



KAAP AGULHAS MUNISIPALITEIT
CAPE AGULHAS MUNICIPALITY
U MASIPALA WASECAPE AGULHAS

**NOTULE VAN 'N ALGEMENE RAADSVERGADERING GEHOU OM 10:00 OP DINSDAG
28 MEI 2019 IN DIE MUNISIPALE RAADSAAL TE BREDASDORP**

**MINUTES OF A GENERAL COUNCIL MEETING HELD ON TUESDAY, 28 MAY 2019 AT
10:00 IN THE MUNICIPAL COUNCIL CHAMBERS, BREDASDORP**

RAADSLEDE / COUNCILLORS

MNR	R J BAKER	
MNR	G D BURGER	
MNR	D J EUROPA	
MNR	D JANTJIES	
ME	E C MARTHINUS	
MNR	J G A NIEUWOUDT	(Speaker)
ME	M OCTOBER	
ME	E L SAULS	
MNR	P J SWART	(Burgemeester)
ME	Z TONISI	(Onder-Burgemeester)

AMPTENARE / OFFICIALS

Mnr H Van Biljon	wnd Munisipale Bestuurder
Mnr A Jacobs	Direkteur: Infrastruktuurdienste
Mnr B Swart	Interne Ouditeur
Mnr B Hayward	Bestuurder: Stads- en Streeksbeplanning
Mnr G M Moelich	Bestuurder: Administrasie
Mnr S Stanley	Tesourie
Me M Saptou	Bestuurder: Beskermingsdienste
Me L Valentine	Strategiese Dienste
Me N Mhlati-Musewe	Divisional Head: HR Services & Organisational Development (vanaf 10:25)

1. **OPENING**

Die Speaker heet die teenwoordiges welkom en mnr Hayward open die vergadering met gebed.

2. **AANSOEKE OM VERLOF TOT AFWESIGHEID / APPLICATIONS FOR LEAVE**

Mnr	C J Jacobs	Raadslid
Mnr	D O'Neill	Munisipale Bestuurder

3. **ONDERHOUDE MET AFGEVAARDIGDES EN/OF ANDER BESOEKE**

Geen.

4. **NOTULES VAN VORIGE VERGADERINGS VOORGELê VIR BEKRAGTING**

4.1 **NOTULE VAN ALGEMENE RAADSVERGADERING GEHOU OP:**

30 April 2019

BESLUIT 83/2019

Die Notule word as korrek en volledig bekragtig.

4.2 **NOTULE VAN SPESIALE RAADSVERGADERING GEHOU OP:**

20 Mei 2019

BESLUIT 84/2019

Die Notule word as korrek en volledig bekragtig.

5. **NOTULES VAN DIE UITVOERENDE BURGEMEESTERSKOMITEE VERGADERINGS OOR
BESLUIE DEUR HOM GENEEM SAAM MET DIE BURGEMEESTERSKOMITEE**

5.1 **NOTULE VAN UBK VERGADERING GEHOU OP:**

16 April 2019

BESLUIT 85/2019

Die Raad neem kennis van bogenoemde UBK Notule.

6. **SAKE VOORTSPRUITEND UIT NOTULES**

Spesiale Raadsvergadering: 20 Mei 2019

(i) **Statusverslag: Vishuis (Besluit 80/2019)**

Dat die Raad kennis neem van geringe vordering in dié verband en dat dokumente vir sertifisering deur 'n Kommissaris van Ede voorgelê is.

(ii) **Huurooreenkoms: Meentgronde (KAM vs Agri Mega Beperk) (Besluit 81/2019)**

Dat die Raad kennis neem dat gesprekke reeds met Change Agri onderneem is en 'n volledige prosesplan sal aan die Raad voorgelê word.

(iii) **Lys van Onafgehandelde Besluite**

Dat bogenoemde aangeleenthede by die lys van onafgehandelde besluite gevoeg word.

