

KNYSNA LOCAL MUNICIPALITY

Notice is hereby given of a

MAYORAL COMMITTEE MEETING

which will be held on

Thursday, 30 November 2023

at

09:00

In the Council Chamber
to consider the following items

CLLR NA TSENGWA
EXECUTIVE MAYOR
MUNICIPAL OFFICE
KNYSNA

MR OP SEBOLA
MUNICIPAL MANAGER

CHAIRPERSON :

Cllr NA Tsengwa (Executive Mayor)

MEMBERS :

Cllr A Marbi (Executive Deputy Mayor)

Cllr T Matika

Cllr K Andrews

Cllr W Grootboom

Cllr B Charlie

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MAYORAL COMMITTEE MEETING
AGENDA
30 NOVEMBER 2023

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MAYORAL COMMITTEE MEETING
AGENDA
30 NOVEMBER 2023

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AGENDA

1. Opening and Welcome
2. Attendance
 - 2.1 Members : Present (As per attendance registers)
 - 2.2 Members : Absent with Leave
 - 2.3 Members : Absent Without Leave
 - 2.4 Other Councillors Present
 - 2.5 Officials Present
 - 2.6 Members of the Audit Committee Present
 - 2.7 Members of the Public Present
3. Noting of the Provisions of Code of Conduct for Councilors and Declaration of Interest
4. Declaration of interest

5. MINUTES OF THE PREVIOUS MEETING

5.1 **MAYORAL COMMITTEE MEETING: 18 OCTOBER 2023**

RECOMMENDATION

That the minutes of the Mayoral Committee Meeting held on 18 October 2023, be approved.

KNYSNA LOCAL MUNICIPALITY

<h1>MINUTES</h1>

of the

MAYORAL COMMITTEE

meeting which took place in the Council Chamber
on

Wednesday, 18 October 2023

at

09:00

1. Opening and Welcoming

At 9:00 the Executive Mayor welcomed Councillors, Officials, Audit Committee members and the public to the meeting and conducted a roll call of members present.

Cllr B Charlie opened the meeting with prayer.

2. In Attendance :

2.1 Councillors Present

Members:

Cllr NA Tsengwa
Cllr A Marbi (*left at 9:50*)
Cllr T Matika
Cllr K Andrews
Cllr B Charlie
Cllr W Grootboom

Members: Absent with leave

None

Members: Absent without leave

None

2.2 Other Councillors Present :

Cllr M Willemse
Cllr R Arends
Cllr M Khumelwana (from 09:13)
Cllr S Campbell
Cllr P Bester
Cllr L Tyokolo (from 09:24)
Cllr M Skosana (from 12:24)

2.2.1 Officials :

Sebola, OP	Municipal Manager
Ngqele, S	Director: Community Services
Loliwe, L	Director: Corporate Services
Dunywa, A	Director: Planning and Development
Biyela, T	Manager: Electrical
MacDonald, G	Acting Director: Infrastructure Services
Jagaysor, A	Acting Director: Financial Services
Botha, M	Acting Manager: Legal Services (<i>MSTeams</i>)
Wali, T	
Lakay, J	Head: Council Committees, Councillor Support, and Acting Manager: Administration

Xibiya, N	Committee Officer
Mjamba, B	Interpreter
Mpahla, S	IT Technician

2.4. Member of the Audit Committee:

None

2.5. Members of the Public Present:

The meeting was livestreamed via YouTube.

3. Noting of the Provisions of the Code of Conduct for Councillors

UNANIMOUSLY RESOLVED

That the Provisions of the Code of Conduct for Councillors, be noted.

Cllr A Marbi requested to be excused from the meeting at 10:00 as he has an urgent matter to attend to. Cllr Marbi left the meeting at 9:50.

4. Declaration of Interest

RESOLVED

That it be noted that no member or other Councillor declared any interest in any matter in the Agenda.

PRESENTATION: DUAL GROUP: WATER PURIFICATION

RESOLVED

That the presentation from Dual group from 09:05– 09:55, be noted.

Body break at 09:55 – 10:22

PRESENTATION: ACTISOL: SOLA STREET LIGHTS

RESOLVED

That the presentation from ACTISOL from 10:24 – 11:00, be noted.

5. **CONFIRMATION OF THE PREVIOUS MEETING**

5.1 **MAYORAL COMMITTEE MEETING : 29 MAY 2023**

Cllr B Charlie proposed, seconded by Cllr T Matika,

UNANIMOUSLY RESOLVED

That the minutes of the Mayoral Committee Meeting held on 29 May 2023, be approved.

5.2 **SPECIAL MAYORAL COMMITTEE MEETING: 16 AUGUST 2023**

UNANIMOUSLY RESOLVED

That the minutes of the Special Mayoral Committee Meeting held on 16 August 2023, be approved.

6. **MATTERS ARISING FROM THE MINUTES**

None

6.1 **EXECUTION LIST**

UNANIMOUSLY RESOLVED

That the matters arising from the minutes of the scheduled meeting held on May 2023, be noted.

7. **ITEMS FOR CONSIDERATION**

ITEMS SUBMITTED TO THE PLANNING, ECONOMIC DEVELOPMENT & TOURISM COMMITTEE MEETING HELD ON 15 JUNE 2023

P06/04/23 LAND USE MANAGEMENT DIVISION APRIL 2023 – MAY 2023

UNANIMOUSLY RECOMMENDED

[a] That the Land Use Management Departmental report for the period April 2023 to May 2023, be noted; and

[b] That the recruitment process of two Town Planner vacancies be expedited by the Human Resources Department.

File Number: 9/1/2/13

Execution: Director: Planning & Economic Development
Director : Corporate Services
Manager : Human Resources

P07/06/23 APPOINTMENT OF VOLUNTARY MEMBERS TO SERVE ON THE KNYSNA AESTHETICS COMMITTEE

UNANIMOUSLY RECOMMENDED

- [a] That the Report on the Appointment of voluntary members to serve on the Knysna Aesthetics Committee, be noted; and
- [b] That Council support the nominations of the voluntary members to serve on the Knysna Aesthetics Committee.

File Number: 9/1/2/5

Execution: Director: Planning & Economic Development
Manager: Building Control

P08/06/23

TABLING OF THE REPORT ON THE COORDINATION, MARKETING AND PROMOTION THE OYSTER FESTIVAL

UNANIMOUSLY RECOMMENDED

- [a] That the Report on the progress of the Oyster Festival be noted;
- [b] That the following dates be noted as part of the Municipal Activities leading to the Oyster Festival :
 - [i] 31 May 2023 : Closing date for events registration at the Tourism Information Office;
 - [ii] 02 June 2023 : Second Stakeholder engagement session;
 - [iv] 13 June 2023 : Medial launch;
 - [v] 29 June 2023 : Oyster Festival Opening Ceremony;
- [c] That the Knysna Tourism Information Office coordinates and manages the 2023 Oyster Festival; and
- [d] That the establishment of Steering Committee comprising of internal department and anchor event organizers to oversee the Oyster Festival Planning be noted.

File Number: 9/1/2/13

Execution: Director: Planning & Economic Development
Manager :Local Economic Development

P09/06/23

HOLIDAY RENTALS ON THESEN ISLAND ENFORCEMENT PROGRESS REPORT

UNANIMOUSLY RECOMMENDED

- [a] That the report on the holiday rentals on Thesen Island enforcement progress report, be noted;
- [b] That the progress relating to the response to the complaints received on short-term holiday letting on Thesen Island, be noted; and

- [c] That a Council workshop on short-term holiday rentals and its enforcement aspects be arranged after the legal opinion has been obtained.

File Number: 9/1/2/13

Execution: Acting Director: Planning & Economic Development

9. ITEMS SUBMITTED DIRECTLY TO THE EXECUTIVE MAYOR

None

REPORTS SUBMITTED DIRECTLY TO THE MAYORAL COMMITTEE

M01/07/23 ELECTRICAL & MECHANICAL SERVICES DEPARTMENT CAPITAL PROJECT REPORT FOR JULY 2022-APRIL 2023

Refer to item IS03/08/23.

M02/07/23 ELECTRICAL & MECHANICAL SERVICES KNYSNA MUNICIPAL FLEET FROM MARCH TO APRIL 2023

UNANIMOUSLY RESOLVED

- [a] That the Electrical & Mechanical Services Knysna Municipal fleet report from March to April 2023, be noted; and

- [b] That outstanding fines be redirected to Directors or Directorate within one month.

File Number: 9/1/2/1

Execution: Manager: Electrical and Mechanical Services

M03/07/23 ELECTRICAL AND MECHANICAL DEPARTMENT INEP PROJECT REPORT FOR JULY 2022 – APRIL 2023

Refer to item IS04/08/23.

M04/07/23 PROJECTS PROGRESS REPORT – APRIL 2023

UNANIMOUSLY RESOLVED

That the Projects Progress Report for April 2023, be noted.

File Number : 9/1/2/1

Execution : Director : Infrastructure Services

M05/07/23 **REPORT OF THE ROADS, TRANSPORT & STORM WATER & BUILDINGS
MAINTENANCE DIVISION (RTSBMD) FOR QUARTER 3 2022/2023**

Refer to item IS05/08/23.

M06/07/23 **REPORT ON THE OPERATIONS AND MAINTENANCE TO WATER AND
SEWER FOR MARCH TO APRIL 2023**

UNANIMOUSLY RESOLVED

That the Report on the Operations and Maintenance to Water and Sewer for March to April 2023, be noted.

File Number: 9/1/2/1

Execution: Acting Manager Water & Sewer

**ITEMS SUBMITTED TO THE INTEGRATED HUMAN SETTLEMENTS
COMMITTEE MEETING**

M07/07/23 **INTEGRATED HUMAN SETTLEMENTS MONTHLY REPORT: MAY 2023**

Refer to item IHS01/10/23.

M08/07/23 **SUBMISSION OF WARD BASE PROJECTS**

Refer to item IHS02/10/23.

M09/07/23 **SUBMISSION OF THE BUSINESS PLAN FOR THE 2023/24 FINANCIAL
YEAR AND PROJECTED TARGETS FOR OTHER FINANCIAL YEARS
2024/25/2025/26**

Refer to item IHS03/10/23.

M10/07/23 **SUBMISSION ON INTERIM ARRANGEMENTS FOR THE PRIORITIZATION
OF HOUSEHOLDS AFFECTED BY PERMANENT DISABILITIES**

Refer to item IHS04/10/23.

M11/07/23 **REPORT ON THE CAUSES OF THE SOIL SLIP IN NEKKIES**

Refer to item IHS05/10/23.

ITEMS SUBMITTED TO THE FINANCE & GOVERNANCE COMMITTEE MEETING

M12/07/23 **REPORT BACK ON APPLICATION TO PURCHASE A PORTION OF ERF 161, BUFFALO BAY ADJACENT TO ERF 162**

Refer to item C08/09/23.

M13/07/23 **REPORT BACK ON APPLICATION TO PURCHASE A PORTION OF ERF1527, KNYSNA ABUTTING ERF 1944**

Refer to item C07/09/23.

M14/07/23 **REPORT BACK ON REQUEST TO ENTER INTO LONG TERM LEASE AGREEMENT – PORTION OF ERF 1406 AND 4620, KNYSNA (EAST HEAD CAFÉ RESTAURANT)**

Refer to item C06/09/23.

M15/07/23 **REPORT BACK ON APPLICATION TO LEASE A PORTION OF ERF 210, KNYSNA ABUTTING ERVEN 1273 & 1274, KNYSNA FOR PARKING PURPOSES**

Refer to item C05/09/23.

M16/07/23 **REPORT BACK : APPLICATION TO PURCHASE A PORTION OF ERF 19086, DINANGWE, KNYSNA**

Refer to item C20/09/23.

M17/07/23 **REPORT BACK ON APPLICATION TO PURCHASE A PORTION OF ERF 215, BUFFALO BAY ADJACENT TO ERF 186**

Refer to item C04/09/23.

