occurs during key points in a process. Managers will monthly monitor the performance of their departments. Quarterly reports on performance information must be submitted to Council.

Performance Evaluation is an analysis of the status of performance, i.e. performance against targets, why there is under-performance (if applicable) or what the factors were, that allowed for good performance in a particular area. Where targets have not been met, the reasons for this must be examined and corrective action recommended. Evidence to support the status is also

reviewed at this stage. The objective of the review should be based on actual performance and performance evidence. The supervisor and employee need to prepare for the review and discuss the performance during a focussed performance meeting. **The respective supervisor must do a formal performance review twice per annum, mid-year review (Jul- Dec) and year-end review (Jan-Jun).** An additional component is the review of the indicators to determine if they are feasible and are measuring the key performance areas appropriately.

- **Performance Reporting** entails regular reporting to management, the performance audit committee, Council and the public. This includes the quarterly, bi-annual and annual reports.
- **Performance auditing** is a key element of the monitoring and evaluation process. This involves verifying that the measurement mechanisms are accurate and that proper procedures are followed to evaluate and improve performance. According to Section 45 of the MSA, results of the performance measurement must be audited as part of the Municipality's internal auditing process and annually by the AG. The Municipality have therefore established frameworks and structures to evaluate the effectiveness of the Municipality's internal performance measurement control systems. Areas of weak performance identified at year-end must be addressed during the following years planning phase.

4. Organisational Performance

The IDP process and the performance management process must be seamless integrated. The IDP is a key document in the performance management cycle as it described the municipal strategy and KPA's that needs to be implemented. PMS in turn, fulfils the implementation, management, monitoring and evaluation of the municipal strategy.

Organisational performance is the first step to seamlessly integrate the IDP, the municipal budget and performance management and it is measured through the SDBIP. The SDBIP is a plan that convert the IDP and budget into measurable criteria on how, where and when the strategies, objectives and normal business processes of the Municipality will be implemented during the next twelve months. It also allocates responsibility to directorates and sub-directorates to deliver the services in the IDP and budget.

4.1 The Service Delivery Budget Implementation Plan (SDBIP)

The SDBIP is a management, implementation and monitoring tool that will enable the Municipal Manager to monitor the performance of the Municipality and its departments.

The SDBIP will only give effect to the Integrated Development Plan (IDP) and budget if the IDP and budget are fully aligned with each other. The SDBIP therefore serves as a contract between the administration, the Council and the community, expressing the objectives set by the Council as quantifiable outcomes that can be implemented by the administration over the next twelve months. The SDBIP facilitates the process of holding management accountable for their performance. It provides the basis for measuring performance in the delivery of services.

An SDBIP enables the Municipal Manager to monitor the performance of senior managers, the Mayor to monitor the performance of the Municipal Manager, and the community to monitor the performance of the municipality. The SDBIP should therefore determine (and be consistent with) the performance agreements between the Mayor and the Municipal Manager and the Municipal Manager and senior Managers.

The SDBIP consists of two core components, the Top Layer SDBIP (TL SDBIP) which focuses on the strategy and key reporting requirements and the Departmental SDBIP that is the implementation of the TL SDBIP and measuring the departmental performance.

- **Top Layer:** Dealing with consolidated service delivery targets and linking such targets to top management.
- **Departmental Layer:** Top Management provides more detail on each output for which they are responsible for and breaks up such outputs into smaller outputs and linking these to middle-level and junior management.

4.2 Top Layer SDBIP

The TL SDBIP indicates the responsibilities and outputs for each of the senior managers in the top management team, the inputs to be used, and the time deadlines for each output. The SDBIP will therefore determine the performance agreements of the Municipal Manager and senior managers, including the outputs and deadlines for which they will be held responsible. The TL SDBIP is also the part of the SDBIP that's tabled to Council and made available to the public.

The TL SDBIP must be **submitted to the Executive Mayor within 14 after the approval of the budget** and must be **approved by the Mayor within 28 days after the budget has**

been approved. The TL SDBIP report is a public document and must be **made public within 14 days after approval.**

The TL SDBIP and its targets cannot be revised without notifying the Council and if there are changes in service delivery targets and performance indicators, it must be with the approval of the Council, following approval of an adjustments budget (section 54(1)(c) of MFMA).

The TL SDBIP is a **One-year** detailed plan, but should include a **three-year capital plan**

The Components of the TL SDBIP includes:

- Monthly projections of revenue to be collected for each source (expected revenue to be collected NOT billed) (Revenue by source);
- Monthly projections of expenditure (operating and capital) and revenue for each vote (Section 71 format) (Cashflow statement);
- Quarterly projections of service delivery targets and performance indicators for each vote
 - Non-financial measurable performance objectives in the form of targets and indicators
 - Level and standard of service being provided to the community;
- Ward information for expenditure and service delivery;
- Detailed capital works plan broken down by ward over three years (Capital project sheet);

The TL SDBIP forms a critical part of the quarterly (s52), the mid-year (s72) and the annual performance reports (s121 / s46).

4.3 Departmental SDBIP

In the Departmental SDBIP, the top management provides more detail on each output for which they are responsible for and break up such outputs into smaller outputs and linking these to middle-level and junior management.

The Departmental SDBIP will be using such detail to hold middle-level and junior-level managers responsible for various components of the service delivery plan and targets of the Municipality. The Departmental SDBIP is compiled by senior managers for his/her department and is linked to the TL SDBIP and approved by the Municipal Manager. Any changes to the KPI's must be approved by the Municipal Manager. **In order to address transparency and accountability, only a maximum of two adjustments to the Departmental SDBIP will be allowed per Department for the period of a full financial year. These adjustments will only be approved by the Municipal Manager after an impact analysis has been done by the performance unit. The procedure for the**

approval of these adjustments is communicated via the performance office. Any other adjustments will be communicated from the Performance Office for consideration and implementation.

Each KPI should have clear monthly targets and should be assigned to the person responsible for the KPI's. KPI targets should be **SMART** (specific, measurable, achievable, relevant and time-bound). Managers can use the departmental SDBIP to manage the performance of all the sections of his/her department and can monitor it monthly during the departmental management meeting.

4.4 System Descriptions

System descriptions must be prepared for each TL SDBIP KPI. System descriptions are essential as to improve the understanding of the requirements of the KPI, the POE collection and it supports audit procedures. The system descriptions should address the following:

- KPI Ownership
- Definition of KPI
- Input
- Source documentation origin
- Source documentation Information
- Processing transactions
- Output
- Target calculation methodology
- Controls

Regular updates should be done to ensure that the system description is accurate and relevant. The review of the system descriptions must be done prior to the audit.

4.5 Update Actual Performance

The system allows for the TL SDBIP to be updated automatically with the actual results reported in the departmental SDBIP. The departmental SDBIP must be updated monthly and/or when targets are set. The KPI owners should report on the results of the KPI by properly documenting the information in the performance response fields and either attach or make reference to where the proof/portfolio of evidence (POE) is filed. In the instance of poor performance, corrective measures must be identified and documented. The POE should speak to the actual achieved and confirm the actual as updated.

The actual performance should be monitored quarterly in terms of the objectives, KPI's and targets set. In order to measure the outcomes of the KPI's, the outputs and performance evidence (POE's) should be evaluated and documented.

It is important to note that the Municipal Manager needs to implement the necessary systems and processes to provide the POE's for reporting and auditing purposes. Each municipal department and staff member therefore need to proof the achievement of their performance so that it can be measured during performance monitoring and reviews. This information is also used to report performance and for internal and external audit purposes.

4.6 Adjustments to KPI's

TL KPI's can be adjusted after the mid-year assessment and/or after the adjustment budget has been approved. KPI's should be adjusted in line with the adjustment estimate (incl. capital projects) and the reason, for the adjustment of the indicator/target, should be submitted to Council. The KPI's can only be changed on the system after Council approval has been obtained. Adjustments to departmental KPI's can be made throughout the year, but must be motivated by the user Department, recommended by the Performance Manager and approved by the Municipal Manager.

4.7 Validation

An evaluation of the validity and sustainability of the KPI's should be done and the actual performance results of each target should be updated and evaluated monthly. In order to measure the input/output of the KPI's, the performance results and performance evidence (POE's) should be evaluated and documented. The KPI owners should report on the results of the KPI by documenting the following information on the performance system:

- The actual result in terms of the target set;
- The output/outcome of achieving the KPI;
- The calculation of the actual performance reported;
- The reasons if the target was not achieved; and
- Actions to improve the performance against the target set, if the target was not achieved.

The Municipal Manager and his/her senior management team need to implement the necessary systems and processes to provide the POE's for reporting and auditing. Guidance on the procedure for compilation and submission will be communicated to departments on a quarterly basis

5. Individual Performance

Once the municipal objectives and targets have been set, it is possible to cascade these down to management and employees. The Local Government Municipal Planning and Performance Regulation Section 9(2) Indicates "In setting key performance indicators, a municipality must ensure that the key performance indicators inform the indicators set for all its administrative units and employees." Therefore, the performance of the Municipality is integrally linked to that of the personnel. It is therefore important to link the organisational performance to individual performance and to manage both at the same time, but separately.

Managing performance is therefore a key management tool to ensure that:

- Employees know what is expected of them;
- Managers know whether the employee's performance is delivering the required objectives;
- Poor performance is identified and improved; and
- Good performance is recognised and rewarded

Since the performance of every employee contributes to the overall delivery of the organisation's objectives, it follows that the performance of every employee should be managed.

5.1 Municipal Manager and Senior Managers

5.1.1 Introduction

The MSA and Regulation 805 of August 2006, read with Regulation 21 of January 2014 (Performance of the Municipal Manager and the Managers reporting directly to the Municipal Manager) require, that the Municipal Manager and managers reporting directly to the Municipal Manager enter into annual performance agreements. The performance agreements of the Municipal Manager and other senior managers should be directly linked to their employment contract.

Draft annual performance agreements must be submitted to the Mayor within 14 days of the approval of the annual budget in terms of MFMA, Section 69(3). In terms of Section 53(3) of the MFMA the performance agreements must be made public no later than 14 days after the approval of the SDBIP. The agreements must be

concluded within one month after the beginning of each financial year – MSA, Section 57(2). These performance agreements consist of three distinct parts:

n) Performance Agreement

This is an agreement between the senior managers and the Municipality, which regulates the performance required for a particular position and the consequences of the performance. The agreement deals with only one aspect of the employment relationship, namely performance and development. This agreement must be reviewed and renewed annually, subject to the individual's annual performance.

o) Performance Plan

The performance plan is an Annexure to the performance agreement and stipulates in detail the performance requirements for a single financial year. The SDBIP (sorted per directorate) transcends into the performance plan(s) of the respective senior managers according to their areas of responsibility. The Municipal Manager will, in addition to the SDBIP, identify indicators, agreed with the executive managers, which should be included in the agreement.

p) Personal Development Plan

The development plan is an Annexure to the performance agreement and addresses the developmental needs/ requirements of the manager indicating actions and timeframes. Performance plans included weights per indicator based on the importance of the indicator. Performance agreements are mutually agreed to by the Municipal Manager and Executive managers / Municipal Manager and Executive Mayor and must be approved/signed within the first month of the financial year or within 3 months after the start of new employment.

5.1.2 Evaluation of Section 56

The management of the performance process for the Municipal Manager and the senior managers must be done in terms of R805 and Regulation 21 as explained in detail in these Regulations. Performance must be reviewed quarterly, of which the mid-year and year-end performance will be formal evaluations. Performance panels

should be constituted in terms of the agreements for the formal evaluations and the results should be reported to Council.

5.2 Other Personnel

The PMS is applicable to all municipal staff. It will assist in creating a performance driven organization and ensure continuous service delivery of exceptional standard. The following processes will be applicable to all employees, other than the Municipal Manager and senior managers.

Performance Plans are agreed with each employee as per the level of reporting as part of his / her career development plan and should include the following:

q) Personal information

Details relating to the employee and his/her position, supervisor, formal and informal training and experience.

r) Job definition

High level overview of work performance required and key focus areas

s) Career goals

Long term and intermediate career goals. These goals are initially set at the beginning of the year to capture goals that will help an employee gain the skills and opportunities to progress. Please note that by documenting and agreeing on career goals does not constitute any commitment from the employer of being automatically promoted to the next levels.

t) Key performance indicators

Where applicable and KPI's delegated to employees on the SDBIP are included here. New KPI's can be added to existing KPI's (from the SDBIP) or new KPI's can be created for employees who do not have KPI's on the SDBIP.

u) Managerial KPI's

Only employees with managerial responsibilities such as managers reporting to a senior manager, will have managerial KPI's. The list of core competencies is included in the PMS. It is the prerogative of the Municipal Manager/senior manager to evoke the competencies for specified personnel.

v) Weights

Show the relative importance of input or output against another input or output. Every input or output in the performance agreement must be assigned a weighting. The weights / ratings and the distribution of the ratings per level need to be determined by the management team in the beginning of each financial

year and agreed with the employer or group of employers. (employee or group of employees)

w) Learning activities

Will address the identified training needs. The following should be carefully be considered during the identification of training needs:

- Organisational needs;
- The competency requirements of individual jobs. The relevant job requirements (job competency profile) as identified in the job description should be compared to the current competency profile to determine the individual's competency gaps;
- Specific competency gaps and training needs identified during evaluation;
- Individual training needs that are job/career related;
- The training needs should be prioritised since it may not be possible to address all identified training needs in a specific financial year. It is however of critical importance that training needs be addressed on a phased and priority basis. This implies that all these needs should be prioritised for purposes of accommodating critical/strategic training and development needs in the HR Plan and Workplace Skills Plan;
- Consideration must then be given to the expected outcomes, so that once the intervention is completed the impact it had can be measured against relevant output indicators; and
- An appropriate intervention should be identified to address training needs/skills gaps and the outcome to be achieved but with due regard to cost effectiveness.

The performance objectives and targets reflected in the performance agreement are set by the employer in consultation with the employee and based on the **IDP, SDBIP and Budget of the Municipality, Job descriptions**, and shall include key objectives; key performance indicators; target dates and weights. The agreements must be finalised by 31 August each year and captured on the automated performance management system.

x) Further cascading of individual performance

Individual performance will be implemented as follows:

- **2020/2021 – First three lines of reporting (not including the Executive Manager), after Agreement of Executive Manager has been completed**
- **2020/2021 – To be implemented Departmentally**
- **2020/2021 – Following lines of reporting, Departmentally**

y) Performance Champions

The function of Performance Champions has been established by the Municipal Manager in order to assist in the roll out of Individual Performance throughout the organisation using the following methods of approach;

- Performance Champions must be trained in performance management
- The Champions will be utilised in a step by step approach to assist their respective departments with proper implementation of an IPMS
- A skill and knowledge transfer must be implemented from the Performance Office

5.2.1 Skills Development Plan

The Skills Development Plan needs to be compiled / updated with the information obtained from the performance agreements and the development plans. The Human Resources Manager together with the respective line manager is responsible to facilitate the implementation of the Skills Development Plan.

5.2.2 Formal Performance Reviews

Although performance should be managed daily, the respective supervisor must do a formal performance review twice per annum.

The objective of the review should be based on actual performance and performance evidence. The supervisor and employee need to prepare for the review and discuss the performance during a focussed performance meeting.

The employer (supervisor) should prepare by:

- Ensuring that all the information required for the evaluation is available, including obtaining information from other supervisors where required;
- Reviewing the previous period performance and the indicators and targets for the next period;
- Evaluating the level of support required and planning to address the development needs; and
- Provide comprehensive and honest feedback.

The employee should prepare by:

- Ensuring that all the information required for the evaluation is available;
- Identifying new objectives and indicators where required;
- Identifying support and training needed;
- Conduct a self-review; and
- Reflecting on the feedback from the employer.

Performance Assessment

Individual performance assessments will be done bi-annually and should be concluded on the automated performance management system as follows:

Period 1 (1 July – 31 December): Due - 28 February annually

Period 2 (1 January – 30 June): Due - 31 August annually

- The employer shall keep a record of the mid-year review and annual assessment meetings;
- The mid-year review's main focus will be on development while the main focus of the year-end review will be on recognition and reward;
- Performance feedback shall be based on the employer's assessment of the employee's performance. For purposes of evaluating the performance of the employee, an evaluation panel can be established; and
- The evaluation panel and the employee shall prepare for the formal evaluation sessions and the SDBIP can be used as one of documents to prepare for such a session.

The assessment of the performance of the employee will be based on the following rating scale:

Level	Terminology	Description
5	Outstanding performance	Performance far exceeds the standard expected of an employee at this level. The appraisal indicates that the Employee has achieved above fully effective results against all performance criteria and indicators as specified in the PA and Performance plan and maintained this in all areas of responsibility throughout the year.
4	Performance significantly above expectations	Performance is significantly higher than the standard expected in the job. The appraisal indicates that the Employee has achieved above fully effective results against more than half of the performance criteria and indicators and fully achieved all others throughout the year.
3	Fully effective	Performance fully meets the standards expected in all areas of the job. The appraisal indicates that the Employee has fully achieved effective results against all significant performance criteria and indicators as specified in the PA and Performance Plan.
2	Not fully effective	Performance is below the standard required for the job in key areas. Performance meets some of the standards expected for the job. The review/assessment indicates that the employee has achieved below fully effective results against more than half the key performance criteria and indicators as specified in the PA and Performance Plan.
1	Unacceptable performance	Performance does not meet the standard expected for the job. The review/assessment indicates that they employee has achieved below fully effective results against almost all the performance criteria and indicators as specified in the PA and Performance Plan. The employee has failed to demonstrate the commitment or ability to bring performance up to the

Level	Terminology	Description
		level expected in the job despite management efforts to encourage improvement.

Performance Rating

5.2.3 Circumstances That Impact on Performance Evaluations

z) Absence / Maternity leave during the performance cycle

If an employee is on leave or on sick leave for short periods of time, it should not impact on the performance of the employee. In the case of absence for long periods of time, the employee and employer should have a discussion to agree on the rating of the performance for the period not absent. The agreement and the new targets agreed should be documented and be attached to the original agreement.

The employer must carefully consider the rating and assessment of an employee who has been on prolonged leave of absence, to balance the rights of those who were absent with the contribution of those who had to do more work because others being absent.

aa) Acting in higher positions

When an employee is appointed to act in a higher position for shorter than eight weeks, the performance plan should be based on the post that the employee is permanently appointed to. Depending on the employee's performance during the periods of acting, recognition for performance of duties of the higher position should be given during the performance assessment, on the performance plan of the permanent post.

When acting in a higher position for longer than **3 months**, where an acting allowance is being paid, a performance plan must be compiled for the higher position that the employee would be expected to perform against. The performance of the employee, acting in the higher position, will be assessed in terms of the amended performance plan, against the standards applicable to the level of the employee's permanent position. Performance incentives must be calculated at the salary level of the post to which the employee is permanently appointed, based on the employee's salary notch on 30 June of the cycle.

bb) Eventuality for new employees

Employees that have started service during the financial year will be evaluated, however only employees that have been in service for six months and longer within a financial year (**Employees appointed after 1 July and before 1 January annually**) will qualify for a performance reward pro rata for six months during their first year of employment. In such a situation only the performance evaluation outcome for the second evaluation period (1 Jan – 30 June) will be taken into consideration for performance rewards.

cc) Staff Movements

When employees are transferred at the same level, it is their responsibility to provide their most recent performance assessment to the new department. Where staff members change jobs within the department during the performance cycle, performance reviews related to the employee vacating the post should be completed prior to moving to the new position. If the employee changing jobs is a supervisor or manager, performance reviews for each employee under his/her control should be completed prior to his/her movement. When an employee is transferred to another department, a progress review discussion will be conducted for the current performance cycle prior to the employee leaving the department. In the case of supervisors, regardless of the reason for their departure, they will be required to assess their staff prior to departure.

dd) Misconduct and suspension

Decisions pertaining to performance rating should be based on an employee's actual performance. In the event of alleged misconduct, some questions need to be posed.

- What was the nature of the misconduct (e.g. financial, management)?
- Was the person found guilty or not?
- If found guilty, what was the nature of the sanction (e.g. discharge, suspension)?
- Did the misconduct and/or sanction impact on performance?
- Was the employee suspended for a prolonged period?

Each case should however be judged on its own merit. If a misconduct charge, and /or the hearing, and/or any sanctions have a serious negative impact on

an employee's performance, it would be difficult to motivate for awarding a 3-rating or higher and therefore the granting of a performance bonus.

ee) Employees on probation

In instances where employees are on probation, the results of the performance assessment will assist in determining whether permanent appointment should be considered. The performance of the employees on probation should be evaluated quarterly and the assessment form should be submitted to HR.

5.2.4 Process Flow for Performance Assessments

- The first step in the assessment allows for self-evaluation by the employee. Employees that do not have access to computers at the workplace must be provided with a hardcopy of their performance development plans to facilitate the process of manual assessment. The signed self-assessment must be submitted to the respective supervisor for capturing on the automated performance management system.
- The second step in the assessment is the official rating of performance by the relevant supervisor/manager or director. The outcome of the assessment should be discussed between the supervisor/manager or director in order to clarify gaps between the self-assessment and the rating scored.
- The third step in the assessment constitutes the moderation of performance outcomes to ensure objectivity and fairness in the application of scores throughout the organisation.
- Poor performance should address in the personal development plans.

5.2.5 Amendments to the Performance Agreement

Performance in the municipality takes place in a dynamic environment and a performance plan can therefore never be cast in stone. Even though the initial agreement is signed at the start of the performance cycle, significant changes and additions could on an on-going basis be reflected in the performance plan.

The performance plan against which an employee is assessed at the end of the cycle must accurately reflect the employee's actual activities and outputs during the entire performance cycle. Amendments must be made to the performance plans must be signed and dated by both the employee and the employer. Performance can only be assessed on mutually agreed indicators and targets.

5.3 Managing Poor Performance

Line managers are first required to identify and work with the employee to develop a plan to address performance that is not fully effective. Line managers can consider the following to overcome performance shortfalls:

- Personal counselling;
- On-the-job mentoring and coaching;
- Restating a work plan for performance requirements; and
- Analysis of work environment to determine constraints and needs.

In the event that a training need has been identified as an intervention to address unacceptable performance, such interventions should be prioritised for implementation in the forthcoming Workplace Skills Plan. Unacceptable performance should be dealt with in terms of the procedural requirements of the Labour Relations Act.

If an employee does not respond to continuous and reasonable attempts to improve performance, the incapacity processes should be followed. Human Resources must follow up on actions in terms of poor performance

5.4 Moderation

5.4.1 Moderation at Sub-Directorate Level

At this level, the moderation committee consist of:

- The respective sub-directorate head/manager;
- All officials in a supervisory capacity that reports directly to the Sub Directorate Head;
- One representative from the Human Resource Department; and
- One representative from the Performance Management Unit.

Moderation of performance results at this level presents an opportunity to the sub-directorate head to clarify and substantiate the performance rating scored to subordinates in instances where parties disagree. This process will also capacitate supervisors and broaden their knowledge and understanding with regards to performance evaluation process. It will also be expected from supervisors to inform subordinates in instances where changes were effected as a result of the moderation. This process should be finalised by the 30 September each year. On completion of the moderation at this level, the performance assessment outcome of the relevant sub directorate will be endorsed by the relevant sub-directorate head for submission to the relevant director for further moderation. Changes to individual performance

assessment outcomes proposed at this level will not be affected on the automated performance management system.

5.4.2 Moderation at Directorate Level

At this level, the moderation committee consist of:

- The respective director;
- Sub-directorate heads/managers reporting directly to the director;
- One representative from the Human Resource Department; and
- One representative from the Performance Management Unit.

Moderation of performance results at this level presents an opportunity to the sub-directorate head to clarify and substantiate the performance rating scored to subordinates. The relevant director will review the performance outcomes of the entire directorate and may effect changes to individual performance outcomes. It will also be expected from sub-directorate heads/managers to inform subordinates in instances where changes were effected as a result of the moderation. This process should be finalised by 31 October each year. On completion of the moderation at this level, the performance assessment outcome of the relevant directorate will be endorsed by the relevant director for submission to the Municipal Manager for final moderation. Changes to individual performance assessment outcomes proposed at this level will not be effected on the automated performance management system.

5.4.3 Moderation at Municipal Manager Level

At this level, the moderation committee consist of:

- The Municipal Manager;
- All Executive Managers;
- The Manager: Human Resources; and
- The Manager: Performance Management/representative from the Performance Unit

Moderation of performance results at this level presents an opportunity to executive managers to clarify and substantiate the performance rating scored to subordinates. The Municipal Manager will review the individual performance outcomes of all municipal staff in conjunction with executive managers and may affect changes to individual performance outcomes. This process should be finalised by 30 November each year.

On completion of the moderation at this level, the performance assessment outcome of the entire workforce will be endorsed by the Municipal Manager. Changes to individual performance assessment outcomes proposed at this level will be regarded as final and will be effected on the automated performance management system.

5.4.4 Role of the Moderation Committee

The role of the moderating committee is to ensure that the assessments were done in a realistic, consistent and fair manner. This will be done as follows:

- The performance ratings for the employees evaluated are compared to validate the ratings;
- The performance ratings are printed on the normal distribution of the employee performance graph (Bell-curve on performance) and deviations should be considered;
- Analyse the overall performance review process and provide input on changes of individual performance evaluations and/or the performance processes; and
- Any changes in scores should be discussed and agreed with the respective employee.

The senior management team and HR should then consider the overall scores of all the departments before final approval of the performance evaluation for the period.

5.4.5 Communication of Final Outcomes

The performance management unit will provide executive managers with a final report on the outcome of performance assessments immediately after the moderation process has been concluded. The final outcome of performance assessments should be communicated downwards to each municipal employee by executive managers / sub-directorate heads and supervisors by 30 December each year. This feedback is important to gain employee confidence and to ensure transparency. It will also give employees an opportunity to lodge an appeal in order to request a review of his/her performance assessment.

The performance management unit will only be responsible to officially communicate the performance assessment outcomes to those employees who are eligible to receive a performance reward in terms of the reward and recognition policy.

5.5 Record Keeping

Municipal Manager/Executive Manager/Heads/Managers/Supervisors

The Municipal Manager/executive managers/ heads/ managers/ supervisors have the responsibility to keep record of signed Performance development plans and performance agreements. The Municipal Manager/executive managers/ heads/ managers/ supervisors also have the duty to keep record of signed Individual evaluations of their directorates/sub- directorates at a central location for their POE purposes.

Head/Manager/Supervisors

The responsibility of the head/ manager/ supervisor of a sub-directorate is to maintain a list of performance agreements and performance development plans and to notify the Performance Management Unit that an employee has been transferred or when the need arises to review KPI's.

Head/Manager

It is also the responsibility of the sub-directorate head to inform the Performance Management Unit when a new staff member joins the sub-directorate and when new KPI's needs to be developed.

6. Reward and Recognition

The evaluation of the employee's performance will form the basis for acknowledging outstanding performance or correcting unacceptable performance.

6.1 Performance Rewards

The following performance rewards is applicable based on the performance evaluations within a given financial year (1 July to 30 June).

The Categories below is an indication of a possible structure for Individual Performance Management. A reward and recognition policy must be researched and communicated amongst all applicable stakeholders.

A reward and recognition survey will be implemented in order to do a general analysis amongst employees

6.1.1 Category 1: Outstanding Performance

Employees achieving 90% / 4.5 or more on overall performance shall receive;

(a)To be discussed, determined and approved

6.1.2 Category 2: Performance Significantly Above Expectation

Employees achieving 80%-89% / 4 – 4.5 or more on overall performance shall receive;

(a)To be discussed, determined and approved

7. Appeals Process

7.1 Section 56/57-Employees

The appeals process as prescribed in R805 of August 2006 and as agreed in the employment and performance contracts of the Section 56/57-Managers will be applicable in instances where they are not in agreement with their final performance evaluations.

7.2 Other Personnel:

Should employees not agree with the contents of their performance agreement after the performance discussions or with the final scores that are allocated to them, they may elect to follow the municipality's normal grievance procedures. **Grievances should be logged within 30 days from receiving the final score.**

8. Service Providers

Section 76(b) of the MSA states that KPIs should inform the indicators set for every municipal entity and service provider with whom the municipality has entered into a service delivery agreement. According to AG's office:

- Service provider means a person or institution or any combination of persons and institutions which provide a municipal service
- External service provider means an external mechanism referred to in section 76(b) which provides a municipal service for a municipality
- Service delivery agreement means an agreement between a municipality and an institution or person mentioned in section 76(b) in terms of which a municipal

service is provided by that institution or person, either for its own account or on behalf of the municipality

The municipality did not appoint any service providers who **provided a municipal service** to or for the benefit of the local community on behalf of the municipality. (Indication if the municipality are making use of service providers in terms of Section 76(b) of the MSA)

All other contract appointments are regularly monitored and ensured, that the requirements of the contract are complied with.