7. VERKLARINGS EN/OF MEDEDELINGS DEUR DIE VOORSITTER**7.1 BRIEWE VAN DANK**

Goeiedag Mnr Niewoudt

Graag wil die verpleeg personeel by Otto du Plessis u hartlik bedank vir die mooi gebaar vanaf die munisipaliteit se kant vir die eetgoed wat u verskaf het vir "Nurses day 2019" Die mooi gebaar word op reg waardeer.

Vriendelike groete

Michelle Hattingh
Assistant Nursing Manager
Otto du Plessis Hospital

BESLUIT 86/2019

Die Raad neem kennis van bogenoemde skrywe.

7.2 FUNKSIES VIR DIE MAAND

Geen.

7.3 AANWYS VAN AFGEVAARDIGDES

Geen.

7.4 DRINGENDE SAKE DEUR DIE SPEAKER VOORGELê

- 7.4.1 Dat die Raad in reses gaan vanaf 19 Junie 2019 tot 5 Julie 2019.
- 7.4.2 Raadsdame Marthinus en me Saptou word geluk gewens met hul verjaarsdae.
- 7.4.3 Mnr Shaun Stanley word geluk gewens met die geboorte van sy dogter.

8. TERUGVOERING VANAF RAADSLIDE OOR VERGADERINGS BYGEWOON

Geen.

9. VERKLARINGS EN/OF MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER

Die Burgemeester verduidelik die begrotingsproses gevolg en uitstaande begrotingsitems wat in die 2019/2020 boekjaar deur die Raad aangespreek sal word. Die begroting word hierna behandel en ter tafel gelê vir oorweging deur die Raad.

		<u>Bladsy</u>	
10.	<u>ITEMS NA DIE RAAD VERWYS VIR OORWEGING</u>	<u>Notule</u>	<u>Bylaes</u>
10.1	Approval: Annual Budget in respect of the 2019/20 Financial Year	4 - 7	Apart
10.2	Approval: Second Revision (2019/20) of 2017/18 - 2021/22 IDP	7 - 8	Apart
10.3	Reviewed and Amended Budget-Related Policy	8	Apart
10.4	Afskryf: Oninbare Skulde: "Indigent" Diensterekening	9	Apart
10.5	CAM: Disaster Management Plan 2019	10 - 11	

11. **DRINGENDE SAKE DEUR DIE MUNISIPALE BESTUURDER**

Geen.

12. **OORWEGING VAN KENNISGEWING VAN MOSIES**

Geen.

13. **OORWEGING VAN KENNISGEWING VAN VRAE**

Geen.

14. **OORWEGING VAN DRINGENDE MOSIES**

Geen.

15. **IN-KOMITEE VERSLAE**

Die In-Komitee items word vertroulik hanteer.

16. **SLUITING**

Die vergadering verdaag om 11:45

10. **ITEMS NA DIE RAAD VERWYS VIR OORWEGING**10.1 **APPROVAL OF THE ANNUAL BUDGET IN RESPECT OF THE 2019/20 FINANCIAL YEAR****PURPOSE OF REPORT**

To submit the annual budget for the 2019/20 financial year for approval by Council as prescribed in the Municipal Finance Management Act (MFMA) and in terms of guidelines received from National Treasury per MFMA circular no. 93 and 94.

In terms of the Municipal Finance Management Act (MFMA), section 24, the municipal council must at least 30 days before the start of the budget year consider approval of the annual budget.