M18/07/23 **APPLICATION FOR LEASE AGREEMENT – FOR A PORTION OF ERF 1316, KNYSNA BUTTING ERF 3556, KNYSNA**

Refer to item C21/09/23.

M19/07/23 **REPORT BACK ON APPLICATION FOR PRIVATE SERVITUDE ACCESS OVER A PORTION OF ERF 215, BUFFALO BAY FOR ERF 222**

Refer to item C03/09/23.

M20/07/23 **APPLICATION TO INSTALL A GATE AT COSTA SARDA**

Refer to item C11/09/23.

M21/07/23 **REPORT BACK ON APPLICATION TO PURCHASE A PORTION OF ERF 1407, KNYSNA ADJACENT TO ERF 1414**

Refer to item **C02/09/23**.

M22/07/23 **REPORT ON ALL CHURCH APPLICATIONS**

Refer to item **C01/09/23**.

M23/07/23 **APPLICATION FOR LEASE AGREEMENT – NEW KNYSNA NISSAN – FOR A PORTION OF ERF 210 AND 1316, KNYSNA ADJACENT TO ERF 4653, KNYSNA**

Refer to item **C09/09/23**.

ITEMS SUBMITTED TO THE INFRASTRUCTURE SERVICES COMMITTEE MEETING HELD ON 22 AUGUST 2023

None

ITEMS SUBMITTED TO THE COMMUNITY SERVICES COMMITTEE MEETING HELD ON 23 AUGUST 2023

C02/08/23 **ROLE OF LOCAL GOVERNMENT CONCERNING SPORT DEVELOPMENT**

UNANIMOUSLY RECOMMENDED

- [a] That the report to inform Council on the role of sport development at local government level be noted;
- [b] That the report from the Director: Community Services to be noted;
- [c] That the Oyster Sport Festival be included as part of sport development;
- [d] That budget be allocated for sporting development and that steps be taken for public-private partnerships to obtain funding to assist in development of sporting codes and players.

File Number: 7/1/2/5

Execution: Director Community Services

C05/08/23 **COMMUNITY SERVICES: ARTS AND CULTURE STATUS REPORT FROM JULY 2023**

UNANIMOUSLY RECOMMENDED

- [a] That the ongoing and new programmes for 2023/2024 on the implementation plan for the Arts and Culture Section be noted and supported.

- [b] That Council allocate adequate budget to implement sustainable in-house programmes than depending on external stakeholders.

ITEMS SUBMITTED TO THE PLANNING, ECONOMIC DEVELOPMENT & TOURISM COMMITTEE MEETING HELD ON 28 SEPTEMBER 2023

P07/09/23 GREATER KNYSNA SIGNAGE MASTER PLAN

UNANIMOUSLY RECOMMENDED

- [a] That the report on the Greater Knysna Signage Master Plan, be noted; and
- [b] That the Greater Knysna Signage Master Plan, dated June 2019, be adopted.

File Number: 9/1/2/13

Execution: Acting Director: Planning & Economic Development

P08/09/23 WASTE TO ENERGY FEASIBILITY STUDY

UNANIMOUSLY RECOMMENDED

- [a] That the report on the Waste to Energy Feasibility Study presented by Mr Jan van der Westhuizen from CoCo Solutions, be noted;
- [b] That based on the findings of the feasibility study Council pursue Scenario 8 or 9 on page 140 – 142 of the Waste to Energy Feasibility study as follows:

Scenario Eight: A variance of Scenario Seven: Unsolicited bids

Brief interpretation and description: Instead of applying the original scenario where the municipality will own and pay for the technology, it is suggested that the technology is privately funded and the WtE plant is thus privately developed and owned.

Considerations: this will imply that:

Full council approval will be required;

CoCo Solutions will bring private investors on board that will finance the complete KTRC (Knysna Total Recovery Centre) as proposed in this feasibility study and agreed upon with KLM (Knysna Local Municipality)

The scenario mentioned earlier still applies: since no other vendor bid for the feasibility study, and since the technology is distributed under distribution rights held by CoCo Solutions, the unique Plasma Arc Gasification technology cannot be supplied by another South African vendor – which confirms the choice of the Unsolicited bid scenario.

KLM will be the sole off-taker, under certain conditions such as that the KTRC will have the right to use all KLM municipal solid waste (MSW) and sludge, and green waste. A 30 year Power Purchase Agreement is entered into in which details can be negotiated, but with the aim in mind that the investors have enough time to recover investments made at an acceptable rate, implying also that the cost/kWh can be as low as possible. A new SPV (Special Purpose Vehicle) whereby KLM will have a seat but no voting rights, will be established. This will allow KLM to have direct access to the operations of KTRC and play(s) a supervisory role. (The preferred department representative to fulfil their role would be either from the Infrastructure Development or Environmental Departments of KLM.)

It is believed that this scenario will enable KLM to start with the WtE facility soon and reap the benefits from it within the next financial year already.

OR

Scenario Nine: Section 77 followed by Section 78 application – combination of Unsolicited Bid and/or tender.

Section 78 of the MSA provides that when a municipality undertakes a MSA section 77 review of its service delivery mechanisms, it must first assess the provision of that activity through an internal mechanism, after which it may decide to explore the delivery of that activity by an external mechanism. Section 77 and 78 regulations can be applied on:

*Water supply,
Sewage collection and disposal,
Refuse removal,
Electricity and gas supply,
Municipal health services,
Municipal roads and storm water drainage,
Street lighting, and
Municipal parks and recreation.*

Considerations: *To achieve a successful Section 77 and 78 implementation is primarily a short-term action plan and KLM must weigh up the advantages and disadvantages. Full council approval will be required. Section 77 and 78 regulations can be applied on the sewage plant, MSW and Hazardous and toxic waste. This will result in immediate action being taken. CoCo Solutions will then kick the investment in action and 3 of the planned 6 x 20 modules can be procured and made operational in a relatively short period (6 – 10 months). This will alleviate, in a relatively short period of time (same financial year), the sludge, MSW and Hazardous waste problems in the municipality.*

The balance of the WtE plant, namely 3 more 20 ton modules, and the accompanying KTRC building can then be obtained, through either an

(1) *Unsolicited Bid*, (2) *a second round of Section 77 and 78 applications*, or (3) *a normal tender process*.

As in the case with an Unsolicited bid, a new SPV will have to be established whereby KLM has a seat but no voting rights. The preferred KLM department to be on such SPV will be either KLM Infrastructure Development and/or Environmental Departments. All the regulations will be applicable as in case of scenario 8, e.g. Power Purchase Agreement for 30 years, KLM the sole off-taker, etc.

- [b] That Council supports the establishment of a plasma gasification Waste to Energy plant for Knysna;
- [c] That Council supports the establishment of a Special Purpose Vehicle (SPV) to secure the required impact investment for the establishment of a Waste to Energy facility for Knysna;
- [d] That Council supports an investigation of the Environmental and Landuse requirements for the relocation of the waste transfer station and the establishment of a Waste to Energy plant at the Waste Water Treatment works as recommended in the feasibility study;
- [e] That Council supports the utilization of the sludge generated at the Waste Water Treatment works plus municipal solid waste in a pilot project with the SPV mentioned in point 3;
- [f] That a comprehensive report be submitted to the next Council Meeting regarding the withdrawal from the Garden Route Landfill Site; and
- [g] That the Municipality embark on the Section 78 process and weigh up the advantages and disadvantages of a plasma gasification Waste to Energy plant for Knysna.

File Number: 9/1/2/13

Execution: Director: Planning & Economic Development

ITEMS SUBMITTED TO THE GOVERNANCE COMMITTEE MEETING HELD ON 5 SEPTEMBER 2023

C05/05/23 APPLICATION TO LEASE A PORTION OF ERF 2745 KNYSNA, A PORTION OF ERF 240, KARATARA & PORTION 4 FARM 185, RHEENENDAL

Withdrawn. Served at the meeting held on 11 May 2023.

C06/05/23 REPORT ON ALL CHURCH APPLICATIONS

Withdrawn. Served at the meeting held on 11 May 2023.

C07/05/23 APPLICATION TO ENTER INTO A LEASE AGREEMENT ON A PORTION OF ERF 4695, KNYSNA

Withdrawn. Served at the meeting held on 11 May 2023.

C08/05/23 CESSION OF VODACOM LEASE AGREEMENT ON TELECOMMUNICATIONS SITES

Withdrawn. Served at the meeting held on 11 May 2023.

C09/05/23 STATUS ON DISPUTED PROPERTIES WITH THE GARDEN ROUTE DISTRICT MUNICIPALITY

Withdrawn. Served at the meeting held on 11 May 2023.

C10/05/23 CESSION OF MTN LEASE AGREEMENT ON TELECOMMUNICATIONS SITES

Withdrawn. Served at the meeting held on 11 May 2023.

C11/05/23 APPLICATION FOR LEASE AGREEMENT – KNYSNA DOG UNIT – ENCROACHMENT ON A PORTION OF ERF 3383, KNYSNA

Withdrawn. Served at the meeting held on 11 May 2023.

C12/05/23 DISPOSAL OF MUNICIPAL OWNED PROPERTIES

Withdrawn. Served at the meeting held on 11 May 2023.

C13/05/23 REPORT ON THE REQUEST TO TRANSFER REPUBLIC OF SOUTH AFRICA PROPERTIES INTO THE NAME OF KNYSNA MUNICIPALITY

Withdrawn. Served at the meeting held on 11 May 2023.

C14/05/23 REQUEST TO REGISTER A PUBLIC SERVITUDE OVER A PORTION OF FARM 394, NOETZIE

Withdrawn. Served at the meeting held on 11 May 2023.

C15/05/23 EXTENSION OF T24/2020/2021 SUPPLY AND DELIVERY OF MOBILE COMMUNICATION DEVICES AND SERVICES

Withdrawn. Served at the meeting held on 11 May 2023.

C16/05/23 APPROVAL OF IT POLICIES

Withdrawn. Served at the meeting held on 11 May 2023.

C17/05/23 **REPORT ON HUMAN RESOURCES MATTERS FOR QUARTER 3 OF 2022/2023 FINANCIAL YEAR – FEBRUARY AND MARCH 2023**

Withdrawn. Served at the meeting held on 11 May 2023.

C18/05/23 **REPORT BACK ON THE RECTIFYING OF INCORRECTLY BUILT RDP HOUSE ONTO PRIVATE OWNED PROPERTY: ERF 8296, KNYSNA**

Withdrawn. Served at the meeting held on 11 May 2023.

C19/05/23 **REPORT BACK ON APPLICATION TO LEASE THE OLD TSIBA COLLEGE, ON ERF 115 KARATARA**

Withdrawn. Served at the meeting held on 11 May 2023.

ITEMS SUBMITTED TO THE FINANCE AND GOVERNANCE COMMITTEE MEETING (FINANCE ITEMS) HELD ON 20 SEPTEMBER 2023

F01/09/23 **REPORT OF THE GRANT-IN-AID AD HOC COMMITTEE – PROPOSED GRANTS FOR 2022/2023**

UNANIMOUSLY RECOMMENDED

- [a] That the Report of the Grant-in-Aid Ad Hoc Committee – Proposed Grants for 2022/2023, be noted;
- [b] That an amount of **R302 000.00** be awarded to the organisations as indicated in the Report of the Grant-in-Aid Ad Hoc Committee, attached to the Item;
- [c] That a site visit be conducted to the organisations as indicated in the Report of the Grant-In-Aid Ad Hoc Committee; and
- [d] That the Executive Mayor be delegated to award the remaining funds, in the amount of **R22 715.00** of the budgeted amount to deserving organisations before 31 July 2023.

File Number: 9/1/1/1
Execution: Executive Mayor
Acting Director: Corporate Services
Acting Manager: Administration

F02/09/23 **MONTHLY BUDGET STATEMENT – APRIL 2023**

UNANIMOUSLY RECOMMENDED

- [a] That the Finance and Governance Committee notes the Section 71 monthly budget statement as at end 30 April 2023;
- [b] That the Finance and Governance Committee notes the Section 71 monthly budget statement for April 2023 was submitted to the Executive Mayor, the National Treasury and the Western Cape Provincial

Treasury on 15 May 2023, being the 10th working day after the end of April 2023.