This section sets out the framework on monitoring and reporting on the performance of service providers in terms of Chapter 8 of the MSA and Section 116 of the MFMA. **(Finalized process of the municipality to be discussed)**

8.1 Notification of Service Providers

All service providers or prospective service providers must be informed of the adopted system of:

- An assessment and reporting of the service provider's performance;
- Setting of performance criteria in terms of the tender, the required deliverables and service level agreement;
- The use of the service provider performance reports when evaluating service providers for registration, pre-qualification, selective tender list, expressions of interest or awarding of a contract; and
- The exchange of information on service provider performance reports between government units/ departments.

8.2 Evaluating the Performance of Service Providers

Council must approve the thresholds (size and types of service provider contracts) that need to comply with the requirements of this Policy. The thresholds that need to be reviewed annually include:

- Contracts larger than R200 000; and
- Contracts where the service providers is required to deliver a service (not goods and products).

The service provider must sign a service level agreement indicating the services to be delivered, the timeframes and the evaluation methodology. The service provider's performance must be assessed in the context of the project as a whole. The respective roles and obligations of the Municipality and service provider must be taken into account.

Persons preparing or reviewing the performance of a service provider must consider

whether satisfactory progress or completion of a project has been affected by any matters which are:

- Outside the service provider's control; or
- The result of some action by the Municipality.

The service provider's performance must therefore be evaluated against set performance criteria, after taking into account matters beyond the service provider's control.

8.2.1 Prescribed procedures to evaluate service providers

The following procedures need to be followed:

- The requirements of this Policy must be included in the contract of the service provider;
- The performance of the service provider under the contract or service level agreement must be assessed monthly by the Reporting Officer;
- The assessment form must be filed in the contract file or captured onto the database when a database is available;
- The Reporting Officer must complete the assessment form at the end of each quarter and on completion or termination of the contract;
- The quarterly assessment must be completed within 15 working days after the end of each quarter;
- The Reporting Officer must provide a copy of the assessment to the service provider at the end of each quarterly assessment period and on completion or termination of the contract;
- The Supply Chain Management Unit will review the quarterly service provider assessments within 20 days after the end of each quarter and submit a summary report to Council;
- The Accounting Officer need to develop the necessary forms and report structures to be utilised to manage the above processes. The forms and reporting requirements need to be reviewed on a regular basis; and
- In the instance of under-performance:
 - The Municipality will facilitate support interventions to service providers in the identified areas of underperformance;
 - Service providers who have been identified as under-performing in identified areas must be informed of these support interventions;

- The impact of support interventions must be monitored by the Reporting Officer; and
- The records of support interventions must be documented, signed by both parties and appropriately filed.

9. Evaluation and Improvement of the Performance Management System

The MSA requires the municipality to annually evaluate its performance management system. It is proposed that after the full cycle of the annual review is complete; the Municipal Manager will initiate an evaluation report annually, taking into account the input provided by directorates and departments. This report will then be discussed by the Management Team and finally submitted to the Council for discussion and approval. The evaluation should assess:

- The adherence of the performance management system to the MSA;
- The fulfilment of the objectives for a performance management system;
- The adherence of the performance management system to the objectives and principles; and
- Opportunities for improvement and a proposed action plan.

While good and excellent performance must also be constantly improved to meet the needs of citizens and improve their quality of life, it is poor performance in particular that needs to be improved as a priority. In order to do this, it is important that the causal and contributing reasons for poor performance are analysed. Poor performance may arise out of one or more of the following:

- Poor systems and processes;
- Inappropriate structures;
- Lack of skills and capacity;
- Inappropriate organisational culture; and
- Absence of appropriate strategy.

To improve performance, the appropriate response strategy should be chosen:

- Restructuring is a possible solution for an inappropriate structure;
- Process and system improvement will remedy poor systems and processes;
- Training and sourcing additional capacity can be useful where skills and capacity are lacking;
- Change management and education programmes can address organisational culture issues;

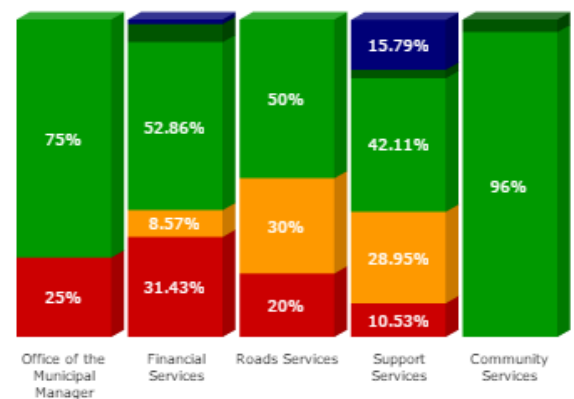
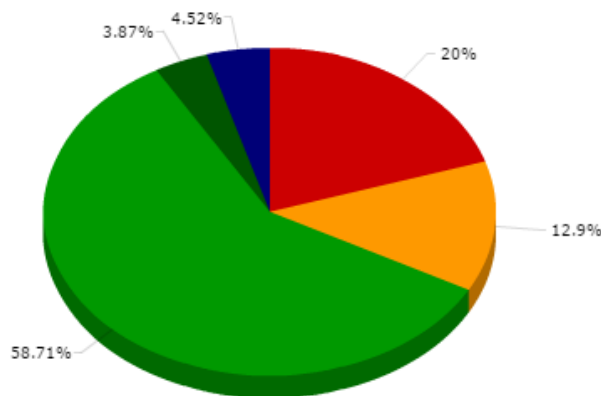
- The revision of strategy by key decision-makers can address shortcomings in this regard; and
- Consideration of alternative service delivery strategies should be explored.

Performance analysis is a requirement in order to identify poor performance. The Municipal Manager will implement the appropriate response strategy to improve performance.

10. Performance Monitoring and Reporting

An organization that is performing well is one that is successfully achieving its goals and is effectively executing suitable strategies. Monitoring is the regular collection and analysis of information to track the implementation and measure the performance of the Municipality against its expected results.

The IDP represents a set of strategic objectives and/or goals about what is aimed to be achieved within the given timeframe. Monitoring provides crucial information about how the Municipality is performing and this in turn helps decision makers and other stakeholders to measure whether the organisation is on track in meeting its objectives. Below is an example of a graph generated from the electronic system utilised by the Municipality.



Category	Colour	Explanation
KPI Not Met	Red	0% > = Actual/Target < 75%
KPI Almost Met	Yellow	75% > = Actual/Target < 100%
KPI Met	Green	Actual/Target = 100%
KPI Well Met	Dark Green	100% > Actual/Target < 150%
KPI Extremely Well Met	Blue	Actual/Target > = 150%

10.1 Reporting Intervals

Report	Frequency	To whom	Content	Comments
Departmental SDBIP	Monthly	Management and Portfolio Committees	Actual results achieved against department SDBIP KPI's	NB: Reasons for non-performance and corrective measures
Top Layer SDBIP (Could serve as sec 52 report as well)	Quarterly (Sec 52 within 30 days after end of quarter)	Management and Council	Actual results achieved against Top Layer SDBIP KPI's	NB: Reasons for non-performance and corrective measures
Internal Audit reports on performance results	Quarterly	Council and Performance Audit Committee	Audit outcomes from auditing actual results captured/ indicated/ reported on	Outcomes to be used to rectify KPI's and actuals
MFMA Sec 52 report	Quarterly (within 30 days after	Management and Council (Copy to PT and NT)	Actual results achieved against Top	NB: Reasons for non-performance

Report	Frequency	To whom	Content	Comments
	end of quarter)		Layer SDBIP KPI's	and corrective measures
MFMA Sec 72 report	25 January	Executive Mayor (Submit to next Council meeting after 25 January and copy to PT and NT)	Consists of 2 parts PM: Actual results achieved against Top Layer SDBIP KPI' Finance: As prescribed by NT	Use results/outcome to motivate adjustments budget
MSA Sec 46 report	31 August	AG, Council	As prescribed by NT Circular 63	Must form part of AR, – Circular 63
Annual report	Draft: 31 October to AG Draft: 31 January to Council Final: 31 March to Council with oversight report	AG, Council, Performance Audit Committee, Oversight Committee (Copy to PT and NT)	As prescribed by NT Circular 63	NB: If full draft is submitted earlier to Council, remember that final must be submitted within 2 months after draft has been submitted

10.2 Mid-Year Assessment

The performance of the Municipality for the first 6 months of the financial year should be assessed and reported on in terms of Section 72 of the MFMA. The accounting officer of a municipality must in terms of Section 72 of the MFMA assess the performance of the municipality for the 1st six months of the financial year and submit a report to the Mayor by 25 January. The Municipality must during the assessment consider the appropriateness of the targets in terms of the first six months' performance and the adjustment estimate. This assessment must include the measurement of performance, the identification of corrective actions and recommendations for the adjustments of KPI's, if necessary

According to Section 33 of the Municipal Budget and Reporting Regulations the mid-year budget and performance assessment referred to in Section 72 must be in the format specified in Schedule C of the Regulation and include all the required tables, graphs and explanatory information taking into account the guidelines issues by the National Minister.

Although the report is mainly a financial report, one of the Annexures in terms of Section 7(b) of Schedule C requires a performance assessment in relation to the quarterly performance targets for the delivery of basic services in terms of the TL SDBIP. In summary, the Municipal Manager should:

- Analyse the performance in terms of the targets set in the TL SDBIP;
- Preparation of the adjusted TL SDBIP for submission to Council for approval with the Adjustments Budget by the end of February as required by Section 54(1)(c) of the MFMA and Sections 24 to 26 of the Municipal Budget and Reporting Regulations;
- Effecting the approved adjustments on the SDBIP system; and
- Adjusting the Annexure A's of the performance agreements of the MSA Section 56 and 57 managers in line with the adjusted TL SDBIP.

10.3 Annual Performance Report

The annual performance report must be completed by the end of August and submitted with the financial statements. This report must be based on the performance reported in the SDBIP. Reports should be generated from the respective performance management system, reviewed and updated in the performance comments field for reporting purposes. A portfolio of evidence (POE) should be kept in order to proof recorded actuals.

10.4 Annual Report

The annual report should be prepared and submitted to Council by 31 January every year.

10.5 Analysis of Performance Reports and Follow-up

In summary, the quarterly (\$52-reports), mid-year (\$72-report) and the annual (\$46 reports) should be analysed and reviewed as soon as the reports are available. It will add credibility to the reports when it is published and to the individual performance assessments of the senior management.

The analysis should not only focus on POE's when the performance results are audited, but should also include an analysis of the results. Please remember:

- Performance reported should indicate continuous improvement over time and should not only be to the benefit of communities and should focus on outcomes and not only on processes;
- The performance results reported should be a true reflection of the results reported in the performance management system;
- The results should be effectively communicated so that it is of value to the intended users;
- The quality of performing the function should be balanced with the cost of the performance, also to the consumer and not just to municipality; and
- Promotion of equalities and sustainable growth and development should also be reported on.

Actions should be identified to address the performance shortcomings highlighted during the audit. These actions must be recorded and regularly followed-up to ensure performance improvement.

11. Governance

The governance structure was established to offer credibility to the overall performance processes. The audit of performance information and system should comply with Section 166 of the MFMA and Regulation 14 of the Municipal Planning and Performance Management Regulations (2001).

11.1 Quality Control and Co-ordination

The Municipal Manager and PMS Manager are required to co-ordinate and ensure good quality of performance reporting and reviews on an ongoing basis. It is their role to ensure conformity to reporting formats and verify the reliability of reported information, where possible.

The Municipal Manager must review overall performance monthly while the PMS Manager should support him/her in verifying the performance data and prepare the performance reports.

11.2 Performance Investigations

The Executive Mayor or Performance Audit Committee should be able to commission in-depth performance investigations where there is either continued poor performance, a lack of reliability in the information being provided or on a random ad-hoc basis. Performance investigations should assess

- The reliability of reported information;
- The extent of performance gaps from targets;
- The reasons for performance gaps; and
- Corrective action and improvement strategies

While the internal audit function may be used to conduct these investigations, it is preferable that external service providers, who are experts in the area to be audited, should be used. Clear terms of reference will need to be adopted by the Executive Mayor for such investigation.

11.3 Internal Audit

Section 165 of the MFMA requires that each municipality must have an Internal Audit Unit however such function may be outsourced.

Internal audit can determine the reliability, accuracy, and integrity of financial and operational information. The MSA, Section 45 stipulates that the results of performance measurements must be audited as part of the Municipality's internal auditing processes.

The Municipality's Internal Audit Unit should continuously assess the performance reports based on the organisational and departmental scorecards and submit a quarterly internal audit report to the Municipal Manager and Performance Audit Committee.

The audit should include an assessment of:

- The usefulness of performance indicators;
- The functionality of the Municipality's performance management system;
- Whether the Municipality's PMS complies with the MSA; and
- The extent to which the Municipality's performance measurements are reliable in measuring the performance of the Municipality's by making use of indicators.

Auditing of performance reports must be conducted by the internal Audit Unit prior to submission to the Municipality's Audit Committee and the AG.

11.4 Performance Audit Committee

The MFMA and the Municipal Planning and Performance Management Regulations require that the Council establish an Audit Committee consisting of a minimum of three members, where the majority of members are not employees of the municipality. No councillor may be a member of an Audit Committee. Council shall also appoint a chairperson who is not an employee.

The Regulations give municipalities the option to establish a separate Performance Audit Committee whereas the MFMA provides only for a single Audit Committee. The operation of this Audit Committee is governed by Section 14 (2-3) of the regulations.

According to the Regulations, the Performance Audit Committee must:

- Review the quarterly reports submitted to it by the internal audit unit;
- Review the municipality's performance management system and make recommendations in this regard to the council of that municipality;
- Assess whether the performance indicators are sufficient; and
- At least twice during a financial year submit an audit report to the municipal council.

It is further proposed that the Audit Committee be tasked with assessing the reliability of information reported.

In order to fulfil their function a performance audit committee may, according to the MFMA and the regulations, must:

- Communicate directly with the Council, Municipal Manager or the internal and external auditors of the municipality concerned;
- Access any municipal records containing information that is needed to perform its duties or exercise its powers;
- Request any relevant person to attend any of its meetings, and, if necessary, to provide information requested by the committee; and
- Investigate any matter it deems necessary for the performance of its duties and the exercise of its powers.

11.4.1 Role of the Audit Performance Committee

The Audit Committee should also be able to commission in-depth performance investigations where there is either continued poor performance, a lack of reliability in the information being provided or on a random ad-hoc basis. The performance investigations should assess:

- The reliability of reported information;
- The extent of performance gaps from targets;
- The reasons for performance gaps; and
- Corrective action and improvement strategies.

11.5 Governance

The legislative requirements regarding reporting processes are summarised in the following table:

Time frame	MSA/ MFMA Reporting on PMS	Section
Quarterly reporting	The Municipal Manager collates the information and draft the organisational performance report, which is submitted to Internal Audit.	MSA Regulation 14(1)(c)
	The Internal Auditors (IA) must submit quarterly audited reports to the Municipal Manager and to the Performance Audit Committee	MSA Regulation 14(1)(c)
	The Municipal Manager submits the reports to the Council.	MSA Regulation 14(1)(c)
Mid-year reporting	The Performance Audit Committee must review the PMS and make recommendations to council	MSA Regulation 14(4)(a)
	The Performance Audit Committee must submit a report at least twice during the year a report to Council	MSA Regulation 14(4)(a)
	The Municipality must report to Council at least twice a year	MSA Regulation 13(2)(a)
	The Accounting officer must by 25 January of each year assess the performance of the municipality and submit a report to the Mayor,	MFMA S72

Time frame	MSA/ MFMA Reporting on PMS	Section
	National Treasury and the relevant Provincial Treasury.	
Annual reporting	The annual report of a municipality must include the annual performance report and any recommendations of the municipality's audit committee	MFMA S121 (3)(c)(j) & MSA S46
	The accounting officer of a municipality must submit the performance report to the Auditor-General for auditing within two months after the end of the financial year to which that report relates	MFMA S126 1(a)
	The Auditor-General must audit the performance report and submit the report to the accounting officer within three months of receipt of the performance report	MFMA S126 (3)(a)(b)
	The Mayor of a municipality must, within seven months after the end of a financial year, table in the municipal council the annual report of the municipality	MFMA S127(2)
	The Auditor-General may submit the performance report and audit report of a municipality directly to the municipal council, the National Treasury, the relevant provincial treasury, the MEC responsible for local government in the province and any prescribed organ of the state	MFMA S127 (4)(a)
	Immediately after an annual report is tabled in the council, the accounting officer of the municipality must submit the annual report to the Auditor- General, the relevant provincial treasury and the provincial department responsible for local government in the province.	MFMA S127 (5)(b)

Time frame	MSA/ MFMA Reporting on PMS	Section
	The council of the municipality must consider the annual report by no later than two months from the date on which the annual report was tabled, adopt an oversight report containing council's comments on the annual report	MFMA S129 (1)
	The meetings of a municipal council at which an annual report is to be discussed or at which decisions concerning an annual report are to be taken, must be open to the public and any organ of the state	MFMA S130 (1)
	The Cabinet member responsible for local government must annually report to Parliament on actions taken by the MECs for local government to address issues raised by the Auditor-General	MFMA S134

12. Summary of Municipal Performance Cycle

Performance Management Calendar		
Action	Activity	Comment
July		
Service Provider Performance	4 th Quarter service provider report Review performance of service providers as per the approved policy	SCM to submit report to Council Submit reports to SCM Unit Address poor performance
Performance Reporting	4 th Quarter performance Report: Top Level SDBIP	Each department to finalise SDBIP quarterly report Input for Annual Report for AG
MM / Senior Managers performance agreements	Prepare and approval	Prepare agreements ito R805 Approval and signed before 31 Jul KPI's aligned with SDBIP Include CCR's evaluation committee; evaluation periods; bonus

Performance Management Calendar		
Action	Activity	Comment
SDBIP Reporting	Update departmental SDBIP	Monthly progress reports to Executive Management and Portfolio Councillor Actions to address GAPS
IDP	IDP Framework and Process Plan	Process plan to ensure proper planning and involvement of all stakeholders to identify clear objectives and key performance areas
August		
Service Provider Performance	Review performance of service providers as per the approved policy	Submit reports to SCM Unit Address poor performance
SDBIP Reporting	Update departmental SDBIP	Monthly progress reports to Executive Management and Portfolio Councillor Actions to address GAPS
Staff Performance	Formal review of staff performance	Evaluation of performance for the past 6 months ending June Moderation; coaching and counselling Document and report
Staff Performance	Finalise performance plans	Determine KPI's -Key outputs/ outcomes; career goals; job requirements; measurement criteria; skills required and development needs / plan
IDP	IDP Process Plan	Submission to Executive Mayor Approval of plan
September		

Performance Management Calendar		
Action	Activity	Comment
Service Provider Performance	Review performance of service providers as per the approved policy	Submit reports to SCM Unit Address poor performance
SDBIP Reporting	Update departmental SDBIP	Monthly progress reports to Executive Management and Portfolio Councillor Actions to address GAPS
Annual Performance Report	Finalise and submit performance report to AG	Performance report on financial and operation performance for audit purposes
MM/Senior Managers Performance	Annual performance review	Review against targets Review CCR's - obtain 360 degree input Determine development needs Calculate rewards into agreements Document and sign-off
October		
Service Provider Performance	1 st Quarter service provider report Review performance of service providers as per the approved policy	SCM to submit report to Council Submit reports to SCM Unit Address poor performance
SDBIP Reporting	Update departmental SDBIP	Monthly progress reports to Executive Management and Portfolio Councillor Actions to address GAPS
Performance Reporting	1 st Quarter performance Report: Top Level SDBIP	Each department to finalise SDBIP quarterly report
MM/Senior Managers Performance	Informal performance discussion	How are we doing, progress and address possible shortcomings

Performance Management Calendar		
Action	Activity	Comment
IDP & Budget	Public participation	Consult key stakeholders / role-players Identify potential projects / needs
November		
Service Provider Performance	Review performance of service providers as per the approved policy	Submit reports to SCM Unit Address poor performance
SDBIP Reporting	Update departmental SDBIP	Monthly progress reports to Executive Management and Portfolio Councillor Actions to address GAPS
Planning	Strategic Planning	Planning sessions with Council and Management Mission, Vision and Values Review progress against strategic objections Review strategic direction and progress Alignment with national strategies Budget guidelines / draft projects
Staff Training	PMS Training updates	Identify any performance management training needs and address with update training sessions
December		
Service Provider Performance	Review performance of service providers as per the approved policy	Submit reports to SCM Unit Address poor performance
SDBIP Reporting	Update departmental SDBIP	Monthly progress reports to Executive Management and Portfolio Councillor Actions to address GAPS

Performance Management Calendar		
Action	Activity	Comment
Annual Report	Draft Annual Report	Final draft to be ready for submission to Council
January		
Service Provider Performance	2 nd Quarter service provider report Review performance of service providers as per the approved policy	SCM to submit report to Council Submit reports to SCM Unit Address poor performance
SDBIP Reporting	Update departmental SDBIP	Monthly progress reports to Executive Management and Portfolio Councillor Actions to address GAPS
Performance Reporting	Prepare and submit Mid-year performance report to s72 of MSA	Each department to finalise SDBIP quarterly report
Staff Performance	Formal review of staff performance	Evaluation of performance for the past 6 months ending December Moderation; coaching and counselling Document and report
Annual Report	Submit draft report to Council	Final draft submitted to Council for adoption in principle and public participation
February		
Service Provider Performance	Review performance of service providers as per the approved policy	Submit reports to SCM Unit Address poor performance
SDBIP Reporting	Update departmental SDBIP	Monthly progress reports to Executive Management and Portfolio Councillor Actions to address GAPS

Performance Management Calendar		
Action	Activity	Comment
MM/Senior Managers Performance	Mid-year formal performance review	Review against targets Review CCR's - obtain 360 degree input Determine development needs Calculate rewards into agreements Document and sign-off
Annual Report	Advertise draft Annual Report for public participation	Advertise draft Annual Report for public comment in terms of service delivery
Oversight	Oversight Committee considers Annual Report	Review Actions to address shortcomings Performance Risk Assessment Report to Council
March		
Service Provider Performance	Review performance of service providers as per the approved policy	Submit reports to SCM Unit Address poor performance
SDBIP Reporting	Update departmental SDBIP	Monthly progress reports to Executive Management and Portfolio Councillor Actions to address GAPS
IDP	Draft IDP to Council	IDP aligned with national strategy Include clear objectives and municipal KPA's Needs that cannot be accommodated should be included in priority listings Should include all required sectoral plans that are aligned
Budget	Draft Budget to Council	Budget aligned with IDP and address IDP objectives

Performance Management Calendar		
Action	Activity	Comment
SDBIP	Draft top level SDBIP and submit with draft budget	Top Level SDBIP should be aligned with IDP and budget; strategic objectives; municipal KPA's; assigned to senior managers and include outer year performance
Annual Report	Approval of Annual Report	Public comment considered Final Annual Report submitted Oversight committee report submitted Proposed actions approved
April		
Service Provider Performance	3 rd Quarter service provider report Review performance of service providers as per the approved policy	SCM to submit report to Council Submit reports to SCM Unit Address poor performance
SDBIP Reporting	Update departmental SDBIP	Monthly progress reports to Executive Management and Portfolio Councillor Actions to address GAPS
Performance Reporting	3 rd Quarter performance Report: Top Level SDBIP	Each department to finalise SDBIP quarterly report
IDP & Budget	Public participation	Obtain public input in draft documents and consult key stakeholders
MM/Senior Managers Performance	Informal performance discussion	How are we doing, progress and address possible shortcomings
May		

Performance Management Calendar		
Action	Activity	Comment
Service Provider Performance	Review performance of service providers as per the approved policy	Submit reports to SCM Unit Address poor performance
SDBIP Reporting	Update departmental SDBIP	Monthly progress reports to Executive Management and Portfolio Councillor Actions to address GAPS
IDP & Budget	Approval of IDP and Budget	Approval by Council
SDBIP	Departmental SDBIP development	Workshop with departments
June		
Service Provider Performance	Review performance of service providers as per the approved policy	Submit reports to SCM Unit Address poor performance
SDBIP Reporting	Update departmental SDBIP	Monthly progress reports to Executive Management and Portfolio Councillor Actions to address GAPS
SDBIP	Top Level SDBIP approval	SDBIP to be submitted to Mayor within 14 days after budget approval Approval by Mayor within 28 days after budget approval
SDBIP	Approval of departmental SDBIP	SDBIP to be address all Top Level KPI's Address departmental responsibilities Key activities, challenges and risks; performance plans (project lifecycle); resource allocation; inputs and timeframes

Performance Management Calendar		
Action	Activity	Comment
Work Place Skills Plan	Update and submit WPSP	Alignment with needs as per mid-year performance reviews

The proposed performance management framework is aimed at guiding the municipality in the development of a performance management system which will contribute to improving the municipal performance and enhance service delivery. The framework is developed to provide details which describes and represents how the municipality's cycle and processes of performance planning, monitoring, measurement, review, reporting and improvement will be conducted, organised and managed, including determining the roles of the different role players.

The process of implementing PMS must be seen as a learning process, where we are continuously improving the way the system works to fulfil the objectives of the system and address the emerging challenges from a constantly changing environment.

13. Abbreviations

Abbreviations	
AG	Auditor-General
CAPEX	Capital Expenditure
CBP	Community Based Planning
CFO	Chief Financial Officer
DPLG	Department of Provincial and Local Government
EE	Employment Equity
HR	Human Resources
IDP	Integrated Development Plan
KPA	Key Performance Area
KPI	Key Performance Indicator
LED	Local Economic Development
MAYCO	Executive Mayoral Committee
MFMA	Municipal Finance Management Act (Act No. 56 of 2003)
MM	Municipal Manager
MMC	Member of Mayoral Committee
MSA	Municipal Systems Act No. 32 of 2000
NGO	Non-governmental organisation
NT	National Treasury
OPEX	Operating expenditure
PMS	Performance Management System
PT	Provincial Treasury
SALGA	South African Local Government Organisation
SCM	Supply Chain Management
SDBIP	Service Delivery and Budget Implementation Plan
SDF	Spatial Development Framework

[BACK TO AGENDA](#)

1. **DELEGATIONS AND AUTHORIZATIONS DURING COUNCIL'S RECESS PERIOD /
DELEGASIES EN MAGTIGINGS GEDURENDE DIE RAAD SE RESESTYDPERK /
ABACHONGWA KUNYE NAMAGUNYA NGETHUBA OCEBA BETHATHE IKHEFU
(829260)**

REPORT FROM THE MUNICIPAL MANAGER (MG STRATU)

2. PURPOSE OF THE REPORT

To delegate powers and to authorise the Executive Mayor and the Municipal Manager or their authorized replacements to exercise certain powers during Council's term of recess from 05 December 2020 until 10 January 2021.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Executive Mayor intends to recommend to Council to enter into a period of recess from 05 December 2020 to 10 January 2021 and interim measurements must be put in place in order to ensure that Council's activities, such as management, services and administration continue.

5. RECOMMENDATIONS

- 5.1.1 That Council will be in recess for the period 05 December 2020 until 10 January 2021.

5.12. That the Executive Mayor, Cllr M Booyesen and the Municipal Manager, Mr MG Stratu, or his successor in title, be delegated and authorized to perform all official Council duties, responsibilities and functions during the recess period 05 December 2020 until 10 January 2021 with the exception of those powers and functions as set out Section 160 (2) of the Constitution namely:

- a) the passing of by-laws
- b) the approval of budgets
- c) the imposition of rates and other taxes, levies and duties; and
- d) the raising of loans
- e) disposal of Council properties in terms of section 14 of the MFMA
- f) appointment and dismissal of the municipal manager and section 56 managers in terms Section 56 of the Systems Act
- g) all functions which are according to legislation reserved for Council only

AANBEVELINGS

5.2.1 *Dat die Raad in reses sal wees vir die periode 05 Desember 2020 tot 10 Januarie 2021.*

5.22. *Dat die Uitvoerende Burgemeester, Rdl M Booyesen en die Munisipale Bestuurder, Mnr MG Stratu, of sy opvolger in titel, gedelegeer en gemagtig word om die Raad se amptelike verpligtinge, verantwoordelikhede en funksies vir die reses periode van 05 Desember 2020 tot 10 Januarie 2021, uit te voer met die uitsondering van die ondergenoemdes soos in Artikel 160 (2) van die Grondwet vervat:*

- a) *die aanname van verordeninge;*
- b) *die goedkeuring van begrotings;*
- c) *die oplegging van eiendomsbelasting en ander belastings, heffings en regte en*
- d) *die verkryging van lenings.*
- e) *vervreemding van raadseiendom in terme van artikel 14 van die MFMA*

- f) *aanstelling en skorsing van die Munisipale Bestuurder en Artikel 56 bestuurders in terme van Artikel 56 van die Munisipale Stelselwet*
- g) *Alle funksies wat in terme van wetgewing slegs vir die Raad gereseveer is*

ISISINDULULO

5.31. Sokuba iBhunga lizooba sekhefini ukususela ngomhla we 05 kweyoMnga 2020 de kubengumhla we 10 kweyoMqungu 2021.

5.3.2. Sokuba uSodolophi, uCeba M Booysen kunye noMphathi Masipala uMnu, MG Stratu, okanye lowo ungene endaweni yakhe, anikwe igunya nelungelo lokwenza yonke imicimbi esemthethweni yeBhunga, uxanduva kunye nemicimbi yonke ngethuba lekhefu eliqala ngomhla wesi 05 kweyoMnga 2020 de ibengumhla we 10 kweyoMqungu 2021 igunya elo alichaphazeli ezingongoma zibhalwe kwiSebe 160 (2) loMgaqo Siseko woMzantsi Afrika ka 1996, ezizezi:

- a) uKuphunyezwa kwemithethwana yedolophi
- b) uKuphunyezwa kohlahlo lwabiwo-mali
- c) uKummisela irhafu yezakhiwo kwakunye naluphi na uhlobo lwerhafu
- d) uKwenza iimali-mboleko (amatyala)
- e) ukuthengisa imihlaba nezakhiwo zeBhunga, kunye no
- f) kuqesha nokugxotha uMphathi Masipala kunye neemanejala eziqeshwe ngokweSebe 56 loMthetho, ngokweSebe 56 loMthetho l Municipal Systems Act
- g) Lomiba ibekelwe kanye ibhunga lomasipala.