Subsequent to the tabling of the draft annual budget to Council on 28 March 2019 and in compliance with section 23 of the MFMA, the following consultation processes and meetings were held with community and identified stakeholders on the contents of the budget in respect of the 2019/20 budget year:

Planned activities	Timeframes / Dates	Targets / Achieved
AFS and Annual performance report	August 2018	Complete
Public participation with ward committees	September 2018	Complete
Finalization of revised community needs assessment	October 2018	Complete
Strategic sessions (Management and Council)	November 2018	Complete
Budget preparation	November 2018	Complete
Mid-year budget assessment / Adjustment budget Steering committees	January 2019	Complete
Budget workshops / National budget speech	February 2019	Complete
Preparation of Draft budget processes / Draft IDP review / Draft Budget	March 2019	Complete

Planned activities	Timeframes / Dates	Targets / Achieved
Adoption and approval of the Draft Budget / IDP	28 March 2019	Completed
Community participation: Ward 1 - Napier Community Hall (19h00) Ward 2 - Thusong Centrel (19h00) Ward 2 – Klipdale Community Hall Ward 3 - Nelson Mandela Hall (19h00) Ward 4 - Glaskasteel Sports Complex (19h00) Ward 4 – Protem Community Hall Ward 5 - Suidelig Service Centre (15h00) Ward 5 - Struisbay North Community Hall (19h00) Ward 6 - Arniston Community Hall (19h00) Ward 6 - Christen Gemeente Kerk (19h00)	3-17 April 2019 8 April 2019 9 April 2019 11 April 2019 10 April 2019 3 April 2019 4 April 2019 15 April 2019 15 April 2019 17 April 2019 16 April 2019	Completed
Budget Assessment visit by Provincial Treasury	3 May 2019	
Budget Steering Committee: Draft Budget Amendments / Budget Input	27 May 2019	
Final draft budget	28 May 2019	

In terms of section 23(1) of the MFMA the Mayor must consider any views of -

- a) the local community; and
- b) the National Treasury, the relevant Provincial Treasury and any organs of state or municipalities which made submissions on the budget.

The inputs and comments made by the community during the budget consultation process as well as the following written inputs received, have been considered by the Executive Mayor as prescribe in terms of the above-mentioned legislation:

- **Dienslewerings Party:**
 - (i) Budget in respect of bathrooms to the amount of R1million not carried forward as per the previous budget allocation for the 2019/20 budget year.
 - (ii) Request to consider the increase for the “Reseal of Roads” budget due to the poor conditions of the municipality’s roads.
 - (iii) Utilisation of reserves towards the delivery of services instead of saving.
- **Mr Patrick Tomkins:**
Objection in respect of the proposed increase for the “Sewer Pumping services”.
- **Provincial Treasury:**
 - (i) Cash flow i.r.o Capital Budget vs Procurement Plan.
 - (ii) Cash Reserves and tariff increases.
 - (iii) Grant allocations not in balance with DoRA.
 - (iv) Completeness of the “A Schedule” budget forms.

The Budget Steering Committee meeting is scheduled for Monday, 27 May 2019 to discuss the budget inputs received from various role players for consideration and amendment to the draft budget 2019/20 before final approval of the budget, if considered necessary. Recommendations made by Provincial Treasury during its assessment visit in respect of the draft 2019/20 budget have been addressed and incorporated where applicable. The final budget to be submitted for consideration and approval have been amended with reference to the outer years to be funded as per legislative requirement. .

National Treasury through its regular MFMA Circulars provided guidance on the content and format for municipal budget documentation in respect of the 2019/20 Medium Term Revenue and Expenditure Framework. All municipalities are required to adhere to the prescribed format with regard to the content and format of budget documentation. The required table of content as provided by National Treasury is as follows:

- **Mayoral Budget Speech:** High-level summary of the budget that draws on executive summary and highlights key deliverables during the coming years.
- **Budget Related Resolutions:** Draft resolutions must be included with the budget documentation tabled to full council.
- **Budget:** The budget includes the executive summary; budget schedules – operating & capital to be approved by council; budget related charts and explanatory notes to the budget.
- **Supporting Documentation:** Budget process overview; Alignment of budget with IDP; Budget related policies – overview and amendments; Budget assumptions; Funding the budget; Disclosure on allocations made by municipality; Disclosure of salaries, allowances and benefits; Monthly cash flows by source; Measurable performance objectives and disclosure on implementation of MFMA as well as other legislation.