File Number: 9/1/2/10

Execution: Acting Director Financial Services

Cllr Campbell requested that it placed on record that the fact that the Committee only received the Monthly Budget Statements for April, May June, July and August in September 2023, makes a mockery of the Committee's exercise of their oversight role.

F03/09/23 MONTHLY BUDGET STATEMENT – MAY 2023 & JUNE 2023

UNANIMOUSLY RECOMMENDED

- [a] That the Finance and Governance Committee notes the Section 71 monthly budget statement as at end 31 May 2023.
- [b] That the Finance and Governance Committee notes the Section 71 monthly budget statement for May 2023 was submitted to the Executive Mayor, the National Treasury and the Western Cape Provincial Treasury on 14 June 2023, being the 10th working day after the end of May 2023.
- [c] That the Finance and Governance Committee notes the Section 71 monthly budget statement as at end 30 June 2023.
- [d] That the Finance and Governance Committee notes the Section 71 monthly budget statement for June 2023 was submitted to the Executive Mayor, the National Treasury and the Western Cape Provincial Treasury on 14 July 2023, being the 10th working day after the end of June 2023.

File Number: 9/1/2/10

Execution: Acting Director Financial Services

F04/09/23 MONTHLY BUDGET STATEMENT – JULY 2023

UNANIMOUSLY RECOMMENDED

- [a] That the Finance and Governance Committee notes the Section 71 monthly budget statement as at end 31 July 2023.
- [b] That the Finance and Governance Committee notes the Section 71 monthly budget statement for July 2023 was submitted to the Executive Mayor, the National Treasury and the Western Cape Provincial Treasury on 15 August 2023, being the 10th working day after the end of April 2023.

File Number: 9/1/2/10

Execution: Acting Director Financial Services

F05/09/23 **CAPITAL BUDGET REPORT - 2023/2024 (AS AT 31 JULY 2023)**

UNANIMOUSLY RECOMMENDED

- [a] That the 2023/2024 Year-to-Date Capital Budget Report as at 31 July 2023 be noted;
- [b] That Directorates ensure that capital spend is in accordance with the capex budget.
File Number: 9/1/2/10
Execution: Acting Director: Financial Services

F07/09/23 **REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 1 APRIL 2023 TO 30 JUNE 2023**

UNANIMOUSLY RECOMMENDED

- [a] That the report on the implementation of the SCM policy for the fourth quarter be noted;
- [b] That the deviations to the value of R2 960 966, 13 for quarter4 (1 April 2023 to 30 June 2023) be noted;
- [c] That the report be made available to the public in terms of section 21A of the Municipal Systems Act, 2000.

File Number: 9/1/2/10
Execution: CFO

F08/09/23 **WRITE-OFF OF INDIGENT DEBT FOR THE PERIOD OF MARCH TO 30 JUNE 2023**

UNANIMOUSLY RECOMMENDED

That the committee notes that the total amount written-off in relation to indigent households equates to **R 5,122,382.76** for the period of 1 March 2023 to 28 June 2023.

File Number: 9/1/2/10
Execution: Acting Director: Financial Services
Senior Manager: Revenue Services

F10/09/23 **QUARTERLY EXTERNAL LOANS REPORT: QUARTER 4 OF 2022/2023**

UNANIMOUSLY RECOMMENDED

- [a] That the Quarterly External Loans report for the quarter ending June 2023 be noted;
- [b] That the Debt Ratio of 34.2%, based on budgeted revenue, for the quarter ending June 2023 be noted.

File Number: 9/1/2/10

Execution: Acting Director: Financial Services

F11/09/23 WRITE-OFF OF IRRECOVERABLE DEBT AS AUGUST 2023

UNANIMOUSLY RECOMMENDED

- [a] That Section 80 Committee and Council notes that the total amount written-off by the Chief Financial Officer equates to R 557,001.69 between 1 July 2022 to 30 June 2023;
- [b] That Section 80 Committee and Council notes that the total amount written-off by the Municipal Manager equates to R 322,066.91 between 1 July 2022 to 30 June 2023;
- [c] That Section 80 Committee and Council notes and approve the total amount written-off by the Section 80 Finance Committee Chairman equates to R1,601,163.80 between 1 July 2022 to 30 June 2023;
- [d] That a consolidated report comprising of all debt written off be submitted to the next Finance and Governance Committee meeting;
- [e] That it be recommended to Council that the Delegations Register be amended to be aligned with the Write-off of Irrecoverable Debt Policy.

File Number: 9/1/2/10

Execution: Acting Director: Financial Services
Senior Manager: Revenue Services

F12/09/23 MONTHLY BUDGET STATEMENT – AUGUST 2023

UNANIMOUSLY RECOMMENDED

- [a] That the Finance and Governance Committee notes the Section 71 monthly budget statement as at end 31 August 2023.
- [b] That the Finance and Governance Committee notes the Section 71 monthly budget statement for August 2023 was submitted to the Executive Mayor, the National Treasury and the Western Cape Provincial Treasury on 14 September 2023, being the 10th working day after the end of August 2023.

File Number: 9/1/2/10

Execution: Acting Director Financial Services

F13/09/23 DEVIATION REPORT – 1 JULY 2023 TO 31 AUGUST 2023

UNANIMOUSLY RECOMMENDED

- [a] That the deviations to the value of R11 034 295,33 for the period 1 July 2023 to 31 August 2023 be noted;
- [b] That from the next Finance and Governance Committee meeting, a report with all Irregular Expenditure for each month also be submitted in order to assist the Committee in exercising their oversight role.

File Number: 8/1

Execution: Acting Director Financial Service

ITEMS SUBMITTED TO THE FINANCE AND GOVERNANCE COMMITTEE MEETING HELD ON 27 SEPTEMBER 2023 AND 4 OCTOBER 2023

C02/09/23 REPORT BACK ON APPLICATION TO PURCHASE A PORTION OF ERF 1407, KNYSNA ADJACENT TO ERF 1414

UNANIMOUSLY RECOMMENDED

- [a] That the report and annexure's regarding the alienation of a Portion Erf 1407, Knysna, be noted;
- [b] That in terms of the Knysna Municipality's Management of Immovable Property Policy the portion of Erf 1407, Knysna adjacent to Erf 1414, Knysna as applied for by the owner of Erf 1414, Knysna is classified as non-viable property;
- [c] That in terms of Section 14(6) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Council confirms that a portion of Erf 1407, Knysna, applied for is a non-exempted capital asset;
- [d] That in terms of Regulation 5(2) of the Local Government: Municipal Finance Management Act, 56/2003: Municipal Asset Transfer Regulations, 2008, the Municipal Council confirms that a portion of Erf 1407, Knysna is not a "high value" asset and that a public participation should be followed although not mandatory;
- [e] That the Municipal Manager should be instructed to enter into a sale agreement with Joao Ribeiro Jacinto and Pamela Jacinto for the alienation of a portion of Erf 1407, Knysna;
- [f] That the portion of Erf 1407, Knysna adjacent to Erf 1414 be alienated for R_____;
- [g] That transfer takes effect after all the Land Use applications are complete;
- [h] That the transfer of the property be conducted simultaneously and that the applicant will bear the transfer costs.

Cllr Campbell requested that her vote be recorded against the above recommendations.

References: 7/2/1/2
Execution: Municipal Manager
Director: Corporate Services

C03/09/23 REPORT BACK ON APPLICATION FOR PRIVATE SERVITUDE ACCESS OVER A PORTION OF ERF 215, BUFFALO BAY FOR ERF 222

UNANIMOUSLY RECOMMENDED

- [a] That the report and annexure's regarding the alienation of a Portion Erf 215, Buffalo Bay, be noted;
- [b] That the advertising of the intended granting of access servitude over a portion of Erf 215, adjacent to Erf 222 Buffalo Bay be noted;
- [c] That it be noted that no comments and or objections were received during the advertising period;
- [d] That in terms of Section 14(2)(b) of the Local Government: Municipal Finance Management Act, 2003, a fair market rental value for a Portion of Erf 215, Buffalo Bay, is R500.00 pm with an annual escalation of 8%;
- [e] That the Municipal Manager is hereby instructed to enter into a servitude access agreement over a portion of Erf 215, Buffalo Bay with the owner of Erf 222, Buffalo Bay;
- [f] That in terms of Section 14(2)(a) of the Local Government: Municipal Finance Management Act, 2003, and on reasonable grounds, the Municipal Council confirms that the property to be leased, is deemed not needed to provide the minimum level of basic Municipal Services; and
- [g] That the rental amount for the access servitude over a portion of Erf 215, Buffalo Bay should be R500.00pm with an annual escalation of 8%;
- [h] That the access road may be paved but it may not be fenced.

References: 7/2/1/2
Execution: Director: Corporate Services
Manager: Legal Services

C04/09/23 REPORT BACK ON APPLICATION TO PURCHASE A PORTION OF ERF 215, BUFFALO BAY ADJACENT TO ERF 186

UNANIMOUSLY RECOMMENDED

- [a] That the report and annexure's regarding the alienation of a portion Erf 215, Buffalo Bay, be noted;
- [b] That the application to purchase a portion of Erf 215, Buffalo Bay adjacent to Erf 186, not be approved as the property is required for public access and transport.

References: 7/2/1/2
Execution: Director: Corporate Services
Manager: Legal Services

C05/09/23 REPORT BACK ON APPLICATION TO LEASE A PORTION OF ERF 210, KNYSNA ABUTTING ERVEN 1273 & 1274, KNYSNA FOR PARKING PURPOSES

UNANIMOUSLY RECOMMENDED

- [a] That the report and annexure's regarding the application for parking and sidewalk over a portion of Erf 210, Knysna in favour of erven 1273 & 1274, be noted;
- [b] That the advertising of the intended leasing of a portion of Erf 210, Knysna adjacent to erven 1273 & 1274, be noted;
- [c] That it be noted that no comments and or objections were received during the advertising period;
- [d] That in terms of the Knysna Municipality's Management of Immovable Property Policy the portion of Erf 210, Knysna adjacent to erven 1273 & 1274 Knysna as applied for by the owner of erven 1273 & 1274, Knysna is classified as non-viable property;
- [e] That in terms of Section 14(6) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Council confirms that a portion of Erf 210, Knysna, applied for is a non-exempted capital asset;
- [f] That in terms of Regulation 5(2) of the Local Government: Municipal Finance Management Act, 56/2003: Municipal Asset Transfer Regulations, 2008, the Municipal Council confirms that a portion of Erf 210, Knysna is not a "high value" asset and that a public participation should be followed although not mandatory;
- [g] That in terms of Section 14(2)(b) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Manager should be instructed to enter into a 9 year 11 months lease agreement with Embriant Holdings (PTY) LTD for a Portion of Erf 210, Knysna; and
- [h] That the rental amount for the Portion of Erf 210, adjacent to erven 2173 & 2174, Knysna should be R 2000.00

References: 7/2/1/2
Execution: Director: Corporate Services
Manager: Legal Services

C06/09/23 **REPORT BACK ON REQUEST TO ENTER INTO LONG TERM LEASE AGREEMENT – PORTION OF ERF 1406 AND 4620, KNYSNA (EAST HEAD CAFÉ RESTAURANT)**

UNANIMOUSLY RECOMMENDED

- [a] That the report and annexure's regarding the request to consider, in principle, the long term leasing of a portion of Erf 1406, Knysna and 4620, Knysna (the East Head Café Restaurant), be noted;
- [b] That the advertising of the intended leasing of the portion of Erf 1406, and Erf 4620 Knysna be noted;
- [c] That it be noted that no comments and or objections were received during the advertising period;
- [d] That in terms of the Knysna Municipality's Management of Immovable Property Policy the portion of Erf 1406, Knysna and 4620, Knysna is classified as viable property;
- [e] That in terms of Section 14(6) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Council confirms that a portion of Erf 1406, Knysna and 4620, Knysna is a non-exempted capital asset;
- [f] That in terms of Regulation 5(2) of the Local Government: Municipal Finance Management Act, 56/2003: Municipal Asset Transfer Regulations, 2008, the Municipal Council confirms that a portion of Erf 1406, Knysna and 4620, Knysna is a "high value" asset and that a public participation should be followed;
- [g] That in terms of Section 14(2)(b) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Manager should be instructed to enter into a 9 year 11 months lease agreement with Alburger 74 CC for a portion of Erf 1406, Knysna and 4620, Knysna; and
- [h] That the rental amount for the portion of Erf 1406 and 4620, Knysna be R51 961.58.