6. DISCUSSION

6.1 BACKGROUND

The Executive Mayor intends to recommend to Council to enter into a period of recess from 05 December 2020 to 10 January 2021 and interim measurements must be put in place in order to ensure that Council's activities, such as management, services and administration continue.

6.2 Discussion

In view of the aforementioned period of recess, the Executive Mayor, Cllr M Booysen and the Municipal Manager, Mr MG Stratu, or his successor in title, be delegated and authorized to perform all official Council duties, responsibilities and functions during the recess period with the exception of those powers and functions as set out Section 160 (2) of the Constitution of the Republic of South Africa, 1996 namely:

- a) the passing of by-laws
- b) the approval of budgets
- c) the imposition of rates and other taxes, levies and duties; and
- d) the raising of loans
- e) disposal of Council properties in terms of section 14 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA)
- f) appointment and dismissal of the municipal manager and section 56 managers in terms Section 56 of the Systems Act, Municipal Systems Act 32 of 2000
- g) all functions which are according to legislation reserved for Council only

6.3 FINANCIAL IMPLICATIONS

There will be no financial implications for the municipality if it decides to not implement.

6.4 LEGAL IMPLICATIONS

Section 162 of the Constitution of the Republic of South Africa, 1996

Local Government Municipal Systems Act, Act 32 of 2000

Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)

GRDM Delegation System

6.5 STAFF IMPLICATIONS

There are no staff implications

6.6. PREVIOUS / RELEVANT COUNCIL RESOLUTIONS

NONE

6.7 RISK IMPLICATIONS

There are no foreseen risks associated.

6.8 Comments from Executive Management:

6.8.1 Executive Manager: Roads and Transport Planning Services

None

6.8.2 Executive Manager: Planning and Economic Development

None

6.8.3 Executive Manager: Community Services

None

6.8.4 Executive Manager: Corporate Services

None

6.8.5 Executive Manager: Financial Services

None

6.8.6 Manager: Legal Services

None

BACK TO AGENDA

1. DEBT WRITE-OFF REPORT 2020/21: QUARTER 1 / SKULD AFSKRYWINGSVERSLAG 2020/21: KWARTAAL 1 / INGXELO YOKUCINYWA KWETYALA 2020/21: IKOTA YOKQALA

2 PURPOSE

The purpose of this report is to obtain Council approval to write-off outstanding debtor accounts.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The request for write-off included in the report is made for the following instances where outstanding debtor balances are:

- Uneconomical to pursue the debt for hand over cost recovery
- Municipalities who requested interest to be written-off as they would have to declare payment of such interest as Fruitless and Wasteful Expenditure
- Interest on Outstanding Debt after capital portion was settled

5. RECOMMENDATION

- 5.1 That Councils approves the write-off of debtors balances outstanding per category with a total of R17 403,88 - as per Annexure A attached.

AANBEVELING

- 5.2 *Dat die Raad goedkeuring verleen vir die afskrywing van debiteure met balanse uitstaande per kategorie met 'n totaal van R17 403,88 - soos per Aanhangsel A aangeheg.*

ISINDULULO

- 5.3 Sesokuba iBhunga liphumeze ukucinywa kwamatyala angekahlawulwa ngokwebakala nayimali eyi R17 403,88 ngokwesifakelelo A esidityanisiwey.

6. DISCUSSION / CONTENTS

6.1 Background

As per Annexure A attached, there is debt on outstanding debtor balances which is submitted for Council Approval due to the debt being categorised as:

1. **Uneconomical to recover:**

There are five accounts whose debt write-off is required as it would be uneconomical to recover. One individual is unemployed and so is unable to pay the funds owed. The other is for a contract that expired while the debtor was utilizing the property. The debtor gave notice in the time when a new SLA was compiled and therefore there is a portion of debt which would have escalated but was not paid. Please refer to Annexure A for the full detail and the actual financial implication in respect of the 2020/21 financial year.

2. **Interest charged on Government debtors not paid:**

There were eight municipal requests received to write off interest remaining on debtor account balances. In terms of Section 62 (1) of the Local Government Municipal Finance Management Act, 2003 (No 56), the Municipality must have and implement a Credit Control and Debt Collection Policy. Section 32 states that payments in vain will be classified as Fruitless and Wasteful Expenditure. Therefore, municipalities requested the Council of Garden Route DM to approve the write-off of their interest, which were billed on outstanding amounts. These municipalities did pay their principal debt and the balance remaining on their accounts is the interest portions, which will be Fruitless and Wasteful Expenditure for them if they continue to pay it. Please refer to Annexure A for the full detail and the actual financial implication in respect of the 2020/21 financial year.

3. **Interest charge on Private debtors not paid:**

There are three accounts where the billing run levied interest automatically on the balance outstanding however, payment was received from the debtor for their principal debt. Please refer to Annexure A for the full detail and the actual financial implication in respect of the 2020/21 financial year.

6.2 Discussion

In compliance with accounting rules (GRAP statements), the vast majority of these interest debts has already been provided for as "bad debt" in the 2019/20 financial statements. This means that if Council was to approve the request of the write-off of this interest debt, the impact on the 2020/21 income statement will be a loss of R3 738,41 as the rest was already expensed in prior years in order to comply with GRAP statements regarding the recoverability of debt.

6.3 Financial Implications

Annexure A attached contains the full detail for the financial implication of:

Reduction in debtors:	R17 403,88
Reduction in provision for bad debt in 2019/20:	R13 665,47
Net loss in 2020/21 financial year:	R 3 738,41

6.4 Legal Implications

None, as the Directions specifically provides for the Council to decide to write debt off on outstanding debtor balances for the abovementioned reason in section 6.1 above with reference to Annexure A attached.

Local Government: Municipal Finance Management Act, No 56 of 2003
Garden Route District Municipality Credit Control and Debt Collection Policy

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions:

None

6.7 Risk Implications

There are no foreseen risks associated with the proposed decision for Council to write off debt referred to in section 6.1 above and Annexure A.

6.8 Comments from Executive Management:

6.8.1 EXECUTIVE MANAGER: ROADS AND TRANSPORT PLANNING SERVICES

6.8.2 EXECUTIVE MANAGER: PLANNING AND ECONOMIC DEVELOPMENT

6.8.3 EXECUTIVE MANAGER: COMMUNITY SERVICES

6.8.4 EXECUTIVE MANAGER: CORPORATE SERVICES

6.8.5 EXECUTIVE MANAGER: FINANCIAL SERVICES

6.8.6 MANAGER: LEGAL SERVICES

ANNEXURE

Annexure A: Schedule of Debtor Write-Off Debt Quarter 1 2020/21

Annexure A: Schedule of Debtor Write-Off Debt Quarter 1 2020/21

2020/21: Quarter 1 (July - October 2020) Summary for Debt Write-Off after Review

ACCNO	SURNAME	NAME	Debtor Type:	Amount to include in Write-Off request:	Debt already included in Provision for Impairment 2019/20 AFS:	Actual financial implication for 2020/21 Debt write-off:	Write-off Category:
38020382	VODACOM	NERINE	Rental Facilities Deb	0,30	0,30	-	Uneconomical to pursue the debt for hand over cost recovery
38200071	PETRO SA PTY LTD		Fire Debtor	114,34	111,40	2,94	Uneconomical to pursue the debt for hand over cost recovery
38200073	APRIL	MICHAEL	Rental of Facilities	177,94	-	177,94	Uneconomical to pursue the debt for hand over cost recovery
38900001	BEAUFORT WES MUNISIPALITEIT		Contributions Task	1 322,16	808,77	513,39	Municipality requested interest to be written-off as they would have to declare payment of such interest as Fruitless and Wasteful Expenditure
38900002	BITOU MUNISIPALITEIT		Contributions Task	2 963,59	2 270,00	693,59	Municipality requested interest to be written-off as they would have to declare payment of such interest as Fruitless and Wasteful Expenditure
38900003	SENTRAAL KAROO		Contributions Task	308,89	308,89	0,00	Municipality requested interest to be written-off as they would have to declare payment of such interest as Fruitless and Wasteful Expenditure
38900004	GEORGE MUNISIPALITEIT		Contributions Task	1 884,23	1 884,23	0,00	Municipality requested interest to be written-off as they would have to declare payment of such interest as Fruitless and Wasteful Expenditure
38900007	KNYSNA MUNISIPALITEIT		Contributions Task	2 458,91	1 860,36	598,55	Municipality requested interest to be written-off as they would have to declare payment of such interest as Fruitless and Wasteful Expenditure
38900011	PRINCE ALBERT MUNISIPALITEIT		Contributions Task	295,46	175,88	119,58	Municipality requested interest to be written-off as they
84000212	HESSEQUA MUNICIPALITY		Shopsteward	158,69	158,69	-	Municipality requested interest to be written-off as they
84000214	KNYSNA MUNICIPALITY		Shopsteward	392,12	196,06	196,06	Municipality requested interest to be written-off as they would have to declare payment of such interest as Fruitless and Wasteful Expenditure
84000223	STEENKAMP	JAPE	Fire Debtor	3 219,73	3 219,73	-	Interest on Outstanding Debt after capital portion was settled
84000298	APRIL	JASON	Fire Debtor	2 692,58	2 623,74	68,84	Uneconomical to pursue the debt for hand over cost recovery
84000364	MARX	JOHAN	Fire Debtor	18,46	-	18,46	Interest on Outstanding Debt after capital portion was settled
84000387	SAB HOP FARM		Fire Debtor	47,43	47,43	-	Interest on Outstanding Debt after capital portion was settled
84000418	GOLIATH	JAN JACOBUS	Fire Debtor	1 349,05	-	1 349,05	Uneconomical to pursue the debt for hand over cost recovery
				17 403,88	13 665,47	3 738,41	

GRDM Debt Write-Off per: 2020/21: Quarter 1 (July - October 2020) Summary for Debt Write-Off after Review

A. Debtor Type:

Debtor Type:	Amount to include in Write-Off request:	Debt already included in Provision for Impairment 2019/20 AFS:	Actual financial implication for 2019/20 Debt write-off:
Fire Debtor	7 441,59	6 002,30	1 439,29
Rental Facilities Debtor	0,30	0,30	-
Rental of Facilities	177,94	-	177,94
Contributions Task	9 233,24	7 308,12	1 925,12
Shopsteward	550,81	354,75	196,06
	17 403,88	13 665,47	3 738,41

B. Write-off Category:

Debt Category:	Amount to include in Write-Off request:	Debt already included in Provision for Impairment 2019/20 AFS:	Actual financial implication for 2019/20 Debt write-off:	Number of accounts:
Uneconomical to pursue the debt for hand over cost recovery	4 334,21	2 735,44	1 598,77	5
Municipality requested interest to be written-off as they would have to declare payment of such interest as Fruitless and Wasteful Expenditure	9 784,05	7 662,87	2 121,18	8
Interest on Outstanding Debt after capital portion was settled	3 285,62	3 267,16	18,46	3
	17 403,88	13 665,47	3 738,41	16

Reduction in debtors:

17 403,88

Reduction in provision for bad debt in 2019/20:

13 665,47

Net loss in 2020/21 financial year:

3 738,41
[BACK TO AGENDA](#)

1. COST CONTAINMENT REPORTING – QUARTER 1 OF 2020/21 / KOSTE INPERKINGSVERSLAG – KWARTAAL 1 VAN 2020/21 / UMGAQO WOKUNCIPHISA INDLEKO –IKOTA YOKUQALA KA 2020/21

REPORT FROM THE EXECUTIVE MANAGER: FINANCIAL SERVICES (J-W DE JAGER)

2. PURPOSE OF THE REPORT

The purpose of this report is to table to Council the measures implemented and aggregate amounts saved in quarter one of the current financial year through the implementation of cost containment measures.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The cost containment policy requires that a quarterly report be submitted to Council. Cost savings of R266 000.00 is reported for Quarter 1 of 2020/21.

5. RECOMMENDATIONS

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

AANBEVELING

- 5.2 *Die Raad neem kennis van die maatreëls wat geïmplementeer is en die totale besparings in die eerste kwartaal van die huidige finansiële jaar deur die implementering van kostebeperkingsmaatreëls.*

ISINDULULO

- 5.3 Sesokuba iBhunga lithathele ingqalelo amanyathelo amiselweyo kunye nemali ezongiweyi kwikota yokuqala yonyakamali omileyo ngokumiselwa kwamanyathelo okuncitshiswa kwendleko.

6. DISCUSSION / CONTENTS

6.1. Background

BACKGROUND

On 23 July 2019, Council approved the GRDM Cost Containment Policy in order to comply with the new legislation that was issued on 7 June 2019.

Section 17 of the policy stipulates the following pertaining to disclosures of cost containment measures:

- 17.1 *Cost containment measures applied by the municipality must be included in the municipal in-year budget report and annual cost savings must be disclosed in the annual report.*
- 17.2 *The measures implemented and aggregate amounts saved per quarter, together with the regular reports on reprioritization of cost savings, on the implementation of the cost containment measures must be submitted to the municipal council for review and resolution. The municipal council can refer such reports to an appropriate council committee for further recommendations and actions.*
- 17.3 *Such reports must be copied to the National Treasury and relevant provincial treasuries within seven calendar days after the report is submitted to municipal council.*

National Treasury further issued MFMA Circular No.97 which prescribed a template for quarterly reporting of cost savings realised from implementation of cost containment measures – please refer to Annexure A for the cost savings at GRDM in quarter 1 of 2020/21 in this regard.

It should be noted that various cost-cutting measures were already incorporated in the budget process for 2020/21 and therefore the issuing of the Municipal Cost Containment Regulations did not have an impact on all expenditure types addressed in the Regulations.

The most significant savings are with regards to domestic travel and accommodation, as travel was limited due to the impact of COVID 19 and increased use of technology for meetings and other engagements.

All savings will be re-prioritised in the adjustment budget process in order to either fund projects that were not included in the approved budget due to the limited funds available, or to cover possible revenue-shortages (e.g. late opening and operation of the regional landfill site)

ANNEXURE “A”

MFMA Quarterly Report – Cost Containment savings Quarter 1 of 2020/21

6.2 Discussion

The most significant savings are with regards to domestic travel and accommodation, as travel was limited due to the impact of COVID 19 and increased use of technology for meetings and other engagements.

All savings will be re-prioritised in the adjustment budget process in order to either fund projects that were not included in the approved budget due to the limited funds available, or to cover possible revenue-shortages (e.g. late opening and operation of the regional landfill site)

6.4 Financial Implications

Year-to-date savings due to cost containment measures: R266,000.00

6.5 Legal Implications

Local Government: Municipal Finance Management Act, 2003 - Municipal Cost Containment Regulations, 2019

GRDM Cost Containment Policy

6.6 Staff Implications

None

6.6 Previous / Relevant Council Resolutions:

There are no previous or relevant Council resolutions related to this matter.

6.7 Risk Implications

None

6.8 Comments from Executive Management:

6.8.1 Executive Manager: Roads and Transport Planning Services

None

6.8.2 Executive Manager: Planning and Economic Development

None

6.8.3 Executive Manager: Community Services

None

6.8.4 Executive Manager: Corporate Services

None

6.8.5 Executive Manager: Financial Services

None

6.8.6 Manager: Legal Services

None

Measures	Cost Containment In-Year Report					
	Budget	Q1	Q2	Q3	Q4	Savings
	R'000	R'000	R'000	R'000	R'000	R'000
Use of Consultants						
No significant savings identified, as budgeted amount established using principles that were already in line with new Cost Containment Policy						
Vehicle used for political office-bearers						
No budget for purchase of new vehicle used for political office-bearers in period under review.						
Travel and subsistence						
No significant savings identified, as budgeted amount established using principles that were already in line with new Cost Containment Policy	243	91				91
Domestic accommodation						
No significant savings identified, as budgeted amount established using principles that were already in line with new Cost Containment Policy	187	175				175
Sponsorships, events and catering						
No significant savings identified, as budgeted amount established using principles that were already in line with new Cost Containment Policy						
Communication						
No significant savings identified, as budgeted amount established using principles that were already in line with new Cost Containment Policy						
Other related expenditure items						
No significant savings identified, as budgeted amount established using principles that were already in line with new Cost Containment Policy						
TOTALS	430	266	n/a	n/a	n/a	266

[BACK TO AGENDA](#)

1. DEVIATION REPORT: IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 1 OCTOBER 2020 TO 31 OCTOBER 2020 / AFWYKINGSVERSLAG: VOORSIENINGSKANAALBELEID VIR DIE PERIODE 1 OKTOBER 2020 TOT 31 OKTOBER 2020 / INGXELO YOTYESHELO: UKUMISELWA KOMGAQO WOLAWULO LWENCITHO KWIXESHA LOMHLA 01 KWEYEDWARHA 2020 UYAKUTSHO KUMHLA WE 31 KWEYEDWARHA 2020 (1126977)

2 PURPOSE

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

3. DELEGATED AUTHORITY

Financial Services Committee (FSC)

4. EXECUTIVE SUMMARY

The accounting officer must record the reasons for any deviations in terms of suregulation (1)(a) & (b) and report them to the next meeting of council. The report is for the month of October 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 October 2020 up to 31 October 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.

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 Oktober 2020 tot 31 Oktober 2020.*

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

IZINDULULO

5.3.1 Sesokuba ukumisela komhlathi Wamashumi Amathathu Anesithandathu (36) kwemiqathango Womthetho Wezencitho zoMasipala kutenxo ukususela kumhla Wokuqala (1) uyakutsho kumhla Wamashumi Amathathu Ananye (31) ngeyeDwarha (2020), kuthathelwe ingqalelo.

5.3.2 Sesokuba kuthathelwe ingqalelo ukuba ngokwemiqathango yoMhlathi (114) lolawulo Lwezemali zikaMasipala, uMthetho Wamashumi Amahlanu Anesithandathu (56) wango (2003), uthathelwe ingqalelo ukuba akukhange kuphunyezwe zinikisi maxabiso ezingandululwanga kwinkqubo efanelekileyo ekumiselweni kwencitho yomgaqo wolawulo lomasipala

6. DISCUSSION / CONTENTS

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."

6.2 Discussion

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 October 2020 to 31 October 2020 amounts to **R33 945.78** (VAT included). Refer to **Annexure A**

Main Expenditure for Deviation in October 2020

None

Trend Analysis Based on Successive Month to Month Comparison

APPROVED DEVIATIONS			
DEVIATIONS AS PER SECTION 36 OF THE SCM REGULATIONS			
Sep-20		Oct-20	
Department	Amount	Department	Amount
Community Services	3 680,00	Community Services	3 650,10
Corporate Services	0,00	Corporate Services	0,00
Financial Services	0,00	Financial Services	10 838,75
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	0,00	Roads and Transport Planning Services	19 456,93
Total Deviations	3 680,00	Total Deviations	33 945,78

6.4 Legal Implications

None, failure to report to council will result in non compliance.

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions:

Council meeting of the 30th September 2020.

6.7 Risk Implications

None

6.8 Comments from Senior Management:

6.8.1 Executive Manager Financial Services

6.8.2 Executive Manager Corporate Services

6.8.3 Executive Manager Planning & Economic Development

6.8.4 Executive Manager Community Services

6.8.5 Executive Manager Roads & Transport Planning Services

6.8.6 Manager Legal Services

APPROVED DEVIATIONS

ANNEXURE: A
DEVIATIONS AS PER SECTION 36 OF THE SCM REGULATIONS

COMMUNITY SERVICES

Item No	Ref No	Name	Req Date	Deviation Category	Deviation Motivation	Deviation Approval Date	Payment Amt	Order Number
1	1118017	J&B Auto Spares	2020-10-05	Impractical Procurement Process	During the lockdown the only supplier willing to work on the vehicle was J & B Motors. The vehicle was then sent to the supplier for a service to be conducted.	2020-10-13	1 407,60	D0001252
2	1118863	Valley Containers VIP Office Container	2020-10-07	Impractical Procurement Process	The Mosselbay office are currently in the process of procuring a office container through a tender process.	2020-10-14	2 242,50	D0001253

FINANCIAL SERVICES

Item No	Ref No	Name	Req Date	Deviation Category	Deviation Motivation	Deviation Approval Date	Payment Amt	Order Number
3	1115749	WEARCHECK	2020-09-28	Single Supplier	Oil sampling and analysis carried, is provided by Wearcheck and Wearcheck is the sole supplier of this service.	2020-10-02	10 838,75	D0001095

ROADS AND PLANNING SERVICES								
Item No	Ref No	Name	Req Date	Deviation Category	Deviation Motivation	Deviation Approval Date	Payment Amt	Order Number
4	1113770	Alusani Skills & Training Network (PTY) Ltd	2020-10-13	Impractical Procurement Process	Construction Site Management short training course approved by HOD.	2020-10-14	8 048,85	Direct Payment
5	1117095	Xerox	2020-09-30	Impractical Procurement Process	Contract of the copier expired but we are still using the machine. New procurement in progress.	2020-10-08	2 341,86	D0001166
6	1118915	PA135106 OUDTSHOORN W/SHOP AUTO ELECTRICAL WORK / REPAIR	2020-10-07	Impractical Procurement Process	Strip and quote: In order for the Auto Electrician to supply the quotation, fault finding had to be done on the component. Fault finding happens via a process of elimination. Faults and faulty parts have to be repaired and replaced in order to test and check for a correct diagnoses. Once parts have been replaced or faults repaired, it cannot be undone in order for another supplier to quote. Once the diagnosis is done, the component is also repaired	2020-10-12	5 760,12	D0001229
7	1119197	PA143580 OUDTSHOORN W/SHOP REPAIR CUTTER SAW	2020-10-08	Impractical Procurement Process	Strip and quote: Supplier had to open grass cutter first in order to be able to advise on what work needs to be done to address the problem. Not possible to get quotations prior to opening up the equipment.	2020-10-15	952,60	D0001272
8	1119344	OUDTSHOORN GRASSNYERS	2020-10-09	Impractical Procurement Process	Strip and quote: Supplier had to open grass cutter first in order to be able to advise on what work needs to be done to address the problem. Not possible to get quotations prior to opening up the equipment.	2020-10-15	764,60	D0001273
9	1124631	PA180155 PARTS / KIT W/S WASHER	2020-10-27	Single Supplier	Agent for Tata parts.	2020-10-28	1 588,90	D0001501
							33 945,78	

DISTRICT COUNCIL

26 NOVEMBER 2020

1. **CLOSURE FOR FESTIVE SEASON AND SALARY PAYMENT DATE FOR DECEMBER 2020 / SLUITING VIR FEESSEISOEN EN DESEMBER 2020 SALARIS BETAALDATUM / UKUVALELWA IHOLIDE ZEHLOBO KUNYE NOKUHLAWULWA KWEMIVUZO YENYANGA YOMNGA 2020**

(4/1/2) & (5/9)

4 November 2020

REPORT FROM THE EXECUTIVE MANAGER: CORPORATE SERVICES (MS T HOLTZHAUSEN) ACTING HUMAN RESOURCES MANAGER (ADV S. MAQEKENI)

2 PURPOSE

The purpose of this report is to obtain approval for the festive season closure and earlier payment of salaries in respect of December 2020.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Salaries are normally paid on the 25th of a month or the working day closest to the 25th of the month.

Most of the employees take their annual leave over festive season and go on holiday when schools close early in December. The Roads Services Department close for a longer period over the festive season, usually in conjunction with the construction industry.

5. RECOMMENDATIONS

5.1.1 That the December 2020 salary payment date be Friday, 18 December 2020.

5.1.2 That the Roads Services Department be closed from 15 December 2020 @ 12:00 – 8 January 2021, opening on Monday, the 11th of January 2021 @ 07:30, which is 15.50 days annual leave.

- 5.1.3 That the rest of the GRDM Departments will be closed from 18 December 2020 @ 12:00 – 31 December 2020, opening on Monday, the 4th of January 2021 @ 07:30, which is 5.50 days annual leave.
- 5.1.4 That an annual leave global transaction be processed by the HR Conditions of Service unit, excluding emergency staff.
- 5.1.5 That the list of deadlines as set out in the table by the Finance department be adhered to.

AANBEVELINGS

- 5.2.1 *Dat die Desember 2020 salaris betaaldatum Vrydag, 18 Desember 2020 sal wees.*
- 5.2.2 *Dat die Paaie Dienste Departement vanaf 15 Desember 2020 om 12:00 - 8 Januarie 2021 sluit en weer oopmaak op Maandag, 11 Januarie 2021 om 07:30, wat 15.50 vakansieverlof dae is.*
- 5.2.3 *Dat die res van die GRDM departemente vanaf 18 Desember 2020 om 12:00 – 31 Desember 2020 sluit en weer oopmaak op Maandag, 4 Januarie 2021 om 07:30, wat 5.50 vakansieverlof dae is.*
- 5.2.4 *Dat 'n globale vakansieverlof transaksie deur die MH Diensvoorwaarde Afdeling geprosesseer word, nooddienste personeel uitgesluit.*
- 5.2.5 *Dat die lys van sperdatums soos uiteengesit in die tabel deur die Finansies departement aan gehoor gegee word.*

IZINDULULO

- 5.3.1 Sesokuba intlawulo zemivuzo yenyanga yoMnga 2020 ihlawulwe ngoLwesihlanu, 18 kweyoMnga 2020.
- 5.3.2 Sesokuba iSebe Lenkonzo Zezendla livalwe ukususela ngomhla 15 kweyoMnga 2020 ngentsimbi ye 12:00-08 kweyoMqungu 2021, zivulwe ngoMvulo, umhla 11 kweyoMqungu 2021.

- 5.3.3 Sesokuba onke amaSebe e GRDM avalwe ngomhla 18 kweyoMnga 2020 ngentsimbi ye 12:00-ukuya 31 kweyoMnga 2020, avulwe ngoMvulo, umhla 4 kweyoMqungu 2021 nge 07:30, nezintsuku eziyi 5.50 zeholide yonyaka.
- 5.3.4 Sesokuba kwenziwe ingqokelela yomntu wonke yekhefu licandelo le Zimo Zenknozo le HR, ngokuqukwa kwabasebenzi benkonxo zokungxamisekileyo.
- 5.3.5 Sesokuba uluhlu lwemihla yokuvalwa njengoko kuqulathwe lisebe lezeMali luthotyelwe.

6. DISCUSSION / CONTENTS

6.1 Background

As with previous years, it is recommended to Council to consider the closing of Garden Route District Municipality's offices over the festive season, provided that responsible departments ensure arrangements for the rendering of essential and emergency services. It is almost tradition by now that the Garden Route District Municipality's offices are closed between Christmas Day and New Year's Day.

The Road Services Department also closes once per year during the festive season to coincide with the builders and school holidays as well as the restriction of heavy earth-moving equipment as a result of the increase in traffic on the roads network.

It is also recommended that the December 2020 salaries are paid earlier than the usual 25th of the month payment date because of the public holidays during the festive season.

6.2 Discussion

The Roads Services Department will therefore be closed from 15 December 2020 @ 12:00 – 8 January 2021, opening on Monday, the 11th of January 2021 @ 07:30, which is 15.50 days annual leave.

The rest of the GRDM Departments will be closed from 23 December 2020 @ 12:00 – 31 December 2020, opening on Monday, the 4th of January 2021 @ 07:30, which is 5.50 days annual leave.

The proposed salary payment date is 18 December 2020.

6.2 Financial Implications

As per approved salary budget.

6.3 Legal Implications

Section 66 of the Municipal Finance Management Act, 2003 (Act 56 of 2003).

Main Collective Agreement

Conditions of Service Collective Agreement

Leave Policy

Remuneration and Conditions of Service Policy

6.5 Staff Implications

Sufficient leave balances for annual leave during the seasonal closure. An annual leave global transaction must be processed by the HR Conditions of Service unit, excluding emergency staff.

6.6 Previous / Relevant Council Resolutions:

Council review this matter annually.

6.7 Risk Implications

There are no foreseen risks associated.