The operating and capital budget for the 2019/20 financial year is attached as annexure for consideration and approval by Council.” (**Bound separately**)

The Municipal Manager, in consultation with the Director: Finance, recommends as follows:

MANAGEMENT RECOMMENDATION

- (i) Council resolves that the annual budget of the municipality for the financial year 2019/20 as per Budget Related Resolutions of the budget document and indicative for the projected outer years 2020/21 and 2021/22 be approved as set out in 1.8 Annual Budget Tables in respect of the following schedules:
 - 1.1 Executive summary of revenue & expenditure – Table A1;
 - 1.2 Budgeted Financial Performance (Revenue and Expenditure by standard Classification) –Table A2;
 - 1.3 Budgeted Financial Performance (revenue and expenditure by municipal vote) A – Table A3;
 - 1.4 Budgeted Financial Performance (revenue and expenditure) – Table A4;
 - 1.5 Budgeted Capital Expenditure by vote, standard classification and funding – Table A5;
 - 1.6 Budgeted Financial Position – Table A6;
 - 1.7 Budgeted Cash Flows Table A7;
 - 1.8 Cash backed reserves/accumulated surplus reconciliation – Table A8;
 - 1.9 Asset Management – Table A9;
 - 1.10 Basic service delivery measurement table A10
 - 1.11 Council notes Part 2 - Other related Supporting Documentation completed where applicable from Table SA1 to SA38
- (ii) Council approves and adopts the draft tariffs listing for services as per Appendix A with effect 1 July 2019.
- (iii) Council approves and adopt the Draft SDBIP in respect of the 2019/20 budget year per Appendix B.
- (iv) Council notes the Service Level Standards (2019/20) to be submitted as required in terms of National Treasury Budget Circular 94 dated 8 March 2016 attached as Appendix C.
- (v) Council notes the Procurement Plan (2019/20) to be submitted as required in terms of National Treasury Budget Circular 94 dated March 2019 attached as Appendix D.
- (vi) Council notes that financial related policies have been reviewed in respect of the 2019/20 budget year and any amended policies be submitted as a separate item before the start of the new budget year.

RESOLUTION 87/2019

- (i) That the management recommendation be accepted as a resolution of Council.
- (ii) Council notes that financial related policies have been reviewed in respect of the 2019/20 budget year and any amended policies be submitted as a separate item before the start of the new budget year, by the end of June 2019.
- (iii) That a full report be submitted to Council in regards of the building of additional ablution facilities, to be financed during 2019/2020.
- (iv) That the Social Development Fund Policy be reviewed to make provision for a ward-base budget, for implementation 2019/2020.
- (v) That a workshop be scheduled with rollplayers for June 2019 to review the Social Economic Development Fund.

10.2 APPROVAL OF THE SECOND REVISION (2019/20) OF THE 2017/18 - 2021/22 INTEGRATED DEVELOPMENT PLAN**REPORT BY THE MANAGER STRATEGIC SERVICES****PURPOSE OF REPORT**

To present the second Integrated Development Plan (IDP) Review for 2019/20 to the Council for approval.

LEGAL FRAMEWORK

Integrated Development Planning is regulated by Chapter 5 of the Local Government Municipal Systems Act, Act 32 of 2000 read together with the Municipal Finance Management Act, Act 56 of 2003.

In terms of section 25(1) of the Municipal Systems Act, each Municipal Council must adopt a single, inclusive and strategic plan for the development of the Municipality within a prescribed period after the start of its elected term. The Municipality adopted its 2017 /18 - 2021/22 IDP in May 2017.

Section 34 of the Municipal Systems Act, requires Municipalities to review their Integrated Development Plans annually in accordance with an assessment of its performance and to the extent that changing circumstances demand. Amendments to the IDP must be done in accordance with the prescribed process.

Section 21 of the MFMA requires the mayor of a municipality to co-ordinate the processes for preparing the annual budget and for reviewing the municipality's integrated development plan and budget-related policies to ensure that the tabled budget and any revisions of the integrated development plan and budget-related policies are mutually consistent and credible.