File Number: C. 32
Execution: Director Corporate Services
Manager Legal Services

C07/09/23 **REPORT BACK ON APPLICATION TO PURCHASE A PORTION OF ERF
1527, KNYSNA ABUTTING ERF 1944**

RECOMMENDED BY MAJORITY

- [a] That the report and annexure's regarding the alienation of a Portion Erf 1527, Knysna, abutting Erf 1944, Leisure Island, Knysna, be noted;
- [b] That the advertising of the intended alienation of the portion of Erf 1527, abutting Erf 1944 Leisure Island, Knysna be noted;
- [c] That it be noted that no comments and or objections were received during the advertising period;
- [d] That in terms of the Knysna Municipality's Management of Immovable Property Policy the portion of Erf 1527, Knysna abutting to Erf 1944, Knysna as applied for by the owner of Erf 1944, Knysna is classified as non-viable property;
- [e] That in terms of Section 14(6) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Council confirms that a portion of Erf 1527, Knysna, applied for is a non-exempted capital asset;
- [f] That in terms of Regulation 5(2) of the Local Government: Municipal Finance Management Act, 56/2003: Municipal Asset Transfer Regulations, 2008, the Municipal Council confirms that a portion of Erf 1527, Knysna is not a "high value" asset and that a public participation should be followed although not mandatory;
- [g] That the Municipal Manager should be instructed to enter into a sale agreement with the applicant for the alienation of a Portion of Erf 1527, Knysna;
- [h] That the portion of Erf 1527, Knysna abutting Erf 1944 be alienate for R305 000.00
- [i] That transfer of the portion of Erf 1527 takes effect when all Land Use applications are complete.

Against the recommendations:

*Cllr Sabbagh
Cllr Tyokolo*

Cllr Campbell requested that it be recorded that her vote is to sell the property coupled with relevant conditions of sale.

References: 7/2/1/2
Execution: Director: Corporate Services
Manager: Legal Services

C08/09/23

**REPORT BACK ON APPLICATION TO PURCHASE A PORTION OF ERF
161, BUFFALO BAY ADJACENT TO ERF 162**

UNANIMOUSLY RECOMMENDED

- [a] That the report and annexure's regarding the alienation of a Portion Erf 161, adjacent to Erf 162, Buffalo Bay, be noted;
- [b] That the advertising of the intended alienation of the portion of Erf 161, adjacent to Erf 162 Buffalo Bay be noted;
- [c] That it be noted that no comments and or objections were received during the advertising period;
- [d] That in terms of the Knysna Municipality's Management of Immovable Property Policy the portion of Erf 161, Buffalo Bay adjacent to Erf 162, Buffalo Bay as applied for by the owner of Erf 162, Buffalo Bay is classified as non-viable property;
- [e] That in terms of Section 14(6) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Council confirms that a portion of Erf 161, Buffalo Bay, applied for is a non-exempted capital asset;
- [f] That in terms of Regulation 5(2) of the Local Government: Municipal Finance Management Act, 56/2003: Municipal Asset Transfer Regulations, 2008, the Municipal Council confirms that a portion of Erf 161, Buffalo Bay is not a "high value" asset and that a public participation should be followed although not mandatory;
- [g] That the Municipal Manager should be instructed to enter into a servitude agreement over a portion of Erf 161, Buffalo Bay in favour of the owner of Erf 162, Buffalo Bay, Hunter Moon Investments (PTY);
- [h] That the servitude be for R150 000.00
- [i] That transfer take effect after all the Land Use applications are complete.

References: 7/2/1/2
Execution: Director: Corporate Services

Manager: Legal Services

C09/09/23 **APPLICATION FOR LEASE AGREEMENT – NEW KNYSNA NISSAN – FOR A PORTION OF ERF 210 AND 1316, KNYSNA ADJACENT TO ERF 4653, KNYSNA**

UNANIMOUSLY RECOMMENDED

- [a] That the report and annexure's regarding the request for lease agreement for the new Knysna Nissan, on a portion of Erf 210 & 1316, Knysna, be noted;
- [b] That report and annexure's regarding the request for lease agreement for the new Knysna Nissan, on a portion of Erf 210 & 1316, Knysna be withdrawn and that it be re-submitted to the next S80 meeting with all the necessary information.

Reference: 7/1/2/5
Execution: Municipal Manager
Director: Corporate Services

C10/09/23 **RISK MANAGEMENT REVIEW OF RISK MANAGEMENT FRAMEWORK QUARTER 4: JUNE 2023**

UNANIMOUSLY RECOMMENDED

- [a] That the Council approves the Qtr.4 Risk Management minutes;
- [b] That the Council approves the Reviewed Risk Management Framework:

Risk Management Committee Charter
Risk Management Strategy
Risk Management Policy
Whistleblowing
Anti-Fraud and Corruption Strategy

File Number: 9/1/2/14
Execution: Municipal Manager

C11/09/23 **APPLICATION TO INSTALL A GATE AT COSTA SARDA**

RECOMMENDED BY MAJORITY

- [a] That the report and annexure's regarding the application to get approval to close the gate at the bottom of Sun Valley Drive, Costa Sarda, Knysna, be noted;
- [b] That the application to install a gate at Costa Sarda, not be approved.

References: 7/2/2/1
Execution: Municipal Manager
Director: Corporate Services

Head: Properties

Against the recommendation

Cllr Campbell

Cllr Sabbagh

Cllr Tyokolo

C12/09/23 APPLICATION TO LEASE A PORTION OF ERF 1114, KNYSNA FOR SASSA SERVICE OFFICE

UNANIMOUSLY RECOMMENDED

- [a] That the report and annexure's regarding the application for a SASSA Service Office on Erf 1114, Knysna, be noted;
- [b] That in terms of the Knysna Municipality's Management of Immovable Property Policy Erf 1114, Knysna is classified as viable property;
- [c] That in terms of Section 14(6) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Council confirms that Erf 1114, Knysna, applied for is a non-exempted capital asset;
- [d] That in terms of Regulation 5(2) of the Local Government: Municipal Finance Management Act, 56/2003: Municipal Asset Transfer Regulations, 2008, the Municipal Council confirms that Erf 1114, Knysna is not a "high value" asset and that a public participation should be followed although not mandatory;
- [e] That in terms of Section 14(2)(b) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Manager should be instructed to advertise the intension to lease Erf 1114, Knysna for SASSA Service Office;
- [f] That this Council determine the rental amount to be _____ as the applicant will be providing a much needed service to the Community;
- [g] That the applicant be liable for the payment of all municipal service charges i.e. in respect of refuse removal, sewerage etc. or any other service charges; and
- [H] That after the advertising period the matter must be resubmitted to the next section 80 (Corporate Service Committee);
- [I] That the previous Council resolution be rescinded.

References: 7/2/1/2

Execution: Director: Corporate Services

Manager: Legal Services

C13/09/23 REQUEST FOR EXTENTION OF LEASE AGREEMENTS WITH CURRENT LESSORS FOR OFFICE ACCOMMODATION

UNANIMOUSLY RESOLVED

That the report on the request for extension of lease agreements with current lessors for office accommodations, be withdrawn and submitted to the Special Council Meeting scheduled for 28 September 2023.

C15/09/23 APPLICATION FOR LEASE AGREEMENT – FOR A PORTION OF ERF 2714, KNYSNA ABUTTING ERF 12665, KNYSNA

UNANIMOUSLY RECOMMENDED

- [a] That the report and annexure's regarding the request for lease agreement on a portion of Erf 2714, Knysna, be noted;
- [b] That the Municipal Council advertise for public comments and objections the leasing of a portion of Erf 2714, Knysna;
- [c] That a follow up item on the application for lease agreement for a portion of Erf 2714, Knysna abutting Erf 12665, Knysna be submitted to the Section 80 Committee after the public participation process is completed.

Reference: 7/1/2/5
Execution: Municipal Manager
Director: Corporate Services

C16/09/23 APPLICATION TO PURCHASE A PORTION OF ERF 3509, (HORNLEE) KNYSNA ADJACENT TO ERF 6006, KNYSNA

RECOMMENDED BY MAJORITY

- [a] That the report back and annexure's regarding the alienation of a portion Erf 3509, Knysna, be noted;
- [b] That in terms of the Knysna Municipality's Management of Immovable Property Policy the portion of Erf 3509, Knysna adjacent to Erf 6006, Knysna as applied for by the owner of Erf 6006, Knysna is classified as non-viable property;
- [c] That in terms of Section 14(6) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Council confirms that a portion of Erf 3509, Knysna, applied for is a non-exempted capital asset;
- [d] That in terms of Regulation 5(2) of the Local Government: Municipal Finance Management Act, 56/2003: Municipal Asset Transfer Regulations, 2008, the Municipal Council confirms that a portion of Erf 3509, Knysna is not a "high value" asset and that a public participation should be followed although not mandatory;
- [e] That the comments of the adjacent owners be noted;
- [f] That the Municipal Council approves the advertising of the intended alienation of a portion of Erf 3509, Knysna adjacent to Erf 6006, Knysna, be noted;

- [g] That the Municipal Manager should be instructed to appoint a Registered Professional Valuer to determine the fair market value of a Portion of Erf 3509, Knysna, the cost should be for the applicant; and
- [h] That after the advertising period the matter must be resubmitted to the next section 80 (Corporate Service Committee).

Against the recommendation:

Cllr Campbell
Cllr Sabbagh
Cllr Tyokolo

References: 7/2/1/2
Execution: Municipal Manager
Director: Corporate Services
Acting Manager: Legal Services

**CONTINUATION OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING
(CORPORATE SERVICES ITEMS) HELD ON 4 OCTOBER 2023**

C01/09/23 REPORT ON ALL CHURCH APPLICATIONS

UNANIMOUSLY RECOMMENDED

- [a] That the report and annexure regarding the applications from various Churches in the Knysna Municipal Area, be noted;
- [b] That the church applications be determined as follows:
 - [i] Ethiopian Church:
 - [aa] That the application be approved;
 - [bb] That the applicant must build 3 meters from the Eskom line;
 - [cc] That the applicant must gain access from underneath the power lines.

- [ii] Assemblies of God:
 - [aa] That the application be removed as the portion is owned by SANRAL.
- [iii] Amazing Grace Ministries:
 - [aa] That application be approved for the portion that is on municipal land.
- [iv] Uniting Reformed Church of South Africa:
 - [aa] That the application be approved;
 - [bb] That housing must confirm if erven 8249 & 8250 have been sold;
- [v] African United Baptist Church:
 - [aa] Housing must remove the illegal occupants of the site that was allocated to the church;
- [vi] Rehobot Pinkster Kerk:
 - [aa] That the application approved
- [vii] Galasiers Bediening van Christus:
 - [aa] That the application be approved;
- [viii] Die Uitverkieste Volk Kerk van Suid Africa & Enlightened Christian Gathering Church:
 - [aa] That the application not be approved.
- [ix] Grace Community Centre:
 - [aa] That the application be approved.
- [x] Knysna Vineyard Church:
 - [aa] That the application be approved;
 - [bb] That the lease be for a period of 99 years;
- [c] That the intended alienation of various portions of land for Church purposes be advertised for public comments;
- [d] That in terms of Section 14(2)(b) of the Local Government: Municipal Finance Management Act, 2003, the Acting Municipal Manager should be instructed to appoint a Registered Professional Valuer to determine the fair market value of all the properties applied for; and

- [e] That after the advertising period the matter must be resubmitted to the next section 80 (Corporate Service Committee);
- [f] That if there is space in Khayelethu the land be allocated to the Baptist Church and that Planning and Economic Development and Integrated Human Settlements Directorates form part of the planning process.