6.8 Comments from Executive Management:

6.8.1 Executive Manager: Roads and Transport Planning Services

6.8.2 Executive Manager: Planning and Economic Development

6.8.3 Executive Manager: Community Services

6.8.4 Executive Manager: Corporate Services

6.8.5 Executive Manager: Financial Services

In order for the Finance department to process all the required transactions (i.e. salary payments, creditor payments, billing, etc), the following deadlines is set for information to reach the relevant section in the Finance department in order to be processed and paid before the office closes on 23 December 2020:

Nr	Information	Supplied by	Supplied to	Due date
1	Invoices, orders, GRVs relating to services/goods received in November that has to be paid in December 2020 Note: legislative timeline requirement of 30 days after invoice/statement date	All departments	Creditors section	4 Dec
2	All Salary related forms, such as overtime, standby, attendance registers, new appointments, terminations, etc.	All departments	Salaries section	8 Dec
3	Fire accounts for incidents to be billed to land owners	Fire section	Debtors section	14 Dec
4	New contracts for renting out of Council property	Property section	Debtors section	14 Dec

Late submissions will not be processed due to limited time as a result of earlier salary payment date and closure of offices.

6.8.6 Manager: Legal Services

BACK TO AGENDA

DISTRICT COUNCIL

26 NOVEMBER 2020

1. REPORT ON HUMAN RESOURCE POLICIES FROM THE CORPORATE SERVICES DEPARTMENT 2020 / MENSLIKE HULPBRONNE BELEID VAN DIE KORPORATIEWE DIENSTE DEPARTMENT 2020 / INGXELO NGEMIGAQO YECANDELO LEZENGQESHO ESUKA KWISEBE LENKONZO LEZOLAWULO 2020

(9/3/1)

19 November 2020

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

2 PURPOSE

For Council to approve the Human Resource Policies as workshopped at Council workshop dated 18 November 2020.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The following Policies were discussed and workshopped at Council Workshop on the 18 November 2020.

1	SEXUAL HARASSMENT POLICY
2	HIV/AIDS POLICY
3	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.

5. RECOMMENDATIONS

5.1 That the following Human Resource Policies be approved by Council:

- Sexual Harassment Policy
- HIV/AIDS Policy
- Leave Policy

AANBEVELINGS

5.2 *Dat die Raad die volgende Menslike Hulpbron Beleide goedkeur:*

- *Seksuele Teistering Beleid*
- *HIV / VIGS Beleid*
- *Verlofbeleid*

ISINDULULO

5.3 Sesokuba lemiGaqo ilandelayo yeCandelo Lezengqesho iphunyezwe liBhunga:

- Umgaqo Wesicwaso Ngezesondo
- Umgaqo we HIV/AIDS
- Umgaqo Wekhefu

6. DISCUSSION / CONTENTS

As outlined in the executive summary.

6.1 Background

As outlined in the executive summary.

6.2 Discussion

As outlined in the executive summary.

6.3 Financial Implications

As per approved budget

6.4 Legal Implications

None, to ensure alignment with policy directives.

6.5 Staff Implications

A decision to implement above HR Policies will currently have no Staff implications.

6.6 Previous / Relevant Council Resolutions:

None.

6.7 Risk Implications

There are no foreseen risks associated with the proposed decision to implement the HR Policies.

6.8 Comments from Senior Management:

6.8.1 Executive Manager: Corporate Services

6.8.2 Executive Manager: Planning and Economic Development

6.8.3 Executive: Community Services

6.8.4 Executive Manager: Roads and Transport Planning Services

6.8.5 Executive Manager: Financial Services



SEXUAL HARASSMENT POLICY AND PROCEDURE

Date
Approved:

Council
Resolution (DC
No):

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SEXUAL HARASSMENT POLICY AND PROCEDURE

1. INTRODUCTION

The Municipality is committed to ensuring that employees are not subjected to any form of sexual harassment. Persistent, unsolicited and unwanted sexual advances or suggestions made by one employee to another, regardless of gender and/or sexual orientation will not be tolerated. Violations of this policy will lead to disciplinary action, which will include dismissal, and/or criminal charges. All managers at the Municipality have a responsibility for addressing all reports of harassment. In dealing with cases of sexual harassment, the Municipality shall be guided by the Code of Good Practice as contained in Schedule 8 of the Labour Relations Act, 1995 and the NEDLAC Code of Good Practice on the Handling of Sexual Harassment Cases.

Policies and procedures for resolving complaints of sexual harassment have been adopted by Garden Route District Municipality (hereinafter referred to as "the Municipality") to:

- promote a safe and secure work environment in which the dignity of all persons is respected and which is free from sexual harassment;
- provide an internal procedure for dealing with issues and complaints of sexual harassment which may rise;
- meet the requirements the Employment Equity Act, Labour Relations Act and the Code of Good Practice on the handling of Sexual Harassment Cases.

2. DEFINITIONS

- 2.1 "alleged perpetrator" means a person alleged to have committed an act of sexual harassment;
- 2.2 "SALGBC" means the South African Local Government Bargaining Council;
- 2.3 "Complainant" means a person who lodges a complaint under this policy, or a person against whom an act or acts of sexual harassment as defined in the policy has or have allegedly been perpetrated;
- 2.4 "Confidentiality" means ensuring that information is accessible only to those authorised to have access to it;
- 2.5 "Employee disciplinary procedure" means the disciplinary procedure that applies to a category of staff;

- 2.6 "Employee" means a person appointed by the Municipality or a person who has agreed to be bound by the rules and policies of the Employer relating to staff;
- 2.7 "Manager" means any Employee of the Municipality with managerial or supervisory responsibilities;
- 2.8 "serious misconduct" means conduct as defined in the Municipality's Disciplinary Code and Procedure;
- 2.9 "sexual assault" means an incident that involves sexual contact that is forced on an Employee;
- 2.10 "sexual harassment" is unwelcome conduct of a sexual nature that violates the rights of a person. In determining whether conduct constitutes sexual harassment the following factors are to be taken into account:
 - 2.10.1 whether the harassment is on the grounds of sex and/or gender (regardless of the sexual orientation of either the Complainant or the alleged perpetrator);
 - 2.10.2 the impact of the sexual conduct on the Complainant;
 - 2.10.3 whether the sexual conduct was unwelcome;
 - 2.10.4 the nature and extent of the sexual conduct.
- 2.11 "unwelcome sexual conduct" includes behaviour that is perceived by the Complainant as demeaning, compromising, embarrassing, threatening and/or offensive:
 - 2.11.1 the assessment of what is unwelcome should be informed by context, including language;
 - 2.11.2 previous consensual participation in sexual conduct does not mean that the conduct continues to be welcome;
 - 2.11.3 when a victim has difficulty indicating to the alleged perpetrator that the conduct is unwelcome, the victim may seek the assistance and intervention of another person in order to make it clear that the conduct is unwelcome;
 - 2.11.4 some forms of sexual harassment are such that the alleged perpetrator should have known that the behaviour would be unwelcome.

- 2.12 Unwelcome sexual conduct includes physical, verbal and non-verbal conduct. Such conduct may be direct or indirect and may include technological devices, images and weapons. A single incident of unwelcome sexual conduct can constitute sexual harassment.
- 2.13 Unwelcome physical conduct ranges from touching to sexual assault and rape.
- 2.14 Unwelcome verbal conduct includes innuendos, suggestions or hints of a sexual nature, sexual advances, sexual threats, comments with sexual overtones, sex-related jokes or insults, graphic comments about a person's body, inappropriate enquiries about a person's sex life, whistling of a sexual nature and the sending by electronic means or otherwise of sexually explicit text.
- 2.15 Unwelcome non-verbal conduct includes gestures, indecent exposure and the display or sending by electronic or other means sexually explicit pictures or objects.
- 2.16 Sexual harassment may take the form of special victimisation, *quid pro quo* harassment and the creation of a hostile environment.
 - 2.16.1 special victimisation occurs when a person is victimised or intimidated for failing to submit to sexual advances;
 - 2.16.2 *quid pro quo* harassment occurs when an alleged perpetrator influences or attempts to influence a person's employment circumstances by coercing or attempting to coerce that person to engage in sexual activities;
 - 2.16.3 creation of a hostile environment occurs where the purpose or effect is to interfere with another's performance at work.

3 POLICY STATEMENTS

- 3.1 Management should be placed under a positive duty to implement the policy and take disciplinary action against employees who do not comply with the policy.
- 3.2 A policy on sexual harassment should also explain the procedure which should be followed by employees who are victims of sexual harassment. The policy should also state that:
 - 3.2.1 allegations of sexual harassment will be dealt with seriously, expeditiously, sensitively and confidentially;

- 3.2.2 employees will be protected against victimisation, retaliation for lodging grievances and from false accusations.
- 3.3 Policy statements on sexual harassment should be communicated effectively to all Employees.
- 3.4 Sexual harassment will not be permitted or condoned and will be regarded as a form of serious misconduct. Action will be taken in terms of the disciplinary code of the Municipality.
- 3.5 The Municipality is committed to investigate all complaints and grievances brought to its attention.
- 3.6 The Municipality undertakes to inform all employees of this policy and the need to refrain from any form of sexual harassment.
- 3.7 Management is required to implement this policy and take disciplinary action against employees who do not comply with this policy. Serious incidents of sexual harassment or continued harassment are dismissible offences.
- 3.8 Allegations of sexual harassment will be dealt with seriously, expeditiously, sensitively and confidentially.
- 3.9 It is a disciplinary offence to victimize or retaliate against an employee who in good faith lodges a complaint of sexual harassment.
- 3.10 False or vindictive accusations shall be viewed in a very serious light.
- 3.11 Anonymous complaints will be disregarded.

3.1.1 SCOPE

- 3.1.2 The policy is applicable to all Councillors and employees including contract workers, interns and service providers irrespective of the position they hold and does not discriminate at any level.
- 3.1.3 All employees, job applicants and any other persons who have dealings with the Municipality have the right to be treated with respect and dignity.
- 3.1.4 Employees or any other person who have been subjected to sexual harassment have the right to lodge a grievance or lay a formal complaint with the Municipality
- 3.1.5 It should be noted that this policy also protects prospective employees as well as clients of the Municipality.

3.1.2 BASIC PRINCIPLES

The Employer wishes to create and maintain a working environment which is free of sexual harassment, where all employees respect one another's integrity and dignity,

privacy and their right to equity in the workplace. The Employer views sexual harassment of a fellow employee or of a non-employee as serious misconduct. The Employer undertakes to take strict action in sexual harassment cases but cannot be held criminally or civilly liable for the actions of its employees where the Employer has acted appropriately.

In addition, victims of sexual harassment must not be made to feel that their grievances are ignored or trivialized, or fear reprisals. Implementation of the following guidelines can assist in achieving these ends:

- All employees must refrain from committing acts of sexual harassment.
- All employees have a role to play in contributing towards a working environment in which sexual harassment is unacceptable. They should therefore ensure that their standards of conduct do not cause offence and they should discourage unacceptable behaviour on the part of others.
- Management will attempt to ensure that persons such as the public, suppliers, job applicants and others who have dealings with the organization, are not subjected to sexual harassment, which occurs within the workplace.
- A victim of sexual assault/harassment has the right to institute separate criminal and/or civil proceedings against an alleged perpetrator, and the legal rights of the victim are in no way limited by this policy.

4 PROCEDURES

4.1 The municipality has instituted a set of procedures, which aim to ensure that:

4.1.1 complaints of sexual harassment are considered seriously and sympathetically and are dealt with promptly and confidentially; and

4.1.2 the rights of both the Complainant and the alleged harasser are respected.

4.2 Where possible and appropriate, complaints should be resolved at a local level with a minimum of formal processes.

4.3 A person who believes he or she has experienced sexual harassment should attempt to resolve the matter by stating an objection directly to the alleged harasser. If the person feels unable to do this, or if this approach does not result in the cessation of the behaviour, the person may choose to activate the Municipality's internal procedure.

4.4 In addition to seeking advice, there are two possible steps in the internal procedures:

4.4.1 informal procedure; and

4.4.2 formal complaint

- 4.5 The Complainant may withdraw the complaint at any stage. Despite this, the Municipality should still assess the risk to other persons in the workplace and determine whether formal steps ought to be taken.

5 RESPONSE TO A COMPLAINT

- 5.1 Complaints of sexual harassment must be brought to the attention of the Municipal Manager or his/her nominee as soon as is reasonably possible in the event if it's an employee who is referring the complaint. If the complaint is against the Municipal Manager or Senior Managers, to be referred to the Executive Mayor. In the event if it is a Councillor it must be brought under the attention of the Executive Mayor. If the complaint is against the Executive Mayor, to be referred to the Speaker.
- 5.2 Sexual harassment must be brought to the attention of the Manager by the Complainant or any other person aware of the sexual harassment. However, if the incident is of a serious nature, the Complainant is encouraged to inform the Manager in person.
- 5.3 Any complaint of sexual harassment will be recorded in writing by the Manager and will be referred to the Municipal Manager. The Municipal Manager or his/her nominee will manage the complaint.
- 5.4 The steps to be taken by the Municipal Manager on receipt of a Complainant should include, but are not limited to, the following:
- 5.4.1 advise the Complainant that there are formal and informal procedures which can be followed;
 - 5.4.2 explain the formal and informal procedures to the Complainant;
 - 5.4.3 advise the Complainant that he/she may choose which procedure should be followed by the Municipality;
 - 5.4.4 advise the Complainant that the co-employee assisting him or her may not be called as a witness during any formal procedure;
 - 5.4.5 reassure the Complainant that he/she will not face any adverse consequences in choosing to follow either the formal or informal procedure;
 - 5.4.6 advise the Complainant that he/she is not bound by the outcome of the informal procedure and will have the right to appeal directly to

the Municipal Manager or his/her nominee within five (5) days of the conclusion of that process;

- 5.4.7 advise the Complainant that the matter will be dealt with confidentially;
 - 5.4.8 if applicable, advise the Complainant that no negative inference on his/her credibility will follow as a result of late reporting;
 - 5.4.9 provide the Complainant with information about counselling available as well as information on how to access independent counselling services;
 - 5.4.10 in appropriate circumstances, advise the Complainant of his/her right to refer the matter to the SAPS and obtain further legal advice outside of the Municipality.
- 5.5 The Complainant may withdraw the complaint at any stage. Despite this, the Municipality should still assess the risk to other persons in the workplace and determine whether formal steps ought to be taken.

6 INFORMAL PROCEDURES

- 6.1 An informal procedure is a process, managed by the Manager, in which relationships between the Complainant and alleged perpetrator(s) are explored with the consent of both, the aim of which is to reach resolution of a complaint in a manner that is satisfactory to all Complainant and alleged perpetrator(s).
- 6.2 The Complainant has the right to pursue formal proceedings after the conclusion of informal proceedings. The choice to pursue informal proceedings shall not in any way diminish the force of the original complaint.
- 6.3 The alleged perpetrator has the right to refuse participation in informal proceedings, and may exercise this right during any stage of the informal process. No negative inference shall be drawn from refusal to consider, participate or withdraw from the informal process.
- 6.4 An informal procedure may be followed by a formal procedure if the Manager believes that there are compelling reasons for this as specified in paragraph 5.
- 6.5 In an informal procedure, only the following information is recorded:
 - 6.5.1 the fact that the informal procedure took place;

- 6.5.2 the names of the participants;
 - 6.5.3 the date, time and location of the alleged incident;
 - 6.5.4 the outcome of the informal procedure.
- 6.6 Informal proceedings require the written consent of both the Complainant and the alleged perpetrator, and
- 6.6.1 the availability and implications of informal proceedings shall be explained to the Complainant by the Manager before such proceedings;
 - 6.6.2 with the consent of the Complainant preparatory interviews with the alleged perpetrator may be held in the absence of the Complainant and with any other person(s) that may provide information to assist with the informal process;
 - 6.6.3 the structure, procedure and facilitation of any informal procedure will be agreed upon beforehand by the Manager, Complainant, alleged perpetrator and their representatives.
- 6.7 The informal procedure may include:
- 6.7.1 an approach to the alleged perpetrator with or without revealing the identity of the Complainant (depending on the choice of the Complainant) with information that certain forms of conduct constitute sexual harassment;
 - 6.7.2 a discussion where the objective is to give the alleged perpetrator an opportunity to apologise. The terms, conditions and acceptance of such an apology will be facilitated by the Manager;
 - 6.7.3 the presentation of the case in confidence to a group of not more than four persons, to consider suggestions and to make recommendations that may achieve a resolution based on agreement between the alleged perpetrator and the Complainant. The choice of participants in the discussion will be at the discretion of the Manager.
- 6.8 Every endeavour must be made to conclude the informal procedure within ten (10) days of the incident being reported.

- 6.9 Strict confidentiality regarding the process, participants and report will be maintained throughout this process.
- 6.10 No part of the informal procedure may be used as evidence in a subsequent hearing following the outcome of this process.

7 FORMAL PROCEDURES

- 7.1 A Complainant may choose to initiate formal proceedings, either with or without first following an informal procedure. The purpose of formal proceedings is to test the Complainant's allegations through the disciplinary process.
- 7.2 If a Complainant, following an informal procedure that does not result in a mutually acceptable outcome, does not wish to follow a formal procedure, the Employee Relations Practitioner will establish whether the Complainant requires any further advice or support.
- 7.3 If the Complainant wishes to proceed with a formal procedure, he/she shall advise the Employee Relations Practitioner of this, and prepare and sign a written statement providing full particulars of the alleged sexual harassment.
- 7.4 The formal processes for the presentation of the Complainant's case within the Municipality's Disciplinary Procedures will be initiated through the Supervisor/Manager.
- 7.5 While the Municipality's Disciplinary Code specifies a range of disciplinary sanctions, sanctions ought to be proportionate to the seriousness of the sexual harassment in question and the following range of sanctions ought to be considered:
 - 7.5.1 warnings may be issued for instances of sexual harassment;
 - 7.5.2 dismissal may ensue for continued instances of sexual harassment after warnings, as well as for serious instances of sexual harassment.
- 7.6 An alleged perpetrator of sexual harassment may refer a dispute arising from disciplinary action taken by the Municipality to the Bargaining Council.

8 CONFLICT OF INTEREST

- 8.1 All Employees involved in the informal or formal resolution of complaints of sexual harassment will ensure that they have no conflict of interest or bias in relation to any party to the complaint and that there is no perception by the parties that they have a conflict of interest or bias.
- 8.2 Employees who have concerns about perceptions of possible conflict of interest or partiality should exclude themselves from the process, refer on to another Manager if appropriate, or seek advice from the Employee Relations Practitioner.

9 VICTIMISATION

- 9.1 Complaints of victimisation will be treated seriously. Victimisation of Complainants is unlawful.
- 9.2 Victimisation includes any unfavourable treatment of a person who has been involved with a sexual harassment complaint. Unfavourable treatment could include adverse changes in the working environment, denial of training or promotion, making negative, unfounded comments, lower assessment of work performance.
- 9.3 Complaints of victimisation related to a sexual harassment complaint will be dealt with in the same manner as complaints of sexual harassment and may result in disciplinary action.

10. SPECIFIC CONSIDERATIONS

10.1 Confidentiality

The Employer will endeavour to proceed with its investigation with caution and such protocol as to ensure that a case exists before proceeding. Because of the sensitivity and the nature of the issue employee confidentiality and protection must be ensured.

10.2 Identity

The Employer will endeavour as far as possible to withhold the identity of the complainant until such time as the investigation has been completed and it has been decided to pursue the enquiry route.

10.3 Protection

The Employer will investigate every complaint, whether reported or not, as the Employer could be found liable where steps have not been taken to resolve a case

of sexual harassment. Sexually harassed employees should be given adequate sick leave and/or assistance for counseling where appropriate.

11. VEXATIOUS/MALICIOUS COMPLAINTS

If the complaint is found to be vexatious, action against the complainant may be taken under the municipality's disciplinary procedures.

This document was signed on the _____ of _____ 20____.

Municipal Manager

Union Representative (IMATU)

Union Representative (SAMWU)



HIV/AIDS POLICY

Date
Approved:

DD MM YYYY

Council
Resolution (DC
No):

DC
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1. Introduction

The Garden Route District Municipality recognizes the seriousness of the HIV/AIDS epidemic and its impact in the workplace. The municipality supports national efforts to reduce the spread of infection and minimize the impact of the disease.

The Garden Route District Municipality as the employer recognises the importance of its employees and its responsibility to care for their personal well being in the workplace. In doing so, it encourages optimal work attendance and job performance. The employer is committed to address the psycho-social issues which may disturb employees infected and affected by HIV/AIDS and assents to create a supportive and caring environment for those affected and infected by HIV/AIDS.

2. Legal Framework

- Employment Equity Act, No. 55 of 1998;
 - All persons with HIV/AIDS have a common law and constitutional right to privacy regarding their HIV/AIDS status. Accordingly there is no legal duty on an employee to disclose their HIV/AIDS status to their employer. The Municipality will respect this right except where there is a risk to the employer in delivering services to its clients.
 - In accordance with section 6(1) of the Employment Equity Act (55 of 1998) no person may unfairly discriminate against an employee or prospective employee on the basis of his or her HIV status.
 - In accordance with section 7(2) of the Employment Equity Act (55 of 1998) no employee or prospective employee may be required to undertake a HIV test in order to ascertain that employee's or prospective employee's HIV status unless such testing is determined as justifiable by the Labour Court.
- Labour Relations Act, No. 66 of 1995;
 - In accordance with section 185 of the Labour Relations Act 66 of 1995 an employee with HIV/AIDS may not be dismissed simply on the basis of his or her HIV/AIDS status. However where he or she no longer has the capacity to work, his/her services may be terminated in accordance with section 198(1) and (i).
- Occupational Health and Safety Act, No. 85 of 1993;
 - In accordance with section 8(1) of the Occupational Health and Safety Act 85 of 1993 an employer is obliged to provide, as far as is reasonably practicable, a safe working environment which includes minimising the risk of occupational infection with HIV.
 - In accordance with section 22 of the Compensation for Occupational Injuries and Diseases Act 130 of 1993 an employee who is affected with

HIV as a result of an occupational exposure to infected blood or bodily fluids, is entitled to compensation.

- Mine Health and Safety Act, No. 29 of 1996;
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993;
- Basic Conditions of Employment Act, No. 75 of 1997;
 - In accordance with the Basic Conditions of Employment Act 75 of 1997 every employer is obliged to ensure that all employees are entitled to certain basic standards of employment, including a minimum number of sick days provided in terms of section 22 of this Act.
- Medical Schemes Act no. 131 of 1998: and
 - In accordance with section 24(3) and section 29(n) of the Medical Schemes Act 131 of 1998, registered Medical Aid schemes may not discriminate directly or indirectly on the basis of a person's "health status" and they must, in terms of section 57(g) offer a minimum level of benefits to all members.
- Promotion of Equality and Prevention of Unfair Discrimination Act, No. 4 of 2000.
- The Municipality will use this policy in conjunction with the Code of Good Practice and the Technical Guideline (in relation to the Employment Equity Act) in order to ensure an effective implementation of an HIV/AIDS programme.

3. Purpose of this Policy

This Policy will cover all employees, workplaces and contract employment under the jurisdiction of the Municipality. This policy aims to guide the Municipality's, employees and prospective employees on how best to manage HIV/AIDS within the workplace, in order to:

- Ensure non-discrimination between individuals with HIV infection and those affected (e.g. co-workers) and between HIV/AIDS and other life threatening conditions.
- Create a safe and healthy working environment for all employees and members of the public who utilise the Municipality's facilities.
- Introduce educational awareness and prevention programmes to contain and prevent the spread of HIV.
- Manage, support and accommodate those individuals who are infected or affected by HIV/AIDS so that they may continue to work productively for as long as possible.

- Ensure that no person will be denied employment, treated unfairly within the employment relationship, or be unfairly dismissed on the basis of his/her HIV status.

3.1. Promoting a non-discriminatory work environment

3.1.1. No person with HIV or AIDS shall be unfairly discriminated against within the employment relationship or within any employment policies or practices, including with regard to:

- a) Recruitment procedures, advertising and selection criteria;
- b) Appointments and the appointment process, including job placement;
- c) Job classification or grading;
- d) Remuneration, employment benefits and terms and conditions of employment;
- e) Employee assistance programmes;
- f) Job assignments;
- g) The workplace and facilities;
- h) Occupational health and safety;
- i) Training and development;
- j) Performance evaluation systems;
- k) Promotion, transfer and demotion;
- l) Disciplinary measures short of dismissal; and
- m) Termination of services.

3.1.2. To promote a non-discriminatory work environment based on the principle of equality, employers and trade unions should adopt appropriate measures to ensure that employees with HIV and AIDS are not unfairly discriminated against and are protected from victimisation through positive measures such as:

- a) Preventing unfair discrimination and stigmatisation of people living with HIV or AIDS through the development of HIV/AIDS policies and programmes for the workplace;
- b) Awareness, education and training on the rights of all persons with regard to HIV and AIDS;
- c) Mechanisms to promote acceptance and openness around HIV/AIDS in the workplace;
- d) Providing support for all employees infected or affected by HIV and AIDS; and
- e) Grievance procedures and disciplinary measures to deal with HIV related complaints in the workplace.

4. Scope of this Policy

The policy shall apply to all candidates who apply to the Garden Route District Municipality for employment and all employees of the employer.

- All employees and their respective Departments are encouraged to use this Code to develop, implement and refine their HIV/AIDS policies and programmes to suit the needs of their workplace.
- For the purposes of this code, the term "workplace" should be interpreted more broadly than the definition given in the Labour Relations Act, Act 66 of 1995, Section 213, to include the working environment of, amongst others, persons not necessarily in an employer-employee relationship, those working in the informal sector and the self-employed.
- This Code however does not impose any legal obligation in addition to those in the Employment Equity Act and Labour Relations Act, or in any other legislation referred to in the Code. Failure to observe it does not, by itself, render an employer liable in any proceedings, except where the Code refers to obligations set out in law.
- The Code should be read in conjunction with other codes of good practice that may be issued by the Minister of Labour.

5. Policy

The Municipality will ensure that the following principles are adhered to:

- The principle of voluntarism, which acknowledge that the most effective form of referral is self referral.
- The principle of confidentiality, which safeguards the details that employees reveal, and includes the safeguarding of all records, the non-sharing of any information other than with the employee's consent and that interviews be conducted in a place which is considered private. This information will not be part of the personnel file.
- The principle of neutrality, that the role and function of the HIV/AIDS Counsellor should not be tainted by workplace issues pursued by management and the workforce and thus maintain a state of neutrality as defined by Section 16(5)(c) of the Labour Relations Act, 1995.
- The principle of accessibility, committing management to make the service available to all employees.
- The broad brush principle, which refers to all problems which should affect job performance.
- The principle of constructive motivation in that management should motivates and gives employees the option to make use of the HIV/AIDS services.
- The principle of permanency, by means of a mutually agreed policy statement which guarantees the survival of the HIV/AIDS programme.

- The promotion of equality and non-discrimination between individuals with HIV infection and those without, and between HIV/AIDS and other comparable health/medical conditions.
- The creation of a supportive environment so that HIV infected employees are able to continue working under normal conditions in their current employment for as long as they are medically fit to do so.
- The protection of human rights and dignity of people living with HIV or AIDS is essential to the prevention and control of HIV/AIDS.
- HIV/AIDS impacts disproportionately on women and this should be taken into account in the development of workplace policies and programmes.
- Consultation, inclusivity and encouraging full participation of all stakeholders are key principles which should underpin every HIV/AIDS policy and programme.

5.1. Awareness, Prevention and Care Programmes

The Municipality will provide life-skills training and empowerment programmes for all its employees and these will focus on:

- (a) Health promotion, prevention and care.
- (b) Appropriate prevention and management of STD's & TB (and other opportunistic infections).
- (c) Condom promotion and distribution.
- (d) Counselling on risk reduction.

5.2. Awareness Programmes

Every Directorate, Department, depot or workplace will participate towards developing and implementing a workplace HIV/AIDS Awareness Program.

An extensive range of awareness activities will be embarked on. These will include exhibitions, displays, posters, pamphlets, newsletters, etc. as may be necessary to promote awareness.

All new employees will attend an HIV/AIDS awareness programme as part of their Induction Training.

5.3. Prevention and Care Programmes

Education is the most effective measure for the prevention of HIV infection.

Education is also the best way to reduce discrimination both in and out of the workplace.

The Municipality will develop comprehensive and effective on-going education programmes.

All employees will on an on-going basis be exposed to educational programmes.

Peer educators will be identified, trained and supported to promote the programme at workplace level.

The Municipality will endeavour to give active support within budget limitations to Community Based Organisations (CBO's) and Non-Governmental Organisations (NGO's) involved in HIV/AIDS care and prevention services.

Such a workplace program will be based on consultations between the employer, management, trade unions and, where appropriate, NGO's and CBO's with expertise in HIV/AIDS education, counselling, and care services. At a minimum, these programmes will cover at least:

- (a) HIV/AIDS (statistics, medical facts, etc.).
- (b) Sexually Transmitted Diseases (STD's) and Tuberculosis (TB) and their link to HIV.
- (c) Risk assessment and Safer sex practices.
- (d) Sexuality, Sexual Orientation, Sexual and Reproductive Health.
- (e) Gender and Cultural issues related to HIV/AIDS.
- (f) Relationships and Communication.
- (g) Attitudes and Values, Discrimination (to decrease stigma).
- (h) Living with HIV/AIDS (management, support, care, referral).
- (i) Universal Precautions.
- (j) Legal and Ethical issues (employment, confidentiality and disclosure).
- (k) HIV/AIDS and Pregnancy.
- (l) Pre and Post Test Counselling, HIV Testing.

5.4. Workplace exposure

There are numerous ways in which employees could be exposed to HIV/AIDS in the workplace, for example:

- Injuries that occur resulting in bleeding and blood staining of clothes, tools and objects.
- Health care employees exposed to body fluids or HIV – infected materials.
- Resuscitation and first aid measures.
- Rape or sexual penetrating assault.

- Assault with sharp instruments or bleeding injuries.

5.5. Educational programmes

- The employer will endeavour to, within the scope of its budget constraints, provide educational programmes regarding HIV/AIDS for all employees.
- These programmes will provide information and teach the skills necessary for all employees to prevent themselves and others from becoming infected. The programmes will further seek to establish and maintain a work environment free of discrimination.
- Programmes will be regularly monitored, evaluated, reviewed and revised in accordance with any changes that may occur.
- Programmes should be linked, where feasible, to health promotion programmes, such as substance abuse.

5.6. Gender specific programmes

- All programmes should be gender sensitive as well as sensitive to race and sexual orientation.
- Programmes should help women to understand their rights, both within and outside the workplace.
- Information to women needs to alert them to the fact that they are at higher risk of infection.
- Appropriately targeted prevention programmes should be developed for men and should include strategies to promote men's responsibilities regarding HIV/AIDS prevention.

5.7. Voluntary Counselling & Testing

- The employer shall encourage all employees to be tested to determine their HIV status.
- Such testing shall be voluntary and shall be accompanied by pre and post- test counselling to ensure informed consent.
- Counselling and testing records will remain confidential.
- Employees/prospective employees who voluntarily disclose their HIV status will not be refused employment/promotion on the grounds of their HIV status.
- All employees have the legal right to confidentiality about their HIV/AIDS status, except in circumstances where the employer is legally required to disclose such information.

5.8. Confidentiality and Disclosure

- 5.8.1. All persons with HIV or AIDS have the legal right to privacy. An employee is therefore not legally required to disclose his or her HIV status to their employer or to other employees.
- 5.8.2. Where an employee chooses to voluntarily disclose his or her HIV status to the employer or to other employees, this information may not be disclosed to others without the employee's express written consent. Where written consent is not possible, steps must be taken to confirm that the employee wishes to disclose his or her status.
- 5.8.3. Mechanisms should be created to encourage openness, acceptance and support for those employers and employees who voluntarily disclose their HIV status within the workplace, including:
 - a) Encouraging persons openly living with HIV or AIDS to conduct or participate in education, prevention and awareness programmes;
 - b) Encouraging the development of support groups for employees living with HIV or AIDS; and
 - c) Ensuring that persons who are open about their HIV or AIDS status are not unfairly discriminated against or stigmatised.

5.9. HIV/AIDS Testing

- 5.9.1. HIV testing is any form of medical testing to determine the HIV status of a person.
- 5.9.2. HIV testing must be carried out with informed consent which means that the individual has been made aware of, and understands, the implications of the test.
- 5.9.3. Pre-test counselling should be given before an HIV test, to make sure that the person has sufficient information to make an informed decision about having a HIV test.
- 5.9.4. Post-test counselling should be provided when an individual receives his/her HIV test result.
- 5.9.5. An employer is permitted and may provide testing to an employee who has requested a test in the following circumstances:
 - (a) As part of a health care service provided in the workplace.
 - (b) In the event of an occupation accident carrying a risk of exposure to blood or other body fluids.
 - (c) For the purposes of applying for compensation following an occupational accident involving a risk of exposure to blood or other body fluids.
- 5.9.6. Such testing may only take place within the following defined conditions:
 - (a) At the initiative of an employee.
 - (b) Within a health care worker and employee-patient relationship.

- (c) With informed consent and pre- and post-test counselling.
- (d) With strict procedures relating to confidentiality of an employee's HIV status.

5.9.7. Employers who require testing must adhere to the Labour Legislation in, amongst others, the following circumstances:

- (a) During an application for employment.
- (b) As a condition of employment.
- (c) During procedures related to termination of employment.
- (d) As an eligibility requirement for training staff development programmes.
- (e) As an access requirement to obtain employee benefits.

5.10. Creating a Safe Working Environment

5.10.1. The Municipality will strive to provide and maintain, a working environment that is safe and without risk to the health of its employees.

5.10.2. The Municipality will provide psycho-social support to the counsellors and affected staff wherever possible.

5.10.3. The Municipality will take steps to ensure the risk of HIV transmission at work is minimised. These will include:

- (a) Assessing the risk, if any, of the occupational transmission of HIV within the workplace.
- (b) Providing appropriate training on how to deal with and reduce the risk of HIV transmission at work.
- (c) Providing appropriate equipment and materials to deal with and reduce the risk of transmission at work.

5.10.4. Where a real possibility of HIV transmission has occurred following an occupational accident, rape or a penetrating assault, the Municipality will take all reasonably necessary steps to assist the employee to:

- (a) assess the risk of HIV transmission (counselling)
- (b) prevent the risk of HIV transmission prior to zero-conversion (testing and treatment/prophylaxis)

5.10.5. The Municipality will provide guidelines regarding steps to be taken in the event of an occupational incident with a risk of HIV infection and to prevent cross infections for example: **"A Protocol for needle sticks injuries and other sources of exposure to blood and blood products."**

5.10.6. These guidelines will include such elements as:

- (a) Creating an awareness of the risk of HIV transmission in the event of an occupational incident involving blood or bodily fluids.
- (b) HIV testing of the parties involved in an accident.
- (c) Reporting procedures.

5.11.Compensation for HIV/AIDS Infection at Work

The Municipality will take all reasonable steps in terms of the Compensation for Occupational Injuries and Diseases Act (130 of 1993), to assist employees with claims for compensation and compensate for cost of testing and prophylactic therapy before zero-conversion as performed by specified health centres.

A claim to the Compensation Commissioner will only be submitted upon confirmation of zero-conversion of the employee.

5.12.Employee Benefit Schemes

The Municipality will endeavour to ensure that employees with HIV/AIDS not be discriminated against with the allocation of employee benefits.

5.13.Medical Aid Schemes

The Municipality will prevail on these funds to maintain a non-discriminatory attitude towards patients with HIV/AIDS and to treat such patients in a similar manner to these affected by other life-threatening diseases.

Normal benefits should be available to all who initially qualify for admission to the funds via normal procedures.

5.14.Pension/Retirement Funds

The Municipality will prevail on the funds to maintain a non-discriminatory attitude towards patients with HIV/AIDS and to treat such patients in a similar manner to these affected by any other life-threatening disease.

No person should be denied access to the Pension or Retirement funds provided they fulfil initial criteria for admission.

5.15.Managing HIV positive employees

- 5.15.1. Employees living with HIV/AIDS will continue to work under normal conditions in their current employment for as long as they are medically fit to do so.

- 5.15.2. This takes into consideration not only their ability to perform their assigned duties but also susceptibility to infection (e.g. nursing staff working in a TB clinic).
- 5.15.3. The Municipality will work towards ensuring that the performance of every staff member is maintained, where possible.
- 5.15.4. The above includes taking reasonable steps to accommodate employees with related HIV/AIDS impairments within the workplace, to assist them to continue in productive employment.
- 5.15.5. Employees with HIV/AIDS will be governed without distinction or discrimination to existing sick leave allocations (ill health policy).
- 5.15.6. If health care facilities or services are not available at the workplace, employees will be referred to appropriate services within the community.
- 5.15.7. The Municipality will endeavour to provide support or take steps to assist employees with HIV/AIDS to have access to appropriate medical treatment. These will also include:
 - (a) Giving the employee time off according to the sick leave policy to attend clinics or counselling.
 - (b) Transferring the employee to lighter or less stressful duties, where it is both necessary and possible.
 - (c) When the employee is no longer able to work, the employee will be dealt with in terms of the Municipality's conditions of service and policies as well as applicable labour legislation.

5.16. Grievance Procedure

- 5.16.1. The Municipality will ensure that the rights of employees living with HIV/AIDS, and remedies available to employees in the event of a breach of such rights become integrated into the existing grievance procedure.
- 5.16.2. The Municipality will create an awareness and understanding of the remedies available to employees who are discriminated against on the basis of their HIV status.
- 5.16.3. The Municipality develop special measures to ensure confidentiality of the complainant during such proceedings, including ensuring that such proceedings are held in private.

5.16.4. Where disputes may arise in relation to HIV/AIDS in the workplace, the Municipality will take steps to deal with this issue, including:

- (a) An investigation into the nature and cause of the dispute.
- (b) Attempt to resolve the dispute through the relevant dispute resolution mechanism.
- (c) Provide counselling and additional education to all those involved.
- (d) As a final resort, the taking of disciplinary steps against staff causing the disruption.

5.17. Dismissal

5.17.1. Employees with HIV/AIDS have the right not to be unfairly dismissed on the basis of their HIV status.

5.17.2. Diagnosis of a person's HIV/AIDS status is not a sufficient reason to dismiss an otherwise healthy person.

5.17.3. The Municipality is obliged to follow accepted guidelines regarding dismissals for incapacity before terminating an employee's services.

5.17.4. The above will include attempts to accommodate the employee's disability and to find alternatives to dismissal.

5.17.5. The Municipality will ensure as far as possible that the employee's right to confidentiality with regards to his or her HIV status is maintained during incapacity proceeding.

5.17.6. An employee cannot be compelled to undergo a HIV test or to disclose his or HIV status as part of incapacity proceedings.

5.17.7. Where an employee no longer has the capacity to continue working, the Municipality may lawfully terminate the employee's services. It would need to follow fair procedures as stipulated in the Labour Relations Act 66 of 1995.

5.18. HIV/AIDS Workplace Committee

The implementation of this policy will be co-ordinated by the Health and Safety Workplace Committee. The Committee will submit regular progress reports to relevant Committees of the Municipality's Council.

5.19. Managing HIV/AIDS in the workplace

The effective management of HIV/AIDS in the workplace requires an integrated strategy that includes, amongst others, the following elements:

- An understanding and assessment of the impact of HIV/AIDS on the workplace; and
- Long and short term measures to deal with and reduce this impact, including:
 - (i) An HIV/AIDS Policy for the workplace
 - (ii) HIV/AIDS Programmes, which would incorporate:
 - (a) Ongoing sustained prevention of the spread of HIV among employees and their communities;
 - (b) Management of employees with HIV so that they are able to work productively for as long as possible; and
 - (c) Strategies to deal with the direct and indirect costs of HIV/AIDS in the workplace

5.20. Assessing the impact of HIV/AIDS on the workplace

5.20.1. Employers and trade unions should develop appropriate strategies to understand, assess and respond to the impact of HIV/AIDS in their particular workplace and sector. This should be done in co-operation with sectorial, local, provincial and national initiatives by government, civil society and non-governmental organisations.

5.20.2. Broadly, impact assessments should include:

- a) Risk profiles; and
- b) Assessment of the direct and indirect costs of HIV/AIDS;

5.20.3. 14.3. Risk profiles may include an assessment of the following:

- a) The vulnerability of individual employees or categories of employees to HIV infection;
- b) The nature and operations of the organisation and how these may increase susceptibility to HIV infection (eg migrancy or hostel dwellings);
- c) A profile of the communities from which the organisation draws its employees;
- d) A profile of the communities surrounding the organisation's place of operation; and
- e) An assessment of the impact of HIV/AIDS upon their target markets and client base.

5.20.4. The assessments should also consider the impact that the HIV/AIDS epidemic may have on:

- a) Direct costs such as costs to employee benefits, medical costs and increased costs related to staff turnover such as training and recruitment costs and the costs of implementing an HIV/AIDS programme;

- b) Indirect costs such as costs incurred as a result of increased absenteeism, employee morbidity, loss of productivity, a general decline in workplace morale and possible workplace disruption;
- 5.20.5. 14.5. The cost effectiveness of any HIV/AIDS interventions should also be measured as part of an impact assessment

5.21. MEASURES TO DEAL WITH HIV AIDS WITH IN THE WORKPLACE

5.21.1. A Workplace HIV/AIDS Policy

Every workplace should develop an HIV/AIDS policy, in order to ensure that employees affected by HIV/AIDS are not unfairly discriminated against in employment policies and practices.

- 5.21.1.1. This policy could either be a specific policy on HIV/AIDS, or could be incorporated in a policy on life threatening illness.

This policy should cover:

- a) the organisation's position on HIV/AIDS;
- b) an outline of the HIV/AIDS programme;
- c) details on employment policies (e.g. position regarding HIV testing, employee benefits, performance management and procedures to be followed to determine medical incapacity and dismissal);
- d) express standards of behaviour expected of employers and employees and appropriate measures to deal with deviations from these standards;
- e) grievance procedures in line with item 12 of this Code;
- f) set out the means of communication within the organisation on HIV/AIDS issues;
- g) details of employee assistance available to persons affected by HIV/AIDS;
- h) details of implementation and coordination responsibilities; and
- i) Monitoring and evaluation mechanisms.

- 5.21.1.2. All policies should be developed in consultation with key stakeholders within the workplace including trade unions, employee representatives, occupational health staff and the human resources department.

- 5.21.1.3. The policy should reflect the nature and needs of the particular workplace.

- 5.21.1.4. Policy development and implementation is a dynamic process, so the workplace policy should be:

- a) communicated to all concerned;
- b) routinely reviewed in light of epidemiological and scientific information; and
- c) Monitored for its successful implementation and evaluated for its effectiveness.

5.21.2. Developing Workplace HIV/AIDS Programmes

- 5.21.2.1. It is recommended that every workplace works towards developing and implementing a workplace HIV/AIDS programme aimed at preventing new infections, providing care and support for employees who are infected or affected, and managing the impact of the epidemic in the organisation.
- 5.21.2.2. The nature and extent of a workplace programme should be guided by the needs and capacity of each individual workplace. However, it is recommended that every workplace programme should attempt to address the following in cooperation with the sectoral, local, provincial and national initiatives:
 - a) hold regular HIV/AIDS awareness programmes;
 - b) encourage voluntary testing;
 - c) conduct education and training on HIV/AIDS;
 - d) promote condom distribution and use;
 - e) encourage health seeking behaviour for STD's;
 - f) enforce the use of universal infection control measures;
 - g) create an environment that is conducive to openness, disclosure and acceptance amongst all staff;
 - h) endeavour to establish a wellness programme for employees affected by HIV/AIDS;
 - i) provide access to counselling and other forms of social support for people affected by HIV/AIDS;
 - j) maximise the performance of affected employees through reasonable accommodation, such as investigations into alternative sick leave allocation;
 - k) develop strategies to address direct and indirect costs associated with HIV/AIDS in the workplace, as outlined under item 14.4
 - l) regularly monitor, evaluate and review the programme.
- 5.21.2.3. Employers should take all reasonable steps to assist employees with referrals to appropriate health, welfare and psycho-social facilities within the community, if such services are not provided at the workplace

6. Processes

In order to plan and evaluate its HIV/AIDS policy and programme effectively, the Garden Route District Municipality will undertake a survey to establish baseline data and regular risk and impact assessment studies. The studies will include knowledge, attitudes and behaviour/practices (KAB/P). Studies will be carried out in consultation and with the consent of employees and their representatives, and in conditions of complete confidentiality.

6.1. Communication

In order to plan and evaluate its HIV/AIDS policy and programme effectively, the Municipality will undertake a survey to establish baseline data and regular risk and impact assessment studies. The studies will include knowledge, attitudes and behaviour/practices (KAB/P). Studies will be carried out in consultation and with the consent of employees and their representatives, and in conditions of complete confidentiality.

6.2. Budget and Resources

When it becomes necessary, the Municipality will make every effort to establish a budget for HIV/AIDS activities but realizes that many interventions can be put in place at little or no cost. Many of the required services are available in community facilities.

6.3. Roles and Responsibilities

The policy on HIV/AIDS not only establishes certain rights but it also imposes certain responsibilities on the relevant stakeholders. This section seeks to identify the said rights and responsibility. It is further acknowledged that the success of the policy framework is dependent on the co-operation of all parties.

6.3.1. The Municipal Manager

The Municipal Manager takes overall responsibility for the implementation of the policy and compliance with the relevant legislation.

6.3.2. Human Resources Department

The Human Resources Department carries the following responsibilities:

- In conjunction with line management, the Human Resources Department must ensure that all employees are familiar with the policy.
- Monitor and advise the Municipal Manager of any irregular application of the policy.
- Arrange for counselling where requested by employees.
- Advise management on disciplinary steps to be taken in circumstances where the policy was breached.

6.3.3. Managers & Supervisors

All Managers and Supervisors:

- Must ensure that all employees are aware of and familiar with the content of the policy.
- Are responsible for the implementation of this policy.

- Must establish and maintain communication channels to raise awareness concerning HIV/AIDS in the workplace.
- Must make appropriate arrangements to ensure that confidential information, regarding the HIV status of an employee, is protected.
- Must ensure that immediate and appropriate corrective action is taken where the policy is breached.

6.3.4. Employees:

- Employees should acknowledge that a fellow employee's health condition is private and confidential and an employee living with HIV/AIDS is under no obligation to disclose his/her status to a manager or any other employee.
- Employees shall not discriminate against fellow employees who are living with HIV/AIDS and in particular an employee may not refuse to work with a colleague who is HIV positive. The Health and Safety Officer should nevertheless ensure that all employees are familiar with the basic safety procedures where there is potential exposure to HIV/AIDS.
- Employees shall endeavour to play a supportive role towards fellow employees who are living with HIV/AIDS.
- Employees who are aware of their positive HIV status shall take every precaution to ensure that fellow employees are not affected.

6.4. Record Keeping

All documentation and correspondence emanating from or related to this policy will be kept on either personal and/or record files as dictated by the nature of issue.

6.5. Penalties

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

6.6. Dispute Resolution

Any dispute arising from this policy due to ambiguous wording or phrasing must be referred to the Local Labour Forum for adjudication. Resolutions from the LLF must be incorporated into the policy.

7. Policy Review

This policy will be reviewed annually and revised as necessary in the light of changing conditions and the findings of surveys/studies conducted, by the Health and Safety Workplace Committee.

8. References

None

9. Acknowledgement & Approval

This policy will be implemented and effective once approved by Council.

10. Annexures

None



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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10. ESS Leave Types	Error! Bookmark not defined.

8. 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.

9. 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)

10. 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.

11. 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.*

a. 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 and Friday will be submitted as 0.75

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

Workplace – The Employer

12. POLICY

5.1 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):

- 5.1.1 *"An employer shall grant an employee the following annual leave:*
 - 5.1.1.1 *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*
 - 5.1.1.2 *Twenty-seven (27) days for a six- (6) day worker.*
- 5.1.2 *An employer must grant annual leave not later than six months after the end of the annual leave cycle.*
- 5.1.3 *An employee is required to take annual leave as follows:*
 - 5.1.3.1 *A five- (5) day worker shall take a minimum of sixteen (16) days leave; and*
 - 5.1.3.2 *A six- (6) day worker shall take a minimum of nineteen (19) days leave.*
- 5.1.4 *An employee must take annual leave not later than six months after the end of the annual leave cycle.*
- 5.1.5 *Annual leave shall only be accumulated to a maximum of forty-eight (48) working days.*
- 5.1.6 *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.*
- 5.1.7 *With six months of the end of a leave cycle, an employee may not have more than 48 days annual leave to his credit.*

5.1.8 *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 service exit 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.

5.2 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):

5.2.1 *"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.*

5.2.2 *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.

- 5.2.3 *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 of Parliament."

5.3 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.

5.4 ADMINISTRATIVE MEASURES FOR TAKING SICK LEAVE

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

- 5.4.1 "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.

- 5.4.2 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.
- 5.4.3 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.
- 5.4.4 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.
- 5.4.5 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.
- 5.4.6 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.
- 5.4.7 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.

5.5 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."

5.6 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):

- 5.6.1 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."

5.6.1.1 Adoption Leave (*Basic Conditions of Employment Act*)

An employee who is an adoptive parent of a child who is below the age of two will be entitled to adoption leave of at least ten (10) consecutive weeks; or the parental leave. If an adoption order is made in respect of two adoptive parents, one of the adoptive parents may apply for adoption leave and the other adoptive parent may apply for parental leave, provided that the selection of choice must be exercised at the option of the two adoptive parents. (This leave is unpaid)

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

5.6.2 **(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:

- 5.6.3 (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:

5.6.4 "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."

5.6.5 *Paternity Leave (Basic Conditions of Employment Act)*

An employee who is a parent of a child will be entitled to at least ten (10) consecutive days' parental leave. This leave must commence from the day the child is born; or the date that the adoption order is granted or that a child is placed in the care of a prospective adoptive parent by a competent court pending the finalization of an adoption order in respect of that child; whichever date occurs first. (This leave is unpaid)

5.6.6 *Commissioning Parental Leave (Basic Conditions of Employment Act)*

An employee who is a commissioning parent in a surrogate motherhood agreement will be entitled to commissioning parental leave of at least ten (10) consecutive weeks or the parental leave. (This leave is unpaid)

5.7 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):

- 5.7.1 "Family responsibility leave applies to an employee who has been in employment with an employer for longer than four (4) months.
- 5.7.2 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:
 - 5.7.2.1 the employee's child is born;
 - 5.7.2.2 the employee's child is sick;
 - 5.7.2.3 the employee's spouse or life partner is sick;
 - 5.7.2.4 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).

5.8 STUDY LEAVE

ESS Leave Type: Special Study Leave

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

- 5.8.1 "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.
- 5.8.2 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 5.8.3. 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.

- 5.8.3 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.
- 5.8.4 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).

5.9 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):

- 5.9.1 "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.
- 5.9.2 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.
- 5.9.3 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.
- 5.9.4 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).

5.10 TIME OFF TO ATTEND CLASSES

ESS Leave Type: Special Study Leave

5.10.1 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.

5.10.2 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.

5.10.3 The granting of time off to attend these classes will result in a service obligation to Council. (Refer to Skills Development Policy).

5.10.4 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).

5.11 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):

5.11.1 "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.

- 5.11.2 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."

5.12 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.

- 5.12.1 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;
- 5.12.2 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;
- 5.12.3 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).

5.13 QUARANTINE AND ISOLATION UNDER MEDICAL INSTRUCTION

ESS Leave Type: Isolation or Quarantine

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.”

5.14 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.

5.15 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.”

5.16 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:

5.16.1 Leave without pay shall be granted only when all available vacation and/or sick leave has been exhausted.

5.16.2 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.

5.17 APPLICATION FOR SPECIAL LEAVE

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

5.17.1 “Exigencies of the service must be taken into consideration.

5.17.2 Supporting documents, where required, must be provided with the application.

5.17.3 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.

5.17.4 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.”

5.18 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):

5.18.1 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

5.18.2 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:*
 $A \text{ months} / 60 \text{ months} \times B \text{ days}$
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:*
 $15 \text{ months} / 60 \text{ months} \times 40 \text{ days}$

5.19 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):

5.19.1 Election of Shop Stewards

5.19.1.1 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.

5.19.1.2 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.

5.19.2 Meetings and Facilities

5.19.2.1 The shop stewards shall be entitled to meet with members in their respective constituencies for a period of 2 (two) hours per month.

5.19.2.2 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.

5.19.2.3 A shop stewards' committee shall be entitled to meet for a period not exceeding 2 (two) hours per month during working time.

5.19.3 Time Off for Trade Union Activities and Training

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.

5.19.3.2 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.

5.19.3.3 Further requests or time off for shop stewards shall not be unreasonably refused.

5.19.3.4 The necessary leave forms must be submitted and approved by the Supervisor and Head of Department prior to taking time off for union leave.

5.20 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)

5.20.1 Annual Leave

5.20.1.1 "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.

5.20.1.2 A senior manager does not accrue leave during any period of unpaid leave or if the senior manager is absent from work without permission.

5.20.1.3 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.

5.20.1.4 A senior manager may only take annual leave with the prior written approval of the mayor or municipal manager, as the case may be.

5.20.1.5 A senior manager's application for annual leave may not be unreasonably disapproved."

5.20.2 Sick Leave

5.20.2.1 "A senior manager is entitled to 36 working days paid sick leave during each sick leave cycle.

5.20.2.2 A senior manager who is appointed after 1 January will be entitled to paid sick leave on a pro rata basis.

5.20.2.3 Sick leave may not be carried over from one sick leave cycle to the next sick leave cycle.

5.20.2.4 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."

5.20.3 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."

5.20.4 Reporting sickness or injury

5.20.4.1 "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.

5.20.5.2 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."

5.20.5 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."

5.20.6 Maternity leave

"A senior manager is entitled to at least four consecutive months maternity leave."

5.20.7 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."

5.20.8 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.

13. 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.

14. 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.

15. REFERENCES

Main Collective Agreement

Conditions of Service Collective Agreement

Basic Conditions of Employment Act

16. ACKNOWLEDGEMENT & APPROVAL

17. ESS LEAVE TYPES

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
Adoption Leave	Ten (10) consecutive weeks unpaid; or the parental leave.
Paternity Leave	<i>Ten (10) consecutive days' unpaid parental leave or Family Responsibility Leave (subject to balance)</i>
Commissioning Parental Leave	<i>Ten (10) consecutive weeks unpaid or the parental leave.</i>
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.
Isolation / Quarantine leave	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."

**1. PROGRESS REPORT WITH REGARDS TO THE ESTABLISHMENT OF A DISTRICT
FOODBANK / VORDERINGSVERSLAG MET BETREKKING TOT DIE DAARSTEL VAN 'N
DISTRISVOEDSELBANK / INGXELO NGOMSEBENZI OSELE WENZIWE MALUNGA
NOKUMISELWA KWEBANKI YOKUTYA KWISITHILI**

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 initially tabled at the Covid-19 District Command Council meeting of 22 May 2020.

3. DELEGATED AUTHORITY

Council

4. 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, 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 a draft Memorandum of understanding (MOU) to the district.

At the September 2020 meeting council resolved that they in principle support the concept MOU from Eden Community Hope Outreach (ECHO) and that the operational cost for the establishment of a District Food Pantry should be shared between the GRDM and all the B-Municipalities in support. Initially the costs for the establishment of the District Food Pantry amounted to R55 000, 00 but some cost savings could be negotiated that led to a price reduction, decreasing the amount of R30 250, 00

Based on the same principles applied in the previous report the contributions required from each local municipality would then amount to the following, refer to table: 1 below:

Local Municipality	% Contr. (Based on population)	Part of R30 250-00 p/m	% Funding provided by GRDM	Monthly contribution Before subsidy	Subsidized by GRDM	Balance to be paid by each LM Per month
GRDM			80% SUBSIDY	R 11 980-00	-	R 11 980-00
George LM	35%	R 10 587-50	-	R 10 587-50	-	R 10 587-50
Mossel Bay LM	15,5 %	R 4 688-75	-	R4 688-75	-	R 4 688-75
Oudtshoorn LM	15%	R 4 537-50	80%	R4 537-50	R 3 630-00	R 907-50
Knysna LM	12,5%	R 3 781-25	80%	R3 781-25	R 3 025-00	R 756-25
Bitou LM	9%	R 2 722-50	80%	R 2 722-50	R 2 178-00	R 544-50
Hessequa LM	9%	R 2 722-50	80%	R 2 722-50.	R 2178-00	R 544-50
Kannaland LM	4%	R 1210-00	80%	R 1 210-00	R 968-00	R 242-00
Total				R30 250-00	R 11 979-00	R30 250-00

Table: 1

We did request all the participating local municipalities to obtain formal council resolutions in support of the proposed district food bank as well as their required financial contributions, but we foresee that we would only have these commitments finalised by the middle of December this year.

This would be too late to address the challenge in terms of providing food to those in need, especially if we take into consideration that the National school feeding scheme would come to an end when the schools close for the Summer school holiday between 15 December 2020 and 27 January 2021. Currently this program feeds in excess of 25 000 learners daily providing at least one nutritional meal to those in need.

In order to fast track the establishment of the District Food Bank it is proposed that the Garden Route District Municipality fund the total funding required for the first three months and then be recovered from the local municipal contributions once their formal commitment is received.

5. RECOMMENDATIONS

- 5.1.1 That Council take note of the progress with regards to the establishment of a District Food Pantry.
- 5.1.2 That the Garden Route District Municipality provide the total funding required for the initial start-up costs towards the establishment of the District Food Pantry for the first three months (Dec 2020 – February 2021) and then be recovered from the local municipal contributions once their formal commitments is received.
- 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 wat reeds gemaak is tot die vestiging van 'n Distrik Voedsel bank.*

- 5.2.2 *Dat die Garden Route Distriksmunisipaliteit vir die eerste drie maande (Desember 2020 tot Februarie 2021) die totale koste tot die vestiging van die Distrik Voedsel bank voorskiet en dan terug verhaal uit die bydraes van die deelnemende plaaslike owerhede, sodra hul bydraes ontvang word.*
- 5.2.3 *Dat die operasionele kostes tot die vestiging van 'n Distrik Voedsel bank verdeel word tussen die Garden Route Distriksmunisipaliteit en al die B-Owerhede in die distrik vir 'n periode van drie jaar, waarna die Distrik Voedsel bank onafhanklik moet kan funksioneer.*

IZINDULULO

- 5.3.1 Sesokuba iBhunga lithathele ingqalelo umsebenzi osele wenziwe malunga nokumiselwa Kwebanki Yokutya Yesithili.
- 5.3.2 Sesokuba uMasipala Wesithili se Garden Route unikezele ngemalinxao epheleleyo efunekayo kwiphulo lendleko zokumiselwa kweBanki Yokutya yesiThili kwiinyanga ezintathu zokuqala(kweyoMnga 2020-kweyoMdumba 2021) ze emveni koko imali ibuyiswe ngezibonelelo zomasipala basekuhlaleni emveni keziqinisekiso kokuzubophelelwa kwabo ngokusesikweni.
- 5.3.3 Sesokuba indleko zomsebenzi ngokumiselawa kweBanki Yokutya Yesithili kwahlulwe phakathi kwe GRDM kunye nabo bonke ooMasipala basekuhlaleni kwiphulo lokumiselwa kwayo kwixesha leminyaka emithathu, ze emveni koko iBanki Yokutya yesiThili funeka iqhube ngokuzimeleyo.

6. DISCUSSION / CONTENTS

6.1 Background

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:

- South African Red Cross Society: Survey findings on the need for a Foodbank in the Garden Route District;
- Sustainable City Forum: Community Food Hub;
- Eden Lions Club: Food Pantry;
- Economic Development Partnership: Digital food vouchers;
- Pick n 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 were 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 Food Pantry. The proposed food pantry could be launched by 1 October 2020 if all agreements could be concluded.

In September, Council supported the proposed MOU with Eden Lions Club and resolved that the establishment funding towards the establishment of a district food pantry be split between the District - and 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. (R660 000-00 p.a.)	R 1,980,000-00

6.4 Financial Implications

The total cost to the municipality would be R 11 979, 00 per month, R143 748, 00 per annum and R 431 244, 00 for the three year period.

The initial start-up contribution to be funded by the Garden Route District Municipality would be (R30 250-00 x 3 = R 90 750-00). This would then be reimbursed from the local municipal contributions.

6.5 Legal Implications

None

6.5 Staff Implications

A decision to not implement the Direction 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 COVID-19 Committee who has 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.

Following this resolution on the 30th of September council resolved that: Council took note of the progress with regards to the establishment of a District Food Pantry.

The Council in principle supported the concept MOU from Eden Community Hope Outreach (ECHO) and;

The operational cost as per Table: 2, below 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.

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

6.7 Risk Implications

There are no foreseen risks associated with the proposed decision for Council to establish the Garden Route Food Pantry.

6.8 Comments from Executive Management:

6.8.1 Executive Manager: Roads and Transport Planning Services

6.8.2 Executive Manager: Planning and Economic Development

6.8.3 Executive Manager: Corporate Services

6.8.4 Executive Manager: Financial Services

6.8.5 Manager: Legal Services

[BACK TO AGENDA](#)

DISTRICT COUNCIL

26 NOVEMBER 2020

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 COVID-19 PANDEMIE AAN TE SPREEK / INGXELO ENTSHA NGAMANYATHELO AYE ATHATYATHWA LIBHUNGA LOLAWULO LESITHILI SE COVID-19 OKUJONGANA NOBHUBHANE COVID-19**

13 November 2020

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 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. On Wednesday the 11th of November the National Disaster declaration was extended to the 15th of December 2020

This report provides oversight in terms of the activities of the Garden Route Disaster Management Centre for the month of October 2020 as well as the latest updated Covid-19 statistics of the district being as follow:

Table 1: Current position in terms of Covid-19 positive cases within the GRDM

Date	Description	Oudtshoorn	Bitou	Knysna	George	Mossel Bay	Hessequa	Kannaland	GRDM
Friday 13/11/2020	Positive Cases	1658	825	1788	4371	2672	389	148	11851
	Deaths	108	27	53	120	74	19	2	403
	Active Cases	57	110	150	476	106	19	2	920
	Recoveries	1493	688	1585	3775	2492	351	144	10528

5. RECOMMENDATION

That Council takes note of the report.

AANBEVELING

Dat die Raad kennis van die verslag.

ISINDULULO

Sesokuba iBhunga lithathele ingqalelo ingxelo.

6. **DISCUSSION / CONTENTS**

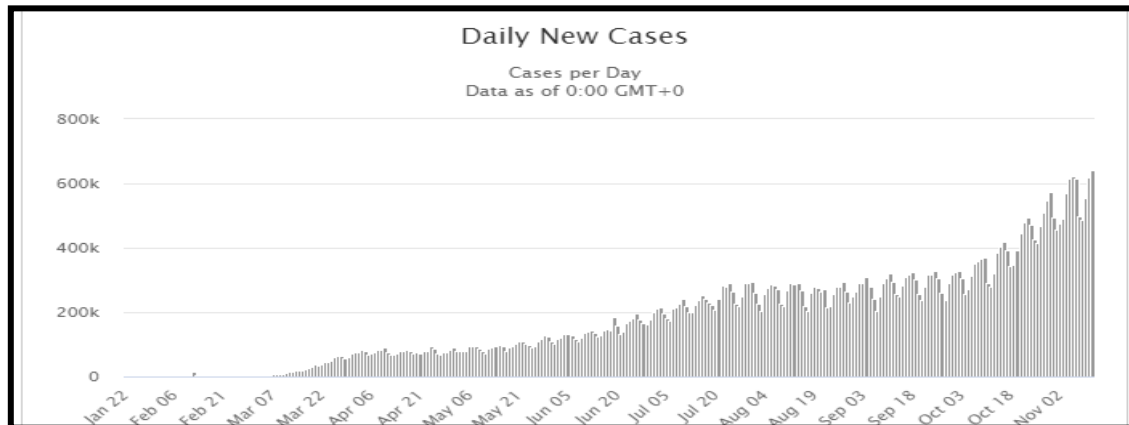
6.1 **Background**

Today 13 November 2020 is exactly **243** days since the declaration of a National state of Disaster due to the Covid-19 pandemic; it is day **53** of the National Alert Level 1 COVID-19 Lockdown and day **227** of the GRDM District Command Centre activation.

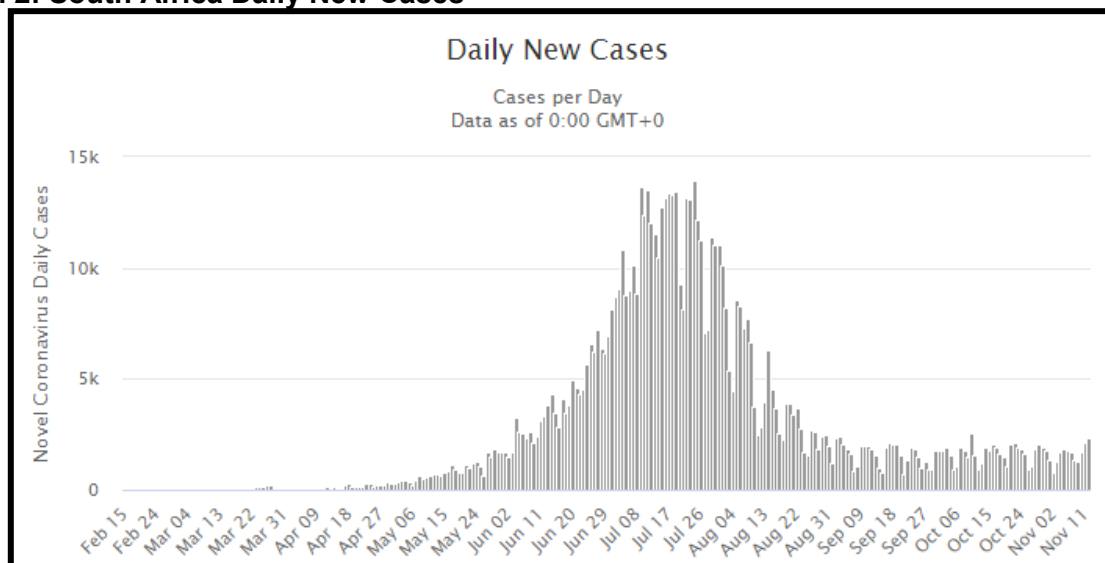
Overview on Covid-19 Cases in South Africa, the Western Cape and the Garden Route District as on 13 November 2020:

Internationally:

Internationally the total number of Coronavirus cases now exceeds the **53 million** mark at **53,092,733** on Thursday morning (29/10/2020) with **1,299,413** people who lost their lives due to this virus. Fortunately, to date **37,213,423** people have recovered.

Graph 1: International Daily New Cases

cases reported, of these cases **690,903** or **(92.77%)** of the infected people have recovered and to date **20,076** people lost their lives due to this virus.

Graph 2: South Africa Daily New Cases**Western Cape:**

In the Western Cape the total number of positive Coronavirus cases reported is **119,141** of these **111,087 (93.23%)** have already recovered and the total amount of people who lost their lives due to this virus is at **4 430** people.

Graph 3: Western Cape Daily New Cases

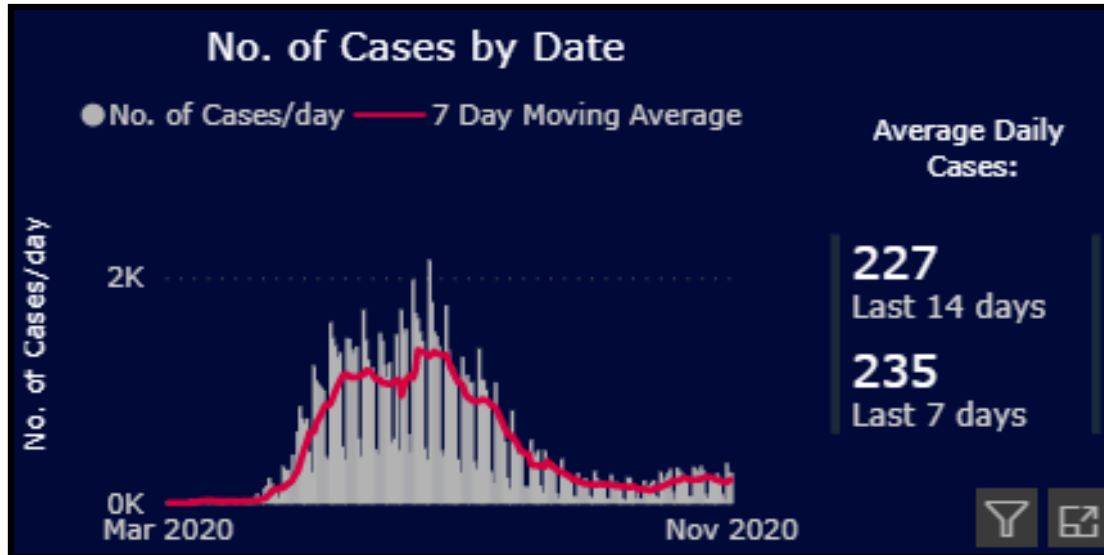


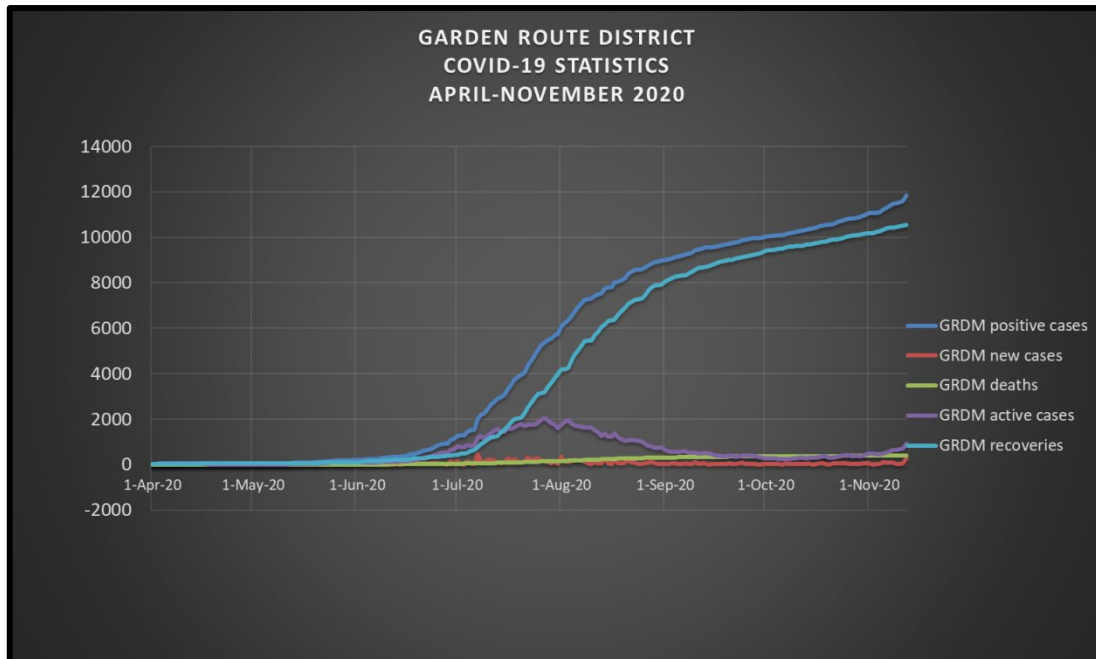
Table 2: Statistics in terms of Covid-19 positive cases within the GRDM from 02/11/2020 till 13/11/2020

Date	Description	Oudtshoorn	Bitou	Knysna	George	Mossel Bay	Hessequa	Kannaland	GRDM
Monday 02/11/2020	Positive Cases	1612	714	1663	3983	2571	367	146	11056
	Deaths	106	24	51	114	71	19	2	387
	Active Cases	50	41	70	268	50	14	6	499
	Recoveries	1456	649	1542	3601	2450	334	138	10170
Date	Description	Oudtshoorn	Bitou	Knysna	George	Mossel Bay	Hessequa	Kannaland	GRDM
Thursday 05/11/2020	Positive Cases	1614	726	1679	3994	2576	366	146	11101
	Deaths	107	25	52	114	71	19	2	390
	Active Cases	38	52	73	230	40	13	2	448
	Recoveries	1469	649	1554	3650	2465	334	142	10263
Date	Description	Oudtshoorn	Bitou	Knysna	George	Mossel Bay	Hessequa	Kannaland	GRDM
Monday 09/11/2020	Positive Cases	1633	779	1725	4190	2616	375	148	11466
	Deaths	107	25	52	116	72	19	2	393

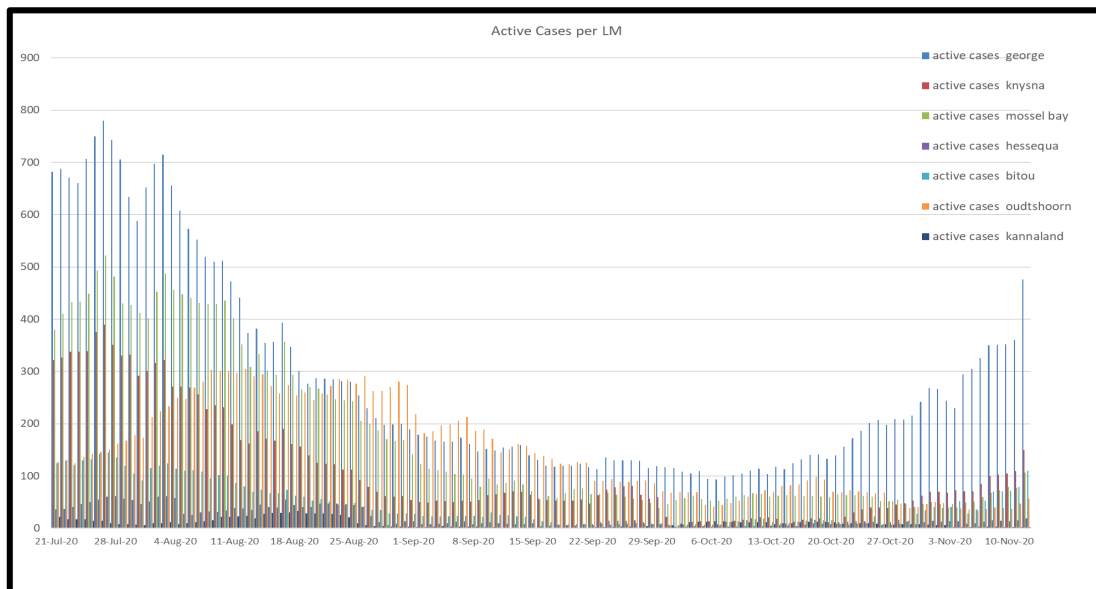
	Active Cases	40	70	100	350	68	15	3	646
	Recoveries	1486	684	1573	3724	2476	341	143	10427
Date	Description	Oudtshoorn	Bitou	Knysna	George	Mossel Bay	Hessequa	Kannaland	GRDM
Thursday 12/11/2020	Positive Cases	1647	749	1744	4235	2641	384	148	11593
	Deaths	107	27	52	119	74	19	2	400
	Active Cases	47	79	109	360	77	15	2	689
	Recoveries	1493	688	1583	3756	2490	350	144	10504

Attached as Annexure “A” COVID-19 Comparative Statistics up until 13 November 2020.

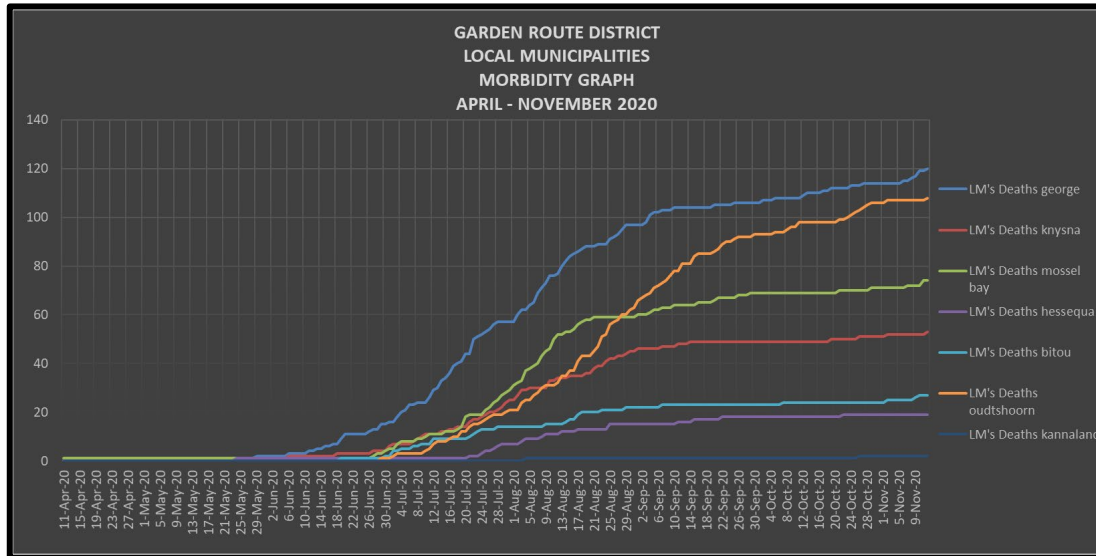
Graph 4 : Garden Route District Municipality COVID-19 Statistics



Graph 5 : Garden Route District Municipality COVID-19 Active Cases Statistics



Graph 6 : Garden Route District Municipality COVID-19 Morbidity Cases Statistics



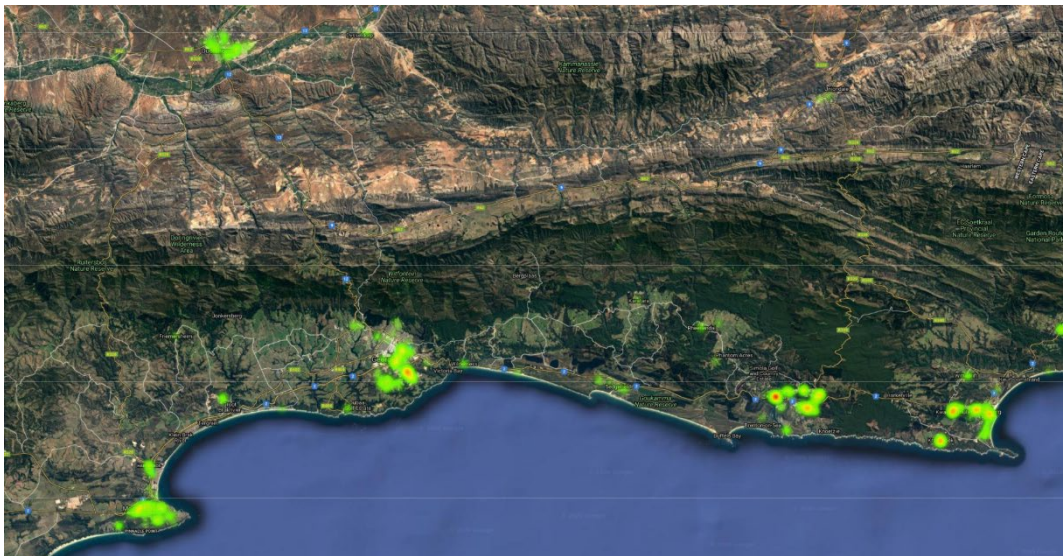
The following is a list of actions taken and the most important situation updates up and until 13 November 2020:

GRDM Covid-19 Command Centre:

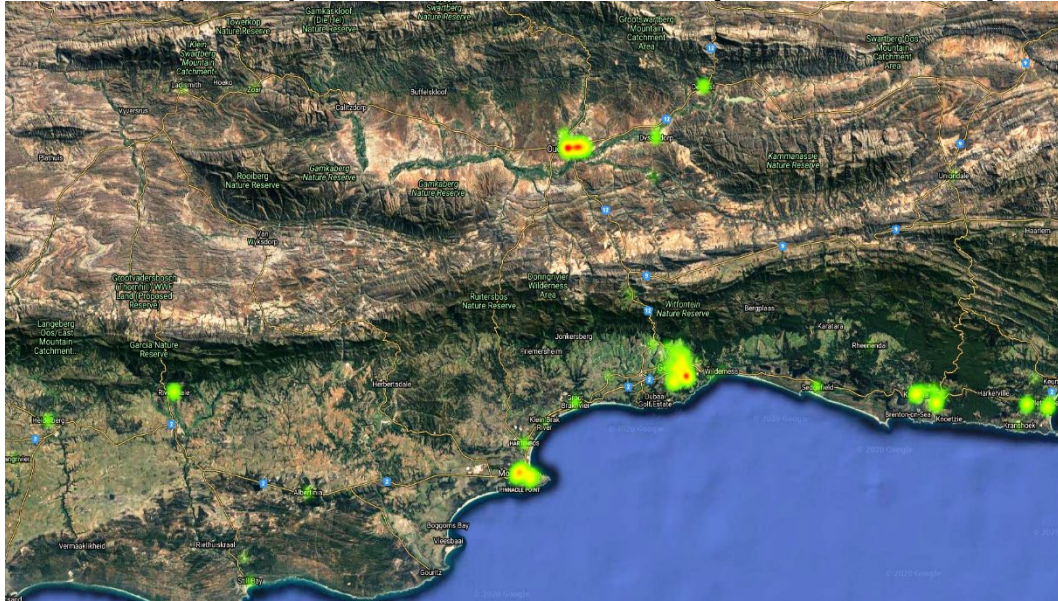
- Rumours on social media had everyone concerned in terms of moving to another level of lockdown or moving back to level 3 / 5. The Premier and the President indicated that it was rumours and that we are not moving to another level. The meeting that was supposed happen did not to take place.
- All the Local Municipalities were requested to provide feedback w.r.t Summer Seasonal Planning, specifically for COVID-19 interventions.
- Concerns were raised regarding COVID-19 figures within the George Municipal area; the active cases have climbed with 75% to what it was in the beginning of October 2020. The reactivation of their Hotspot Task team was advised.
- The Premier indicated that he is very concerned regarding the relaxed attitude of the general public.
- When looking at Western Cape Provincial statistics, on the 29th of October 2020 George had the most new COVID cases followed by Drakenstein and thirdly it was Mossel Bay.
- The meeting with Province, SASSA also indicated that the special R350 relief grant payments will continue until January 2021 and are still awaiting feedback from SASSA in terms of bank application processes, where some applicants did not receive the R350
- The Dept. of Social Development were asked to keep the DCC updated on the feeding schemes as well as the R10 million that was made available for all existing feeding facilities.
- A Meeting was held with the various law enforcements clusters to start with planning for the upcoming holiday season.
- There is a gradual growth in terms of numbers of positive cases in the GRDM area and that the two towns that stand out are George and Mossel Bay.
- SASSA grant payments are active but will lapse on 31 December 2020.

- On the 5th of November it was indicated that most of the positive cases reported were in George (93) followed by Knysna (40) Bitou (39) Mossel Bay (27) Hessequa (6) and Oudtshoorn (14)
- For the month of October 2020, 124 new cases have been reported this being the highest monthly number reported so far and the age range of the people affected were mostly between 20 – 30 years.
- Most of the results for testing for the Knysna and Bitou areas has been received from private labs.
- Members of the public are becoming complacent, less people are wearing masks and adhering to the Covid-19 Regulations.
- A Request was made to the Local Municipalities to give their feedback regarding the establishment of the foodbank as a matter of urgency.
- On the 12th of November 2020 it was indicated that the Garden Route is considered a hotspot at the moment, as we have the 2nd most new cases in the Western Cape.
- Awaiting final plan for sheltering of the homeless.
- There is a concern in the spike in the Eastern Cape as Hospitals are currently showing people away. The district is on high alert for that if those affected will turn to the WC for medical assistance.
- Formal legal feedback w.r.t. spectators at sport events was requested. Events outside is allowed 500 spectators.
- Formal legal feedback w.r.t. limitations to smaller beaches to maintain social distancing.
- Borders are open for traveling, liquor sales over weekends are now allowed as per licence.

GRDM Hotspot Map from 06 till 13 November 2020 (Active Cases)



GRDM Hotspot Map as on 13 November 2020 (Deceased Cases)



HEALTH CLUSTER - DEPT. OF HEALTH

Q&I Facility –PetroSA West Camp as on 13 November 2020

- 34 person in isolation
- 5 people in quarantine
- Hospitals in the district remain stable.
- The Dept. of Health has noticed that less and less people are wearing masks in public, but when visiting a supermarket they have noticed that everybody in the shops are wearing masks and is complying with the regulations.
- Most positive cases came from young people when going out and visiting clubs, etc.
- George increasing at fast rate and the main concerns is Thembalethu, Pacaltsdorp and Conville.
- Department of Health have received 12000 masks, available for all sub-districts.
- COVID-19 infections in the Knysna/Bitou area are widespread but Hornlee and Concordia are highest in Knysna.

Testing and Treatment

- Things are not going well in the area with the spike in Covid active cases. People are tired and some areas are under a lot of pressure.
- Screening is currently in process throughout the George area.
- 353 tests were done within the district on the 11th of November 2020.

Hospital services

- As from 05 November the COVID-19 Ward at the George Provincial Hospital were full, fortunately there is only 2 patients in the Critical Care/ ICU Unit.
- George Regional Hospital is currently very busy and at this stage the overflow of COVID-19 patients are being sent to Harry Comay Hospital.
- Private Hospitals in George and Mossel Bay also showing increases.
- Knysna/Bitou also showing increase with cases more in private hospitals.

HEALTH CLUSTER – GRDM ENVIRONMENTAL HEALTH

- The GRDM Environmental Health Services focused on inspections at Taverns and Pubs and in the last two weeks, a total of 187 were inspected, 16 new compliance certificates were issued and 40 inspections still needs to be done.
- During the inspections they talk to the owners regarding the COVID-19 related issues regarding general things like wearing of masks, adhering to the regulations etc.
- COVID-19 awareness sessions with taxi operators as well as their passengers were held at various Taxi ranks
- Remaining soup kitchens are regularly visited by the EHPS.
- Contact tracing and house visits are still continuing.
- Illegal dumping site session will be held in George at Thembaletu.
- On the 5th of November 2020 it was reported that 206 direct visits in the George area took place.
- EHP's are issuing new COA forms especially at restaurants, etc.
- Awareness sessions are taking place regularly and the distribution of free sanitizers for food vendors and at taxi ranks took place.
- In addition to routine inspections, for 5 weeks, awareness sessions are going to take place at the following establishments: churches, health establishments, malls, shopping centres, garages, taxi ranks, holiday accommodation and recreational facilities.
- Airport screening is continuing and because of the flight increases it can become problematic.
- 2 new EHP's have been appointed and have been placed in Mossel Bay and Uniondale
- The strategy has been amended especially churches and inspections and awareness is being done on Saturdays and Sundays.
- Church awareness sessions are in progress. 79 sessions have been done already and recordings will be distributed to churches to assist them with awareness.
- 158 home visits were done, and 216 contact traces also done.

WASTE MANAGEMENT

- Awareness regarding illegal dumping is being done continuously by the EPWP staff members.
- 9 EPWP staff members has been trained and 12 new appointments has been made.

DISINFECTION and SANITATION TASK TEAM:

Disinfection took place at the following facilities at the different Local Municipalities:

Garden Route District Municipality

- All offices at Mission Street
- Go-George Bus Depo
- GRDM Head Offices due to positive case.
- Public toilets in Uniondale
- Home Affairs in Mossel Bay
- Calitsdorp Spa was sanitized after a guest tested positive.

SAFETY AND SECURITY CLUSTER

- Still policing the curfew at night
- Suggested that checks at the restaurants once or twice must be made to see if they are compliant
- Taverns remain problematic especially with regulation enforcement.
- Curfew is still in place and during the month of October 200 people have been charged for Covid-19 regulation non-compliance, most of which relates to non-adherence to the curfew.
- SAPS did pepper Spray training in conjunction with EHP's.
- COVID-19 related offenses and arrests from 01 October to 11 Nov 2020 amounted to 237
- 1st Cash in transit heist in years in George at the Post Office.
- House robberies at gun point have also increased and it is major focus area for SAPS at the moment.
- There has been a serious increase in aggravated robberies in the District.
- By elections went well with no incidents reported.

EDUCATION CLUSTER

- One week school holiday from the 26th till the 30th of October 2020, but Grade 12 learners preparing in earnest for National Senior Certificate examination. Schools will reopen on Monday, 02 November 2020.
- Grade 12 – online tutoring continuous.
- Radio programs are from 10h00 to 11h00 every Wednesday and focus on matric subjects.
- Weekly radio programme with a dedicated slot for Education – currently focussed on Matric support.
- Revitalised campaign in the Western Cape Government to abide by the golden rules for COVID-19, and vigilance regarding safety and hygiene matters at school encouraged in an effort to avoid a second wave of infections.
- Safe Schools perform truancy visits and continuously monitor compliance pertaining to COVID-guidelines and other OHS matters at schools.
- Feeding: Average of 29 800 learners fed per week.
- PPE materials and equipment delivered regularly and monitored continuously.
- At this stage feeding over school holidays is not going to take place. Feeding will take place till 15 December and commence on 27 January 2021, should this change it will be communicated.
- Amended protocols in terms of the writing of the NSC exams have been distributed from the Dept. of Education.

SOCIAL SERVICES CLUSTER

- The Dept. of social Development indicated that they still have limited food parcels available should the need arise
- With regards to R10 million funding for soup kitchens; R4 million were already approved with an amount of R6 million left.
- Local safety forums needs to be established
- Essential Services rendered by DSD includes:
 - Child Care & Protection
 - Early Intervention & Protection Services to Families [disabilities, older persons, substance abuse, community development services]

- Probation Services
- DSD have 3 active employees who tested positive with 1 pregnant lady in last trimester.
- Municipalities submitted soup kitchen names for possible support. The list has been sent back to DSD and the local office are in the process of verifying the details etc.

TRANSPORT AND LOGISTICS CLUSTER

- Ongoing monitoring of the public and freight transport system in terms of regulations and operations and ongoing planning pertaining to quarantine and isolation sites.
- Still waiting for feedback from ACSA regarding the complaint they had where transport services in Gauteng were not adhering to protocols.
- Red Dot Taxis had increase in trips per day. It is now 15 trips per day.

BUSINESS, ECONOMY AND TOURISM CLUSTER

- The Economic Cluster meeting took place on the 4 November 2020 and had their growth and development strategy as well as the recovery plan it has been submitted to the Western Province
- Red Dot Services is coming to an end at the end of November.
- Meetings are going to take place between Local Municipalities regarding the continuous awareness programs especially now that the holiday season is commencing.
- Mr Toeffy, Deputy Director General: Department Of Economic Development And Tourism mentioned that they are conducting meetings with the various safety clusters to discuss the season readiness campaign.
- Emphasis are being placed on establishments such as night clubs and restaurants, etc who makes themselves guilty of non-compliance
- Small business support program applications closed on the 6th of November 2020, 30 applications were received within the district.
- District Economy Recovery plan will be presented at the next DCF and then submitted to COGTA for final approval

Relief Fund

- Received in excess of 1700 applications from both formal and informal businesses.
- Evaluations are currently underway and information pertaining to the Garden Route will be reported as it becomes available i.e. number of businesses, etc.

Towards Building an SMME Eco-system Presentation

- The development of SMME support ecosystems aims to ensure stakeholders that can add value, works together, smartly and effectively to support SMMEs.
- The department in partnership with municipalities intend to map & develop district-level SMME ecosystems that will be used to coordinate & create a conducive and enabling environment that promotes, develops and supports small enterprises.
- Mapping the ecosystem will show which actors provide services to entrepreneurs;
- To be used to highlight identified gaps & opportunities to address a value chain of support for SMMEs.
- To identify the gaps in the service offerings to SMMEs.

- The municipalities to complete the questionnaire for a survey which will be done and submitted to the department within 2 weeks: 9 – 20 Nov 2020.
- The Department intends to download the online survey data on Monday the 23 Nov 2020 and plans to have 1st draft survey analysis at the end of that week, on the 27 Nov 2020.
- DEDAT will analyse the data received from the municipalities and provide feedback.

SEDA

- Roadshows on DSBD awareness on programmes; directly engage with SMME's in the communities.
- Had a session in Bitou (New Horizon, Piesang Valley and Craggs) and Oudtshoorn and George (Thembalethu and attendees from Pacaltsdorp).
- Currently planning a follow-up session for Oudtshoorn.
- Planning visits to Mossel Bay and Hessequa areas next.
- Programme with dates will be provided by SEDA.

SALGA

- SBI is a reliable partner in the promotion of the growth of small businesses in South Africa and economic development.
- Piloting in Mbombela and Rustenburg.
- Working with SALGA National to be rolled out into district and local levels.
- Also involved in the establishment of Business Chambers especially regional level.
- SBI requested to do a presentation to the District Coordinating Forum (DCF) on 10 November 2020.

ACSA – George Airport

- 7 Flights per day, flights is at approximately 98% of the normal capacity this includes arrivals and departures.
- KULULA is due to commence operations 1 December 2020 and have intent to have 3 flights a day, 7 days a week. That will mean 10 flights a day.
- Passenger numbers were 11 232 for August and 14900 for September, with a 32% increase. Have started receiving extra flight schedule intent for December and it looks like it will be very busy in December.
- Will be having a night stop from ComAir on Sundays from the 15th October and depart Monday mornings at 7 am to Johannesburg.

DOA (Dept. of Agriculture)

- Still busy with implementation of One Household, One Garden programme.

GR Investment Prospectus

- The prospectus will be presented to the MMF and DCF next week (10 November 2020).
- Webipanel on Funding for Impact took place on 30 October 2020.
- Two more WebiShops are planned for this year or early next year.

Namibia Tourism Expo 2020

- The expo takes place in Windhoek, Namibia from the 4th till the 7th of November 2020
- It is primarily a consumer show and interest is driven through tourism products
- The Garden Route & Klein Karoo secured a stand at the expo in partnership with Oudtshoorn & De Rust Tourism to promote the Region in the hope that we will attract more visitors
- Tourism is gradually picking up within the Garden Route & Klein Karoo, however from some feedback received from our Local Tourism Offices and overall experience throughout the Western Cape, the desire to travel is definitely present/evident for many potential visitors and over the long weekends we have experienced some increase in visitor numbers.

COMMUNICATIONS CLUSTER

- Interviews: Interview by Eden FM on the 11th of November 2020. Mr Otto and Dr Marshall spoke on radio for an hour, also answered some questions posed by the public.
- Scheduled engagement: We are going to have a meeting about communication with Provincial Government on the 13th of November 2020 to discuss future COVID-19 communication activities and interventions.
- Content creation:
 - Currently busy with an A5 flyer in three official languages of the Western Cape. This was requested by Lee-Ann Joubert from our Bitou office. This will be distributed at vehicle check points.
 - Article about the 79 ministries visited and the awareness created there
 - 12 000 Masks / Informed Nadia from Health about it
 - Training in pepper spray / this can be linked to us ensuring not only that our EHPs are safe when working in communities but seeing that we have female EHPs and we are approaching 16 Days of Activism, this is important.
 - Upcoming recordings will be made regarding church gatherings. The idea is to play these at churches to raise awareness about safety protocols.

Ongoing:

- Echo provincial and national messages
- Responding to social media comments and questions

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 28 October 2020 - 13 November 2020.

PLANNED PUBLIC HEALTH ACTIVITIES

Table 3: Municipal Health Public Activities

FOOD PREMISES						
Name Premises	Number of premises inspected	Number of premises compliant	Number of premises non-compliant	Number of legal actions taken	Number of premises closed/ Given a closure notice	comply to COVI-19 regulations (sanitizing, social distancing and wearing of masks)
Food production facilities	17	14	3	-	-	8
Supermarkets	35	32	3	-	-	20
Restaurants	61	49	-	-	-	44
Spaza shops	73	52	21	-	-	29
Informal Food traders	12	12		-	-	12
Soup kitchens	3	3	-	-	-	0
School feeding schemes	9	8	1	1	-	1
Butcheries	5	5	-	-	-	4

HEALTH SURVEILLANCE OF PREMISES						
Name Premises	Number of premises inspected	Number of premises compliant	Number of premises non-compliant	Number of legal actions taken	Number of premises closed/ Given a closure notice	comply to COVI-19 regulations (sanitizing, social distancing and wearing of masks)
Funeral undertakers	18	18	-	-	-	18
Taverns/Pubs/Bottle stores	4	4	-	-	-	4
Crèches	17	17	-	-	-	13
Old age homes	2	2	-	-	-	2
Schools	13	13	-	-	-	10
Clinics	13	12	1	1		7
Health Care Risk Waste facilities	12	12	-	-	-	8
Hair salons/Barbershop	-	-	-	-	-	-
Waste facilities (Landfill sites)	3	3	-	-	-	-
Informal settlements	8	5	3	-	-	1
Public toilets	31	31	-	-	-	13

HEALTH AND HYGIENE EDUCATION/AWARENESS	
Type of community	Number of awareness sessions conducted
Food control	35
Waste management	-

Water and sanitation	-
Health and Hygiene	79
Surveillance and prevention of Communicable diseases	211
Chemical safety	5
Seventy three of the Health and hygiene session was conducted during visits to COVID-19 cases	

SAMPLING (DRINKING WATER/ FINAL EFFLUENT/FOOD)

Sample type	Number of samples	Compliance		Outstanding results
		Compliant	Non-compliant	
Drinking water (WSA)	66	10	4	52
Drinking water (NWSA)	1	-	-	1
Final effluent (WSA)	13	1	2	10
Final effluent (Private)	-	-	-	-
Food	-	-	-	-

DISINFECTION ACTIVITIES – GOVERNMENT AND PRIVATE OWNED BUILDINGS AND PUBLIC SPACES

Type of premises	Number of Deep cleansing activities	
	Conducted by GRDM	Conducted by private entities
Food premises	1	-
Taxi ranks	-	-
Old Age homes	-	1
Police stations	-	-
Magistrate courts	-	-
Clinics	1	1
GRDM buildings	2	-
Retail Stores	1	-
Residential areas (homes)	-	3

EVENTS MANAGEMENT

Type of event	Number of events
Training	18
Meeting	16
Screening at Airport	7

COVID-19 - CASE INFORMATION

Number of home visit to COVID-19 positive cases	259
Number of contacts traced	429
Number of untraceable cases/contacts	36

DECEDENT INFORMATION

Number of deaths (all deaths)	124
Number of COVID-19 deaths	41
Number COVID-19 funerals attended	7
Number of COVID-19 cremations	1

EPWP INFORMATION	
Number EPWP in the region	49
Actions taken by EPWP personnel (Short description)	
Assistance with social distancing at identified premises within our communities	

CHALLENGES AND RECOMMENDATIONS	
Challenges	Recommendations
General public not wearing masks	Awareness
Spaza shop owners not wearing masks	Awareness
Food premises allowing customers into their shops without wearing masks	Awareness
Some premises not having the sanitizing stations	Awareness
General public not adhering to COVID-19 guidelines	Awareness

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 COVID-19 pandemic the regulations as well as disaster management guidelines and notices have been published.

Annexures:

- Attached as Annexure "A" COVID-19 Comparative Statistics from 30 October 2020 till 13 November 2020.

6.5 Financial Implications

Covid Expenditure funded from additional equitable share allocation of R3 227 000,00.

6.6 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

No direct staff implications

6.6 Previous / Relevant Council Resolutions:

Monthly COVID-19 update reports have been submitted to council since April this year.

6.7 Risk Implications

There are no foreseen risks associated with the proposed decision for Council to take note of this report.

6.8 COMMENTS FROM EXECUTIVE MANAGEMENT:

6.8.1 COMMENTS: EXECUTIVE MANAGER FINANCIAL SERVICE

None

6.8.2 COMMENTS: EXECUTIVE MANAGER CORPORATE SERVICES

None 3

6.8.3 COMMENTS: EXECUTIVE MANAGER PLANNING & ECONOMIC DEVELOPMENT SERVICES

None

6.8.4 COMMENTS: EXECUTIVE MANAGER COMMUNITY SERVICES

None

6.8.4 COMMENTS: EXECUTIVE MANAGER ROADS & TRANSPORT PLANNING SERVICES

None

6.8.5 COMMENTS: MANAGER LEGAL SERVICES

None

[BACK TO AGENDA](#)

DISTRICT COUNCIL

26 NOVEMBER 2020

1. MEMORANDUM OF UNDERSTANDING REGARDING TRANSFER OF PROPERTIES BETWEEN GARDEN ROUTE DISTRICT MUNICIPALITY AND MOSSEL BAY MUNICIPALITY / MEMORANDUM VAN OOREENKOMS RAKENDE DIE OORDRAG VAN EIENDOMME TUSSEN GARDEN ROUTE DISTRIKSMUNISIPALITEIT EN MOSSELBAAI MUNISIPALITEIT / ISIVUMELWANO SOKUQONDANA MALUNGA NOKUNIKEZELWA KWEMIHLABA PHAKATHI KOMASIPALA WESITHILI SE GARDEN ROUTE NOMASIPALA WASE MOSSEL BAY

2. PURPOSE

- 2.1. To seek Council's approval to rescind a decision it had taken on October 30, 2018 regarding Transfer of Council Properties to Mossel Bay Municipality
- 2.2. To seek Council's approval for Garden Route District Municipality to enter into formal agreement with Mossel Bay Municipality regarding transfer of Properties between the two municipalities.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

There has been ongoing engagements between Garden Route District Municipality (GRDM) and Mossel Bay Municipality with regards to transfer of Properties between the two Council's. These engagements have been taking place for protracted period of time. There was a Council decision taken by erstwhile Eden District Municipality (now GRDM) dated as far back as 2013 but that decision was never implemented even though some of these assets were taken from the Property Register of the now GRDM. No transfer agreements were drawn, this then compels the current Council in 2016 to rescind all Council decisions regarding transfer of properties to any of the municipalities. This long-drawn-out delays led to Mossel Bay Municipal Council invoking an Inter-Governmental Relations dispute with MEC for Local Government in line with Inter-Governmental Relations Act 13 of 2005. This was in relation to some properties, particularly ERF 271 and 264 Rheeboek.

Management of both Council's felt that it would be prudent to get a harmonious solution, rather than, a protracted [an] IGR dispute which the outcomes may even not be favourable to both Councils. Discussions by both Councils led by the two Executive Mayors also including Members of the Mayoral Committees from Garden Route and Senior Management were convened to discuss this matter to its logical conclusion. Several bilateral meetings were also held by the two Executive Mayors, and Executive Management from the two institutions held concurrent discussions to augment the discussions held by the former. Consequently a draft Memorandum of Agreement (MOU) was then drafted and both parties submitted their inputs which was in the best interest of both parties. This will then rescind the previous transfer

5. RECOMMENDATIONS

- 5.1 That Council takes note discussions that unfolded between Garden Route Municipality and Mossel Bay Municipality (MBM) and Approve that the MoU be entered into to.
- 5.2 Any prior recommendations on the transfer of properties between the two parties is hereby rescinded.
- 5.3 That the following erven be transferred from the GRDM to the MBM in terms of section 16 of the Deeds Registries Act 47 of 1937 (as amended) as the properties relate to a function of a local municipality:
 - 5.3.1 Erf 488 Tergniet in extent 5 499m² currently utilised and under the control of Mossel Bay Municipality as a parking area, ablution facility and a waste transfer station.
 - 5.3.2 Erf 76, Little Brak River in extent of 2 230 m² currently utilised and under the control of Mossel Bay Municipality as a cemetery.
 - 5.3.3 Erf 77 Little Brak River in extent 2 230m² currently utilised and under the control of Mossel Bay Municipality as a cemetery.
 - 5.3.4 Erf 78 Little Brak River in extent 14 211m² currently utilised and under the control of Mossel Bay Municipality as a community hall.
 - 5.3.5 Erf 238 Little Brak River in extent 15 026m² currently utilised and under the control of Mossel Bay Municipality as a public street.
 - 5.3.6 Erf 1040 Little Brak River in extent 6 500m² currently utilised and under the control of Mossel Bay Municipality as a reservoir.

- 5.4** Mossel Bay Municipality will submit a formal offer to purchase Erf 99 Glentana in extent 47 057m² currently utilised and under the control of Mossel Bay Municipality as a parking area, ablution facility and picnic/braai area.
- 5.5.** That the following portions of land be transferred from GRDM to MBM (relates to properties to be subdivided and transferred)
- 5.5.1 A portion South of Morrison Road, Portion 2 of the Farm Hoogekraal No.23, now referred to as erf 832, Glentana, such portion being in extent about 4 531m² as per annexure A to this agreement;
- 5.5.2 A portion North-North-West of Impala Avenue of erf 271, Reebok, such portion being in extent about 6 800m² as per annexure B to this agreement.
- 5.6 That in respect of erf 1206 Mossel Bay in extent 1 188 m², which is utilised by GRDM as Health Services Offices, the parties agree that the erf with all improvements thereon will be transferred in terms of section 16 of the Deeds Registries Act 47 of 1937 (as amended) from the MBM to the GRDM with all rights, risk, title and interest to vest in the GRDM as from date of signing of the Transfer Agreement to be entered into irrespective of the date of registration of the transfer.
- 5.7 That in respect of erf 3 803 Mossel Bay, in extent 17 131m², currently used as Fire and Rescue Station by MBM, the parties agree as follows:
- 5.7.1 that the property be subdivided in a North and a South portion of equal size
- 5.7.2 That the North portion will vest in the MBM and the South portion will vest in the GRDM
- 5.7.3 MBM will appoint a land surveyor and transfer attorneys by Supply Management Process or from a panel after following a Supply Management Process and will see to the survey, subdivision and registration of the new erven.
- 5.7.4 The use and rights to the cell phone tower on the North portion of the property will remain with the GRDM and the MBM will grant a servitude to the GRDM in this regard to be registered against the Title Deed, at the cost of the GRDM.

- 5.8 That in respect of erf 271 Reebok, currently in extent 413 333m², but excluding the portion referred to at 4.2 above (refer to MoU), and erf 264 Reebok, in the extent 17 131m², the parties agree as follows:
- 5.8.1 That the two erven should be developed as a unit;
 - 5.8.2 The development of this unit must conform to the development standards of the surrounding area; and
 - 5.8.3 The development must ensure a green lung with linkages to other green areas.
- 5.9 In respect of erven 271 and 264 Reebok (hereinafter referred to as the Reebok erven) the parties agree as follows:
- 5.9.1 The MBM will be responsible for obtaining the necessary environmental and planning approvals of which the costs will be equally shared between GRDM and MBM.
 - 5.9.2 GRDM will provide MBM and its appointed representatives and/or professionals with the necessary written Powers of Attorney to proceed with the applications.
 - 5.9.3 GRDM and MBM will have equal interest in the development;
 - 5.9.4 The development with development rights will be put out for tender to private developers by the GRDM and MBM will be part of the Bid Specification Committee;
 - 5.9.5 Such tender must include a business plan to ensure the upkeep and maintenance of all open space areas not earmarked for development;
 - 5.9.6 The developer must agree to register servitudes, at its cost, in favour of MBM, in respect of all existing infrastructure
- 5.10 That Erf 118 Herbertsdale, in extent 542m² will remain the property in extent of GRDM.

AANBEVELINGS

- 5.1 *Dat die Raad kennis neem van die besprekings tussen Garden Route Distriksmunisipaliteit en Mosselbaai Munisipaliteit (MBM) en goedkeuring verleen om die ooreenkoms aan te gaan.*
- 5.2 Dat enige vorige aanbevelings rakende die oordrag van eiendomme tussen die twee partye word hiermee herroep word.

- 5.3 Dat die volgende erwe vanaf GRDM na MBM oorgedra word in terme van artikel 16 van die Wet op Aktes, 1937 (Wet 47 van 1937) [soos gewysig] aangesien die erwe aan die funksie van 'n plaaslike munisipaliteit:
- 5.3.1 Erf 488 Tergniet, ongeveer 5 499 m² groot, huidiglik gebruik en onder die beheer van Mosselbaai Munisipaliteit as 'n parkeerarea, toiletgeriewe en 'n afvalstasie.
 - 5.3.2 Erf 76, Klein Brakrivier, ongeveer 2 230 m², huidiglik gebruik en onder die beheer van Mosselbaai Munisipaliteit as 'n begrafplaas.
 - 5.3.3 Erf 77, Klein Brakrivier, ongeveer 2 230 m², huidiglik gebruik en onder die beheer van Mosselbaai Munisipaliteit as 'n begrafplaas.
 - 5.3.4 Erf 78, Klein Brakrivier, ongeveer 14 211 m², huidiglik gebruik en onder die beheer van Mosselbaai Munisipaliteit as 'n gemeenskapsaal.
 - 5.3.5 Erf 238 Klein Brakrivier, ongeveer 15 026 m², huidiglik gebruik en onder die beheer van Mosselbaai Munisipaliteit as 'n publieke straat.
 - 5.3.6 Erf 1040 Klein Brakrivier, ongeveer 6 500 m², huidiglik gebruik en onder die beheer van Mosselbaai Munisipaliteit as 'n opvangsdam.
- 5.4 Mosselbaai Munisipaliteit sal 'n formele aanbod maak vir Erf 99, Glentana, ongeveer 47 057m² groot, huidiglik gebruik en onder die beheer van Mosselbaai Munisipaliteit as 'n parkeerarea, toiletgeriewe en piekniek/braai area.
- 5.5 Dat die volgende gedeeltes van erwe vanaf GRDM na MBM oorgedra word (eiendomme wat onderverdeel en oorgedra moet word):
- 5.5.1 'n Gedeelte suid van Morrisonstraat, Gedeelte 2 van die Plaas Hoogekraal No 23, nou daarna verwys as erf 832, Glentana, ongeveer 4 531 m² groot soos per Aanhangel A tot die ooreenkoms;
 - 5.5.2 'n Gedeelte Noord-noordwes van Impalalaan van erf 271, Reebok, ongeveer 6 800 m² groot soos per Aanhangel B tot die ooreenkoms.

- 5.6 Dat erf 1206 Mosselbaai, ongeveer 1 188 m², wat huidiglik deur GRDM as kantore gebruik word deur die Munisipale Gesondheidsdienste, die partye ooreenkom dat die erf, met alle verbeteringe daarop, in terme van artikel 16 van die Wet op Aktes, 1937 vanaf MBM na GRDM oorgedra word met alle regte, risiko's, titel en belange in GRDM gevestig word vanaf datum van ondertekening van die Oordragsooreenkoms aangegaan tussen die partye vanaf datum van registrasie van die oordrag.
- 5.7 Dat erf 3803 Mosselbaai, ongeveer 17 131 m², huidiglik gebruik as die Brandweerstasie van MBB, die partye as volg ooreenkom:
- 5.7.1 dat die eiendom onderverdeel word in 'n noordelike en 'n suidelike gedeelte in gelyke grootte;
 - 5.7.2 dat die noordelike gedeelte in MBM sal vestig en die suidelike gedeelte in GRDM sal vestig;
 - 5.7.3 MBM sal 'n landmeter en oordragsprokureurs in terme van hul Verskaffings voorsieningskanaal of van 'n paneel nadat 'n verskaffings- voorsieningsproses afgehandel is en sal toesien tot die opname, onderverdeling en registrasie van die nuwe erwe.
 - 5.7.4 Dat die regte en gebruik van die selfoontoring op die noordelike gedeelte van die eiendom met GRDM sal bly en dat MBM 'n servituut sal registreer tot die Titelakte, vir die koste van GRDM.
- 5.8 Dat erf 271 Reebok, ongeveer 413 333 m² groot, uitsluitend die gedeelte soos verwys in 4.2 bo (verwys na die Ooreenkoms), en erf 264 Reebok, ongeveer 17 131 m² groot, die partye as volg ooreenkom:
- 5.8.1 dat die twee erwe as 'n eenheid ontwikkel moet word;
 - 5.8.2 dat die ontwikkeling van die eenheid moet voldoen aan die ontwikkelingstandaarde van die omliggende area; en
 - 5.8.3 die ontwikkeling moet inskakel met ander groen areas.
- 5.9 Met betrekking tot erwe 271 en 264 Reebok (hierna verwys word as die Reebok erwe) die partye as volg ooreenkom:
- 5.9.1 die MBM verantwoordelik sal wees vir die verkryging van die nodige omgewings- en beplanningsgoedkeurings waar die kostes in gelyke gedeeltes tussen GRDM en MBM verdeel sal word.

- 5.9.2 GRDM sal aan MBM en hul aangewyse verteenwoordigers en/of professionele persone met die nodige geskrewe Magtigings te voorsien om voort te gaan met die aansoeke.
 - 5.9.3 GRDM en MBM sal gelyke aanspraak he in die ontwikkeling;
 - 5.9.4 die ontwikkeling met ontwikkelingsregte sal deur GRDM uitgesit word per tender aan privaat ontwikkelaars en MBM sal deel vorm van die Bid Spesifikasieskomitee;
 - 5.9.5 die tender moet die besigheidsplan insluit wat die instandhouding van alle publieke openbare spasies verseker; wat nie geoogmerk is vir ontwikkeling nie.
 - 5.9.6 die ontwikkelaar moet toestem om servitude te registreer, teen hul kostes, ten gunste van MBM, met betrekking tot alle bestaande infrastruktuur.
- 5.10 Dat erf 118 Herbertsdale, ongeveer 542 m² groot, die eiendom van GRDM sal bly.

IZINDULULO

- 5.1 Sesokuba iBhunga lithathele ingqalelo iingxoxo eziqhubekayo phakathi koMasipala Wesithili se Garden Route kunye noMasipala wase Mossel Bay kwaye uphumeze I MoU ekuvunyelwene ngayo.
- 5.2 Naziphi na izindululo zangaphambilini ngokunikezelwa kwemihlaba phakathi kwamahlakani amabini iyarhoxiswa kungoku nje
- 5.3 Sesokuba lemihlaba ilandelayo isuswe ku GRDM inikezelwe ku MBM ngokwemiqathango yomhlathi 16 Wokubhaliswa Kobunini uMthetho 47 wango 2937(njengoko ulungisiwe) nanjengoko lemihlaba iyamaniswa nomsebenzi womasipala wasekihlaleni:
 - 5.3.1 Erf 488 Terniet nobukhulu buyi 5 499m² nosetyenziswayo wakye uphantsi kolawulo loMasipala wase Mossel Bay njengenawo yokumisa izithuthi, indawo yogutyulo kunye nesikhululo sokunikezelwa kwenkunkuma.

- 5.3.2 Erf 76, e Little Brak River nobukhulu obuyi 2 230 m² nokungoku osetyenziswa kwaye nophantsi kolawulo loMasipala wase Mossel bay njengendawo yamadlaka.
- 5.3.3 Erf 77 e Little Brak River nobukulu obuyi 2 230 m² nokungoku osetyenziswa kwaye nophantsi kolawulo loMasipala wase Mossel bay njengendawo yamadlaka.
- 5.3.4 Erf 78 e Little Brak River nobukhulu buyi 14 211m² nokungoku osetyenziswa kwaye nophantsi kolawulo loMasipala wase Mossel bay njengeholo yoluntu.
- 5.3.5 Erf 238 Little Brak River nobukhulu obuyi 15 026m² nokungoku osetyenziswa kwaye nophantsi kolawulo loMasipala wase Mossel bay njengesitalato.
- 5.3.6 Erf 1040 Little Brak River nobukhulu obuyi 6 500m² nokungoku osetyenziswa kwaye nophantsi kolawulo loMasipala wase Mossel bay njengedawo yamanzi.
- 5.4 UMasipala wase Mossel Bay uzakufaka isicelo sentengo esemthethweni sika Erf 99 e Glentana nobukhulu buyi 47 057m² nokungoku osetyenziswa kwaye nophantsi kolawulo loMasipala wase Mossel bay njengedawo yokumisa iimoto, indawo yogutyulo kinye nendawo yokuzonwabiso/yokojela.
- 5.5 Sesokuba izabelo ezilandelayo zomhlaba zinikezelwe ngu GRDM ku MBM(amaxabiso emihlaba yahlulahlulwe kwaye inikezelwe)
- 5.5.1 Isabelo zumazantsi e Morrison Road, Isabelo 2 se Farm Hoogerkaal No.23, nekungoku sibizwa erf 832 e Glentana, isabelo nesibukhulu obuyi 4 531m² ngokwesifakelo A kwesisivumelwano;
- 5.5.2 Isabelo Somntla-kuMntla Ntshona e Impala Avenue erf 271, e Reebok sabelo eso esibukhulu obuyi 6 800m² ngokwesifakelo B kwesi sivumelwano.
- 5.6 Sesokuba ngokumalunga no erf 206 e Mossel bay nobukhulu obuyi 1 188 m², nesetyenziswa ngu GRDM njenge Ofisi Yenkonzo Zezempilo, amaqela avumelane ukuba le erf kunye nazo zonke izinto ezilungisiweyo uzakunikezelwa ngokwemiqathango yomhlathi 16 Woluhlu lobunini uMthetho 47 wango 1937(njengoko ulungisiwe) usuka ku MBM unikezelwa u GRDM nawo onke amalunge, okusengciphekweni, ubunini kunye nomdla obanakaliswe ngu GRDM ukususela ngomhla wokutyikitywa kweSivumelwano Sokunikezelwa ekufikelelwe kuso nokuba kungowuphi umhla ukubhaliswa kuye kwenziwa ngawo.

- 5.7 Sesokuba ngokumalunga no erf 3 803 e Mossel bay, nobukhulu obuyi 17 131m², nokungoku usetyenziswa njengeSikhululo soMlilo kunye Nohlangulo ngu Masipala wase Mossel Ba, amaqela avumelane ngokulandelayo:
- 5.7.1 okokuba lomhlaba uzakwehlula kabini ngoikoMntla kunye NoMzantsi izabelo ezilinganayo
- 5.7.2 okokuba Isabelo soMntla izakuba sesoMasipala wase Mossel May ze uMzantsi sabelo ibeseso Masipala Wesithili se Garden Route.
- 5.7.3 uMasipala wase Mossel bay aqashe ingcali yezomhlaba namagqwetha okunikezela ngomhlaba inkqubo Yolawulo Lwencitho okanye kwiqonga emveni kwenkqubo Yezolawulo Lwencitho nezakujonga ulwahlulo lomhlaba, ulwahlulo lwawo kunye nokubhaliswa kwemihlaba emitsha.
- 5.7.4 Ukusetyenziswa kunye namalungelo kumanxiwa emfonomfono kwisabelo soMntla omhlaba azakuhlala kuMasipala Wesithili se Garden Route kwaye umasipala wase Mossel Bay uyakuvumela oko kuMasipala we Garden Route malunga noku ukuze kungabhaliswa kubinini, nokuzakuchaphazela umasipala we Garden Route.
- 5.8 Sesokuba ngokumalunga no erf 271 e Reebok, nokungoku unobukhulu obuyi 413 333m², kodwa akubandakanywanga kwisabelo ekubhekiswe kuso ku 4.1 (ngokubhekise kwi MoU) kunye no erf 264 e Reebok, nobukhulu obuyi 17 131m², amaqela avumelani ngokulandelayo:
- 5.8.1 Okokuba lemihlaba mibini iphuhlise ngokubambiseneyo;
- 5.8.2 Uphuhliso lwayo kufuneka ithobele imiqathango yezophuhliso yengingqi eziyingqongileyo;kwaye
- 5.8.3 Uphuhliso kufuneka liqinisekise ukuba ubuhlaza obayamaniswa nezinye ingingqi eziluhlaza
- 5.9 Ngokumalunga no erven 271 kunye 264 e Reebok(apha emveni kokuba ubizwa njenge Reebok erven) amaqela avumelane ngokulandelayo:
- 5.9.1 UMasipala wase Mossel Bay ibenguye ofumana ukuphunyezwa okufanelekileyo ngokusingqongileyo kunye nezicwangciso nendlela zoko zizakwabelwa ngokulinganayo ngabo bobabini uMasipala Wesithili se Garden noMasipala wase Mossel Bay.
- 5.9.2 uMasipala Wesithili se Garden Route uzakunika uMasipala wase Mossel bay kunye nabameli bawo kunye/okanye namagosa afanelekileyo ngencwadi Yengqiniseko ukuze aqhubekeke ngesicelo.

- 5.9.3 UMasipala Wesithili se Garden Route kunye noMasipala wase Mossel Bay banenjongo ngokulinganayo kuphihliso;
- 5.9.4 Uphuhliso kunye namalungelo ophuhliso zakunikezelwa kwiziniki maxabiso kubaphuhliso babucala nguMasipala Wesithili se Garden Route kunye noMasipala wase Mossel Bay izakuba yinxalenye Yengcaciso Zokimithi ye Bid;
- 5.9.5 Isiniki maxabiso esikumila kunje kufuneka siquke isicwangciso sezoshishino ukuqinisekisa ukumelana kunye nokulungiswa zonke ingingqi zendawo ezivulekileyo ezibekelwe uphuhliso;
- 5.9.6 Sesokuba umphuhlisi kufuneka avume ukubhalise unikezelo nkonzo, nendleko zalo, ngokulungela uMasipala wase Mossel Bay, ngokumalunga nobuxhakaxhaka obukhoyo.
- 5.10 Sesokuba u erf 118 e Herbertsdale, nobukhulu buyi 542m² uzakuhlala ungumhlaba woMasipala Wesithili se Garden Route.

DISCUSSION / CONTENTS

6.1 Background

Council will vividly recall that on October 30, 2018 took resolution H1 on a report titled *Report on the transfer of Council properties to Mossel Bay Municipality (683019) referenced (7/4/3/1)* resolved as follows:

1. That Council takes note of the report and discussions that ensued between the two municipalities.
2. That approval be granted for the transfer of the following properties to Mossel Bay Municipality:
 - Erf 118, Herbertsdale (542 m²)
 - Erf 488 Tergniet (5 499 m²)
 - Erf 76 (2 230 m²)
 - Erf 77 (2 230 m²)
 - Erf 78, Little Brak River (1,4211 ha)
 - Erf 238 Little Brak River (1 5026 ha)
 - Erf 99 Glentana (4 7057 ha)
 - Erf 1040 Little Brak River (6 500 m²)

- A Portion of Portion 2 of the Farm Hoogekraal, No 238 ($\pm 4,8$ ha) from Garden Route District Municipality to Mossel Bay Municipality as it is utilised for Municipal purposes.
3. That Mossel Bay Municipality will be responsible for all costs related to the transfer of the abovementioned properties, including the subdivision costs of the southern Portion of Portion 2 of the Farm Hoogekraal No 238, and rezoning costs if any.
 4. That approval be granted for the transfer of Erf 12406, Mossel Bay ($\pm 1\,188\text{ m}^2$) from Mossel Bay Municipality to Garden Route District Municipality as it is utilised by Garden Route District Municipality Health Services as offices.
 5. That Garden Route District Municipality will be responsible for all costs related to the transfer of Erf 12406, Mossel Bay.
 6. That a transfer agreement be entered into between the parties and no rights and/or obligations will vest herein, before the transfer agreement is signed by both parties.
 7. That approval and delegated powers be granted to the Municipal Manager and such relevant officials of Mossel Bay Municipality as he deems necessary to enter into negotiations with Garden Route District Municipality regarding the transfer of the Fire Station (Erf 3803, Mossel Bay) to the Municipality and that a full report be referred back to Council regarding the terms and conditions agreed upon."
 8. The approved recommendations be implemented within applicable legislative provisions.

This resolution was prompted by the decision that was initially taken by the erstwhile Eden District Municipality (now GRDM) which resolved back in 2012/13 financial year to transfer various properties to B-Municipalities and other organs of state i.e. SanParks and Cape Nature. Other transfers undertaken when the District Management Area was disestablished and thus made George Municipality a successor in title as a result of the redetermination of boundaries. This process was undertaken by way of Council Resolution DC 293/06/12, which was annexure to the item of 2018.

On November 2013, Council took another decision to transfer properties to the following authorities as it can be by Council resolution DC 588/12/13 which was also

attached in the October 2018 item.

- Bitou Municipality
- George Municipality
- Knysna Municipality
- Mossel Bay Municipality
- Oudtshoorn Municipality
- SanParks
- Cape Nature

The applicable properties were consequently removed from the then Eden District Municipality's asset register. However, some recipient local authorities did not complete the transfer process, although the properties are no longer included on Council's asset register, most of the properties are still registered in Garden Route District Municipality's name in the Deeds Office.

6.2 Discussion

Pursuant to the above cited contextual, in 2016, Council therefore took a resolution to reverse all the transfers that were undertaken in 2013. This in a way was to establish the transparency of the process and also to fortify the District Asset Portfolio to be in line with its mandate and programmes. Furthermore, Council felt that it would be imprudent to just transfer however a *quid pro quo* arrangement with the different municipalities would be more sustainable. In areas where a common interest exists with the municipalities GRDM indicated that they are more acquiescent in that development with the Local Municipality.

Discussions with Mossel Bay Municipality were based on the above principles, in 2018 both Councils were at the brink of signing the agreement, but there was a dispute by Mossel Municipality which then necessitated both Councils to renegotiate and come-up with a workable solution. From the 2018 Decision it's only Erf 118 Herbertsdale, in extent of 542m² that Mossel Bay Municipality is no longer keen on it. This is currently been operated as Bakery where there are local SME's operating it, on discussions it was also resolved that Mossel Bay Municipality will endeavour to assist the SME's together with Garden Route Municipality and SEDA, moreover the electricity debt will be cleared by the municipality. In respect of transfers, both Municipalities/parties agreed to render their full co-operation and

transfers and costs associated with such, any related costs will be incurred by the receiving municipality.

6.3 Financial Implications

Both parties will be liable for the transfer costs of the properties and registration thereof. Furthermore, the current valuation for the Glentana Farm, Farm 238 current value is R1.75million, however, Mossel Bay's request is to have small portion currently used as the Waste Transfer Station.

Current Value for ERF 3803, Mossel Bay is R3 67million and it will be subdivided into North and South Section's with GRDM occupying the North Section. GRDM will retain the cell-phone tower that is on the Southern Portion of the property.

6.4 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 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

The tabling of this report to Council has no staff implications.

6.6 Previous / Relevant Council Resolutions:

Rescinding Council Resolution taken on October 30, 2018 resolution H1 on a report titled *Report on the transfer of Council properties to Mossel Bay Municipality (683019) referenced (7/4/3/1)*.

6.7 Risk Implications

The MoU covers all risks associated with the transfer in relation to both parties.

6.8 Comments from Executive Managers

6.8.1 Executive Manager: Corporate Services

6.8.2 Executive Manager: Financial Services

6.8.3 Executive Manager: Community Services

6.8.4 Manager: Roads and Transport Planning Services

6.8.5 Manager: Legal Services

ANNEXURE

MOU BETWEEN MOSSEL BAY MUNICIPALITY AND GARDEN ROUTE DISTRICT MUNICIPALITY

MEMORANDUM OF UNDERSTANDING REGARDING TRANSFER OF PROPERTIES BETWEEN GARDEN ROUTE DISTRICT MUNICIPALITY AND MOSSEL BAY MUNICIPALITY



THE MOSSEL BAY MUNICIPALITY

*herein represented by Alderman H Levendal in his
capacity as Executive Mayor of Mossel Bay Municipality
(hereinafter referred to as the "MBM")*

And

GARDEN ROUTE DISTRICT MUNICIPALITY

*herein represented by Alderman M Booysen
in his capacity as Executive Mayor of the Garden Route District Municipality
(hereinafter referred to as "GRDM")*

WHEREAS it was agreed between the Executive Mayor of the MBM and the Executive Mayor of GRDM to act in good faith and in a bona fide manner to amicably resolve the dispute regarding the ownership and transfer of erven between the MBM and GRDM by means of negotiations; and

WHEREAS the two Executive Mayors hereby agree as follows:

ERVEN TO BE TRANSFERRED FROM GRDM TO MBM

1. That the following erven be transferred from the GRDM to the MBM in terms of section 16 of the Deeds Registries Act 47 of 1937 (as amended) as the properties relate to a function of a local municipality:
 - 1.1 Erf 488 Tergniet in extent 5 499m² currently utilised and under the control of Mossel Bay Municipality as a parking area, ablution facility and a waste transfer station.
 - 1.2 Erf 76, Little Brak River in extent of 2 230 m² currently utilised and under the control of Mossel Bay Municipality as a cemetery.
 - 1.3 Erf 77 Little Brak River in extent 2 230m² currently utilised and under the control of Mossel Bay Municipality as a cemetery.
 - 1.4 Erf 78 Little Brak River in extent 14 211m² currently utilised and under the control of Mossel Bay Municipality as a community hall.
 - 1.5 Erf 238 Little Brak River in extent 15 026m² currently utilised and under the control of Mossel Bay Municipality as a public street.
 - 1.6 Erf 1040 Little Brak River in extent 6 500m² currently utilised and under the control of Mossel Bay Municipality as a reservoir.
2. Mossel Bay Municipality will submit a formal offer to purchase Erf 99 Glentana in extent 47 057m² currently utilised and under the control of Mossel Bay Municipality as a parking area, ablution facility and picnic/braai area.
3. That in respect of the erven mentioned above the parties agree that the erven with all improvements thereon will be transferred from the GRDM to the MBM with all rights, risk, title and interest to vest in the MBM as from

date of signing of the Transfer Agreement to be entered into irrespective of the dates of registration of the transfers.

4. MBM will appoint attorneys to effect the transfers, and GRDM will give their full co-operation to effect these transfers and all costs of transfer and any related costs will be for the account of MBM.

PROPERTIES TO BE SUBDIVIDED AND TRANSFERRED FROM GRDM TO MBM

5. That the following portions of land be transferred from GRDM to MBM:
 - 5.1 A portion South of Morrison Road, Portion 2 of the Farm Hoogekraal No.23, now referred to as erf 832, Glentana, such portion being in extent about 4 531m² as per annexure A to this agreement;
 - 5.2 A portion North-North-West of Impala Avenue of erf 271, Reebok, such portion being in extent about 6 800m² as per annexure B to this agreement.
6. That in respect of the portions of the properties mentioned above the parties agree that the properties be subdivided to ensure ownership and access to the local authority with service delivery infrastructure on the portions of the properties.
7. These portions must be surveyed, and the erven subdivided at the cost of MBM. The subdivided portions with all improvements thereon will be transferred from the GRDM to the MBM with all rights, risk, title and interest to vest in the MBM as from date of signing of the Transfer Agreement, subject to such transfer taking place within nine (9) months of signature. MBM must notify GRDM at least one (1) month before such expiry, of an extension for time period.

8. MBM will appoint attorneys to see to the survey, subdivision and transfer, and GRDM will give their full co-operation to affect the survey, subdivision and transfers and all cost of survey, subdivision, transfer and any related costs will be for the account of MBM.

ERF 12406: GRDM HEALTH SERVICES OFFICE

9. That in respect of erf 12406 Mossel Bay in extent 1 188 m², which is utilised by GRDM as Health Services Offices, the parties agree that the erf with all improvements thereon will be transferred in terms of section 16 of the Deeds Registries Act 47 of 1937 (as amended) from the MBM to the GRDM with all rights, risk, title and interest to vest in the GRDM as from date of signing of the Transfer Agreement to be entered into irrespective of the date of registration of the transfer.
10. GRDM will appoint attorneys to effect transfer, MBM will give their full co-operation to affect this transfer and all costs of transfer and any related costs will be for the GRDM.

ERF 3803 MOSSEL BAY (FIRE STATION)

11. That in respect of erf 3 803 Mossel Bay, in extent 17 131m², currently used as Fire and Rescue Station by MBM, the parties agree as follows:
 - 11.1 That the property be subdivided in a North and a South portion of equal size.

- 11.2 That the North portion will vest in the MBM and the South portion will vest in the GRDM.
- 11.3 MBM will appoint a land surveyor and transfer attorneys by Supply Management Process or from a panel after following a Supply Management Process and will see to the survey, subdivision and registration of the new erven.
- 11.4 Half of all the cost associated with the survey, subdivision, registration and related costs will be paid by GRDM to MBM on demand after registration of the subdivided erven. Each Municipality will be responsible for the provision and connection of services from the nearest supply point to its respective properties.
- 11.5 The use and rights to the cell phone tower on the North portion of the property will remain with the GRDM and the MBM will grant a servitude to the GRDM in this regard to be registered against the Title Deed, at the cost of the GRDM.

ERF 271 AND 264 REEBOK

12. That in respect of erf 271 Reebok, currently in extent 413 333m², but excluding the portion referred to at 4.2 above, and erf 264 Reebok, in extent 17 131m², the parties agree as follows:
 - 12.1 That the two erven should be developed as a unit;
 - 12.2 The development of this unit must conform to the development standards of the surrounding area; and
 - 12.3 The development must ensure a green lung with linkages to other green areas.

13. In respect of erven 271 and 264 Reebok (hereinafter referred to as the Reebok erven) the parties agree as follows:
 - 13.1 The MBM will be responsible for obtaining the necessary environmental and planning approvals of which the costs will be equally shared between GRDM and MBM.
 - 13.2 GRDM will provide MBM and its appointed representatives and/or professionals with the necessary written Powers of Attorney to proceed with the applications.
 - 13.3 GRDM and MBM will have equal interest in the development;
 - 13.4 The development with development rights will be put out for tender to private developers by the GRDM and MBM will be part of the Bid Specification Committee;
 - 13.5 Such tender must include a business plan to ensure the upkeep and maintenance of all open space areas not earmarked for development;
 - 13.6 The developer must agree to register servitudes, at its cost, in favour of MBM, in respect of all existing infrastructure;
 - 13.7 Annexure C need not be followed but gives a possible layout of such a development and the areas to be preserved.

ERF 118 HERBERTSDALE

14. That Erf 118 Herbertsdale, in extent 542m² will remain the property of GRDM.

GENERAL PROVISIONS

15. The parties will table this MOU with a motivation for the acceptance thereof to their respective Councils.
16. This MOU will be subject to approval by both Councils following which an official transfer agreement will be prepared for signature by the Executive Mayors and Municipal Managers of each municipality.
17. That both Councils will be requested to award delegated powers to their respective Municipal Managers to conclude and finalise the transfer agreement as well as the execution of the agreement including all legislative requirements pertaining thereto.
18. That a Council Resolution be taken by both Municipalities that all previous Council Resolutions with regard to the transfer of property between GRDM and MBM will be rescinded.
19. The Executive Mayors will endeavour to table this agreement to the first Council Meeting following signing of this agreement.

THUS DONE and **SIGNED** at, _____ **this** _____ **DAY OF** _____
2020, in the presence of the undersigned witnesses:

AS WITNESSES:

1. _____
2. _____

**Executive Mayor, Alderman
 H Levendal on behalf of
 Mossel Bay Municipality**

THUS DONE and **SIGNED** at _____ this _____ **DAY OF** _____
2020, in the presence of the undersigned witnesses:

AS WITNESSES:

1. _____
2. _____

Executive Mayor, Alderman M Booysen
On behalf of Garden Route District Municipality

ANNEXURE A



Portion of Portion 2 of Farm 23 (Portion of Erf 832 Glentana)(+/- 4500 sqm)



0 0,05 0,1

0,

km

1:2 185

Date: 2020-08-06

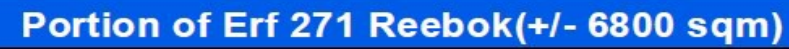
Disclaimer:

The Mossel Bay Municipality accepts no responsibility for
and will not be liable for any errors or omissions

contained herein.

N

A

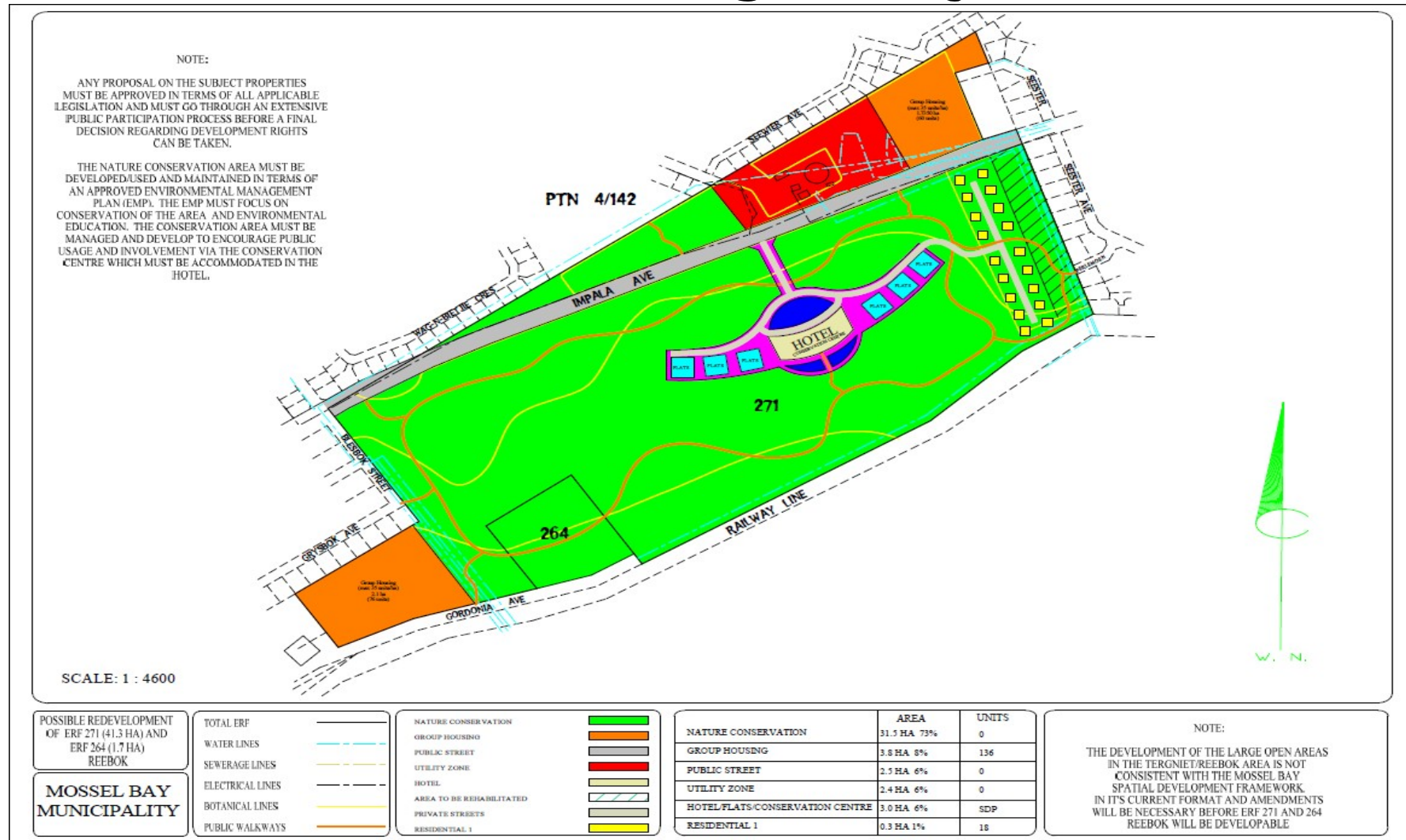


1:2 185
Date: 2020-08-06

Disclaimer:
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and will not be liable for any errors or omissions
contained herein.



ANNEXURE C

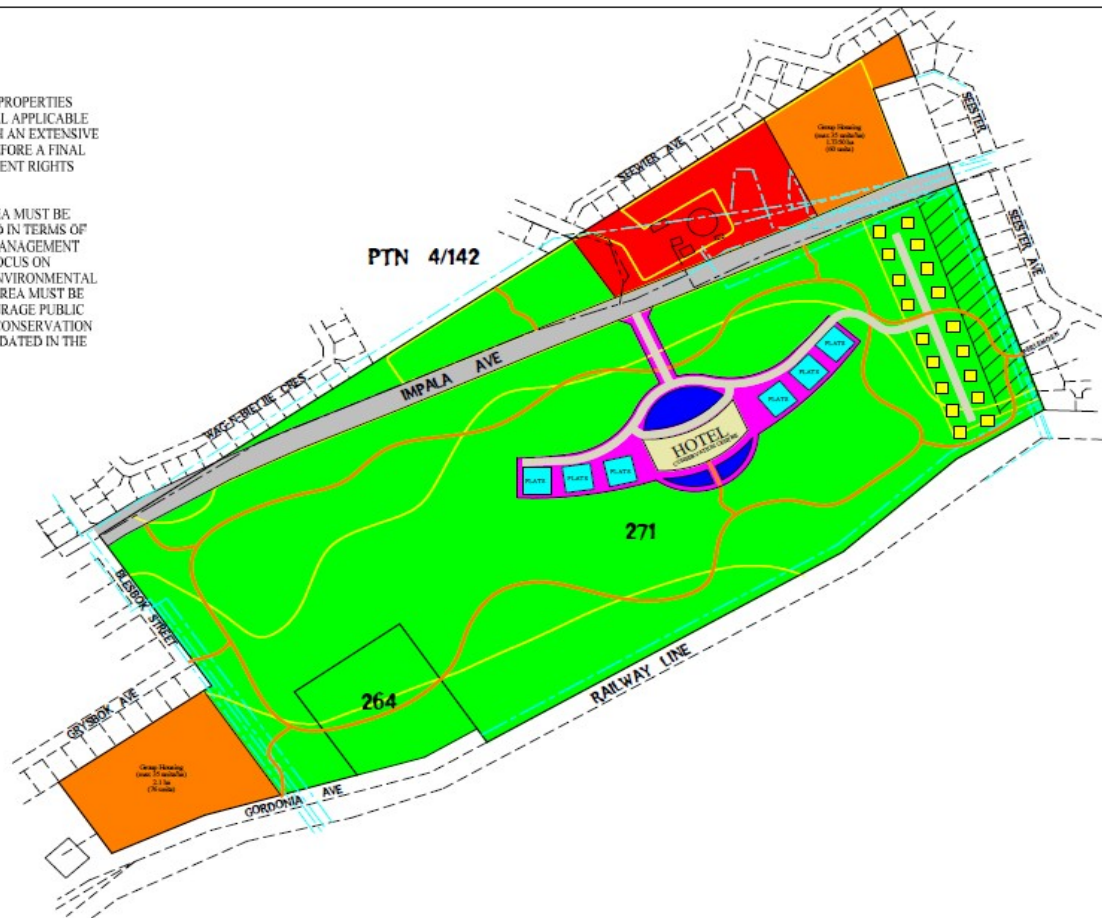


NOTE:

ANY PROPOSAL ON THE SUBJECT PROPERTIES MUST BE APPROVED IN TERMS OF ALL APPLICABLE LEGISLATION AND MUST GO THROUGH AN EXTENSIVE PUBLIC PARTICIPATION PROCESS BEFORE A FINAL DECISION REGARDING DEVELOPMENT RIGHTS CAN BE TAKEN.

THE NATURE CONSERVATION AREA MUST BE DEVELOPED/USED AND MAINTAINED IN TERMS OF AN APPROVED ENVIRONMENTAL MANAGEMENT PLAN (EMP). THE EMP MUST FOCUS ON CONSERVATION OF THE AREA AND ENVIRONMENTAL EDUCATION. THE CONSERVATION AREA MUST BE MANAGED AND DEVELOP TO ENCOURAGE PUBLIC USAGE AND INVOLVEMENT VIA THE CONSERVATION CENTRE WHICH MUST BE ACCOMMODATED IN THE HOTEL.

SCALE: 1 : 4600



POSSIBLE REDEVELOPMENT
OF ERF 271 (41.3 HA) AND
ERF 264 (1.7 HA)
REEBOK

**MOSSEL BAY
MUNICIPALITY**

TOTAL ERF
WATER LINES
SEWERAGE LINES
ELECTRICAL LINES
BOTANICAL LINES
PUBLIC WALKWAYS

NATURE CONSERVATION
GROUP HOUSING
PUBLIC STREET
UTILITY ZONE
HOTEL
AREA TO BE REHABILITATED
PRIVATE STREETS
RESIDENTIAL 1

	AREA	UNITS
NATURE CONSERVATION	31.5 HA 73%	0
GROUP HOUSING	3.8 HA 8%	136
PUBLIC STREET	2.5 HA 6%	0
UTILITY ZONE	2.4 HA 6%	0
HOTEL/PLATS/CONSERVATION CENTRE	3.0 HA 6%	SDP
RESIDENTIAL 1	0.3 HA 1%	18

NOTE:

THE DEVELOPMENT OF THE LARGE OPEN AREAS IN THE TERGNIET/REEBOK AREA IS NOT CONSISTENT WITH THE MOSSEL BAY SPATIAL DEVELOPMENT FRAMEWORK. IN ITS CURRENT FORMAT AND AMENDMENTS WILL BE NECESSARY BEFORE ERF 271 AND 264 REEBOK WILL BE DEVELOPABLE