Section 53(1) (b) of the MFMA provides that the mayor of a municipality must co-ordinate the annual revision of the integrated development plan in terms of section 34 of the Municipal Systems Act and the preparation of the annual budget, and determine how the integrated development plan is to be taken into account or revised for the purposes of the budget.

DISCUSSION

This IDP review aims to evaluate the performance of the Municipality in terms of its strategic objectives and reflect on the updated priorities of the various communities in the Cape Agulhas Municipal Area.

The Draft IDP Review for 2019/20 was tabled together with the Draft MTREF Budget on 28 March 2019. The Draft IDP and Budget were then made public and a series of Mayoral Imbizo's took place during April to solicit the Communities comments. The closing date for public comment was 3 May 2019.

The public input received on the Draft IDP Review and Budget were considered by the Budget Steering Committee.

The main comments received on the Draft IDP were from the Province via the LGMTECH process. These recommendations were implemented insofar as was possible.

MANAGEMENT RECOMMENDATION

That the second revision (2019/20) of the 2017/18 - 2021/2022 Integrated Development Plan of the Cape Agulhas Municipality be approved in terms of Section 34 of the Local Government: Municipal Systems Act (Act 32 of 2000).

RESOLUTION 88/2019

That the management recommendation be accepted as a resolution of Council.

10.3 **REVIEWED AND AMENDED BUDGET-RELATED POLICIES**

PURPOSE OF REPORT

To obtain Council's approval in respect of the following reviewed and amended budget-related policy:

- Property Rates Policy

In terms of section 17(3)(e) of the MFMA any proposed amendments to budget-related policies of the municipality must accompany the tabled budget when submitted to council for final approval each year.

Due to ongoing changes in processes, procedures, risks and legislation that impacted on the existing policies, it is suggested to amend the listed policy with an effective date of 1st July 2019 which is separately attached to this document.

The amendment to the *Property Rates policy* mainly refers to changes in respect of property rates categories as well as recommendations made by Western Cape Provincial Treasury when reviewing the municipality's property rates policy on an annual basis to ensure full legislative compliance.

The Masakane Debt Collection & Credit Control Policy will be submitted to Council before the start of the new financial year taken into account the challenges / concerns raised by the community during the Budget Imbizo's with reference to the indigent support versus the affordability of consumer accounts.

The Municipal Manager in consultation with the Chief Financial Officer recommends as follows:

MANAGEMENT RECOMMENDATION

Council consider approval of the following amended budget-related policy with the effective date 1st July 2019:

Property Rates Policy (2019/20)

RESOLUTION 89/2019

That Council approves the amended Property Rates Policy, effective from 1st July 2019.

10.4 **AFSKRYF VAN ONINBARE SKULDE: "INDIGENT" DIENSTE REKENINGE**

DOEL VAN VERSLAG

Vir die Raad om oorweging te skenk vir die afskryf van oninbare "indigent" dienste rekeninge ten bedrae van R5 508 502,70.

AGTERGROND

Die totale uitstaande "indigent" debiteure ten opsigte van dienste rekeninge ouer as 90 dae beloop R5 508 502,70.

In terme van die Raad se goedgekeurde Masakane/Kredietbeheer Beleid word debiteure se rekeninge oorhandig aan die Raad se skuldinvorderaar vir invordering sodra die rekening vir 'n tydperk van twee maande en langer uitstaande is en waar die betrokke debiteure nie gereageer het op die raad se skrywe om 'n ooreenkoms aan te gaan ter afbetaling van die uitstaande skulde nie.