C17/29/23 **STATUS ON A PORTION OF ERF 8328, KNYSNA (VERMONT OLD AGE HOME)**

UNANIMOUSLY RECOMMENDED

- [a] That the content of the report with regards to the status of a portion of Erf 8328, Knysna (Vermont Old Age Home), be noted.
- [b] That it be noted that notice boards were installed on Wednesday, 28 June 2023 informing the public that Erf 8328, Knysna is earmarked for future development to the benefit of the community and illegal occupation is strictly prohibited;
- [c] That a consultant be appointed to conduct a study to determine the ideal development for the site; and
- [d] That a follow up item be submitted in the Section 80 meeting after the study has been completed;
- [e] That a court order be obtained to prevent anyone from putting up illegal structures.

File Number: 17/16/4
Execution: Municipal Manager
 Director Corporate Services

C18/09/23 **APPLICATION TO LEASE A PORTION OF ERF 1339, KNYSNA FOR FIRE FIGHTING HELICOPTER, HELIPAD**

UNANIMOUSLY RECOMMENDED

- [a] That the report and annexure's regarding the application for a Firefighting Helicopter Helipad on a portion of Erf 1339, Knysna, be noted;
- [b] That in terms of the Knysna Municipality's Management of Immovable Property Policy the portion of Erf 1339, Knysna is classified as viable property;
- [c] That in terms of Section 14(6) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Council confirms that a portion of Erf 1339, Knysna, applied for is a non-exempted capital asset;

- [d] That in terms of Regulation 5(2) of the Local Government: Municipal Finance Management Act, 56/2003: Municipal Asset Transfer Regulations, 2008, the Municipal Council confirms that a portion of Erf 1339, Knysna is not a “high value” asset and that a public participation should be followed although not mandatory;
- [e] That in terms of Section 14(2)(b) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Manager should be instructed to advertise the intension to lease a portion of Erf 1339, Knysna for Firefighting Helicopter Helipad;
- [f] That this Council determine the rental amount to be _____ as the applicant will be providing a much needed service to the Community;
- [g] That after the advertising period the matter must be resubmitted to the next section 80 (Corporate Service Committee);
- [h] That the lease be for a period of 3 years with the option to renew;
- [i] That the administration determines the rental amount.

References: 7/2/1/2

Execution: Director: Corporate Services
Manager: Legal Services

C20/09/23

REPORT BACK - APPLICATION TO PURCHASE A PORTION OF ERF 19086, DINANGWE, KNYSNA

UNANIMOUSLY RECOMMENDED

- [a] That the report back to the Municipal Council on the process to purchase a portion of Erf 19086, Knysna, be noted;
- [b] That it in terms of the Knysna Municipality’s Management of Immovable Property Policy Erf 19086, Knysna adjacent to erven 19087 & 19104, Knysna as applied for by the owner of Erf 19087, Knysna is classified as non-viable property;
- [c] That in terms of Section 14(6) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Council confirms that Erf 19086, Knysna, applied for is a non-exempted capital asset;
- [d] That in terms of Regulation 5(2) of the Local Government: Municipal Finance Management Act, 56/2003: Municipal Asset Transfer Regulations, 2008, the Municipal Council confirms that Erf 19086, Knysna is not a “high value” asset and that a public participation was followed although not mandatory;
- [e] That it be noted that the owner of Erf 19104, Knysna was afforded the opportunity to purchase a portion of Erf 19086, Knysna but failed to sign the sale agreement and return same;

- [f] That the owner of Erf 19104, Knysna be informed that the alienation of a portion of Erf 19086, Knysna to the owner of Erf 19104, Knysna be cancelled;
- [g] That the following Council Resolutions dated 6 August 2020 be rescinded:
- [a] ...;
- [b] ...;
- [c] ...;
- [d] ...;
- [e] *That Erf 19086, Knysna be disposed of in equal portions, between the owners of Erven 19087 & 19104, Knysna;*
- [f] *That the owners of Erven 19087 & 19104, Knysna equally divide the cost as determined by the Municipal Valuer, DDP Valuers;*
- [g] *That the owners of Erven 19087 & 19104, Knysna be responsible for any costs required to give effect to the subdivision of Erf 19086 and subsequent joinder thereof to their existing properties; and*
- [h] *That the Municipal Manager enters into sale agreements with the owners of Erven 19087 & 19104, Knysna for the alienation of Erf 19086, Knysna.”;*
- [h] That Erf 19086, Knysna be disposed to the owner of Erf 19087, Knysna subject to the following:
- a. That the owner of 19104, Knysna have sufficient access over a portion of Erf 19086, Knysna as per the current use;
- [i] That the owner of Erf 19087, Knysna be responsible for the cost as determined by the Municipal Valuer, DDP Valuers;
- [j] That the owner of Erf 19087, Knysna be responsible for any costs required to give effect to the subdivision of Erf 19086 and subsequent joinder thereof to their existing property; and
- [k] That the Municipal Manager enters into a new sale agreement with the owner of Erf 19087, Knysna for the alienation of Erf 19086, Knysna.

References: 7/2/1/2

Execution: Director: Corporate Services
Acting Manager: Legal Services

C21/09/23 APPLICATION FOR LEASE AGREEMENT – FOR A PORTION OF ERF 1316, KNYSNA BUTTING ERF 3556, KNYSNA

UNANIMOUSLY RECOMMENDED

- [a] That the report and annexure's regarding the request for lease agreement on a portion of Erf 1316, Knysna, be noted;
- [b] That the Municipal valuer be appointed to determine the market related value of the portion of Erf 1316, Knysna;
- [c] That the Municipal Council advertise for public comments and objections the leasing of a portion of Erf 1316, Knysna.
- [d] That a follow up item be submitted after the public participation process is completed;
- [e] That this item be submitted to Mayoral Committee meeting with a presentation.

Reference: 7/1/2/5

Execution: Municipal Manager

Acting Director: Corporate Services

ITEMS SUBMITTED TO THE INTEGRATED HUMAN SETTLEMENTS COMMITTEE MEETING HELD ON 12 OCTOBER 2023

IHS06/10/23 DEVELOPMENT OF ERF 3339, KNYSNA KNOWN AS FISHERHAVEN

UNANIMOUSLY RECOMMENDED

- [a] That the Report on the Development of Erf 3339, Knysna known as Fisherhaven, be noted;
- [b] That a development application inclusive of Environmental Exemption is submitted in terms of Spatial Planning and Management Act, 2013 in order to establish proper cadastral entities;
- [c] That a proper process as outlined in the Local Government Municipal Finance Management Act is followed for disposal of the immovable properties; and
- [d] That the Municipal Council amend its budget and allocate R750,000 towards achievement of condition [b] and [c] above.

File Number : 9/1/2/15

Execution: Director: Integrated Human Settlements

Manager: Human Settlements

8.

ITEMS FOR NOTING

THE MAYORAL COMMITTEE NOTED THE FOLLOWING RESOLUTIONS (

**ITEMS SUBMITTED TO THE PLANNING, ECONOMIC DEVELOPMENT & TOURISM
COMMITTEE MEETING HELD ON 15 JUNE 2023**

**P01/06/23 ECONOMIC DEVELOPMENT DEPARTMENT PERFORMANCE REPORT:
APRIL – MAY 2023**

UNANIMOUSLY RESOLVED

That the Economic Development Department Performance Report for the period April to May 2023, be noted.

File Number: 9/1/2/13

Execution: Director : Planning & Economic Development

**P02/06/23 EXPANDED PUBLIC WORKS PROGRAMME REPORT FOR QUARTER 4 :
APRIL - MAY 2023**

UNANIMOUSLY RESOLVED

That the Expanded Public Works Programme Report for Quarter 4: April to May 2023, be noted.

File Number: 9/1/2/13

Execution: Director: Planning & Economic Development

P03/06/23 ENVIRONMENTAL PERFORMANCE REPORT APRIL – MAY 2023

UNANIMOUSLY RESOLVED

That the Environmental Management Department Performance Report for the period April to May 2023, be noted.

File Number: 9/1/2/13

Execution: Municipal Manager

Director: Planning & Economic Development

Manager: Environmental Management

P04/06/23 ESTUARY POLLUTION COMMITTEE REPORT APRIL - MAY 2023

UNANIMOUSLY RESOLVED

- [a] That the Estuary Pollution Committee Report for the period April to May 2023, be noted; and
- [b] That the report on the departmental actions emanating from the Knysna Estuary authorities pollution meetings convened by South African National Parks, be noted.

File Number: 9/1/2/13
Execution: Municipal Manager
 Acting Director: Planning & Economic Development
 Manager: Environmental Management

P05/06/23 BUILDING CONTROL DIVISION PERFORMANCE REPORT FOR : APRIL - MAY 2023

UNANIMOUSLY RESOLVED

That the Building Control Division Performance Report for the period April to May 2023, be noted.

File Number: 9/1/2/13
Execution: Acting Director: Planning & Economic Development
 Manager: Building Control

ITEMS SUBMITTED TO THE INFRASTRUCTURE SERVICES COMMITTEE MEETING HELD ON 22 AUGUST 2023

IS01/08/23 PROJECTS PROGRESS REPORT – JUNE 2023

UNANIMOUSLY RESOLVED

That the contents of the Projects Progress Report –June 2023, be noted.

IS02/08/23 MUNICIPAL FLEET REPORT MAY TO JUNE 2023

UNANIMOUSLY RESOLVED

- [a] That the contents of the report with regard to Municipal Fleet for May to June 2023, be noted;
- [b] That a separate line in the report reflecting fuel cost be included in future monthly reports.

File Number: 9/1/2/1
Execution: Manager: Electro Technical

IS03/08/23 **ELECTRICAL & MECHANICAL SERVICES DEPARTMENT CAPITAL PROJECT REPORT FOR JULY 2022- JUNE 2023**

UNANIMOUSLY RESOLVED

That the Electrical & Mechanical Services Department Capital Project Report for July 2022- June 2023, be noted.

File Number: 9/1/2/1
Number: Manager Electro Technical

IS04/08/23 **ELECTRICAL AND MECHANICAL DEPARTMENT INEP PROJECT REPORT FOR JULY 2022 – JUNE 2023**

UNANIMOUSLY RESOLVED

That the Electrical and Mechanical Department INEP Project Report for July 2022 – June 2023, be noted.

File Number: 9/1/2/1
Execution: Manager Electro Technical

IS05/08/23 **REPORT ON THE OPERATIONS AND MAINTENANCE TO WATER AND SEWER FOR JANUARY TO FEBRUARY 2023 AND MAY TO JUNE 2023**

UNANIMOUSLY RESOLVED

That the Report on the Operations and Maintenance to Water and Sewer for January to February 2023 and May to June 2023, be noted.

File Number: 9/1/2/1
Execution: Director Infrastructure Services

IS06/08/23 **REPORT OF THE ROADS, TRANSPORT & STORM WATER & BUILDINGS MAINTENANCE DIVISION (RTSBMD) FOR QUARTER 3 AND QUARTER 4 2022/2023**

UNANIMOUSLY RESOLVED

That the report the Roads, Transport and Storm Water and Buildings maintenance division (RTSBMD) for quarter 3 and quarter 4 2022/2023, be noted.

File Number: 9/1/2/1
Execution: Manager: Public Works

ITEMS SUBMITTED TO THE COMMUNITY SERVICES COMMITTEE MEETING HELD ON 23 AUGUST 2023

C01/08/23 INFORMATION REPORT ON MUNICIPAL HEALTH AND ENVIRONMENTAL SERVICES FOR MAY 2023 TO JUNE 2023

UNANIMOUSLY RESOLVED

That the Information Report on Municipal Health and Environmental Services for May 2023 to June 2023, be noted.

File Number: 9/2/1/5
Director: Director Community Services

C03/08/23 REPORT BACK ON YOUTHDAY, 16 JUNE 2023

UNANIMOUSLY RESOLVED

That the report from the Director: Community Services with regard to the report back on the Youth Day Event held on 16 June 2023, be noted.

File Number: 9/1/5
Execution: Director: Community Services

C04/08/23 STATUS REPORT ON YOUTH DEVELOPMENT PROGRAMMES FOR 2022/2023

UNANIMOUSLY RESOLVED

That the report on the Youth Development Programmes from the Director Community Services, be noted.

File number: 9/1/2/5
Execution: Director: Community Services

C06/08/23 COMMUNITY SERVICES QUARTERLY REPORT FOR THE PERIOD APRIL 2023 TO JUNE 2023

UNANIMOUSLY RESOLVED

That the Community Service Quarterly Report for the period April 2023 to June 2023, be noted.

File Number: 9/2/1/5
Execution: Director: Community Services

ITEMS SUBMITTED TO THE PLANNING, ECONOMIC DEVELOPMENT & TOURISM COMMITTEE MEETING HELD ON 28 SEPTEMBER 2023

**P01/09/23 ECONOMIC DEVELOPMENT DEPARTMENT PERFORMANCE REPORT:
JUNE TO JULY 2023**

UNANIMOUSLY RESOLVED

That the Economic Development Department Performance Report for the period June to July 2023, be noted.

File Number: 9/1/2/13

Execution: Director: Planning & Economic Development

**P02/09/23 EXPANDED PUBLIC WORKS PROGRAMME REPORT FOR QUARTER 4:
JUNE TO JULY 2023**

UNANIMOUSLY RESOLVED

That the Expanded Public Works Programme Report for the period June to July 2023, be noted.

File Number: 9/1/2/13

Execution: Director: Planning & Economic Development

P03/09/23 ENVIRONMENTAL PERFORMANCE REPORT JUNE TO JULY 2023

UNANIMOUSLY RESOLVED

That the Environmental Management Department Performance Report for the period June to July 2023, be noted.

File Number: 9/1/2/13

Execution: Municipal Manager
Director: Planning & Economic Development
Manager: Environmental Management

P04/09/23 ESTUARY POLLUTION COMMITTEE REPORT JUNE AND JULY 2023

UNANIMOUSLY RESOLVED

[a] That the Estuary Pollution Committee Report for the period June and July 2023, be noted; and

[b] That the report on the departmental actions emanating from the Knysna Estuary authorities pollution meetings convened by South African National Parks be noted.

File Number: 9/1/2/13

Execution: Municipal Manager
Director: Planning & Economic Development
Manager: Environmental Management

**P05/09/23 BUILDING CONTROL DIVISION PERFORMANCE REPORT FOR THE
PERIOD JUNE TO JULY 2023**

UNANIMOUSLY RESOLVED

That the Building Control Division Performance Report for the period June to July 2023, be noted.

File Number: 9/1/2/5

Execution: Director: Planning & Economic Development
Manager: Building Control

P06/09/23 LAND USE MANAGEMENT DIVISION JUNE 2023 TO JULY 2023

UNANIMOUSLY RESOLVED

That the Land Use Management Departmental report for the period June 2023 to July 2023, be noted.

File Number: 9/1/2/13

Execution: Director: Planning & Economic Development

ITEMS SUBMITTED TO THE FINANCE COMMITTEE MEETING HELD ON 5 SEPTEMBER 2023

C01/05/23 REPORT ON CORPORATE SERVICES SDBIP QUARTERLY PERFORMANCE REPORT [QUARTER 3 OF 2022/23]

Withdrawn. Item served at meeting held on 11 May 2023.

C02/05/23 PUBLIC PARTICIPATION REPORT JANUARY – MARCH 2023

Withdrawn. Item served at meeting held on 11 May 2023.

C03/05/23 DEPARTMENTAL REPORT ON LEGAL MATTERS: 1 JANUARY 2023 – 31 MARCH 2023 – QUARTER 3 2022/2023 FINANCIAL YEAR

Withdrawn. Item served at meeting held on 11 May 2023.

C04/05/23 REPORT ON THE PROGRESS OF THE LAND AUDIT COMMITTEE

Withdrawn. Item served at meeting held on 11 May 2023.

ITEMS SUBMITTED TO THE FINANCE COMMITTEE MEETING HELD ON 20 SEPTEMBER 2023

F06/09/23 QUARTERLY INVESTMENT REPORT: QUARTER 4 OF 2022/2023

UNANIMOUSLY RESOLVED

That the Quarterly Investment report for the quarter ending June 2023, be noted.

File Number: 9/1/2/10 Execution:
Acting Director: Financial Services

F09/09/23 QUARTERLY INSURANCE REPORT - QUARTER 4 OF 2022/2023

UNANIMOUSLY RESOLVED

That the Quarterly Insurance Report for the quarter ending June 2023 be noted.

File Number: 9/1/2/10
Execution: Acting: Director Financial Services

ITEMS SUBMITTED TO THE GOVERNANCE COMMITTEE MEETING HELD ON 27 SEPTEMBER 2023

C01/09/23 REPORT ON ALL CHURCH APPLICATIONS

RESOLVED BY MAJORITY

That the matter with regard to the church applications, be withdrawn and submitted to a Special Council Meeting for consideration.

C13/09/23 REQUEST FOR EXTENSION OF LEASE AGREEMENTS WITH CURRENT LESSORS FOR OFFICE ACCOMMODATION

UNANIMOUSLY RESOLVED

That the report on the request for extension of lease agreements with current lessors for office accommodations, be withdrawn and submitted to the Special Council Meeting scheduled for 28 September 2023.

C14/09/23 REPORT ON CORPORATE SERVICES SDBIP QUARTERLY PERFORMANCE REPORT

UNANIMOUSLY RESOLVED

That the Corporate Services SDBIP Quarterly Performance Report April -June 2023, be noted.

File Number: 9/1/2/9
Execution: Director: Corporate Services

C19/09/23 QUARTER 4 REPORT ON LEGAL MATTERS: 2022/2023 FINANCIAL YEAR 1 APRIL 2023 – 30 JUNE 2023

UNANIMOUSLY RESOLVED

That the Quarter 4 Report on Legal Matters: 2022/2023 Financial Year 1 April 2023 – 30 June 2023, be noted.

C22/09/23 **PUBLIC PARTICIPATION REPORT APRIL-JUNE 2023**

UNANIMOUSLY RESOLVED

That the report of the Public Participation Unit for April- June 2023 as received from the Director: Corporate Service be noted.

File Number: 9/1/2/9

Execution: Acting Director: Corporate Services

C23/09/23 **REPORT ON HUMAN RESOURCES MATTERS FOR QUARTER 4 OF 2022/2023 FINANCIAL YEAR – APRIL 2023 TO JULY 2023**

UNANIMOUSLY RESOLVED

That the Committee notes the quarterly report on the Human Resources activities for the period April to July 2023.

Execution: Director: Corporate Services
 Manager: Human Resources

CONTINUATION OF THE GOVERNANCE COMMITTEE MEETING HELD ON 4 OCTOBER 2023

None

ITEMS SUBMITTED TO THE INTEGRATED HUMAN SETTLEMENTS COMMITTEE MEETING HELD ON 12 OCTOBER 2023

IHS01/10/23 INTEGRATED HUMAN SETTLEMENTS MONTHLY REPORT: MAY 2023

UNANIMOUSLY RESOLVED

- [a] That the Integrated Human Settlements Monthly Report for the period May 2023, be noted; and
- [b] That the contents of the report be noted in respect of related project implementation for the period ending May 2023 relative to the approved WCDoHS Business Plan 2022/23FY.

File Number: 9/1/2/15

Execution: Director: Integrated Human Settlements

IHS02/10/23 SUBMISSION OF WARD BASE PROJECTS

UNANIMOUSLY RESOLVED

That the report on Ward Base Projects executed in the 2022/23 Financial Year, be noted.

File Number: 9/1/2/15

Execution: Director: Integrated Human Settlements

IHS03/10/23 SUBMISSION OF THE BUSINESS PLAN FOR THE 2023/2024 FINANCIAL YEAR AND PROJECTED TARGETS FOR OTHER FINANCIAL YEARS 2024/25 AND 2025/26

UNANIMOUSLY RESOLVED

- [a] That the report on the Submission of the Business Plan for the 2023/24 Financial Year and projected targets for other Financial Years 2024/25/2025/26, be noted; and
- [b] That Council take note of the 2023/2024 Housing Business Plan as approved by the Western Cape Department of Human Settlement and the projected targets for the outer financial years 2024/25 and 2025/2026 (WC DoHS).

File Number: 9/1/2/15

Execution: Director: Integrated Human Settlements

IHS04/10/23 SUBMISSION ON INTERIM ARRANGEMENTS FOR THE PRIORITIZATION OF HOUSEHOLDS AFFECTED BY PERMANENT DISABILITIES

UNANIMOUSLY RESOLVED

[a] That the report on the Submission on interim arrangements for the prioritization of households affected by permanent disabilities, be noted; and

[b] That the content of Circular 4 of 2023, be noted.

File Number: 9/1/2/15

Execution: Director: Integrated Human Settlements

IHS05/10/23 REPORT ON THE CAUSES OF THE SOIL SLIP IN NEKKIES

UNANIMOUSLY RESOLVED

[a] That the progress report on the causes of the soil slip in Nekkies, be noted; and

[b] That the Progress Report on the Soil Slip in Nekkies serve at the next S80 Committee meeting or when it becomes available.

File Number: 9/1/2/15

Execution: Director: Integrated Human Settlements

9. ITEMS SUBMITTED DIRECTLY TO THE EXECUTIVE MAYOR

None

10. REPORTS SUBMITTED DIRECTLY TO THE MAYORAL COMMITTEE

None

11. MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

None

12. IN COMMITTEE (See Green Pages)

See separate minutes

13. CLOSURE

After the conclusion of the Agenda the Executive Mayor thanked everyone present and the meeting adjourned at 12:48.

.....
Chairperson: Cllr NA Tsengwa

.....
Date

-oOo-

6. MATTER ARISING FROM THE MINUTES

RECOMMENDATION

That the matters arising from the minutes of the scheduled meeting held on 18 October 2023, be noted.

7. ITEMS FOR CONSIDERATION

ITEMS SUBMITTED TO THE INFRASTRUCTURE SERVICES COMMITTEE MEETING HELD ON 31 OCTOBER 2023

None

ITEMS SUBMITTED TO THE PLANNING, ECONOMIC DEVELOPMENT & TOURISM COMMITTEE MEETING HELD ON 2 NOVEMBER 2023

P07/11/23 WESTERN CAPE ECONOMIC DEVELOPMENT PARTNERSHIP SERVICE LEVEL AGREEMENT

UNANIMOUSLY RECOMMENDED

- [a] That the report on the Western Cape Economic Development Partnership Service Level Agreement, be noted;
- [b] That the Municipal Manager satisfy himself that the criteria described in Section 67(a) of the Municipal Finance Management Act, 56 of 2003, is incorporated in the agreement mentioned in [a] above;
- [c] That the Municipal Manager be authorised to conclude a new three year Service Level Agreement with the Western Cape Economic Development Partnership to run until 30 June 2026; and
- [d] That subject to budget availability a contribution of R 375 000.00 (Three Hundred and Seventy Five Thousand Rands) for the duration of the Service Level Agreement, with disbursements of this contribution to be made in the amounts of R 120 000.00 (One Hundred and Twenty Thousand Rands) for the 2023/24 financial year. An amount of R 125 000.00 (One Hundred and Twenty Five Thousand) for the 2024/25 financial year and R 130 000,00 (One Hundred and Thirty Thousand) for the 2025/26 financial year, subject to compliance with the provisions of section 67 of the Municipal Finance Management Act, 56 of 2003, be approved.

File Number : 9/1/2/13

Execution : Director : Planning and Development
Manager : LED

ITEMS SUBMITTED TO THE FINANCE & GOVERNANCE COMMITTEE MEETINGS HELD ON 21 NOVEMBER AND 23 NOVEMBER

C03/11/23 APPLICATION TO PURCHASE A PORTION OF ERF 4536, KNYSNA ABUTTING ERF 8028, KNYSNA

UNANIMOUSLY RECOMMENDED

- [a] That the report and annexure's regarding the request a portion of Erf 7991, Knysna, be noted;
- [b] That the report with regard to the application to purchase a portion of Erf 4536, Knysna abutting Erf 8028, Knysna be submitted to the Mayoral Committee Meeting and that all departments to provide their comments before the Mayoral Committee Meeting, for consideration.

Reference: 7/1/2/5
Execution: Municipal Manager
Director: Corporate Services

C04/11/23 APPLICATION FOR LEASE AGREEMENT – FOR A PORTION OF ERF 7991, KNYSNA ABUTTING ERF 8026, KNYSNA

UNANIMOUSLY RECOMMENDED

- [a] That the report and annexure's regarding the request for lease agreement on a portion of Erf 7991, Knysna, be noted;
- [b] That the report with regard to the application for a lease agreement – for a portion of Erf 7991, Knysna abutting Erf 8026, Knysna be submitted to the Mayoral Committee Meeting and that all departments to provide their comments before the Mayoral Committee, for consideration.

Reference: 7/1/2/5
Execution: Municipal Manager
Director: Corporate Services

C07/11/23 REPORT BACK ON REQUEST TO REGISTER A PUBLIC SERVITUDE OVER A PORTION OF FARM 394, NOETZIE

UNANIMOUSLY RECOMMENDED

- [a] That the report to consider securing public access over a portion of farm 394, Noetzie, be noted;
- [b] That this item be referred back and submitted to Council with information regarding, the conditions of approval of Pezula development, a diagram of the road indicating ownership of the respective portions including the parking area, the application before the Planning Tribunal, any upgrades that the municipality may require to the public facilities and the letter from the applicants.

File Number: 17/6/3/4
16/3/5
Execution: Director Corporate Services
Acting Manager Legal Services
Head: Properties

C08/11/23 REPORT BACK ON THE PROGRESS OF THE LAND AUDIT COMMITTEE

UNANIMOUSLY RECOMMENDED

- [a] That the report and annexure with regards to the progress made by the Land Audit Committee, be noted;
- [b] That the item with regard to the report back on the progress of the Land Audit Committee, be withdrawn and submitted to a Council workshop where the report will be presented to Councillors as the matter is of extreme importance.

References: 7/2/1/2

Execution: Municipal Manager
Director: Corporate Services

C09/11/23 REPORT BACK ON THE DISPOSAL OF MUNICIPAL OWNED PROPERTIES

UNANIMOUSLY RECOMMENDED

- [j] That the report back and annexure's to consider the alienation of various municipal owned properties, be noted;
- [k] That the advertising of the intended alienation of erven 328, Belvidere, 160 Buffalo Bay, 2463, Knysna, 3534,Knysna, 150, Karatara and 535, Rheenendal be noted;
- [l] That it be noted that only one objection was received during the advertising period for the alienation of Erf 328, Belvidere;
- [m] That in terms of Section 14(2)(b) of the Local Government: Municipal Finance Management Act, 2003, the Municipal Valuer, CDV Waardeerders have determined the following fair market values:
 - (i) Erf 160 Buffalo Bay to be R 4 500 000.00;
 - (ii) Erf 2463,Knysna to be R 1 900 000.00;
 - (iii) Erf 3534, Knysna to be R 5 500 000.00;
 - (iv) Erf 150, Karatara to be R 1 650 000.00; and
 - (v) Erf 535, Rheenendal to be R 25 000.00.
- [n] That the alienation of erven 160, Buffalo Bay, 2463, Knysna and Erf 3534, Knysna, Erf 150,Karatara and Erf 535, Rheenendal be approved;
- [o] That this item be re-submitted to Mayoral committee with all options/methods of disposal;

- [p] That the Municipal Manager be instructed to enter into a sale agreement after the conclusion of the disposal of the properties.

References: 7/2/1/2
Execution: Municipal Manager
Director: Corporate Services

C10/11/23 REQUEST TO ESTABLISH A SKILLS DEVELOPMENT CENTRE

RECOMMENDED BY MAJORITY

- [a] That Council notes the request made by South Cape College to utilise municipal property for establishment of satellite campus in Knysna;
- [b] That Council supports and approves the establishment of the South Cape College Satellite Campus in Knysna;
- [c] That Council approves the allocation of Erven 568 and 571 to the South Cape College Satellite Campus in Knysna either through a donation or through a lease agreement for 9 years and 11 months with an option to renew;
- [d] That other properties be identified for South Cape College.

Cllr Campbell expressed that she was against recommendation [c].

References: 7/2/1/2
Execution: Municipal Manager
Director: Corporate Services

F01/11/23 REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 1 JANUARY 2023 TO 31 MARCH 2023

UNANIMOUSLY RECOMMENDED

- [a] That the report on the implementation of the SCM policy for quarter 3 be noted.
- [b] That the Deviations of R 514,102.28 for quarter 3 be noted.
- [c] That the report be made available to the public in terms of section 21A of the Municipal Systems Act, 2000.

File Number: 9/1/2/10
Execution: Acting Director: Financial Services
Manager: Supply Chain Management

F02/11/23 **REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 1 JULY 2023 TO 30 SEPTEMBER 2023**

UNANIMOUSLY RECOMMENDED

- [a] That the report on the implementation of the SCM policy for quarter 1 be noted;
- [b] That the Deviations of R 14,641,989.98 for quarter 1 be noted;
- [c] That the report be made available to the public in terms of section 21A of the Municipal Systems Act, 2000.

File Number: 9/1/2/10
Execution: Acting Director: Financial Services

F04/11/23 **QUARTERLY EXTERNAL LOANS REPORT: QUARTER 1 OF 2023/2024**

UNANIMOUSLY RECOMMENDED

- [a] That the Quarterly External Loans report for the quarter ending September 2023 be noted,
- [b] That the Debt Ratio of 31.9%, based on budgeted revenue, for the quarter ending September 2023 be noted.

File Number: 9/1/2/10
Execution: Acting Director: Financial Services

F06/11/23 **CAPITAL BUDGET REPORT - 2023/2024 (AS AT 23 OCTOBER 2023)**

UNANIMOUSLY RECOMENDED

- [a] The Capital Expenditure report as at 23 October 2023 be noted;
- [b] The Directorates ensure that capital spending is in accordance with the capital expenditure budget.

File Number:: 9/1/2/10
Execution: Acting Director: Financial Services

**ITEMS SUBMITTED TO THE COMMUNITY SERVICES COMMITTEE MEETING HELD ON
15 NOVEMBER 2023**

**C03/11/23 REPORT ON THE GREATER KNYSNA STORM SURGES 16 SEPTEMBER
2023**

UNANIMOUSLY RECOMMENDED

- [a] That the contents of the report on the Greater Knysna Storm surges 16 September 2023 be noted;
- [b] That a comprehensive assessment be done of the affected areas to determine the financial implication.

**C04/11/23 REFUSE COLLECTION CHALLENGES HIGHLIGHTING THE MAIN
CONTRIBUTING FACTORS WITH POSSIBLE SOLUTIONS**

UNANIMOUSLY RECOMMENDED

- [a] That Council notes the recommendations under the various headings and prioritise waste collections services as one of the '**key-service-delivery-functions**' of Knysna Municipality.
- [b] That the Municipal Manager be instructed to advertise the unsolicited BID for public comment;
- [c] That the waste at the transfer station be removed within 14 days;
- [d] That the Municipal Manager must comply with the 14 days' notice from the Department of Environmental Affairs;
- [e] That the Municipal Manager provide a comprehensive report on legalities and consequences of withdrawal of Knysna Municipality from participating in the regional land site

File Number: 9/1/2/5

Execution: Director: Community Services

ITEMS SUBMITTED TO THE INTEGRATED HUMAN SETTLEMENTS COMMITTEE MEETING HELD ON

None

8.

ITEMS FOR NOTING

MEMBERS ARE REMINDED THAT THE RELEVANT AGENDAS OF THE PORTFOLIO COMMITTEES CONTAINED THE REPORTS AND SHOULD THUS BE USED AS THE SOURCE DOCUMENTATION WHEN NOTING THE RESOLUTIONS BELOW.

ITEMS SUBMITTED TO THE INFRASTRUCTURE SERVICES COMMITTEE MEETING HELD ON 31 OCTOBER 2023

IS01/10/23 ELECTRICAL & MECHANICAL SERVICES KNYSNA MUNICIPAL FLEET FROM JULY TO AUGUST 2023

UNANIMOUSLY RESOLVED

That the contents of the report with regard to Electrical & Mechanical Services Knysna Municipal Fleet from July to August 2023, be noted.

File Number: 9/1/2/1
Execution: Municipal Manager
 Director: Infrastructure Services

IS02/10/23 ELECTRICAL & MECHANICAL DEPARTMENT CAPITAL PROJECT REPORT JULY - AUGUST 2023

UNANIMOUSLY RESOLVED

That the contents of the report with regard to the Electrical & Mechanical Department Capital Project Report July - August 2023, be noted.

File Number: 9/1/2/1
Execution: Manager Electrical and Mechanical Services

IS03/08/23 ELECTRICAL AND MECHANICAL DEPARTMENT INEP PROJECT REPORT FOR JULY – AUGUST 2023

UNANIMOUSLY RESOLVED

That the contents of the report with regard to the Electrical and Mechanical Department INEP Project Report for July – August 2023, be noted.

File Number: 9/1/2/1
Execution: Manager Electrical and Mechanical Services

IS04/08/23 **REPORT OF THE ROADS, TRANSPORT & STORM WATER & BUILDINGS
MAINTENANCE DIVISION (RTSBMD) FOR JULY - AUGUST 2023**

UNANIMOUSLY RESOLVED

That the report with regard to Roads, Transport & Storm Water & Buildings Maintenance Division (Rtsbmd) For July - August 2023, be noted.

File Number: 9/1/2/1
Execution: Manager Public Works

IS05/08/23 **PROJECTS PROGRESS REPORT – SEPTEMBER 2023**

UNANIMOUSLY RESOLVED

That the contents of the report Projects Progress Report – September 2023, be noted.

File Number: 9/1/2/1
Execution: Director Technical Services

IS06/08/23 **REPORT ON THE OPERATIONS AND MAINTENANCE FOR WATER AND
SEWER – JULY TO SEPTEMBER 2023**

UNANIMOUSLY RESOLVED

That the contents of the report with regard to Operations and Maintenance for Water and Sewer – July to September 2023, be noted.

File Number: 9/1/2/1
Execution: Manager Water and Sewer

**ITEMS SUBMITTED TO THE PLANNING, ECONOMIC DEVELOPMENT & TOURISM
COMMITTEE MEETING HELD ON 28 SEPTEMBER 2023**

P09/09/23 **LEGAL OPINION : THE LEGAL STATUS OF LAND USE RIGHTS OF
RESIDENTIAL PROPERTIES IN RELATION TO SHORT-TERM HOLIDAY
RENTALS**

UNANIMOUSLY RESOLVED

That the Report on the Legal Opinion : The Legal Status of Land Use Rights of Residential Properties in Relation to Short-Term Holiday Rentals be withdrawn and submitted to a Council Workshop.

**ITEMS SUBMITTED TO THE PLANNING, ECONOMIC DEVELOPMENT & TOURISM
COMMITTEE MEETING HELD ON 2 NOVEMBER 2023**

P01/11/23 **ECONOMIC DEVELOPMENT DEPARTMENT PERFORMANCE REPORT :
JULY TO SEPTEMBER 2023**

UNANIMOUSLY RESOLVED

That the Economic Development Department Performance Report for the period July to September 2023, tabled at the Planning, Economic Development and Tourism Committee Meeting held on 2 November 2023 as a replacement of the report included in the agenda, be noted.

File Number : 9/1/2/13

Execution : Director : Planning and Economic Development
Manager : Economic Development

P02/11/23 **EXPANDED PUBLIC WORKS PROGRAMME REPORT FOR QUARTER 1 : JULY TO SEPTEMBER 2023**

UNANIMOUSLY RESOLVED

That the Expanded Public Works Programme Report for Quarter 1 : July to September 2023, be noted.

File Number : 9/1/2/13

Execution : Director : Planning and Economic Development
Manager : Economic Development

Cllr Campbell stepped out at 11:59

Cllr Campbell returned at 11:01

P03/11/23 **ENVIRONMENTAL PERFORMANCE REPORT AUGUST TO SEPTEMBER 2023**

UNANIMOUSLY RESOLVED

[a] That the Environmental Management Department Performance Report for the period August to September 2023, be noted; and

[b] That the Properties Department submit a comprehensive report regarding the dispute of Erf 1692, Sedgefield to the next Finance & Governance Committee Meeting.

File Number : 9/1/2/13

Execution : Director : Planning and Economic Development
Manager : Environmental Management

P04/11/23 **ESTUARY POLLUTION COMMITTEE REPORT AUGUST AND SEPTEMBER 2023**

UNANIMOUSLY RESOLVED

[a] That the Estuary Pollution Committee Report for the period August and September 2023, be noted;

[b] That the report on the departmental actions emanating from the Knysna Estuary authorities pollution meetings convened by South African National Parks, be noted; and

- [c] That a report on the funding for the implementation of the infrastructure upgrades for the full rehabilitation plan identified in the Bongani Rehabilitation study, be submitted to the next Planning, Economic Development & Tourism Committee Meeting.

File Number : 9/1/2/13

Execution : Director : Planning and Economic Development
Manager : Environmental Management

P05/11/23 BUILDING CONTROL DIVISION PERFORMANCE REPORT FOR AUGUST AND SEPTEMBER 2023

UNANIMOUSLY RESOLVED

That the Building Control Division Performance Report for the period August and September 2023, be noted.

File Number : 9/1/2/13

Execution : Director : Planning and Economic Development
Manager : Building Control

P06/11/23 LAND USE MANAGEMENT DIVISION AUGUST 2023 TO SEPTEMBER 2023

UNANIMOUSLY RESOLVED

That the Land Use Management Departmental report for the period August 2023 to September 2023, be noted.

File Number : 9/1/2/13

Execution : Director : Planning and Economic Development
Manager : Land Use Management

P08/11/23 KNYSNA MUNICIPALITY SKILLS DEVELOPMENT CENTRE

UNANIMOUSLY RESOLVED

That the item on the Knysna Municipality Skills Development Centre, be withdrawn and that the report, as a matter of urgency, be submitted to the Finance and Governance Committee meeting or Mayoral Committee with alternative property sites and comments from all relevant directorates.

P09/11/23 CONSIDERATION OF THE SITE DEVELOPMENT PLAN ON ERVEN 115, 116 AND 117, KARATARA, FOR APPROVAL

UNANIMOUSLY RESOLVED

That the Report on the Consideration of the Site Development Plan on Erven 115, 116 and 117, Karatara be withdrawn and be submitted to the Finance and Governance Committee Meeting, for consideration.

P10/11/23 ERF 1669 SEDGEFIELD : ROAD CLOSURE, LAND ALIENATION, SUBDIVISION AND REZONING

UNANIMOUSLY RESOLVED

That the report on Erf 1669 Sedgefield : Road closure, land alienation, subdivision and rezoning, be withdrawn.

P11/11/23 ERF 1498 KNYSNA (1 GEORGE REX DRIVE) : TEMPORARY USE DEPARTURE (APPLICATION NUMBER 1251)

UNANIMOUSLY RESOLVED

That the Report on Erf 1498, Knysna (1 George Rex Drive) : Temporary use Departure (Application Number 1251), be withdrawn.

ITEMS SUBMITTED TO THE FINANCE & GOVERNANCE COMMITTEE MEETINGS HELD ON 21 NOVEMBER 2023 AND 23 NOVEMBER 2023

C01/11/23 PUBLIC PARTICIPATION REPORT JULY-SEPTEMBER 2023

UNANIMOUSLY RESOLVED

That the report of the Public Participation Unit for July- September 2023 as received from the Director: Corporate Service, be noted.

C02/11/23 APPLICATION FOR LEASE AGREEMENT – FOR A PORTION OF ERF 2731, KNYSNA ABUTTING ERF 5026, KNYSNA

UNANIMOUSLY RESOLVED

That the application for lease agreement – for a portion of Erf 2731, Knysna abutting Erf 5026, Knysna, be withdrawn from the agenda.

C05/11/23 QUARTER 1 REPORT ON LEGAL MATTERS, 2023/2024 FINANCIAL YEAR 1 JULY 2023 – 30 SEPTEMBER 2023

At this point the Director Corporate Services and Director Community Services excused themselves.

UNANIMOUSLY RESOLVED

That the report on the litigation matters and fees spend for Quarter 1 of the 2023/24 financial year be noted.

Cllr Campbell requested the Chairperson to note her recommendation that the Municipality pay no further legal fees for the Director Community Services in the High Court matter Case 1345/2021, MEC//Knysna Municipality//S Ngqele//Various Cllrs.

C06/11/23 **REPORT ON CORPORATE SERVICES SDBIP QUARTERLY PERFORMANCE REPORT 1ST QUARTER OF 2023/24**

UNANIMOUSLY RESOLVED

That the Corporate Services SDBIP Quarterly Performance Report July - September 2023, be noted.

File Number: 9/1/2/9

Execution: Director: Corporate Services

F03/11/23 **QUARTERLY INSURANCE REPORT - QUARTER 1 OF 2023/2024**

UNANIMOUSLY RESOLVED

That the Quarterly Insurance Report for the quarter ending September 2023 be noted.

File Number: 9/1/2/10

Execution: Acting Director: Financial Services

F05/11/23 **YTD OVERTIME AND STANDBY PAYMENT REPORT AS AT 30 SEPTEMBER 2023**

UNANIMOUSLY RESOLVED

That the year-to-date overtime and standby payment report as at 30 September 2023, be noted.

File Number: 9/1/2/10

Execution: Acting Director: Financial Services

Manager: Expenditure

F07/11/23 **MONTHLY BUDGET STATEMENT – SEPTEMBER 2023**

UNANIMOUSLY RESOLVED

[a] That the Monthly Budget Statement for the month ending 30 September 2023 be noted;

[b] That the Monthly Budget Statement for the month ending 31 October 2023 be submitted to the Mayoral Committee Meeting, for consideration.

File Number: 9/1/2/10

Execution: Acting Director: Financial Services

F08/11/23 QUARTERLY INVESTMENT REPORT: QUARTER 1 OF 2023/2024

UNANIMOUSLY RESOLVED

That the Quarterly Investment report for the quarter ending September 2023 be noted.

File Number: 9/1/2/10

Execution: Acting Director: Financial Services

ITEMS SUBMITTED TO THE COMMUNITY SERVICES COMMITTEE MEETING HELD ON 15 NOVEMBER 2023

C01/11/23 ESTABLISHMENT OF THE KNYSNA COMMUNITY SAFETY FORUM

UNANIMOUSLY RESOLVED

That the contents of the report with regard to the establishment of the proposed Knysna Community Safety Forum (CSF), be noted.

C02/11/23 SOCIAL DEVELOPMENT & SPECIAL PROGRAMMES COMBINED REPORT

UNANIMOUSLY RESOLVED

That the implementation plan for proposed programmes implemented by the Social Development & Special Programmes Section be noted.

C05/11/23 COMMUNITY SERVICES QUARTERLY REPORT FOR THE PERIOD JULY 2023 TO SEPTEMBER 2023

UNANIMOUSLY RESOLVED

That the Community Service Quarterly Report for the period July 2023 to September 2023, be noted.

C06/11/23 LIBRARY CUSTOMER POLICY

UNANIMOUSLY RESOLVED

[a] That the contents of the report with regard to Library Customer Policy, be noted;

[b] That a satellite library for Ward 11, be investigated.

C07/11/23 PUBLIC SAFETY SECTION MONTHLY REPORT

UNANIMOUSLY RESOLVED

That the contents of the report with regard to Public Safety Section Monthly Report, be noted.

File Number: 9/1/5
Execution: Director: Community Services

C08/11/23 INFORMATION REPORT ON MUNICIPAL HEALTH AND ENVIRONMENTAL SERVICES FOR JULY 2023 TO SEPTEMBER 2023

UNANIMOUSLY RESOLVED

That the contents of the report with regard to Public Safety Section Monthly Report, be noted.

ITEMS SUBMITTED TO THE INTEGRATED HUMAN SETTLEMENTS COMMITTEE MEETING HELD ON 9 NOVEMBER 2023

6A PRESENTATION:

RESOLVED

- [a] That the presentation with regard to improving basic services within informal settlement areas in the Greater Knysna area by Ms Crystal West from Asivikelane, be noted;
- [b] That a report on the presentation and Council's support for the initiative be submitted to a subsequent meeting of Council, for consideration.

IHS01/11/23 INTEGRATED HUMAN SETTLEMENTS MONTHLY REPORT: AUGUST 2023

UNANIMOUSLY RESOLVED

- [a] That the Integrated Human Settlements Monthly Report for the period August 2023, be noted;
- [b] That the contents of the report be noted in respect of related project implementation for the period ending August 2023 relative to the approved WCDHS Business Plan 2022/23FY; and
- [c] That a diagnostic report be submitted to the next Integrated Human Settlements Committee, for consideration.

File Number : 9/1/2/15
Execution : Director : Integrated Human Settlements
Manager : Human Settlements

IHS02/11/23 SUBMISSION OF THE BUSINESS PLAN FOR 2023/24 FINANCIAL YEAR AND PROJECTED TARGETS FOR OTHER FINANCIAL YEARS 2024/25 AND 2025/26

UNANIMOUSLY RESOLVED

- [a] That the report on the Submission of the Business Plan for the 2023/24 Financial Year and projected targets for other Financial Years 2024/25 and 2025/26, be noted; and
- [b] That Council take note of the 2023/24 Housing Business Plan as approved by the Western Cape Department of Human Settlement and the projected targets for the outer financial years 2024/25 and 2025/2026 (WC DoHS).

File Number : 9/1/2/15

Execution : Director : Integrated Human Settlements
Manager : Integrated Human Settlements

IHS03/11/23 REPORT ON THE PROGRESS REGARDING THE KHAYALETHU BANGALOW PROJECT

UNANIMOUSLY RESOLVED

- [a] That Council take note of the progress report regarding the Khayaletu Bungalow Project;
- [b] That an urgent meeting with the Housing Development Agency, be arranged.

File Number : 9/1/2/15

Execution : Director : Integrated Human Settlements

IHS04/11/23 REPORT ON THE QUALIFYING CRITERIA FOR INDIVIDUAL SUBSIDY

UNANIMOUSLY RESOLVED

- [a] That the Report on the qualifying criteria for individual-, Flisp- and military veteran housing programme, be noted;
- [b] That the relevant department from Province be invited to address the community with regard to the qualifying criteria for the housing programmes, namely :
 - Individual Subsidy
 - Flisp
 - Military Veteran.

File Number : 9/1/2/15

Execution : Manager : Integrated Human Settlements

9.

ITEMS SUBMITTED DIRECTLY TO THE EXECUTIVE MAYOR

None

10.

REPORTS SUBMITTED DIRECTLY TO THE MAYORAL COMMITTEE

None

11. **MATTERS SUBMITTED BY THE MUNICIPAL MANAGER**

None

12. **IN COMMITTEE ITEMS (See separate pages)**

13. **CLOSURE**