Vervolgens die bedrae soos versoek vir afskrywing:

"Indigent" rekeninge ouer as 90 dae	R5 471 629,81
DMC Oninbare skulde	<u>R 36 872,89</u>
Totaal vir Afskrywing:	<u>R5 508 502,70</u>

Die grootste gedeelte van die afskrywing vir oorweging is uitstaande "indigent" dienste rekeninge wat ouer as 90 dae is. Daar word geen betalings op hierdie rekeninge ontvang nie en daar is bykans geen kans dat enige van hierdie rekeninge gevorder kan word nie. Die ander gedeelte bestaan uit rekeninge wat aan DMC oorhandig is vir invordering, maar volgens hulle is dit skulde wat nooit gevorder sal kan word nie as gevolg van die onvermoë van die debiteur om te betaal.

Daar is voorsiening in die begroting gemaak vir die afskrywing van oninbare skulde.

WETLIKE IMPLIKASIE

Geen.

FINANSIËLE IMPLIKASIE

Oorweging vir die afskryf van oninbare skulde ten bedrae van R5 508 502,70.

Die Munisipale Bestuurder, in konsultasie met die Direkteur Finansies, beveel as volg aan:

BESTUURSAANBEVELING

Dat die Raad goedkeuring verleen dat oninbare skulde ten opsigte van "indigent" dienste rekeninge ten bedrae van R5 508 502,70 afgeskryf word.

BESLUIT 90/2019

Dat die Bestuursaanbeveling as 'n besluit van die Raad aanvaar word.

10.5 CAPE AGULHAS MUNICIPALITY: DISASTER MANAGEMENT PLAN 2019

REPORT BY THE MANAGER PROTECTION SERVICES

PURPOSE OF REPORT

To present Council with the Reviewed Disaster Management Plan for its municipal area.

LEGAL FRAMEWORK

Section 53 of Disaster Management Act, 57 of 2002

BACKGROUND

In order for the Municipality to comply with legislative requirements by reviewing and update its Disaster Management Plan on an annual basis to prevent and mitigate the occurrence or re-occurrence of disasters. A Disaster Risk Assessment were conducted within the area of jurisdiction to ensure that decision makers are responsible for managing disaster risks and reducing losses during disaster incidents.

The amendment to 21. Section 53 of the principal Act is amended and need these changes to be made to be taken up into the Disaster Management Plan of the relevant municipality.

(1) Each municipality must -

- a) Conduct a disaster risk assessment for its municipal area;
- b) Identify and map risks, areas, ecosystems, communities and households that are exposed or vulnerable to physical and human-induced threats;
- c) Prepare a disaster management plan setting out -
 - i. The way in which the concept and principles of disaster management are to be applied in its municipal area, including expected climate change impacts and risks for the municipality;
 - ii. Its role and responsibilities in terms of the national, provincial or municipal disaster management framework;
 - iii. Its role and responsibilities regarding emergency response and post disaster recovery and rehabilitation;
 - iv. Its capacity to fulfil its role and responsibilities; contingency strategies and emergency procedures in the event of a disaster, including measures to finance these strategies; and
 - v. Specific measures taken to address the needs of women, children, the elderly and persons with disabilities during the disaster management process;
- d) Co-ordinate and align the implementation of its plan with those of other organs of state and institutional role-players;
- e) Provide measures and indicate how it will invest in disaster risk reduction and climate change adaptation, including ecosystem and community-based adaptation approaches;
- f) Regularly review an update its plan

DISCUSSION

Cape Agulhas Municipality must update the DMP on a yearly basis and need to work in collaboration with the Overberg District Municipality and supported by the Western Cape Provincial Disaster Management Centre (WCDMC). The last review of the CAM DMP was done and approved in 2017.

FINANCIAL IMPLICATIONS

None.

ANNEXURES

Draft Review: Disaster Management Plan 2019.

MANAGEMENT RECOMMENDATION

That the Disaster Management Plan for 2019 be approved.

RESOLUTION 91/2019

That the management recommendation be accepted as a resolution of Council.

Hierna gaan die Raad In Komitee om sake van vertroulike aard te bespreek.

BEKRAGTIG op hierdie

dag van

2019

SPEAKER

DATUM: