

No. 41

MINUTES

OF

ETHEKWINI MUNICIPAL COUNCIL

Meeting held on Thursday, 2018-09-27T10:00,
City Hall Main Auditorium, Church Walk, Durban

PRESENT : Councillors WL Mapena (Speaker), F Peer (Deputy Mayor), MA Ally, A Beetge, MC Bhengu, NC Biyela, T Biyela, M Brauteseth, S Brijmohan, WJD Burne, SS Butelezi, H Cele, NT Cele, J Chetty, BA Chili, TP Collins, M David, HU De Boer, MAK Dladla, AN Dlamini, CB Dlamini, JA Dlamini, SB Dlamini, SR Dlamini, MP Dlomo, BA Fortein, VE Gebashe, R Gokool, G Govender, S Govender, Y Govender, NL Graham, BR Gumede, NC Gumede, NP Gumede, TR Gumede, ZD Gushu, MH Haniff, GJ Hegter, RC Hlophe, NB Hoosman, JA Johnson, M Johnson, SA Kaunda, ES Khanyile, KNN Khubone, JS Khuboni, PZ Khumalo, HL Khubisa, NL Khuzwayo, S Khuzwayo, ZW Khuzwayo, SNC Khwela, CB Langa, P Luthuli, TJ Luthuli, MT Mabaso, A Maharajh, B Majola, TG Makhanya, ZP Makhanya, NZ Maluleka, MW Manqele, PM Mbambo, V Mbanjwa, AM Mbele, FW Mdletshe, LM Meyer, P Mfeka, K Mhlaba, GN Mhlongo, SE Mhlongo, MB Mjadu, AZ Mkhize, HGB Mkhize, KV Mkhize, MM Mkhize, S Mkhize, SM Mkhize, SM Mkhwanazi, SB Mngadi, NE Mnguni, BV Mngwengwe, LN Mngwengwe, S Moonsamy, B Mpanza, SB Mpanza, NP Msomi, LG Mthembu, M Mthembu, MGF Mthembu, MM Mthembu, ON Mthembu, TM Mthethwa, TT Mthiyane, N Munien, AB Mvubu, RM Mzobe, BD Naidoo, J Naidoo, M Nair, X Nala, PL Ncayiyana, BP Ndlela, AB Ndlovu, PB Ndlovu, S Ngema, MM Ngiba, TT Ngubane, SJM Nhlapho, MS Nkosi, M Nojiyeza, DR Nowbuth, GM Noyce, PC Ntshangase, PB Ntuli, PH Nxumalo, NP Nxumalo, W Nyaba, NN Nyanisa, TT Nzuzo, CJ Pappas, BW Phewa, JP Phewa, TK Phohlo, BP Phungula, D Pillay, KR Pillay, JP Prinsloo, GDA Pullan, BR Qhantsi, A Ramkissoo, S Ryley, S Sewshankar, AN Shabalala, B Shabane, MG Shange, SG Shange-Dlamini, MT Shelembe, ES Shezi, MC Shezi, VH Shezi, DM Shoji, KS Sibisi, M Sibisi, N Sibisiya, B Singh, EL Singh, Samier Singh, NI Sithole, AD Snyman, ZR Sokhabase, M Tembe, JB Thabethe, S Thango, JC Van den Berg, SM Windvogel, C Xesibe, TV Xulu, NY Young, BM Zulu, GB Zulu, TM Zuma MH Zwane and there being one (01) vacancy.

ABSENT : Councillors ZRT Gumede (Mayor – On Mayoral Duties), J Annipen (On leave – Indisposed), S Aslam, S Bhanprakash (On leave – Overseas Trip), MPN Bhengu (On leave – Municipal Business), VP Caluza (On leave - Indisposed), TJT Cibane (On leave), R Cloete (On leave - Municipal Business), SV De Boer (On leave), GT De Lange (On leave – Indisposed), HD Goge (On leave – Indisposed), PJC Graham (On leave – Indisposed), MS Gwala (On leave – Municipal Business), NP Hlomuka (On leave – Municipal Business), NB Iyir (On leave – Municipal Business), DM Khanyile (On leave), CJ Laing (On leave), TN Mabanga (On leave – Indisposed), NI Madlala (On leave – Municipal Business),

SD Maphumulo, RD Macpherson (On leave), SM Mdlalose (On leave- Indisposed), TP Mfusi (On leave - Indisposed), BA Mkhize (On leave - Indisposed), MP Mkhize (On leave – Municipal Business), PS Mncube (On leave – Municipal business), E Mngadi (On leave - Indisposed), SV Mngadi (On leave – Municipal Business), LC Mnguni (On leave – Indisposed), SR Moodley (On leave – Indisposed), SNL Mshengu (On leave _ Indisposed), B Msomi (On leave), NE Mthembu (On leave – Indisposed), MK Ndzimbomvu (On leave – Municipal Business), ZS Ndzoyiya, AS Ngcobo (On leave – Municipal Business), BS Ngiba (On leave – Indisposed), B Ntshangase (On leave – Municipal Business), SC Ntshangase (On leave – Indisposed), BT Ntuli (on leave – Municipal Business), MS Nyawose (On leave – Indisposed), DR Pillay, P Pillay (On leave – Indisposed), MD Qwabe, A Rampersad (On leave – Indisposed), BP Shozi (On leave – Indisposed), HP Shozi (On leave – Indisposed), PN Sikhosana (On leave – Municipal Business), Sagar Singh (On leave - Indisposed), PS Sishange (On leave – Municipal Business), WM Thring (On leave – Indisposed), MC Xulu (On leave), MBR Zuma and TG Zungu (On leave – Municipal Business).

AMAKHOSI

PRESENT : Inkosi BF Bhengu, Inkosi NC Maphumulo, Inkosi S Mlaba, and Inkosi EB Shozi

AMAKHOSI

ABSENT : Inkosi VR Cele, Inkosi TF Gwala (On leave), Inkosi NM Hlengwa, Inkosi PP Luthuli (On leave), Inkosi KS Makhanya, Inkosi DZ Mkhize (On leave), Inkosi LD Mkhize, Inkosi KT Mkhize (On leave), Inkosi TBE Mkhize, Inkosi RF Mthembu (On leave), Inkosi MB Ngcobo, Inkosi MJ Ngcobo and Inkosi JP Shangase.

OFFICIALS

PRESENT : Messrs/Mesdames SC Nzuzza (City Manager), M Mthiyane (Acting Head: Legal Services and Compliance), M Mhlongo (Deputy Head : Legal Services and Compliance), BM Mhlongo (Deputy Head: Office of the Speaker), KR Ramsunder (Chief Committee Officer) and CZ Strydom (Senior Committee Officer).

(At the commencement of the meeting 156 Councillors were present, comprising ANC – 94, DA - 48, IFP - 5, EFF - 1, INDEPENDENT - 3, AIC - 3, ACDP – 0, MF - 0, DLC - 0, TA - 0, MOSA – 0, APC - 1 and AL JAMA-AH - 1).

1. NOTICE CONVENING THE MEETING

The City Manager read the Notice convening the meeting as per the statutory requirement.

2. OPENING

The Speaker declared the meeting open and extended a warm welcome to the Deputy Mayor; Members of the Executive Committee; Honourable Councillors and Traditional Leaders present; City Manager; Deputy City Managers and Heads present; Head : Legal Services and Compliance; Media; Members of the Public and Members of the Administration.

3. AFRICAN UNION AND NATIONAL ANTHEM

At the request of the Speaker the meeting stood to sing the Anthem of the African Union and the National Anthem of the Republic of South Africa.

4. OPPORTUNITY FOR PRAYER/MEDITATION

The Speaker requested Council to observe a moment's silence for all those who had passed on.

5. OFFICIAL ANNOUNCEMENTS

In initiating his announcements, the Speaker, on behalf of the Council, conveyed his condolences to all those who had lost their loved ones, especially His Majesty, Isilo SamaBandla Zwelithini on the passing away of his beloved son, Prince Butholesizwe and the family and colleagues of Environmental Affairs Minister Ms Edna Molewa who had passed away at the age of 61, after a short illness.

He thereafter spoke on the 20th Durban Business Fair hosted by the City from 18 to 24 September 2018 at the Inkosi Albert Luthuli International Convention Centre. He reported on the success of the event that had hosted 42 000 people who had viewed and participated in various events, namely; Youth connect Summit, Film making Master Class, the Music Production Master Class and the Durban Fashion Fair. On behalf of the City, he thanked all Stakeholders who had contributed to the success of the event.

He was elated to advise that the City had been announced a winner in the National category of the World Wildlife Fund's One Planet City Challenge at a ceremony held in San Francisco, California.

The Speaker extended his congratulations to all Councillors celebrating their birthdays in the month of September.

The Speaker reminded Councillors of Rule of Order (16) and as per these Rules, Councillors were requested to conduct themselves in a respectful manner, to refrain from interrupting the proceedings and were encouraged to conduct business with the highest decorum and integrity that the occasion and the residents of the Municipality deserved.

6. SPEAKER'S REPORT

The Speaker reported on the following for the month of September:

- A number of Community engagements in various Wards had been convened. Such engagements ranged from Cleaning & Education campaigns; Clean-Up campaigns; SASSA Card renewal programme; Senior/Scholar card ID Programme; etc.
- 31 Community meetings had been held in Wards 2; 3; 5; 8; 9; 14; 22; 28; 29; 35; 42; 44; 47; 53; 56; 57; PR58; PR63; PR71; PR77; 74; 79; 83; 84; 86; PR89; 96; 98; 99; PR106 and 109. Evidence for 23 Community meetings had been received with 7 outstanding.
- 29 Sectoral meetings had been convened, including those from religious representatives, businesses, etc.
- 1 232 “one-on-one” consultations had taken place with Councillors.
- 83 Ward Committee meetings had been convened.
- 46 Ward Committees had submitted compliance documents with 37 outstanding.
- 13 Ward Committees had not convened meetings as yet whilst 03 Wards did not have a quorum.
- 12 Wards, namely; 15, 18, 21, 32, 35, 37, 40, 52, 64, 65, 97 and 110 had not met and now required intervention.
- Quarterly meetings had also been convened with Ward Committee members to address administrative matters pertaining to timeous submission of documents; finalization of Ward Operational Plans; payment of stipend; etc. In that regard the Speaker advised that 79 stipends would be suspended.
- Out of a total of 31 Council Committee meetings for the month of September, 27 meetings had been convened. The meetings comprised, inter-alia, Council, Executive Committee, Support Committees, Local Labour Forums, Ethics Committee and Executive Committee Appeals Authority.

6.1 Appointment of Councillor SV De Boer to the Municipal Public Accounts Committee (MPAC):

(Raised Verbally by the Speaker in his Report)

The Speaker referred Council to its August 2018 meeting whereat the nomination of the Democratic Alliance Councillor TM Mthethwa to the Executive Committee had been approved, replacing the erstwhile Councillor Sharon Hoosen. He indicated that the said move had created a vacancy on the Municipal Public Accounts Committee where Councillor Mthethwa was a member, thereby necessitating the vacancy to be filled accordingly.

Therefore, based on the proportional representation in Council, the Democratic Alliance (DA) nominated Councillor SV De Boer to replace Councillor Mthethwa on Municipal Public Accounts Committee.

In that regard, it was

RESOLVED:

That in line with the eThekweni Municipal Council's proportional representation, the appointment of Councillor SV De Boer to the Municipal Public Accounts Committee (MPAC), replacing Councillor TM Mthethwa who was nominated as an Executive Committee Member, be approved.

7. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLVED:

The following Councillors and Amakhosi be granted leave of absence as indicated:-

COUNCILLORS

Councillor J Annipen	:	2018-09-25 to 28 (Indisposed)
Councillor S Bhanprakash	:	2018-09-27 (Overseas Trip)
Councillor MN Bhengu	:	2018-09-26 to 27 (Municipal Business)
Councillor WJD Burne	:	2018-09-29 to 10-11 (Personal Commitments)
Councillor VP Caluza	:	2018-09-27 (Indisposed)
Councillor T Cibane	:	2018-09-27 (Personal Commitments)
Councillor R Cloete	:	2018-09-26 to 27 (Municipal Business)
Councillor SV De Boer	:	2018-09-27 (Personal Commitments)
Councillor GT De Lange	:	2018-09-27 (Indisposed)
Councillor MP Dlomo	:	Request to leave at 14:00
Councillor HD Goge	:	2018-09-27 to 28 (Indisposed)
Councillor PJ Graham	:	2018-09-26 to 28 (Indisposed)
Councillor MS Gwala	:	2018-09-27 (Municipal Business)
Councillor P Hlomuka	:	2018-09-26 to 27 (Municipal Business)
Councillor NB Iyir	:	2018-09-27 (Municipal Business)
Councillor DM Khanyile	:	2018-09-27 (Personal Commitments)
Councillor CJ Laing	:	2018-09-27 (Personal Commitments)
Councillor TN Mabanga	:	2018-09-26 to 28 (Indisposed)
Councillor RD Macpherson	:	2018-09-25 to 10-04 (Personal Commitments)
Councillor NI Madlala	:	2018-09-27 (Municipal Business)
Councillor SM Mdlalose	:	2018-09-27 (Indisposed)
Councillor TP Mfusi	:	2018-09-27 (Indisposed)
Councillor BA Mkhize	:	2018-09-27 (Indisposed)
Councillor M Mkhize	:	2018-09-26 to 27 (Municipal Business)
Councillor P Mncube	:	2018-09-26 to 27 (Municipal Business)
Councillor SV Mngadi	:	2018-09-26 to 27 (Municipal Business)
Councillor E Mngadi	:	2018-09-27 (Indisposed)
Councillor LC Mnguni	:	2018-09-27 (Indisposed)
Councillor SR Moodley	:	2018-09-27 (Indisposed)
Councillor S Mpanza	:	2018-09-26 to 27 ((Municipal Business)
Councillor SNL Mshengu	:	2018-09-26 to 28 (Indisposed)
Councillor B Msomi	:	2018-09-27 (Personal Commitments)

Councillor NE Mthembu	:	2018-09-27 (Indisposed)
Councillor TT Mthiyane	:	Request to leave at 12:00
Councillor M Ndzimbomvu	:	2018-09-26 to 27 (Municipal Business)
Councillor AS Ngcobo	:	2018-09-26 to 27 (Municipal Business)
Councillor BS Ngiba	:	2018-09-27 (Indisposed)
Councillor B Ntshangase	:	2018-09-26 to 27 (Municipal Business)
Councillor SC Ntshangase	:	2018-09-27 (Indisposed)
Councillor BT Ntuli	:	2018-09-26 to 27 (Municipal Business)
Councillor MS Nyawose	:	2018-09-27 (Indisposed)
Councillor P Pillay	:	2018-09-27 (Indisposed)
Councillor A Rampersad	:	2018-09-27 (Indisposed)
Councillor BP Shozi	:	2018-09-27 (Indisposed)
Councillor HP Shozi	:	2018-09-27 to 28 (Indisposed)
Councillor PN Sikhosana	:	2018-09-26 to 27 (Municipal Business)
Councillor Sagar Singh	:	2018-09-26 to 28 (Indisposed)
Councillor P Sishange	:	2018-09-26 to 27 (Municipal Business)
Councillor WM Thring	:	2018-09-25 to 27 (Indisposed)
Councillor MC Xulu	:	2018-09-26 to 28 (Personal Commitments)
Councillor TG Zungu	:	2018-09-26 to 27 (Municipal Business)

AMAKHOSI

Inkosi TF Gwala	:	2018-09-27 (Personal Commitments)
Inkosi PP Luthuli	:	2018-09-27 (Personal Commitments)
Inkosi DZ Mkhize	:	2018-09-27 (Personal Commitments)
Inkosi KT Mkhize	:	2018-09-27 (Personal Commitments)
Inkosi RF Mthembu	:	2018-09-27 (Personal Commitments)

8. **CONFIRMATION OF MINUTES: Meetings held on 2018-08-30 and In-Committee Meeting held on 2018-08-30**

RESOLVED:

That the minutes of the meeting of the eThekweni Municipal Council held on 2018-08-30 and the minutes of the In-Committee meeting held on 2018-08-30, as circulated and taken as read, be and they are hereby confirmed.

9. **QUESTIONS IN TERMS OF SECTION 27 OF THE RULES OF ORDER**

The following Questions in terms of Section 27 of the Rules of Order were submitted:-

9.1 **Questions submitted by Councillor J Annipen : Sale of a Play Lot (Erf 543 Grove End) Phoenix (17/2/1/2/3):**

The Community of Lancegrove/Cillagrove in Phoenix has made several requests to City officials for Information regarding the sale of a play lot (ERF 543 Grove End). This has been ongoing for about 6 months. Petitions have also been lodged with the City Manager's office, the office of the Chairpersons of Community Services and Humans Settlements respectively. To date there has not been any response from same.

It is in light of the above that I pose the following questions:

1. **Has the Play lot, ERF 543 of Groove-End, been sold to a private developer? If so when was it?**
2. **Who is the developer?**
3. **Were the residents of Cillagrove/ Lancegrove consulted about the sale? If so, by whom and when?**
4. **Did the respective department(s) note any objects from the community during the process of sale?**
5. **When are developments expected to begin on the site?**
6. **Who are the Officials/ Councillors cited on the authority proceed with sale?**
7. **Has the site been rezoned? If so when?**
8. **Who were the Officials/ Councillor(s) involved in the Public Consultation Processes?**

In response to the above-mentioned questions the Council was advised that the matter was under investigation and a report thereon, which would also incorporate answers to the aforesaid questions, would be submitted to the relevant Support Committee in the first instance.

9.2 Questions submitted by Councillor B Singh : Fishing Licence and Permits (16/2/R):

With over two hundred thousand fishermen in eThekweni, most of whom are subsistence fishermen, and who rely on earning an income from their trade.

I pose the following question:

1. **What is the reason for the municipality restricting fishermen from utilising specifically the New Pier and Bench Pier?**
2. **What by-law is being used by the Council to prevent the fishermen from fishing along the coast be it on piers or surf fishing, despite having a valid permit and fishing licence?**
3. **Are the Chinese Trawlers still along the east coast, and if so how has the municipality allowed for them to fish and steal the livelihoods away from the local fishermen?**
4. **Is the Council willing to engage in an educational program or workshop to assist fishermen in the city to develop and grow as small business owners to thrive under the current economic status of the country?**
 - 4.1 **If yes, when?**
 - 4.2 **If no, why not?**

The following respective responses were provided:-

1. Not certain to which piers are New Pier and Bench Pier, however the response will give a central beachfront perspective in so far as the different uses promoted. It must be noted upfront that fishing is considered alongside other recreational uses that included promenading (walking & viewing etc.). Secondly, fishing as a permitted use conflicts with bathing and surfing.

Fishing along the central beachfront is permitted on the following piers:

- Argyle Pier (Shot Gun)
- Sunkist Pier
- Snake Park Pier
- Blue Lagoon Groyne

Fishing is **NOT** permitted on the following piers:

- Moyo Pier (Ushaka)
- Dairy Beach Pier
- North Beach Pier

These piers are part of recreational beaches which are popular bathing and surfing beaches and this careful balance is necessary to ensure that the livelihood of subsistence fishermen is promoted and protected, however not to the peril of beach recreation. Of recent, Transnet have agreed to the temporary fishing along the Northern Breakwaters with a view of a permanent location that is still under discussion.

Urban Renewal alongside Coastal Stormwater and Catchment Management (CSCM) are commencing with a process of developing Beach Protocols starting with the Point Waterfront (Vetches Beach) which is also a boat launching site beach. These protocols will be developed along the central beachfront taking into account the different stakeholders (interested and affected).

2. Fishing permits are linked to designated piers that fishing is permitted. This is informed by the different uses that are promoted. When a permit is issued, it is restricted to the listed piers that permit fishing. The bylaws do not explicitly identify these piers but rather outline the permit requirements including its restrictive conditions.
3. N/A.
4. It indeed is an area both considered and to be accelerated. There are some operational concerns relating facilities and the use thereof. Educational programmes covering Health & Safety, Operating Hours, Hygiene and Cleanliness, Growth & Development inclusive of skills development. These are but some of the areas we can look to for cooperation and partnership for the betterment of fishermen and coexistence of the different beach uses. As we commence the development of beach protocols, we will be engaging with fishermen as one of the key stakeholders and we anticipate that some of the areas of cooperation mentioned above would be discussed in these engagements. This would be formalised in Q3 of 2018/19 Financial Year and continue into 2019/20 Financial Year.

9.3

Questions submitted by Councillor DR Nowbuth : MTN Billboard on Municipal Building (21/13/1/2/3):

An MTN Billboard has been erected on the west-facing wing of the high-rise Municipal building at 75 Dr Langalibalele Dube Street in Durban. Matters pertaining to the Billboard and Advertising were raised in a correspondence with the Outdoor Advertising Department on 28 June 2018. The Department stated that no authority was granted for the advertisement to be displayed and that steps would be taken immediately to establish the source of the Billboard and to have it removed.

To this day, we are no nearer to a solution to the matter.

In the light of the above, I pose the following questions:

- 1. How much in potential revenue has been lost to Council by the illegal action of the perpetrator/s?**
- 2. Is the above amount (Q 1) recoverable?**
- 3. If yes, what steps are being taken to recover all amounts?**
- 4. On what date does the architectural department intend to take down the Billboard?**
- 5. Has any disciplinary action been instituted against any official in this “MTN Billboard Saga”?**
- 6. The Outdoor Advertising Department has stated that MTN is unwilling to divulge contractual agreements with its Advertising Agency. Access to such information is readily available via PAIA (Promotion of Access to Information).**

Has this route been taken?

6.1 If yes, when?

6.2 If not, why not?

The following respective responses were provided:-

1. Revenue lost would only be determined by the amount the advertiser was willing to pay, Council would possibly get 20% thereof if there was a contract in place.
2. The amount is not recoverable.
3. Not applicable.
4. No date has been set as yet.
5. No disciplinary action has been taken yet.

6. DPEM Unit has asked Real Estate as the owner of the building to remove these structures since the route of using PAIA will be protracted. Real Estate had agreed to conduct removals using Architecture Department.

9.4

Questions submitted by Councillor JP Prinsloo : eThekweni Municipality's Sport Club Leases (17/2/1/2/5):

The vast majority of eThekweni Municipality's sport club leases have been reduced to "month to month" leases.

As a result, the uncertainty of the future of these clubs creates a reluctance amongst sport clubs to financially invest in the running and maintenance of the club. This has a direct adverse effect on the maintenance of Council facilities and is directly correlated to increased vandalism and vagrancy on Council owned property.

It is on this background, I pose the following questions:

1. **How many municipal facilities across the entire city are leased for the purposes of sports clubs?**
2. **How many sports clubs with current city lease contracts are being leased on a month-to-month basis?**
3. **Is the blanket practice that reduced all municipal sports club leases to "month to month" currently under revision?**
 - 3.1 **If the answer is Yes: When will the revision be complete?**
 - 3.2 **If the answer is No: Why is it not being done and when will it commence?**
4. **Who is/will be responsible to facilitate the revision of the club leases process?**
5. **When last did the sub-committee on sport leases assemble to make recommendations on sport club leases and related matters?**
6. **Does Real Estate have the capacity to renegotiate current "month to month" leases for conversion to long term leases?**
 - 6.1 **If the answer is Yes: How many Real Estate staff are currently allocated to renegotiate sports leases?**
 - 6.2 **Is the answer is No: Why does the Real Estate not have the capacity required?**
7. **Will the current sport clubs that meet the Municipality's qualifying criteria for long term leases and that have been waiting for these leases pending a revision decision, be prioritised and fast tracked?**
8. **Will Real Estate assist non-compliant clubs to achieve the required criteria to qualify for a long-term lease?**

The following respective responses were provided:-

1. The City has 123 sport leases, of which 71 are on a month to month tenancy. Approximately 12 leases have been abandoned by clubs.
2. 71 are on a month to month basis.
3. Yes.
- 3.1 The revision will be completed after all consultation with relevant parties has been completed.
4. Real Estate Department.
5. There is currently no sub-committee. Real Estate is leading the process by engaging relevant parties to address the current challenge. The last meeting was co-ordinated in May 2018.
6. No, they can only seek authority from Council.
7. Legal Department is currently reviewing current criteria for all sporting leases to correct the past imbalances.
8. Yes after the new criteria has been authorised.

9.5

Questions submitted by Councillor WJD Burne: Revenue Clearance Figures and Revenue Clearance Certificates (7/2/3):

For years, Conveyancers have experienced delays and difficulties in receiving revenue clearance figures and revenue clearance certificates from the Municipality.

In light of the above I request that the following questions be answered:

1. **Is Executive Committee aware of this problem?**
2. **Is so, what is Executive Committee doing about it?**
3. **If not yet aware of the problem, what will Executive Committee now do to investigate the source of the problem, and to deal with?**

The following respective responses were provided:-

1. No. This has not been reported to Executive Committee previously. However, in future, this will be included in the monthly Section 71 report.
2. This was not reported. Accordingly, this question is not applicable.
3. As indicated, this will now be monitored on a monthly basis through the Section 71 report.

In addition, the following comments are relevant:

Currently there is a backlog and it is taking on average 30 working days to process an application. This is due to an increased number of applications, staff turnover, incorrect certificates being issued and fraudulent activities resulting in additional controls being put in place which has slowed down the process. We had instances where certificates were being issued with incorrect values. Accordingly, now every certificate is checked by the Supervisor. However, going forward, we are developing a system to streamline the work process flow and reduce the turnaround time to 5-10 working days. The IS Unit is developing this system and a demonstration to the law society is scheduled in October 2018.

9.6 Questions submitted by Councillor S Ngema : Plans for Pedestrian Bridges in the Bottlebrush Informal Settlement (25/4/11/1):

The Community living in the Bottlebrush Informal Settlement in Ward 71 live in continuous danger as there are no bridges for residents to cross the stream which flows through the settlement safely. The residents have had to build their own make-shift bridges, which are often not safe and are at risk of being washed away. According to the Community, nine residents, including two children, have drowned in the stream.

Against that background, I pose the following questions:

1. **Does the municipality have any plans to build any bridges for this community across the stream?**
2. **If so, when is it likely that the bridges will be built?**
3. **If not, why are there no such plans?**

The following respective responses were provided:-

Having observed and noted the unsatisfactory conditions in which the residents of bottlebrush Settlement live, a number of service delivery challenges such as footpaths, ablution facilities, speed humps, roadside pavements and not only bridges, have been identified. This will be responded to.

9.7 Questions submitted by Councillor RD Macpherson: Delays in Finalizing Property Valuation Appeals (17/1/3):

Motivation

That the ongoing delay in finalizing property valuation appeals from March 2017 is causing frustration and hardship on business and ratepayers.

In light of the above I request that the following questions be answered:

1. **What is the value of appeals dealt with to date relative to Hospitality/Commercial/Industrial buildings and land?**

2. **How many appeals relative to Hospitality/Commercial/Industrial buildings and land have been dealt with to date?**
3. **What is the value of appeals dealt with to date relevant to Residential buildings and land to date?**
4. **How many appeals relative to Residential buildings and land have been dealt with to date?**
5. **Are owners of property correctly notified that their appeal is complete?**
6. **What method of communication is used to notify property owners of the appeal outcome?**
7. **How many appeals still need to be processed relevant to Hospitality/Commercial/Industrial buildings and land?**
8. **How many appeals still need to be processed relative to Residential buildings and land?**
9. **When will the appeals process be complete?**
10. **What is the reason for this extraordinary delay that has caused hardship to ratepayers and business?**
11. **How many staff members have been assigned to deal with appeals?**
12. **Given the recent media highlighting various properties incorrectly zoned and paying lower rates than if correctly zoned, what is being done about it and what are the time lines?**

The following respective responses were provided:-

1. Nil, only residential matters have been considered by the Valuations Appeals Board (VAB).
2. Nil.
3. R80.7million.
4. Residential: 43 Land: Nil
5. Yes.
6. Ordinary mail.
7. 132 appeals, including 3 land appeals.
8. 156 residential appeals, land accounted for in question 7 above.

9. The target date was 30 June 2019, however this was dependent on COGTA's appointment of the VAB, which has not been finalised since June 2018.
10. We do not consider there to be an extra ordinary delay, as the appeal follows an objection process. The objections would have been investigated and processed accordingly. Where objections were received and value adjustments processed and revised rates account issued, it would reflect and financial adjustments backdated to 1 July 2017.

For GV2017, we received 9921 objections out of about 510 000 properties reflected in the valuation roll, which equates to about 1.95%. As a comparison, we received 10751 objections for GV2012. For their latest general valuation rolls, Johannesburg received about 66 000 objections and Cape Town received about 20 500 objections.

11. 10.

12. We are still awaiting the final CIU report. Accordingly, it is premature to respond. A list of hospitals was requested by the Auditor-General as part of the audit and this was provided.

With regard to zoning of properties, it is incumbent on the property owner and out Town Planning building inspectorate to advise us on any changes in use to enable us to change the zoning.

The intention is to have the existing and all future valuation rolls undergo a quality assurance review undertaken by an independent service provider.

9.8

Questions submitted by Councillor LM Meyer: Failure of DSW to Keep Bottlebrush Area Clean (24/2/1):

The community of Bottlebrush in Ward 71 are living in inhumane conditions due to the continuous failure of DSW to keep the area clean and regularly remove refuse from the area.

In light of the above I request that the following questions be answered:

1. **Have a contractor or contractors been appointed to collect refuse in Bottlebrush, Ward 71?**
2. **If yes to question 1, who is the contractor/contractors?**
3. **If no to question 1, why not?**
4. **Has the contractor been appointed to regularly clean the streets in Bottlebrush, Ward 71?**
5. **If yes to question 4, who is the contractor?**
6. **If not to question 4, why not?**
7. **Will DSW be appointing local residents to work as co-operatives in the area to keep the streets clean and assist with the removal of refuse?**

The following respective response was provided:-

The current community based contracts are expiring at the end of September 2018. A new programme has been developed whereby a major contractor has been appointed for the provision of waste management services in the Inner West Region. The appointed service provider is Gabhisa Services. The appointed service provider shall resume duties on 1 October 2018. The service provider shall engage local subcontractors to perform waste management functions in their neighbourhood and as part of the service level agreement the subcontractor shall appoint workforce from the local communities where they are performing their duties.

9.9

Questions submitted by Councillor J Chetty: Strawberry Worx Billboards Erected on Roads and Bridges (21/13/1/2/3):

Strawberry Worx billboards continue to remain erected on certain KZN Department of Transport (DOT) roads and bridges in eThekweni, without having followed the correct procedures and approval of the city's signage department. Questions surrounding Strawberry Worx, posed more than three months ago on the Council agenda revealed that the matter was sub-judice and that disciplinary processes were underway.

In light of the above I pose the following questions:

1. **When is the matter between Strawberry Worx and the city expected to be concluded?**
2. **What has been the delay in concluding this matter?**
3. **Has the disciplinary processes relating to Strawberry Worx been completed?**
4. **If disciplinary processes have not been completed, why not?**
5. **What has been the cost to date of litigation, if any?**
6. **Has the city received any income in the form of application fees from Strawberry Worx for any of the billboards erected in eThekweni?**
7. **Has there been any billboards erected by Strawberry Worx in eThekweni that the city has not received application fees for?**
8. **Has there been any new billboards erected in eThekweni by Strawberry Worx after litigation has commenced?**

The following respective responses were provided:-

1. The City does not have a date on when this matter will be concluded and brought to finality.
2. All matters are currently in Court and have to follow the legal and Court processes. The Municipality is at the mercy of Courts in terms of Court dates.

3. The disciplinary processes have not been completed.
4. The proceedings have been delayed at the instance of the accused employee as a result of the employee representative withdrawing from the proceedings and the need for a new representative to be appointed by the employee.
5. The estimated cost of the litigation is well over R700 000 and more.
6. The City has not received any revenue.
7. Yes.
8. Yes.

9.10

Questions submitted by Councillor S Ryley: Challenges Regarding the Resources and Equipment at the Disposal of Metro Police (4/3/1 & 8/1/13/1):

In November 2017 Durban Metro Police embarked on a recruitment process for a further 200 authorised officers. Furthermore, it is evident that there are significant challenges regarding the resources and equipment at the disposal of Metro Police to enable them to carry out their duties.

In light of the above I pose the following questions:

1. **What is the final number of recruits signed off by the City Manager?**
2. **Are the records of every stage of the recruitment process kept in respect of each successful applicant?**
 - (a) **If yes, where can these records be viewed?**
 - (b) **If no, why not?**
3. **Will any of the unsuccessful applicants be considered for a further intake?**
 - (c) **If no, why not?**
4. **Does the unit have sufficient stocks of uniforms on hand for the new recruits?**
5. **What criteria is used to determine when a Metro Police officer should receive a replacement uniform?**
6. **How many officers are currently awaiting new uniforms in terms of the last question?**
7. **On what date was the latest procurement of Metro Police uniforms conducted?**
8. **Are there any Metro Police officers who are expected to wear civilian clothing while on duty as a result of the lack of uniforms available?**

9. **Are there sufficient bullet proof vests for all officers?**
10. **What is the optimal number of vehicles required by Metro Police to fulfil their responsibilities?**
11. **How many vehicles and motorbikes does Metro Police have at their disposal?**
12. **How many Metro Police vehicles are operational as at 31 August 2018?**
13. **How many Metro Police vehicles are in for repairs as at 31 August 2018?**
14. **What is the average turnaround time of repairs to Metro Police vehicles and motorbikes?**
15. **On what date will electronic enforcement in terms of speed timing resume?**
16. **What challenges are being experienced with procurement of Metro Police equipment through the Supply Chain Management process?**

The Speaker advised that in view of investigations being undertaken at Metro Police by the South African Police Services, the above-mentioned questions submitted by Councillor S Ryley would not be answered.

9.11

Questions submitted by Councillor A Maharajh: Crime Prevention at Prince Mhlangana Road in Avoca, Ward 34 (28/1/1/1):

I wish to make reference to the public meeting held on 1 June 2018 at the Effingham Secondary School Hall to address the concerns of the Ward 34 community with regards to crime in general and specifically the murder of a 40 year old father in the presence of his two young children on Prince Mhlangana Road in Avoca a day prior to the meeting. At this meeting the Deputy Mayor committed to having Metro Police fulfil their obligation in terms of crime prevention in the area. It is well known that crime prevention is one of the three core mandates of Metro Police.

In light of the above I request that the following questions be answered:

1. **Has Metro Police devised a plan of action to fulfil their crime prevention obligations in Ward 34?**
2. **If yes to question 1 above, what is this plan?**
3. **If no, why not?**
4. **How does Metro Police make use of SAPS crime statistics and CAS numbers to assist in curbing crime?**
5. **Does Metro Police have a crime prevention strategy?**

6. **How recent are the statistics that Metro Police uses to determine their crime prevention strategy?**
7. **How often is the crime prevention strategy updated?**
8. **How does Metro Police determine “hot-spot” areas which require increased visible policing?**

The above-mentioned questions submitted by Councillor A Maharajh was **DEFERRED** to the next meeting of Council to enable answers to the questions to be obtained.

In the absence of Her Worship the Mayor, Councillor ZRT Gumede, the Deputy Mayor, Councillor F Peer presented the First Report of the Executive Committee.

FIRST REPORT OF THE EXECUTIVE COMMITTEE

(Meeting held 2018-09-18)

- PRESENT** : Executive Committee Members F Peer (Deputy Mayor), HU De Boer, BA Fortein, MM Mthembu, TM Mthethwa, MS Nkosi and ZR Sokhabase.
- ABSENT** : Executive Committee Members ZRT Gumede (Mayor and Chairperson), (On leave-Municipal business), SA Kaunda (On leave-Municipal Business) and NL Graham (On leave-Indisposed).

1. REPORT OF THE HUMAN SETTLEMENTS AND INFRASTRUCTURE COMMITTEE: MEETING HELD ON 2018-09-04

(Page R1)

1.1 Proposed Alienation by Lease: Property Described as Proposed Lease on Erf 6915, Bulwer Park, Durban (17/2/1/2/5):

(Page 24: Human Settlements and Infrastructure Committee - Agenda 2018-09-04)

COMMITTEE RECOMMENDS:

- 1.1.1 That in terms Regulation 34 read with Regulation 36 of the Municipal Asset Transfer Regulations, the Municipality grant approval in principle for the property described as Proposed Lease on Erf 6915 Durban, in extent of 388m² as depicted in SJ Plan No. 4735/5, be leased out by public tender in accordance with the provisions of the Preferential Procurement Policy Framework which supports Radical Economic Transformation and the Supply Chain Management Policy.

- 1.1.2 That the amount of R23 700 (Twenty Three Thousand Seven Hundred Rand) (Exclusive of VAT) be set as an upset rental based on the open market value of the property, in accordance with Section 40(2)(c)(i) of the Supply Chain Management policy.
- 1.1.3 That the property be alienated by lease for a period of 15 (fifteen) years without an option to renew as part of the transformation of the property sector through the participation of historically disadvantaged groups.
- 1.1.4 That in the event of objections being lodged to the granting of the lease, the matter be referred for resolution in terms of Section 50 of the Supply Chain Management Policy headed “Resolution of Dispute, Objections, Complaints and Queries”.
- 1.1.5 That in the event of the lease not being concluded within 6 months from the date of determination of the value of the site, the Head: Real Estate be authorised to review the rental in line with the current market value of the property in the event where there has been a change in the market value.
- 1.1.6 That subject to the adoption of .1 to .5 above and the approval by the Bid Adjudication Committee, the Head: Real Estate be authorised to sign all documents necessary to conclude the lease agreement.

ADOPTED.

- 1.2 Thermophilic Digestion at Northern Wastewater Treatment Works in the eThekweni Municipality (23/1/7):
(Page 36: Human Settlements and Infrastructure Committee - Agenda 2018-09-04)

COMMITTEE RECOMMENDS:

That authority be granted for the Deputy City Manager: Finance to include in his adjustments budget Report, the transfer of funds in the amount of R1 173 736.35 (One Million One Hundred and Seventy Three Thousand, Seven Hundred and Thirty Six Rand and Thirty Five Cents) from Project Y8605, Humus pstn: New pumps and pipework KwaMashu Wastewater Treatment Works to project Y8014 Thermophilic digestion plant at the Northern Waste Water Treatment Works in the eThekweni Municipality for 2018/19 financial year to finalise the critical remaining phases of the project and overall project completion.

Project No.: Y 8014 R1 173,736.35 (To be met via an adjustment budget, from Project Y8605 for the 2018/2019 financial year)

FC No.: 365/C103

ADOPTED.

- 1.3 Pilot Ultra Violet Disinfection at Amanzimtoti Waste Water Treatment Works (23/1/11/2/1/2):
(Page 43: Human Settlements and Infrastructure Committee - Agenda 2018-09-04)

COMMITTEE RECOMMENDS:

That authority be granted for the Deputy City Manager: Finance to include in his Adjustments Budget Report, the transfer of funds to project Y8009 Pilot Ultra Violet (UV) Disinfection at the Amanzimtoti Waste Water Treatment Works in the eThekweni Municipality for the 2018/19 financial year to finalise the critical remaining phases of the project and overall project completion:

- R326 263.65 (Three Hundred and Twenty Six Thousand, Two Hundred and Sixty Three Rand and Sixty Five Cents) from project Y8605 Humus pstr: New pumps and pipework KwaMashu Wastewater Treatment Works to, project Y8009 for the 2018/2019 financial year;
- R400 000.00 (Four Hundred Thousand Rand) from project Y7047 Methane power (Smaller Works) Northern to, project Y8009 for the 2018/19 financial year; and
- R100 000.00 (One Hundred Thousand Rand) from project Y8198 Cambi Hydrolysis to, project Y8009 for the 2018/2019 financial year.

Project No.: Y8009 R 826 263.65 (To be met via an adjustment budget, from Projects Y8605, Y7047 & Y8198 for the 2018/2019 financial year)

FC No.: 365/C104

ADOPTED.

- 1.4 Request for Authority to Transfer Funds to Replace Sewer Infrastructure Damaged by Storm on 2017-10-10 (WS2018/116) (23/1/11/1/2):
(Page 48: Human Settlements and Infrastructure Committee - Agenda 2018-09-04)

COMMITTEE RECOMMENDS:

- 1.4.1 That authority be granted for the transfer of funds from the projects listed in Table A below to the projects listed in Table B at a total cost of R19 498 146.00 (Nineteen Million Four Hundred and Ninety Eight Thousand One Hundred and Forty Six Rand) (excluding VAT).
- 1.4.2 That authority be granted to the Deputy City Manager: Finance to include in his Adjustments Budget Report, the transfer of funds from projects listed in Table “A” below to the projects listed in Table “B” to cover the work carried out to correct the storm damage that occurred on 2017-10-10.

Project No.: As listed in Tables A and B R19 498 146.00 FC No.: 365/C97

Table A
Funds transferred from:

Project No.	Project Description	Funds to be Transferred	Reason for Requested funds
Y7048	SWWTW digesters on line	12,999,146.00	Contract awarded and work commenced. Business Forums delays
Y8012	Energy Management Monitoring System	990,000.00	Business research project delays in analyzing data
Y8153	Southern Area Pump Stations New Pumps and Upgrades	1 350 000.00	MCC and new pumps contract prices lower than anticipated
Y8607	Install 2 conveyors Northern WWTW	1 129 000.00	In-house work slower than anticipated
Y8194	WWTW Changing Rooms	1 150 000.00	In-house work slower than anticipated
Y8198	Cambi Hydrolysis	1 080 000.00	Planning research project delays in analyzing data
Y6983	Gwala Farm Bulker Sewer	800,000.00	EIA in progress. PSC prices lower than anticipated
TOTAL		19,498,146.00	

Table B

To be transferred to:

Project No.	Project Description	Funds to be Transferred	Reasons for Requested funds
Y8940	Sunningdale Collector Sewer Re-alignment	577,000.00	Partial collapse of sewer at exit of SANRAL culvert
Y8731	Dune rehabilitation and Pipe Replacement Dawn Place	12,500,000.00	Storm Damage
Y8732	Steel sewer replacement at House NO.1664 Umlazi A	1,500,176.00	Storm Damage
Y8733	Replacement of rising main, Umhlatuzana trunk sewer	1,500,000.00	Pipework outside of pump station had corroded and had to be replaced
Y8734	Replacement of steel pipe crossing stream Umlazi U	830,193.00	Storm Damage
Y8735	Replacement of two 600mm dia trunk sewers Umlazi Q	800,00.00	Storm Damage
Y8737	Replacement of 400mm dia trunk sewers Umlazi Q	572,899.00	Storm Damage
Y8738	Replacement of two 600mm dia trunk sewers Ngonyameni	849,450.00	Storm Damage
Y8742	Construction of 160mm diameter sewer in Isipingo	250,800.00	Storm Damage
Y8741	Construction of 40m Gabions in Umlazi B	117,628.00	Storm Damage
TOTAL		19,498,146.00	

ADOPTED.

1.5

Request for Authority to Transfer Funds to Umgungundlovu Road Sewer Relocation/Upgrade - Ward 62: Report No. WS2017/217 (23/2/1/3/5/1):
(Page 53: Human Settlements and Infrastructure Committee - Agenda 2018-09-04)

COMMITTEE RECOMMENDS:

That authority be granted for the Deputy City Manager: Finance to include in his Adjustments Budget report, the allocation of funds from Y6237- Reticulation Block Sun which have been identified in the 2018/2019 financial year to project Y8695 - Umgungundlovu Road Sewer Relocation/Upgrade to the amount of R3, 030,250.00 (Three Million and Thirty Thousand, Two Hundred and Fifty Rand) (Including VAT).

Cost Centre: 65410

Project No.: Y8695 R2 635,000.00 (Excluding VAT) to be met from Y6237:
Reticulation Block Sum

FC No.: 65/C95

ADOPTED.

- 1.6 Authority to Transfer Funds to Emona Sunhills Augmentation of Existing Gravity Sewer and Construction of a New Collector Sewer: (Wards 61 and 62) (WS2018/139) (23/2/1/1):
(Page 123: Human Settlements and Infrastructure Committee - Agenda 2018-09-04)

COMMITTEE RECOMMENDS:

- 1.6.1 That authority be granted for the transfer of R3 680 000.00 (Three Million Six Hundred and Eighty Thousand Rand) (including VAT) from Project No. Y8656 - Refund to Tongaat Hulett for Sibaya Development Trunk Sewer in 2018/2019 and R4 370 000.00 (Four Million Three Hundred and Seventy Thousand Rand) (including VAT) from Project No. Y7627 - Keystone Bulk Services in 2019/2020 to Project No. Y6712 - Emona Sunhills Augmentation of Existing Gravity Sewer and Construction of New Collector Sewer.
- 1.6.2 That subject to approval of .1 above, authority be granted to the Deputy City Manager: Finance to include in his Adjustments budget report the transfer of R3 200 000.00 (Three Million Two Hundred Thousand Rand) (exclusive VAT) from Project No. Y8656 - Refund to Tongaat Hulett for Sibaya Development Trunk Sewer and R3 800 000.00 (Three Million, Eight Hundred Thousand Rand) (exclusive VAT) from Project No. Y7627- Keystone Bulk Services.

Project No.: Y6712	R 600 000.00	Providing in 2018/2019 Capital Budget
	R3 200 000.00	(To be met by savings from Project No.: Y8656 - Refund to Tongaat Hulett for Sibaya Development Trunk Sewer Sum via an adjustment budget in 2018/2019)
	R3 800 000.00	(To be met by savings from Project No.Y7627- Keystone Bulk Services via an adjustment budget in 2019/2020)

FC No.: 365/C109

ADOPTED.

- 1.7 Request for Transfer of Funds from Sanitation Projects for Vehicle and Water Tanker Purchase for the eThekweni Water and Sanitation Unit (8/3/1/3):
(Page 125: Human Settlements and Infrastructure Committee - Agenda 2018-09-04)

COMMITTEE RECOMMENDS:

- 1.7.1 That authority be granted for the transfer of funds of R105 000 000.00 (One Hundred and Five Million Rand) to action the purchase of eThekweni Water and Sanitation vehicles and water tankers.
- 1.7.2 That subject to adoption of .1 above, authority be granted to the Deputy City Manager: Finance to include in his Adjustments Budget Report, the additional estimated budget of R105 000 000.00 (One Hundred and Five Million Rand) to fund purchases as outlined below in Table "A" below from savings identified in Table "B".

Table “A”

Description as water Requirements	Closet Vehicle on RT 57	OEM/BRAN D	Quantity	Unit Price Excl VAT (RT 57 Pricing)	Total Price
Land Cruiser (4x4) D/Cab		Toyota SA Motors	4	R600 000.00	R2 400 000.00
D/Cab Bakkie 4x4	Hilux 2.8 Diesel D/C 4x4 SR (x 11)		150	R430 672.75	R64 600 913.15
S/Cab Bakkie 4x4	Hilux 2.8 Diesel S/C 4x4 SR		100	R380 000.69	38 000 969.21
				Total	R105 001 882.36

Table “B”

Project No.	Description	Amount for transfer to Fleet
X4889	Replacement of water pipes	R18 269 000.00
X5906	PVR Installation	R 1 616 000.00
X3289	Waterloss	R24 815 000.00
X5189	Install/upgrade Reservoir and district meters	R 5 700 000.00
X4877	Magabheni Reservoir	R 5 000 000.00
X6306	Upgrade Mkhizwana Treatment Works	R16 900 000.00
X8057	KwaNqetho Reservoir	R17 750 000.00
X7548	Redcliffe Reservoir Trunk Main	R10 000 000.00
X6489	Umlazi F Section Trunk Main Relay	R 9 950 000.00
	Total	R110 000 000.00

ADOPTED.

1.8

Request for Authority to Transfer Funds from Block Sum Y8152B to Project Y8607 (Ward 34) WS 2018/144 (23/2/1/3/3/1):
(Page 132: Human Settlements and Infrastructure Committee - Agenda 2018-09-04)

COMMITTEE RECOMMENDS:

That authority be granted to the Deputy City Manager: Finance to include in his Adjustments Budget Report the transfer of funds to the amount of R1 100 000.00 (One Million One Hundred Thousand Rand) from block sum Y8152B Southern Area Pump Stations New MCC’s to project No. Y8607 the Northern Wastewater Treatment Works Thickener Discharge System (WS 6860) for the installation of a thickener screening system.

Project No.: Y8607 R1 100 000.00 (excluding VAT)
FC No.: 365/C107

ADOPTED.

- 1.9 Servitude Acquisition for HV Cable to SAPREF (17/2/1/1/2 & 27/2/1/3/3/4):
(Page 135: Human Settlements and Infrastructure Committee - Agenda 2018-09-04)

COMMITTEE RECOMMENDS:

That authority be granted to the Head: Real Estate to proceed with the acquisition of 132 KV, 100 MVA servitude from Durban South SS to Merewent SS joint bays at Travancore Road to replace the existing old oil filled cables to ensure a constant power supply to SAPREF, a National Key Point.

Vote: 37401 42090 111000 0000 HV 111 0010; Price to be negotiated with the owner

FC/CA No.: 361/0103

ADOPTED.

- 1.10 Servitude/Wayleave/Right of Way Acquisition/Expropriation for the Himalayas to Engen Cable Relocation (17/2/1/1/4):
(Page 138: Human Settlements and Infrastructure Committee - Agenda 2018-09-04)

COMMITTEE RECOMMENDS:

- 1.10.1 That authority be granted to the Head: Real Estate to acquire servitude rights, way leaves and rights of way over the affected portions listed below:

Description	Owner	Extent
Portion 393 (of 305) of Lot Clairwent One No. 14431	Merebank Sanathan Dharama Woonathee Sabha Temple	99
Portion 4 of Lot Clairwent One No.14431	Merebank Sanathan Dharama Woonathee Sabha Temple	17
Remainder of 2 Lot Clairwent One No.14431	Genref (Ltd)	24
Remainder of 815 Dunn Grants	Capital Propfund Proprietary Limited	49
Erf 860 Dunn Grants	Capital Propfund Proprietary Limited	226

- 1.10.2 That subject to adoption of .1 above, authority be granted to the Head: Real Estate to deviate from the Supply Chain Management Regulations and negotiate for the acquisition of the Municipality’s requirements, utilizing Regulation 36 (1)(a)(ii) and 36(12)(a) of the Supply Chain Management Regulations.
- 1.10.3 That subject to the adoption of .2 above and approval of the Bid Adjudication Committee pursuant to successful negotiations, authority be granted to the Head: Real Estate to sign the relevant agreements and all documents necessary to effect transfer of the Municipality’s requirements.
- 1.10.4 That the City Manager records the reasons for any deviations and reports it to the next meeting of Council and includes it as a note to the Annual Financial Statements in terms of Section 36(2) of the Supply Chain Management Regulations.
- 1.10.5 That in the event of negotiations being successful the Head: Real Estate be authorised to expropriate the requirements for the relocation of the Engen cable.

Vote: 37401.42090.11100.0000.HV111.0010; Price to be negotiated with the owner
FC No.: 361/CA0109.

ADOPTED.

- 1.11 Request for Authority to Enter Into a Memorandum of Agreement with Tongaat-Hulett Developments (Pty) Ltd to be Refunded for the Design and Installation of Sibaya Development Trunk Sewers: Wards: 58 and 106: WS2018/125 (23/2/1/3/3/1):
(Page L6: Human Settlements and Infrastructure Committee - Agenda 2018-09-04)

COMMITTEE RECOMMENDS:

- 1.11.1 That the Committee approves the take-over of the phase 1 trunk sewer asset which is in consistency with other projects and reimburse Tongaat-Hulett Development (Pty) Ltd an amount of R6 701 970.00 (Six Million Seven Hundred and One Thousand Nine Hundred and Seventy Rand) (excluding VAT).
- 1.11.2 That subject to the approval above, authority be granted to the City Manager to enter into a Memorandum of Agreement with Tongaat Hulett Developments (Pty) Ltd [THD] in respect of [THD] carrying out the design phase and construction of the Sibaya Precinct trunk sewers and Sibaya pump station upgrades and to refund THD reasonable and proven costs, without interest, that has been incurred in designing and constructing the trunk sewers and pump station upgrades to serve the Sibaya precinct.

Cost Centre: Y8656

Project No: Y8656 R 6 701 970.00 (provided in the 2018/2019 Sanitation Capital Budget)

R110 000 000.00 (to be provided in the 2019/2020 and 2020/2021 forward Sanitation Capital Budget)

FC No.: 365/C102

ADOPTED.

2. REPORT OF THE ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE: MEETING HELD ON 2018-09-06

(Page R8)

- 2.1 Poultry Hub Establishment Through Memorandum of Agreement and Lease Agreement to Iyanda Holdings (Pty) Ltd. in Respect of Portion 923 of Erf 1575 of Cottonlands No. 1575 (17/2/1/1/3):
(Page 1: Economic Development and Planning Committee - Agenda 2018-09-06)

The Economic Development and Planning Committee had been advised that the purpose of the aforementioned report was to seek approval to negotiate and enter into a Memorandum of Agreement with Iyanda Holdings (Pty) Ltd. in respect of Portion 923 of Erf 1575 of Cottonlands No. 1575 for a period of three (3) years with a renewal option for a further three (3) years

The Memorandum of Agreement, with Iyanda Holdings (Pty) Ltd as a market maker and holder of an off-take agreement for the supply of eighty thousand (80 000) eggs a day to Toplay Co-operative Limited (Reg. No. 2014/001969/24) was acknowledged in that it would facilitate market linkages for SMME contract growers and SMME operators that would be based in the eThekweni Poultry Hubs.

The Democratic Alliance recorded their dissension thereat.

At the Executive Committee meeting the Democratic Alliance requested that their dissenting vote be recorded.

With the majority of Councillors being in support,

COMMITTEE RECOMMENDS:

- 2.1.1 That the establishment of a Poultry Hub through the facilitation of a lease agreement at a nominal rental and a Memorandum of Agreement with Iyanda Holdings to facilitate market linkages for SMME egg production contract growers linked to their off-take agreement with Toplay Cooperative Limited, be supported.
- 2.1.2 That subject to .1 above, the City Manager be duly authorised to enter into a Memorandum of Agreement with Iyanda Holdings as a market maker and holder of an off-take agreement for the supply of eighty thousand (80 000) eggs a day to Toplay Cooperative Limited (Reg No: 2014/001969/24), it being recorded that the company would produce eggs in the Cottonlands site and facilitate market linkages for SMME contract growers and SMME operators that would be based in the eThekweni Poultry Hubs.
- 2.1.3 That subject to the adoption of .1 and .2, the Head Real Estate be duly authorised to enter into a three year lease agreement with Iyanda Holdings, with an option to renew for a further three years to lease existing land and buildings on Portion 923 of Erf 1575 of Cotton Lands No.1575 with the site in question being clearly defined in the Memorandum of Agreement.
- 2.1.4 That subject to the adoption of .1, .2 and .3 above, the Head: Business Support, Markets and Tourism be tasked to report progress made on the initiative on an annual basis for the duration of the Memorandum of Agreement.

ADOPTED.

- 2.2 Review of Economic Development and Job Creation Strategy 2013-18 and Development of Accelerated and Inclusive Growth Path for eThekweni 2019-2025 (20/1/7/1):
(Page 39: Economic Development and Planning Committee - Agenda 2018-09-06)

The Economic Development and Job Creation Strategy 2013-18 and the Development of an Accelerated and Inclusive Growth Path for the eThekweni 2019-2025 was presented to the Economic Development and Planning Committee, with particular emphasis on the following strategic objectives:

- To review the aforementioned Strategy and to reflect on the achievements, challenges, and lessons learnt subsequent to implementation thereof.
- To develop a new and inclusive growth path that seeks to direct the City's efforts in making a strategic shift towards increasing economic growth and transformation.

That Committee was advised that the strategic shift alluded to is only possible through the engagement of key stakeholders ie. business, academia, small and micro business formations, youth, key State Owned Enterprises, relevant Provincial partners, Unions, other clusters of the Municipality and Councillors.

Having noted that further acceleration is required in job creation in order to address unemployment, as the target growth rate of 4% was not achieved within the 5 year period due to sluggish national growth,

COMMITTEE RECOMMENDS:

- 2.2.1 That the key achievements across the seven (7) strategic focus areas, the key shortcomings and the corrective measures to be undertaken during the review of the 2013-2018 Economic Development and Job Creation Strategy, be noted.
- 2.2.2 That the Deputy City Manager : Economic Development and Planning be authorised to proceed with the development of an Accelerated and Inclusive Growth Path for eThekweni, which will serve as a joint strategy between key stakeholders within the City and enable them to play a constructive role in developing the economy.
- 2.2.3 That the Deputy City Manager : Economic Development and Planning be authorised to proceed with the hosting of the three (3) day Shape Durban Conference which seeks to co-create a new strategy with multiple stakeholders.
- 2.2.4 That subject to the approval of 3 above, Council authorises the hosting of the conference at the Inkosi Albert Luthuli International Convention Centre at a cost not exceeding R400 000.00 (Four Hundred Thousand Rand), it being recorded that key stakeholders would be required to cement their role in the formulation of the strategy by playing negotiated roles in the organization of the Conference.
- 2.2.5 That the Deputy City Manager: Economic Development & Planning be tasked to submit the finalised strategy prior to the March 2019 meeting of the Economic Development and Planning Committee.

Description	BU	Item	Fund	Costing	Project	Region	Proposed expenditure	Financial year
Hire of venue	26103	22710.30	12120	0000	35000-4	0010	400 000	2018/19

ADOPTED.

- 2.3 Lease Agreement of Lease 1 on Rem of Erf 1965 Umlazi D to KwaMnyandu Shopping Centre Pty (Ltd)(17/2/1/2/1):
(Page 49: Economic Development and Planning Committee - Agenda 2018-09-06)

The Economic Development and Planning Committee was advised that the KwaMnyandu Shopping Centre (Pty) Ltd had granted a 45 year lease agreement on Erf 1968 Umlazi-D and development rights by PRASA in 2011. The KwaMnyandu Shopping Centre (Pty) Ltd., the first ever private sector investment of its magnitude in Umlazi was valued at R350 million and completed in 2014.

In the final report on the matter relative to the lease agreement which was submitted to Council on 2017-04-26, it was advised that there were errors which had been identified in the resolution, and that further information was required in relation to servitudes identified.

COMMITTEE RECOMMENDS:

- 2.3.1 That the cancellation of the existing Parking Servitude, registered vide Notarial Deed of Parking Servitude No K 789/2017S over the Remainder of Erf 1965 Umlazi D in favour of Erf 1968 Umlazi D, owned by PRASA, as is reflected on the diagram SG 1646/2014 (Annexure C), be approved, subject to consent being received from PRASA to the proposed cancellation.
- 2.3.2 That the registration of a Notarial Deed of Parking servitude over the Remainder of Erf 1965 Umlazi D in favour of Erf 1968 Umlazi D, owned by PRASA as is reflected on the diagram SG 1168/2017, be approved.
- 2.3.3 That subject to .1 and .2 above, the Municipality in terms of Regulation 34 read with Regulation 36 of the Municipal Asset Transfer Regulations, the Municipality grants approval in principle for the property described as Lease 1 over the Remainder of Erf 1965 Umlazi D as depicted diagram SG 1169/2017 (Annexure B), to be leased to KwaMnyandu Shopping Centre (Pty) Ltd, subject to approval of the Bid Adjudication Committee.
- 2.3.4 That the land described as Lease 1 on Rem of Erf 1965 Umlazi-D in extent of 1665m² as depicted in SG Diagram 1169/2017 be alienated by lease for a period of twenty (20) years, with a renewal option for a further period of ten (10) years.
- 2.3.5 That authority be granted to the Bid Adjudication Committee to consider a report to deviate from the procurement process in terms of Section 36(i)(a)(v) of the Supply Chain Management Regulations to enter into a private treaty lease in respect of the land described as Lease 1 on Rem of Erf 1965 Umlazi-D in extent of 1665m² as depicted in SG Diagram 1169/2017 to KwaMnyandu Shopping Centre (Pty) LTD for a period of twenty years (20) with a renewal option for a further period of 10 (ten years).
- 2.3.6 That the basic monthly rental of R13 875.00 (Thirteen Thousand Eight Hundred and Seventy Five Rand) (exclusive of VAT) be charged based on the open market value of the land for the initial year of commencement of business and thereafter the rental shall be the greater of the basic amount or 3% of the income generated from the activities from the land.
- 2.3.7 That in the event of the objections being lodged to the granting of the lease, the matter be referred for resolution in terms of Section 50 of the Supply Chain Management Policy headed "Resolution of Dispute, Objections, Complaints and Queries".
- 2.3.8 That in the event of the lease not being concluded within (06) months from the date of determination of the value of the land, the Head: Real Estate be authorized to review the rental in line with the current market value of the land in the event where there has been a change in the market value.
- 2.3.9 That all costs incidental to concluding the long-term lease agreement, survey, cancellation and Registration of the servitudes indicated in .1 and .2 above shall be borne by KwaMnyandu Shopping Centre (Pty) Ltd.
- 2.3.10 That subject to the adoption of .1 to .9 above and approval by the Bid Adjudication Committee, the Head: Real Estate be authorized to sign all documents necessary to conclude the lease agreement and all notarial deeds to give effect to .1 and .2 above.

ADOPTED.

- 2.4 Land Acquisition through Donation from KZN Department of Human Settlements to eThekweni Municipality – Wentworth Properties (17/2/1/1/1):
(Page 134: Economic Development and Planning Committee - Agenda 2018-09-06)

Having noted the strategic, financial, ethical and legal implications of the proposed land acquisition, it was further noted that the acceptance of the donations will increase the landholdings of properties owned by the eThekweni Municipality, which is managed for biodiversity protection. These properties also form a natural extension to the Bluff Nature Reserve, and it will therefore be to the benefit of the Council to accept these properties.

COMMITTEE RECOMMENDS:

- 2.4.1 That the Head: Development Planning and Environment Management be authorized to accept the property donations from the KwaZulu-Natal Department of Human Settlements as a natural extension to the Bluff Nature Reserve (ie. Property Descriptions : ERF 1050, Erven 1047, 1048, & 1049, Portions 2, 4 & 5 of Erf 1053, Portion 4 of Erf 1054, Erf 1211, Remainder of Erf 1086, Portions 1-7 and 9 (all) of Erf 1052, Portions 1, 3, 4, 6, 8 & 11 (all) of ERF 1211, Portion 1,2,3,4,5,7,8,9,10,11,12,13,14 & 15, 17,18,19,20,21,26, 27 & 28 (all) of Erf 1207, Portion 10,11,12,14 & 15 (all) of Erf 1201, Remainder of Portion 8 of Erf 1201, Remainder of 1047, Portions 22 & 70 of Erf 1086, Remainder of Portion 1 of Erf 1211 - ALL OF WENTWORTH).
- 2.4.2 That the authority for eThekweni Municipality to accept the property donations from the KwaZulu-Natal department of Human Settlement be approved.
- 2.4.3 That subject to the approval of 1 above, the Head: Real Estate be delegated to sign the relevant donation agreements; and all documents necessary to effect transfer to the eThekweni Municipality, it being recorded that the eThekweni Municipality will only be liable for the transfer, conveyancing and registration costs.

ADOPTED.

- 2.5 Request to Extend the Appointment of Interim Building Control Officer (BCO) (4/3/2):
(Page L7: Economic Development and Planning Committee - Agenda 2018-09-06)

The Economic Development and Planning Committee was advised that approval was being sought for the extension of the appointment of an interim Building Control Officer as prescribed in terms of the National Building Regulations and Building Standards Act (Act 103 of 1997).

Mr Daniels Pentasaib was appointed in April 2018 for an interim period of 6 months, ending in September 2018, until the post of Building Control Officer has been filled. The Unit encountered challenges recruiting and identifying a suitable candidate for the position on a permanent appointment. The post therefore had to be re-advertised.

As a precaution, the Unit requests to extend the period of the Acting Building Control Officer till the end of December 2018, and that the position be rotated between two other employees, it being noted that the powers delegated to the Acting Building Control Officer will be withdrawn once an official appointment is made.

COMMITTEE RECOMMENDS:

- 2.5.1 That given the expiry of the Acting appointment of Mr Daniels Pentasaib as Acting Building Control Officer, by 30 September 2018, Council approves the appointment of Mr Siyabonga Ashby Sikhakhane and Ms Tracy Hutton to replace Mr Pentasaib as interim Building Control Officers on a three months rotational basis for each incumbent to serve for (03) months.
- 2.5.2 That Mr Siyabonga Ashby Sikhakhane commences duty on 2018-10-01 to 2018-12-31, and Ms Tracy Hutton, from 2019-01-01 to 2019-03-31 to enable the finalization of the recruitment and selection process for the position of Building Control Officer.

As some Councillors were not in support of the above-mentioned recommendations of the Executive Committee and whilst the majority of the Councillors were in agreement the matter was put to the vote.

With 152 Councillors present, 99 Councillors (ANC – 89, IFP – 5, IND – 3, APC – 1 and AL JAMA-AH - 1) voted in favour and 50 DA Councillors voted against. 3 AIC Councillors abstained from voting.

The above recommendations of the Executive Committee were, by the majority vote, **ADOPTED.**

- 2.6 Request for Approval of the Durban Scheme by the Amendment of Appendix 9 from Public Open Space and Mixed Use Zones to Fuelling and Service Station: 91 Josiah Dlamini Road (21/4/1):
(Page 145: Economic Development and Planning Committee - Agenda 2018-09-06)

The Economic Development and Planning Committee noted that the purpose of the aforementioned report is to seek approval for the amendment of Appendix 9 of the Durban Scheme, from Public Open Space and Mixed Use Zones to Fuelling Station and Service Station, it being noted that the application sites are situated at 91 Josiah Dlamini Road.

It was noted that the Owner wished to sell his properties as the original zoning was for a Fuelling and Service Station on the Geographic Information System (GIS) and associated Scheme maps. However, when confirming the land uses, pending the proposed sale, it was discovered that the properties had been incorrectly captured as Mixed Use and Public Open Space.

Following consideration of the matter in terms of the relevant legislation, the Land Use Management Department concurred with the erroneous zoning, and accordingly

COMMITTEE RECOMMENDS:

That the amendment of the land use zones for Portion 1 of Erf 1413 Umlazi K from Public Open Space to Fuelling and Service Station be approved, it being recorded that the relevant Geographic Information System and the associated Scheme maps would need to be updated to reflect the proposed changes.

ADOPTED.

- 2.7 Motivation for Adoption of Cato Ridge Local Area Plan Functional Area Plan and Draft Scheme (June 2018)(21/4/1):
(Page 153: Economic Development and Planning Committee - Agenda 2018-09-06)

In considering the matter relative to the review of the Cato Ridge Local Area Plan and the preparation of Functional Area Plans and the Draft Scheme (June 2018), it was noted that the said plans and Scheme have been completed and were submitted for adoption by Council.

It was noted that the Cato Ridge area is important from a National perspective, as it formed part of the Strategic Infrastructure Programme (SIP 2) Durban - Free State - Gauteng Logistics and Industrial Corridor, which is aimed at strengthening logistics and economic integration between the main economic centres, and raising the efficiency of export operations.

COMMITTEE RECOMMENDS:

- 2.7.1 That the Cato Ridge Local Area Plan Review, Functional Area Plans and Draft Scheme (June 2018) be adopted as the overarching Spatial Planning Policy for the Greater Cato Ridge Local Area.
- 2.7.2 That the Development Planning Department undertake the necessary Town Planning Scheme reviews and amendments to facilitate the implementation of the Plan referred to in .1 in terms of the Spatial Planning and Land Use Management Act.
- 2.7.3 That funding for the various implementation projects be identified and the projects be incorporated into the eThekweni Municipality's Medium Term Expenditure Framework (MTEF).

ADOPTED.

- 2.8 Proposed Functional Area Plan and Draft Land Use Management Scheme for Precinct C in the approved Shongweni Local Area Plan (21/4/1):
(Page 165: Economic Development and Planning Committee - Agenda 2018-09-06)

In presenting the proposed Functional Area Plan and Draft Land Use Management Scheme for Precinct C in the approved Shongweni Local Area Plan, it was noted that the proposal was consistent with the Municipality's IDP in that it promotes a co-ordinated and sustainable development of the built environment by providing a clear set of development goals and guidelines for the area, and, is in line with the Municipal Spatial Development Plan and Outer West Spatial Development Plan (2014/2015).

Having considered that Precinct C has recently been claimed by Traditional authority, and that the area being managed by the Msinsi Traditional Council, possesses tourism, recreational and environmental potential which may be exploited, particularly through the Ntshongweni Dam,

COMMITTEE RECOMMENDS:

That the Shongweni Precinct C Functional Area Plan and Draft Land Scheme which seeks to facilitate and enable co-ordinated decision-making between the eThekweni Municipality and the private sector within the project area, which seeks to stimulate development by accommodating additional office, Commercial and Residential space in order to revise the Chatsworth CBO, be adopted.

ADOPTED.

- 2.9 Approval of Completed Chatsworth CBD Functional Area Plan and Draft Scheme (21/4/1):
(Page 170: Economic Development and Planning Committee - Agenda 2018-09-06)

The Economic Development and Planning Committee was given a brief overview of the aforementioned Chatsworth CBD Functional Area Plan and Draft Scheme, with it being highlighted that as one of the biggest inner-city suburbs, the project is intended to facilitate an understanding of the existing situational analysis of the area, considering prevailing development pressures and opportunities in relation to the broader development intentions that have been established in the Municipal Spatial Development Plan and other related spatial intentions in the context of the area.

It was advised that the project forms a guiding plan for the Municipality and the community that will direct sustainable development for the study area and its surroundings.

COMMITTEE RECOMMENDS:

That the proposed Chatsworth CBD Functional Area Plan (FAP) and Draft Scheme be adopted.

ADOPTED.

- 2.10 Proposed Amendments to the Durban Planning Scheme Regulations (21/4/1):
(Page 180: Economic Development and Planning Committee - Agenda 2018-09-06)

In presenting the matter to the Economic Development and Planning Committee, it was advised that the Planning Schemes are the only tools which confer development rights on a property, and translate into higher order plans into zonings across the City, thereby necessitating review thereof.

It was noted that in terms of the National Planning Act, it is a legal requirement for Municipalities to have SPLUMA (Spatial Planning and Land Use Management Act) compliant Planning Schemes.

In view of the foregoing,

COMMITTEE RECOMMENDS:

- 2.10.1 That the proposed amendments to the Durban Planning Scheme Regulations be noted and advertised for public comments as per the Spatial Planning and Land Use Management Act.
- 2.10.2 That advertisement of the Durban Planning Scheme Regulations be approved, and that subsequent to the comment period, the amendments to the Durban Planning Scheme Regulations, be adopted.
- 2.10.3 That subsequent to the conclusion of the public comment process, a report be submitted to the Economic Development and Planning Committee for adoption of the proposed amendments.

ADOPTED.

- 2.11 Motivation for Nsimbini- Golokodo Draft Scheme (21/4/1):
(Page 202: Economic Development and Planning Committee - Agenda 2018-09-06)

The Economic Development and Planning Committee was advised that the Draft Scheme for Nsimbini-Golokodo was completed and now required Council approval. In motivating for the approval thereof, it was advised that the Draft Scheme will provide for immediate land use guidelines and serve as the basis for a formal scheme formulation process within the study area.

Having further considered the motivation, Scope of Work, Phase Approach, Public and Stakeholder Engagement Process, Skills Transfer and Outcomes of the project, as outlined in the report by the City Manager dated 2018-08-14,

COMMITTEE RECOMMENDS:

That the Nsimbini-Golokodo Draft Scheme which seeks to provide clear and appropriate management guidance for the project area, be adopted for implementation, and that the Head : Development Planning and investment promotion be tasked to develop a Service Level Agreement with Amakhosi and/or Traditional Councils to assist defining roles and responsibilities with regard to land development applications.

ADOPTED.

- 2.12 Request for Approval of Greater Waterfall Functional Area Plan and Draft Scheme (June 2018) (21/4/1):
(Page 208: Economic Development and Planning Committee - Agenda 2018-09-06)

The Economic Development and Planning Committee was advised that the Greater Waterfall Functional Area Plan and Draft Scheme (June 2018) was undertaken to address the increasing pressure in the area and provide strategic direction for the management of development and to achieve sustainable development in the area. The area is also under pressure for change to mixed use development and higher density residential development.

A detailed assessment of the area was therefore required, with a view to establishing the development potential of the area, and making recommendations for future development with the related infrastructural support thereof.

Having noted the process, the implications and outcomes thereof,

COMMITTEE RECOMMENDS:

That the Final Draft Greater Waterfall Functional Area Plan and Draft Scheme (June 2018), the objective of which is to address increasing pressure for higher intensity development in the area, and provide strategic direction for the management and development in the area, be adopted.

ADOPTED.

- 2.13 Ward 105 Local Area Plan, Functional Area Plan and Draft Rural Scheme (June 2018):
(Page 227: Economic Development and Planning Committee - Agenda 2018-09-06)

In presenting Ward 105 Local Area Plan, Functional Area Plan and Draft Rural Scheme (June 2018) to the Economic Development and Planning Committee, it was advised that subsequent to a study of the area having been undertaken, the need for improved access within the rural areas of the Municipality and integration with both urban and rural nodal economic areas was necessary.

The Local Area Plan, Functional Area Plan and Draft Rural Scheme, which has now been completed, guides and assists both the Municipality, Ingonyama Trust, Traditional leadership and the community by outlining common future development vision, spatial structure and appropriate land uses. The Local Area Plan also provides guidance in terms of identifying land for social, recreational and economic uses within the priority nodes.

Having noted the objectives and development outcomes, as well as feedback from the public and stakeholder engagement process, as outlined in the report by the City Manager, dated 2018-08-12,

COMMITTEE RECOMMENDS:

That the Final Ward 105 Local Area Plan, Functional Areas Plans and Rural Scheme (June 2018) be adopted.

ADOPTED.

- 2.14 Motivation for Approval of the Draft Central Densification and Implementation Plan 2018 (21/4/1):
(Page 235: Economic Development and Planning Committee - Agenda 2018-09-06)

The Economic Development and Planning Committee was apprised that the purpose of the aforementioned Plan stemmed from the City Densification Strategy (2013) which purpose was to direct greater residential density to appropriate locations in order to ensure sustainable resource use and the creation of sustainable human settlements. This subsequently gave rise to an exercise to determine the potential for a more compact urban form within the Municipality.

The study is intended to provide guidelines to respond to development pressure and applications by directing and facilitating investment towards implementable densification projects that will consider a more structured response to densification within suburbs and areas that have further potential for densification.

Having noted the key aspects of the project, as outlined in the report by the City Manager, dated 2018-08-15,

COMMITTEE RECOMMENDS:

That the Final Central Densification and Implementation Plan 2018, be adopted.

ADOPTED.

2.15 EThekweni Municipality Outdoor Advertising By-Law, 2018 and Insertion of Delegations into Part C and D of the eThekweni Terms of Reference and Delegations Document (1/1/3/1/R):

(Page 248: Economic Development and Planning Committee - Agenda 2018-09-06)

The Economic Development and Planning Committee was informed that approval and promulgation of the eThekweni Municipality : Outdoor Advertising By-law, 2018 was being sought, together with the request for approval for the insertion of delegations, pursuant to the By-law, into Part C : Systems of Delegations, and Part D: System of Administrative Delegations of the Terms of Reference.

The Economic Development and Planning Committee had noted that valid comments from the public had been inserted as amendments to the By-law, following its advertisement requesting for input. The Democratic Alliance and the Inkatha Freedom Party had recorded their abstention.

At the Executive Committee meeting the Democratic Alliance and the Inkatha Freedom Party had recorded their abstention and with Majority of the members being in support,

COMMITTEE RECOMMENDS:

- 2.15.1 That the eThekweni Municipality: Outdoor Advertising By-law, 2018, be approved for final publications and promulgation in the Provincial Gazette, with the By-law taking effect on the date of publication therein.
- 2.15.2 That the promulgation Notice for the eThekweni Municipality: Outdoor Advertising By-law, 2017, be published in the Ezasegagasini Metro; and
- 2.15.3 That the Delegations contained in Annexure “C” in respect of the By-law be approved and inserted into the respective Part C and Part D of the Terms of Reference and Delegations document.

ADOPTED.

2.16 Industry Development Programme (8/1/5/1):

(Page 362: Economic Development and Planning Committee - Supplementary Agenda 2018-09-06)

The Economic Development and Planning Committee was advised that the eThekweni Municipality recognises the importance of supporting the furniture sector and its significance as a key contributor to the Local and National economy. In Durban, the furniture industry is regarded as a priority job creating sector, as it has low cost per job created, and is regarded as having the lowest barriers to entry.

The Cluster will thus focus on the following core programmes to support the industry:

- Cluster Management
- Design and innovation
- Skills Development
- Market Access
- Manufacturing Excellence; and
- Business Incubation.

Having noted the purpose and activities of each key action programme,

COMMITTEE RECOMMENDS:

- 2.16.1 That the Head: Economic Development and Investment Promotion be duly authorised to continue the City’s participation in the Furniture Industry Development programme for the development of the sector.
- 2.16.2 That subject to approval of item 1 above, the City Manager be authorised to conclude a Memorandum of Agreement to give effect to the above for the three-year period commencing 1 July 2018 to 30 June 2021.
- 2.16.3 That subject to the approval of .1 and .2 above, the Head: Economic Development and Investment Promotion be duly authorised in accordance with the Memorandum of Agreement and in line with Section 67 of the Municipal Finance Management Act, to disburse funding to the eThekweni Furniture Cluster non-profit entity amounting to R1 500 000.00 (One Million Five Hundred Thousand Rand)(no VAT) for the 2018/19 financial year; R1 750 000.00 (One Million Seven Hundred and Fifty Thousand Rand)(excluding VAT) for the 2019/2020 financial year and R2 000 000.00 (Two Million Rand) (no VAT) for the 2020/21 financial year.
- 2.16.4 That eThekweni Furniture Cluster be tasked to optimise the base finding provided by eThekweni to access additional funding for the Strategic programmes through existing Government industry and enterprise support programmes.
- 2.16.5 That the Head: Economic Development and Investment Promotion be authorised to report progress on this initiative on an annual basis.

Description	BU	Item	Fund	Costing	Project	Region	Proposed expenditure	Financial year
Grant in Aid	26102	25030.17	12120	0000	38879	0010	R1 500 000	2018/19
Grant in Aid	26102	25030.17	12120	0000	38879	0010	R1 750 000	2018/19
Grant in Aid	26102	25030.17	12120	0000	38879	0010	R2 000 000	2018/19

ADOPTED.

- 2.17 Motivation for Durban Tourism to Participate in the 25th World Travel Awards of 06 October 2018:

Page L5: Economic Development and Planning Committee - Agenda 2018-09-06)

Following a brief overview of the 24th World Travel Awards, with the aid of a video clip, the Economic Development and Planning Committee was apprised of the strategic objectives of the Destination Marketing Campaign, the envisaged benefits thereto, the institutions consulted, and the strategic, financial and legal implications thereof.

Being of the view that the event would provide a positive spin-off for the City in terms of economy and tourism and having noted the following financial implications related thereto:

COMMITTEE RECOMMENDS:

- 2.17.1 That the City’s business event financial investment partnership of R1 000 000.00 (One Million Rand) towards the co-hosting of the World Travel Awards of 06th October 2018 for 2018/2019 Financial year, be approved.

- 2.17.2 That the Acting Head: Business Support Tourism and Markets and the Deputy City Manager: Economic Developmental and Planning be authorised to engage and negotiate benefits and rights to leverage the destination and profile Durban with the Inkosi Albert Luthuli International Convention Centre (ICC).
- 2.17.3 That the City Manager be granted authority to conclude contracts with the partnership investment.

R1 000 000 (One Million Rand only) as provided for in the 2018/2019 financial year:

BU	ITEM SUB	FUND	COSTING	PROJECT	REGION
26723	22710.30	12120	0000	85505	0010

FC No.: 2019/13/06

ADOPTED.

3. REPORT OF GOVERNANCE AND HUMAN RESOURCES COMMITTEE:
MEETING HELD ON 2018-09-12

(Page R20)

- 3.1 Authority to Initiate Digital Literacy Programme and to enter into Partnership Agreement with IBM-Digital Nation Africa to Roll Out Digital Literacy Programme for Interested Citizens Within the eThekweni Municipal Area (6/2/3/1/2/5):
(Page 24: Governance and Human Resources Committee - Agenda 2018-09-12)

COMMITTEE RECOMMENDS:

- 3.1.1 That authority be granted to initiate the Digital Literacy Programme and to enter into a partnership agreement with IBM-Digital Nation Africa to roll out the Digital Literacy Programme for interested citizens within the eThekweni Municipal Area including the following:
- 3.1.1.1 To accelerate eThekweni Municipality's contribution to the alleviation of poverty, unemployment and lack of skills;
- 3.1.1.2 Facilitate access to shared resources to expand digital education learning and development opportunity for needy citizens within eThekweni Municipal Area;
- 3.1.1.3 Promoting digital literacy as much as needed skill to meet the demand for IT jobs and an opportunity to help young people to develop interest and start careers in the IT space;
- 3.1.1.4 Bridge the gap between demand for skilled labour and the supply for trained technology professionals;
- 3.1.1.5 Identifying and establishing partnerships with willing parties, both internal and external to promote digital literacy; and
- 3.1.1.6 Empower underprivileged youth to learn basic information technology skills.

- 3.1.2 That subject to the adoption of the above, authority be granted to the City Manager to enter into a formalised relationship with IBM-Digital Nation Africa through a Memorandum of Understanding (MOU).
- 3.1.3 That the Chief Learning Officer: Municipal Academy be granted authority to lead the initiative and all internal stakeholders, including but not limited to the Human Resources Unit, the Youth Office, the Communications Unit, Sizakala Centres, the Business Support and Markets Unit with the Office of the Speaker being tasked to participate towards the effectiveness of the programme.

ADOPTED.

- 3.2 Request for Capital Funds from Adjustment Budget 2018/2019 to complete Kingsburgh Cash in Transit Project (17/2/2/2/1):
(Page 33: Governance and Human Resources Committee - Agenda 2018-09-12)

COMMITTEE RECOMMENDS:

- 3.2.1 That the request for capital funds from the adjustment budget for 2018/2019 financial year to complete the Kingsburg Cash in Transit (CIT) project, be approved.
- 3.2.2 That subject to the approval of .1 above, authority be granted to the Acting Head: Sizakala Customer Service to incur expenditure in the amount of R1 070 000.00 (One Million and Seventy Thousand Rand) from the Adjustment Budget 2018/2019 to complete the Kingsburg CIT project.

ADOPTED.

- 3.3 Social Justice and Social Cohesion Learning Exchange Programme (6/3/R):
(Page 55: Governance and Human Resources Committee - Agenda 2018-09-12)

COMMITTEE RECOMMENDS:

- 3.3.1 That authority be granted for the Head: International Governance and Relations to engage in a four (4) term with the Social Justice and Social Cohesion Learning Exchange Programme, which seeks to provide an experiential learning opportunity for social development practitioners, between eThekweni Municipality and its Sister City, the City of Chicago during the respective City's summer months (Chicago - June and Durban - November/December seasons).
- 3.3.2 That subject to the approval of .1 above, authority be granted to the Head: Intergovernmental Relations to oversee the Social Justice and Social Cohesion Learning Exchange Programme and ensure appropriate sectorial representation prevails, in consultation with the Acting Deputy City Manager : Community and Emergency Services.
- 3.3.3 That the Head : Intergovernmental Relations be tasked to procure services for the implementation of the programme in line with the approved Supply Chain Management Policy and the National Treasury Circular 82 .
- 3.3.4 That the Head: Intergovernmental Relations be tasked to provide annual closeout reports to the Committee.

3.3.5

That the Speaker of eThekweni Municipality, Cllr WL Mapena be requested to provide guidance on the number of additional Councillors to accompany the Youth as part of the delegation.

Financial Implications:

Chicago learning exchange (2018-2019 and 2020-2021 financial years)

Community and Emergency Services:

Description (Officials)	Amount
Flight Costs (X1)	+/- R24 000.00
Subsistence Allowance and Accommodation (X1)	+/- R15 000.00
Travel Insurance (X1)	+/- R 1 000.00

Flights Costs and Insurance:

Business Unit- CES Cluster	Item	Fund	Costing	Project	Region
14001	22115	12120	0000	35000-4	0010

F/C No.: 32/180

Subsistence Allowance and Accommodation:

Business Unit - CES Cluster	Item	Fund	Costing	Project	Region
14001	21920	12120	0000	35000-4	0010

Intergovernmental Relations:

Description (Officials)	Amount
Flight Costs (X1)	+/- R24 000.00
Subsistence Allowance and Accommodation (X1)	+/- R15 000.00
Travel Insurance (X1)	+/- R 1 000.00

Flight Costs and Insurance

Business Unit- CES Cluster	Item	Fund	Costing	Project	Region
32410	22115	12120	0000	35000-4	0010

Accommodation Costs

Business Unit - CES Cluster	Item	Fund	Costing	Project	Region
32410	22040	12120	0000	35000-4	0010

Subsistence Allowance

Business Unit - CES Cluster	Item	Fund	Costing	Project	Region
32410	22050	12120	0000	35000-4	0010

F/C No.: 2019/06/05

As some Councillors were not in support of the above-mentioned recommendations of the Executive Committee and whilst the majority of the Councillors were in agreement the matter was put to the vote.

With 154 Councillors present, 103 Councillors (ANC – 90, IFP – 5, IND – 3, AIC – 3, APC – 1 and AL JAMA-AH - 1) voted in favour and no Councillors voted against. 51 DA Councillors abstained from voting.

The above recommendations of the Executive Committee were, by the majority vote, **ADOPTED**.

- 3.4 Secondment of Employees with Legal Qualifications for the Purpose of Serving Articles and Doing the Pupillage (4/3/8):
(Page L11: Governance and Human Resources Committee - Agenda 2018-09-12)

The Governance and Human Resources Committee noted that this initiative would allow the Municipality to have a larger pool of admitted attorneys which would subsequently reduce spending on the panel of attorneys.

On that basis,

COMMITTEE RECOMMENDS:

That authority be granted to the Head: eThekweni Municipal Academy to implement the secondment of employees with legal qualifications to the State Attorney's Office or Private Law Firms and KZN Society of Advocates to enable them to serve articles for a period of 12 months and complete the pupillage thus fully qualifying in their respective legal professions.

ADOPTED.

- 3.5 Request for Project Authorisation: Construction of eThekweni Municipal Academy Building 17/2/2/5/1:
(Page L12: Governance and Human Resources Committee - Agenda 2018-09-12)

COMMITTEE RECOMMENDS:

- 3.5.1 That authority be granted to the Head: eThekweni Municipal Academy to initiate processes for the construction of the new eThekweni Municipal Academy (EMA) Project commencing with preparation in the 2018/2019 Adjustment Budget and the next two (2) financial years (Year 1 – R2 000 000.00 (Two Million Rand); (Year 2 - R20 000 000.00) (Twenty Million Rand) and (Year 3 - R78 000 000.00 (Seventy Eight Million Rand).
- 3.5.2 That it be noted that the amounts indicated in .1 above were estimated costs received from the Architecture Department as the procurement process has not been initiated.

ADOPTED.

- 3.6 Customer Service Standards and Service Charter Workshop:
(Page L9: Governance and Human Resources Committee - Agenda 2018-09-12)

COMMITTEE RECOMMENDS:

- 3.6.1 That authority be granted to the Head: Sizakala Customer Services to incur expenditure in the amount of R22 935.00 (Twenty Two Thousand Nine Hundred and Thirty Five Rand) for the implementation of the Governance and Human Resources Committee Workshop on Customer Service Standards and Service Charter to be held at Moses Mabhida Stadium, Gold Business Club 1, on 2018-09-21.
- 3.6.2 That subject to the approval in .1 above, authority be granted to the Acting Head: Sizakala Customer Services to make all the necessary arrangements in ensuring that the Committee workshop becomes successful.

ADOPTED.

3.7 Customer Service Master Class 2018:
(Page L8: Governance and Human Resources Committee - Agenda 2018-09-12)

COMMITTEE RECOMMENDS:

3.7.1 That authority be granted to the Deputy City Manager Governance and International Relations together with the Head: eThekweni Municipal Academy, to host a Master Class and Learning Exchange on Customer Services to be held on 01 and 02 November 2018 at Moses Mabhida Stadium Presidential Club 1, at an approximately R150 000.00 (One Hundred and Fifty Thousand Rand) for a total of 80 (eighty) delegates.

3.7.2 That subject to the adoption of .1 above, the Acting Head: Sizakala Customer Services be authorised to coordinate and implement the Master Class and Learning Exchange 2018 in collaboration with the MILE (Municipal Institute of Learning).

Funds to be provided for in the 2018/2019 financial year.
FC No.: 2019/29/02

ADOPTED.

3.8 Public Service Month (2/3/2/1/2):
(Page L10: Governance and Human Resources Committee - Agenda 2018-09-12)

COMMITTEE RECOMMENDS:

3.8.1 That authority be granted to the Acting Head: Sizakala Customer Services for the implementation of the Public Service Month Programmes to be held in September/October 2018 aiming at taking the public services to the people; know your services rights; putting people first and mainstreaming and institutionalising Batho Pele principles.

3.8.2 That subject to the approval of .1 above, authority be granted to the Acting Head: Sizakala Customer Services to incur expenditure in the amount of R93 050.00 (Ninety Three Thousand and Fifty Rand) for the implementation of the Public Service Month.

Vote Number: 32501.10950.0000MRC01.0010

ADOPTED.

3.9 Naming of Street in Ward 106 Covering Waterloo (25/4/15/1):
(Page 64: Governance and Human Resources Committee - Agenda 2018-08-15)

COMMITTEE RECOMMENDS:

That the proposed and reviewed names for the unnamed streets in Ward 106 as indicated on Plan STN 2017/02/01, attached to the report by the City Manager, dated 2017-05-23, be APPROVED.

Street Code	Proposed Name	Reviewed Name	Meaning/Motivation
20261 STR	Bluebell	BLUEBELL ROAD	Bluebell is a bulbous spring flowering plant. They are arranged in clusters of 4-16 on flower spikes which drooping tips.
20263 STR	Buttercup	BUTTERCUP WAY	Buttercup has shiny yellow petals and is poisonous on humans and animals.
20264 STR	Hollyhock	HOLLYHOCK ROAD	Hollyhocks grow with heart-shape leaves. The overlapping petals provide the flower with funnel-form shape. The flower comes in purple, yellow, copper, pink, red and white.

Street Code	Proposed Name	Reviewed Name	Meaning/Motivation
20265 STR	ERICA	ERICA PLACE	Erica is a low growing, semi-sprawling woody shrub. It comes in pink, purple, white, red, orange, yellow and green flowers.
20266 STR	Carnation	CARNATION LANE	Carnations feature several flowers on stem. colours include white, yellow, pink, red fuchsia, deep purple, bi-colours and flecked.
20267 STR	Magnolia	MAGNOLIA CLOSE	Magnolia is an evergreen tree with large, lemon citronella scented flowers and white and shades of pink.
20268 STR	Sunflower	SUNFLOWER CLOSE	Sunflower have a large head. Usually black in the centre and the petals are bright yellow, orange and red.
20270 STR	Marigold	MARIGOLD CLOSE	Marigold flowers are made up of multiple layers of overlapping petals with colours yellow, orange, red and maroon.
20271 STR	Daisy	DAISY CLOSE	A daisy is made up of disk florets and petal like white ray florets. It is composed of white petals and a yellow, pink or rose colour centre.
20272 STR	Heather	HEATHER CLOSE	Heather is an evergreen shrub. The flower comes in white, through pink, a wide range of purples and red.
20273 STR	Rosewood	ROSEWOOD GROVE	The rose is a type of flowering shrub. It grows in red, yellow, white, pink, purple and peach. Roses also bear thorns.
20274 STR	Wisteria	WISTERIA GROVE	Wisteria is full of purple blossoms ranging from tiny roadside weeds to massive trees. It comes in shades of purple and pink.
202075 STR	Cyclamen	CYCLAMEN LANE	Cyclaman is a plant that has flowers with large white, purple, pink or red petals that hang downwards.

ADOPTED.

3.10

Naming of Streets in Ward 58 Covering Tongaat:

(Page 75: Governance and Human Resources Committee - Agenda 2018-08-15)

COMMITTEE RECOMMENDS:

That given all requirements for naming of the streets have been satisfied and that it is in the interest of eThekweni Municipality and the community to name the streets, it is recommended that the Members of the Governance and Human Resources Committee approve that the streets in Ward 58 covering Tongaat area be named CORAL STREET, PEARL AVENUE, SAPPHIRE PLACE, EMERALD WAY, CRYSTAL STREET AND RUBY AVENUE.

Street Code	Proposed Name	Reviewed Name	Meaning
82018	Coral	CORAL STREET	A hard stony substance secreted by certain marine coelenterates as an external skeleton, typically found on large reefs in warm seas.
82019	Pearl	PEARL AVENUE	A hard, lustrous spherical mass, typically white or bluish-grey, formed within the shell of a pearl oyster or other bivalve mollusk and highly prized as a gem.
82020	Sapphire	SAPPHIRE PLACE	A transparent precious stone typically blue which is a variety of corundum (aluminum oxide)

Street Code	Proposed Name	Reviewed Name	Meaning
82021	Emerald	EMERALD WAY	A bright green precious stone consisting of chromium- rich variety of beryl.
82022	Crystal	CRYSTAL STREET	A piece of homogeneous solid substance having a natural geometrically substance form with symmetrically arranged plane faces.
83023	Ruby	Ruby Avenue	A precious stone consisting of a corundum in colour varieties varying from deep crimson or purple to pale rose.

ADOPTED.

4. REQUEST FOR AUTHORITY FOR ETHEKWINI STAFF SPORT TEAM TO ATTEND 2018 SAIMSA GAMES IN SWAZILAND, 22-29 SEPTEMBER 2018 (13/7)

(Page 34)

The Acting Deputy City Manager: Community and Emergency Services requested that the recommendations contained in the departmental report be amended by the addition of a further recommendation authorizing the Speaker to approve the number of Councillors to attend the Games for the purposes of carrying out Political oversight.

Accordingly,

COMMITTEE RECOMMENDS:

- 4.1 That authority be given to the Head: Parks, Recreation and Culture to lead the coordination of eThekweni delegation to participate in the Southern African Municipal Games to be held from 22 to 29 September 2018 in Swaziland at an estimated cost of R380 000,00 (Three Hundred and Eighty Thousand Rand).
- 4.2 That subject to the adoption of .1 above, and subject to the approval from the Deputy City Manager: Finance, authority be granted to pay the pre-payment affiliated fee as required by the organizers and accommodation establishments.
- 4.3 That the Interim Staff Sport Committee, under the guidance of Parks, Recreation and Culture leads the coordination and logistical preparations for team eThekweni's participation, including attending pre-planning meetings and site visits, with political oversight provided by Councillors.
- 4.4 That the Speaker be authorized to approve the number of Councillors who would attend the abovementioned Games for the purposes of carrying out Political oversight.

Financial Implications:

The budget for staff sport is catered for and is located at the Sport and Recreation Department, under the Parks, Recreation and Culture Unit. The 2018/2019 budget for staff sport is R380 000 and will be sufficient to cover all logistics attached to the trip, which includes affiliation fees, travel, accommodations, meals, medical equipment, playing equipment and other contingency expenditure for an estimated delegation of 120. Refer Annexure below:

Breakdown of Costs for 2018 SAIMSA Games to be held in Swaziland:

Description	Amount
Transport	R100 000.00
Accommodation	R200 000.00
Meals	R60 000.00
Affiliation fees	R10 000.00
Petrol, tolls, laundry, airtime and contingency	R10 000.00
TOTAL	R380 000.00

Due to the to the limited budget available in the Sport Vote, things such as clothing have not been included and the delegation may be need to be reduced due to the limited budget, or additional budget be sourced elsewhere.

Breakdown of Team eThekweni 2018 SAIMSA Games:

Code	Number of Players
Football	22
Netball	16
Volleyball	22
Tennis	7
Table Tennis	8
Golf	8
Darts	4
Officials	20
Physios	2
Councillors	11
TOTAL	120

Funding:

Vote: Staff Sports - 26003.Variou R380 000.00 Provided 2018/2019 FC No.: 32/195
Vote: Councillors - 32123.Variou R 35 000.00 Provided 2018/2019 FC No.: 19/8/18

As some Councillors were not in support of the above-mentioned recommendations of the Executive Committee on the basis that the accommodation logistics had not been satisfactory with a huge amount of money that had been paid therefor. It was requested that an investigation be conducted in respect thereof. However, the majority of the Councillors were in agreement with the recommendations indicating that whilst both Swaziland and South Africa were not similar in their accommodation practices the issue of the sporting code should be supported. The matter was thereafter put to the vote.

With 156 Councillors present, 106 Councillors (ANC – 93, IFP – 5, IND – 3, AIC – 3, APC – 1 and AL JAMA-AH - 1) voted in favour and no Councillors voted against. 50 DA Councillors abstained from voting.

The above recommendations of the Executive Committee were, by the majority vote, **ADOPTED.**

5. BACK TO BASICS REPORT FOR QUARTER 4 OF 2017/2018 (2/3/2/1/2)

(Page 49)

In seeking clarity on issues some Members of the Executive Committee made a point that the Indigent Register should be converted to a housing list and the actual quality of free basic removal services being provided to Indigent households should be quantified.

Thereafter,

COMMITTEE RECOMMENDS:

That in terms of Circular No. 4 of 2018 from the Provincial Department of Co-operative Governance and Traditional Affairs, the Back to Basics Report for Quarter 4 of the 2017/2018 financial year, details of which are contained in the report of the City Manager dated 2018-08-24 and the summary of the assessment score as indicated hereunder, be noted.

Summary of Assessment Score for Quarter 4

PILLAR	PILLAR NAME	TOTAL POINTS	ACTUAL ACHIEVED	
			No. of Points	Percentage
A.	Putting People First	8	6	75%
B.	Delivering Basic Services	20	18	90%
C.	Good Governance	12	12	100%
D.	Sound Financial Management	19	13	68%
E.	Building Capable Local Government Institutions	8	7	88%
	TOTAL	67	56	84%

NOTED.

(In the absence of Her Worship the Mayor, Councillor ZRT Gumede, the Deputy Mayor, Councillor F Peer presented the Second Report of the Executive Committee).

SECOND REPORT OF THE EXECUTIVE COMMITTEE

(Meeting held 2018-09-26)

PRESENT : Executive Committee Members ZRT Gumede (Mayor and Chairperson), F Peer (Deputy Mayor), HU de Boer, BA Fortein, NL Graham, SA Kaunda, MM Mthembu, TM Mthethwa, MS Nkosi and ZR Sokhabase.

1. REPORT OF THE SECURITY AND EMERGENCY SERVICES COMMITTEE:
MEETING HELD ON 2018-09-19

(Page R1)

1.1 Renewal of Memorandum of Agreement between eThekweni Municipality and
Department of Correctional Services Within Management Area (28/1/1/1):
(Page 147: Security and Emergency Services Committee - Agenda 2018-09-19)

The Security and Emergency Services Committee noted that the purpose of the report was to seek the following:

- a) To renew the existing Memorandum of Agreement signed on 30 June 2015 between the eThekweni Municipality and Department of Correctional Services operating within the Durban Management Area on ex Offender Reintegration.
- (b) To undertake a reflective workshop with critical stakeholders to assess progress and review the implementation plan of the existing Memorandum of Agreement.
- (c) That subject to approval of the Memorandum of Agreement, the Security and Emergency Services Committee grant the Head : Safer Cities Unit a custodianship role to facilitate and co-ordinate the implementation of the Memorandum of Agreement in partnership with other eThekweni Municipal Units and Departments.

In expressing concern on the issue of crime and rehabilitation of ex-offenders into society, some Members of the Executive Committee requested a presentation or further reports on the implementation plan of the Memorandum of Agreement that would further highlight the manner in which ex-offenders could be integrated into society.

Being in agreement,

COMMITTEE RECOMMENDS:

1.1.1 That the renewal of the Memorandum of Agreement between eThekweni Municipality and the Department of Correctional Services : Durban Management Area, be approved.

1.1.2 That, subject to the approval of the Memorandum of Agreement, the Security and Emergency Services Committee grant the Head : Safer Cities Unit a custodianship role to facilitate and co-ordinate the implementation of the Memorandum of Agreement in partnership with other eThekweni Municipal Units and Departments.

ADOPTED.

2. REPORT OF THE COMMUNITY SERVICES COMMITTEE: MEETING HELD ON 2018-09-17

(Page R3)

2.1 Implementation of Soup Kitchen Expansion Programme: Addition of 18 New Soup Kitchens: Phase 5 (19/1/1/1/2):
(Page 16: Community Services Committee - Agenda 2018-09-17)

The Community Services Committee noted that currently there were 73 soup kitchens operating within targeted areas of the Municipality and the report was seeking authority to implement Phase 5 of the Soup Kitchen Expansion Programme which was regarding the establishment of additional 18 Soup Kitchens in the 2018/19 financial year.

Emphasis was made on a need to upgrade Health and Safety standard within Soup Kitchens in order to address concerns regarding unhealthy and unhygienic environment that they operated under currently. Amongst other issues, installation of water, electricity, renovations and strengthening of security in respective Wards was mentioned.

With Executive Committee Members N Graham, H Du Boer and TM Mthethwa of the Democratic Alliance abstaining,

COMMITTEE RECOMMENDS:

- 2.1.1 That the Head: Community Participation and Action Support be granted authority to establish eighteen (18) new Soup Kitchen sites as part of Phase 5 of the Soup Kitchen Project, an initiative established to address the issues of poverty faced by communities in an effort to expand it to other poverty stricken areas.
- 2.1.2 That subject to approval of .1 above, the Head: Community Participation be authorised to incur the necessary capital expenditure of R1 184 000.00 (One Million Hundred and Eighty Four Thousand) which was allocated and approved in the 2018/19 Financial Year to procure 18X6m and 18X3m steel containers through the competitive bidding process in accordance with Section 19 of the Supply Management Policy.
- 2.1.3 That subject to approval of .1 above and prior to the implementation of this Soup Kitchen Project, the Head: Community Participation and Action Support be tasked to submit a quarterly implementation plan containing specific information such as specific areas of implementation, budget and timelines, in order for the Committee to monitor the progress of the above project.

Financial Implications:

A capital budget of R1 184 000 00 has been allocated and approved in the 2018/19 financial year for the Soup Kitchen Programme. This will be utilised to commence the procurement process for the 18X6m and 18X3m steel containers.

Vote number: 32309.45360.12120.CPAS02AZI.0010

FC. No.: 2012/06/CA01

ADOPTED.

2.2 Addendum to the Memorandum of Agreement Entered into between the KwaZulu-Natal Provincial Department of Arts and Culture and eThekweni Municipality:

(Page 30: Community Services Committee - Agenda 2018-09-17)

The Community Services Committee noted that there was a Memorandum of Agreement existing between eThekweni Municipality and the KwaZulu-Natal Provincial Department of Arts and Culture. It was further highlighted that the purpose of this report was to seek authority for the addendum to the Memorandum of Agreement for placement of KwaZulu-Natal Provincial Department of Arts and Culture interns to work within the Municipality's Libraries and Heritage Department. Departments were commended for providing such opportunities for unemployed graduates to be placed at various locations for the 2017/2018 and 2018/2019 in order to serve and gain the necessary work experience, skills and exposure thus rendering them to be more employable.

Furthermore, it was noted that the placement of interns would be effective for the time period within which the Memorandum of Agreement (MOA) was still applicable and that eThekweni Municipality would undertake to assist with access to computers, printers, internet services, office space and any other equipment that might be needed for the duration of replacement.

It was noted that the process would begin to be implemented through Skills Department instead of the Parks, Recreation and Culture Unit.

Accordingly,

COMMITTEE RECOMMENDS:

- 2.2.1 That the Addendum to the existing Memorandum of Agreement with the KwaZulu-Natal Department of Arts and Culture (KZNDAC) to engage in an internship Placement Programme which seeks to offer workplace experiential learning opportunities to unemployed graduates and students in their final year of study be retrospectively adopted.
- 2.2.2 That subject to the adoption of .1 above, four (4) interns be placed under the Libraries and Heritage Department (i.e Local History Museums and the Natural Science Museum) for the period commencing 1 November 2017 and terminating 31 October 2018 it being recorded that the Heritage Department will provide practical skills, work experience to the museum environment to graduates that have applied for an internship with KZNDAC.
- 2.2.3 That it be noted that placement of interns would be effective for the time period while the MOA is applicable.
- 2.2.4 That eThekweni Municipality would undertake to assist with access to computers, printers, internet services, office space and any other equipment that might be needed for the duration of their placement.

ADOPTED.

- 2.3 Request for Approval of Events/Programme Report: Durban Art Gallery: 2018/19 Financial Year:
(Page 35: Community Services Committee – Agenda 2018-09-17)

The Community Services Committee noted that the purpose of the report was an update on upcoming events within the Durban Art Gallery's DAC events, inclusive of supporting programmes and public engagement activities for the 2018/2019 financial year in terms of circular 15/2015. The report was therefore seeking authorization of expenditure on costs attached to Durban Art Gallery's planned events, programmes and associated public activities that were funded from the Provincial Museum Subsidy and operational budget provided by Council.

Accordingly,

COMMITTEE RECOMMENDS:

- 2.3.1 That the Head: Parks, Recreation and Culture be granted authority to incur expenditure to the value of R1 750 640 (One Million, Seven Hundred and Fifty Thousand, Six Hundred and Forty Rand) to implement upcoming events for the Durban Art Gallery 2018/19 financial year as reflected in the City Manager's Report dated 2018-07-05.
- 2.3.2 That subject to approval of .1 above, prior to the implementation of the Durban Art Gallery 2018/19 financial year, the Parks Recreation and Culture Unit be tasked to submit a quarterly implementation plan containing specific information such as specific areas of implementation, budget and timelines, in order for the Committee to monitor the progress of the above project.

Financial Implications:

Programmes, events and projects of the Durban Art Gallery detailed in the City Manager's report dated 2018-07-05 are funded from the Provincial Museum Subsidy and Operational Budget Provided by Council. Details of estimated amounts involved have been reflected in the report.

Vote number: 15510. Various R1 750 640 Provided 2018/19
FC Number: 34/35

ADOPTED.

- 2.4 Request for Approval to disburse funds to the former University of Durban Westville's Fine Arts Department: Legacy Art Exhibition Project: 2018/19 Financial Years:
(Page 46: Community Services Committee – Agenda 2018-09-17)

The Community Services Committee noted that the Legacy Art Exhibition Project was aimed at celebrating the erstwhile contribution of the current defunct Department of Fine Arts emanating from former University of Durban Westville.

Accordingly,

COMMITTEE RECOMMENDS:

2.4.1 That the Head: Parks, Recreation and Culture be granted authority to disburse funds to the former University of Westville’s Fine Arts Departments to the amount of R365 000.00 (Three Hundred and Sixty Five Thousand Rand) to host a research-based art exhibition in celebrating past students and academics of the Department and thus produce and expand knowledge for the benefit of future generations.

2.4.2 That subject to approval of .1 above, prior to the implementation of the Legacy Art Exhibition Project, the Head: Parks Recreation and Culture be tasked to submit a quarterly implementation plan containing specific information such as specific areas of implementation, budget and timelines, in order for the Committee to monitor the progress of the above project.

A budget of R 365 000.00 was estimated to be disbursed on the project as follows:

FC No.: 34/331

Vote No. 15510.21805.12120.0000.53500-12

ADOPTED.

2.5 Request to Disburse Public Funds on City Wide Mural Programme: City Beautification and Economic Empowerment through Visual Art: 2018/19 Financial Year:

(Page 52: Community Services Committee – Agenda 2018-09-17)

The Community Services Committee noted the report to request the disbursement of public funds on a city-wide mural programme themed “Intellectual Enrichment”, targeting twenty (20) public libraries. It was highlighted that the main purpose of the programme was to campaign to contribute towards the beautification of the City of eThekweni as well as economic empowerment through the visual art sector.

Accordingly,

COMMITTEE RECOMMENDS:

2.5.1 That the Head: Parks, Recreation and Culture be granted authority to disburse public funds to the value of R800 000 00 (Eight Hundred Thousand Rand) on City-Wide Mural Programme- City Beautification and Economic Empowerment through visual Art for the 2018/19 financial year.

2.5.2 That subject to approval of .1 above and prior to the implementation of the City-Wide Mural Programme, the Head: Parks Recreation and Culture be tasked to submit a quarterly implementation plan containing specific information such as areas of implementation, budget and timelines, in order for the Committee to monitor the progress of the above project.

R800 000.00; FC No: 34/332

Vote Number:

BUSINESS UNIT	ITEM. SUB	FUND	COSTING	PROJECT	REGION
15510	11330	12120	0000	77100	W028

ADOPTED.

2.6 Gospel Icon Discovery Competition 2018:
(Page 59: Community Services Committee - Agenda 2018-09-17)

At the Executive Committee meeting, some members of the Committee expressed concern that in the absence of a breakdown of costs, the amount being utilized was considered to be exorbitant. Clarity was further sought on the criteria applied in the selection of youth, taking cognisance that there existed a lot of talented youth who were struggling to be recognized.

In acknowledging the concerns raised the assurance was given that participants in future competition would be addressed holistically and in that regard the Chairperson of the Community Services Committee was requested to provide a comprehensive on such issues would be addressed.

With Executive Committee Members N Graham, H Du Boer and TM Mthethwa of the Democratic Alliance abstaining and majority of the Members in support,

COMMITTEE RECOMMENDS:

2.6.1 That the Head; Parks, Recreation and Culture be granted authority to incur expenditure to the amount of R5 380 000.00 (Five Million, Three Hundred and Eighty Thousand Rand) in order to implement the 6th Annual Gospel Icon Discovery Competition which would provide opportunity for the Youth of eThekweni to develop their Musical skills and to prosper as professional artists which would include auditions, workshops, rehearsal, finale and winners' studio recordings and CD Launches as reflected in the City Manager's Report dated 2018-07-11.

2.6.2 That subject to approval of .1 above, the procurement of services in line with the Supply Chain Management Services be limited to the allocated budget of R5 380 000.00.

FC No. 32/192

ADOPTED.

2.7 Community Based Planning 2018/2019 Financial Year:
(Page 78: Community Services Committee – Supplementary Agenda 2018-09-17)

COMMITTEE RECOMMENDS:

2.7.1 That the Head: Community Participation and Action Support be granted authority to incur expenditure of R513 000.00 (Five Hundred and Thirteen Thousand Rand) to implement Community Based Planning Programmes to 9 (nine) Wards that were affected by demarcation in 2016.

2.7.2 That subject to approval of .1 above and prior to the implementation of the Community Based Planning Programme, the Head: Community Participation and Action Support be requested to submit a quarterly implementation plan containing specific information such as specific areas of implementation, budget and timelines, in order for the Committee to monitor the progress of the above project/exercise oversight.

Schedule for Wards affected by demarcation 2016:

Date	Wards	Comment	Resources	Venues
05-06 October 2018	Outer West 04	1 st Weekend	Catering, Transport, Sound System	TBC
13 October 2018	Outer West 04	2 nd Weekend	Catering, Transport, Sound System	TBC
05-06 October 2018	South Central 86	Launch and 1 st weekend	Catering, Transport, Sound System	TBC
13 October 2018	South Central 86	2 nd Weekend	Catering, Transport, Sound System	TBC
05-06 October 2018	North Central 38	1 st Weekend	Catering, Transport, Sound System	TBC
13 October 2018	North Central 38	2 nd Weekend	Catering, Transport, Sound System	TBC
06-06 October 2018	South 95,96,94	1 st Weekend	Catering, Transport, Sound System	TBC
13 October 2018	South 95,96,94	2 nd Weekend	Catering, Transport, Sound System	TBC
05-06 October 2018	North 50,52,58	1 st Weekend	Catering, Transport, Sound System	TBC
13 October 2018	North 50,52,58	2 nd Weekend	Catering, Transport, Sound System	TBC

Financial Implications for CBO roll out to 8 wards:

Vote Numbers:

No	Expense	Bus Unit	Item	Fund	Costing	Project	Region
1.	Sound Hire	32311	11760	12120	0000	38300	0010
2.	Catering	32311	11400	12120	0000	38300	0010
3.	Hire of Venue	32311	27999-7051	99000	7051	PD001	0010
4.	Transport	32311	21805	12120	0000	38300	0010

ADOPTED.

2.8 Appointment of Volunteers and Renewal of Memorandum of Understanding:
(Page 83: Community Services Committee - Agenda 2018-09-17)

The Community Services Committee noted the purpose of the report, namely to seek authority to engage a team of volunteers for a period commencing 20 September 2018 to work on finalizing the renewal of the Memorandum of Understanding (MOU) with the Department of Home Affairs.

Accordingly,

COMMITTEE RECOMMENDS:

- 2.8.1 That 80 (eighty) volunteers be recruited for a period of 3(three) months, effective from 20 September 2018, for purposes of Population and Voter registration.
- 2.8.2 That subject to approval of .1 above, the process of the renewal of the Memorandum of Understanding be finalised within 3 (three) months, commencing 20 September 2018.
- 2.8.3 That subject to the adoption of item .1 and .2 above, authority be granted for the volunteers to be converted to the provisions of the terms and conditions of the Memorandum of Understanding.

2.8.4 That subject to adoption of .1, .2 and .3 above, the Head: Community Participation and Action Support be authorised to incur such expenditure in the amount of R3 080 000.00 (Three Million and Eighty Thousand Rand) to pay the volunteers a stipend at the rate of R175.00 per day for the 2018/2019 financial year.

The financial implications proposed was as follows:

80 volunteers daily stipend rate of R 175.00 = R3 080 000.00.

It was noted that the budget allocation for the 2018/19 was R1 995 000.00 (One Million, Nine Hundred and Ninety Five Thousand Rand) and a virement of budget transfer of R1 085 000.00 (One Million and Eighty Five Thousand Rand) would be effected from Vote No. 32305.18950-10.12120.0000.37200.0010 to fund the shortfall of funds.

FC No.: 2019/06/11

ADOPTED.

2.9 Masakhane Outreach Programmes Report 2018/2019 Financial Year
(Page 86: Community Services Committee - Agenda 2018-09-17)

The Community Services Committee noted that the Masakhane programme strived to enhance communication between Government and Communities through various platform of community participation.

It was advised that requests for inclusion of Wards that were not included in the report be submitted to the office of the Chairperson of the Community Services Committee.

At the Executive Committee meeting concerns were expressed on the exorbitant amount being paid for the hire of a PA system and transport and in response it was pointed out that the amounts indicated were in terms of many outreach programmes that were being held in the various wards.

On that basis,

COMMITTEE RECOMMENDS:

2.9.1 That the Head: Community Participation and Action Support be granted authority to incur expenditure to the amount of R1 405 500.00 (One Million Four Hundred Five Thousand and Five Hundred) to implement a total of 42 Masakhane Outreach Programme for the financial year 2018/19, with each implementation estimated at R33 463.

2.9.2 That subject to approval of 1 above, it be noted that procurement of the logistics should comply with the Supply Chain Management processed.

The financial implications:

Required for roll out of 42 events were as follows with each Masakhane cost estimated amount of R33 465.00 (Thirty Three Thousand, Four Hundred and Sixty Five Thousand Rand)

LOGISTICS	AMOUNT	VOTE NUMBER
Venue Hire	84 000.00	32306.27999-7051.99000.7051.PD001.0010
Hire of Marquees	450 000.00	32306.18950-10.12120.000.38300.0010
Transport	126 000.00	32306.21805.12120.0000.38300.0010

LOGISTICS	AMOUNT	VOTE NUMBER
Refreshments	157 500.00	3206.11400.12120.0000.38300.0010
P A Systems	420 000.00	30306.11760.12120.000.38300.0010
Ablution facilities	84 000.00	32306.10670-11.12120.0000.38300.0010
Fruit Packs	84 000.00	32302.14105-54.12120.0000.MRC01.0010
Total	1 405 500.00	

FC Number 2019/06/14

ADOPTED.

2.10

Sundry Grant-in-Aid 2018/2019:

(Page 94: Community Services Committee - Agenda 2018-09-17)

During discussion of the item at the Community Services Committee, the Democratic Alliance recorded its support for the programme and requested that it be inclusive of all Councillors.

Accordingly,

COMMITTEE RECOMMENDS:

2.10.1

That the Head: Community Participation and Action Support be granted authority to incur costs to the amount of R5 677 000.00 (Five Million Six Hundred and Seventy Seven Thousand Rand) to implement Sundry Grant-in-Aid for 161 approved beneficiaries for 2018/2019 financial year, as reflected in Annexure C of the City Manager's report dated 2018-09-03.

2.10.2

That the Head: Community Participation and Action Support be granted authority to incur cost to the amount of R480 000.00 (Four Hundred and Eighty Thousand Rand) to implement 6 Distribution Events within 6 regions at a cost of R80 000 per event inclusive of catering, sound, entertainment and other logistics.

2.10.3

That subject to the adoption of .1 and .2 above, the Head Community Participation be authorised to procure goods and services in line with the Supply Chain Management Policy and Procedure.

FC No.: 2019/06/15

ADOPTED.

2.11

Grant-In-Aid Ad-Hoc Applications:

(Page 137: Community Services Committee - Supplementary Agenda 2018-09-17)

The Community Services Committee noted that the report intended to seek approval for the Grant Ad-Hoc applications received from Imbilla Centre and Masibambane Community Development.

Accordingly,

COMMITTEE RECOMMENDS:

2.11.1

That the Head: Community Participation and Action Support be granted authority to approve the application for Ad-Hoc grants of Imbilla Centre to the value of R32 000.00 (Thirty Two Thousand Rand)

- 2.11.2 That the Head: Community Participation and Action Support be granted authority to approve application for Ad-Hoc grants of Masibambane Community Development to the value of R200 000.00 (Two Hundred Thousand Rand)

The Financial implication would be as follows:

No	Details	Amount
1	Ad hoc Grant to Imbilla Centre	R 32 000.00
2.	Ad-Hoc Grant to Masibambane Community Development	R200 000.00
	TOTAL	R232 000.00

Vote: 32301.25040.12120.0000.38870.0010 R232 000.00

FC No.:2019/06/13

ADOPTED.

- 2.12 Review of Stipend Payable to Soup Kitchen Volunteers:
(Page L15: Community Services Committee - Agenda 2018-09-17)

The Community Services Committee considered the request to review stipends payable to volunteers at the Soup Kitchens and transportation of soup to beneficiaries. The Committee noted that that there were two kinds of volunteers in this regard one being Soup Kitchen Volunteers assisting with preparation of soups in soup kitchens and the kind being Soup Kitchen volunteers using their private vehicles to deliver soups to various areas away from central soup kitchens.

The proposal was that a flat rate of R100 for soup kitchen volunteers be reviewed to R175 (One Hundred and Seventy Five Rand) and the soup kitchen drivers rate of R245 (Two Hundred and Forty Five Rand) be reviewed to R260 00 (Two Hundred and Sixty Rand)

COMMITTEE RECOMMENDS:

- 2.12.1 That the stipend payable to Soup Kitchen Volunteers assisting within the kitchen be increased from R100 (One Hundred Rand) to R175.00 (One Hundred and Seventy Five Rand) with effect from 1 July 2018.
- 2.12.2 That the stipend payable to the Soup Kitchen Volunteers (Drivers) be increased from R245.00 (Two Hundred and Forty Five Rand) to R260.00 (Two Hundred and Sixty Rand) with effect from 1 July 2018
- 2.12.3 That subject to the adoption of .1 and .2 above, the Head: Community Participation and Action Support be authorised to incur an additional cost of R6 100 000.00 (Six Million, One Hundred Thousand Rand) to implement the review stipend payable to soup kitchens volunteers.
- 2.12.4 That authority be granted for savings to be identified in the adjustment budget to fund the increase in the soup kitchen.

Financial Implications:

Based on the existing rates paid to the volunteers, the cost is R13 338 000.00 (Thirteen Million, Three Hundred and Thirty Eight Rand) per annum. The revised rates will cost an additional R6 100 000.00 (Six Million and One Hundred Thousand Rand) per annum which is funded from virements budget 2018/2019. Sufficient funds exist in the 2018-2019 budget to incur such additional expenditure.

Vote Number:

Details	Business Unit	Item	Fund	Costing	Project	Region	
Honoraria	32309	19000	12120	0000	57100	0010	R15 129 082

FC No: 2019/06/20

ADOPTED.

- 2.13 Request for Approval of Two Councillors and a Group of Learners (The Winners of the Local History Museums Passbook Competition), an Educator and a Living Legend to Travel to Bremen, Germany, from 01 to 13 November 2018 to Participate in the Night of the Youth Festival and Other Intercultural Exchange Programmes:
(Page L16: Community Services Committee - Agenda 2018-09-17)

The Community Services Committee noted that the purpose of the report was to seek permission for eight learners, one educator and two Councillors of eThekweni Municipality Local History Museum together with a living legend, to travel to the Sister City Bremen, Germany, from 01-13 November, to participate in the Night of the Youth Festival and other intercultural exchange programme.

It was noted that the report was in accordance with strategic objectives of the Parks, Recreation and Culture Unit, namely; to deliver on Plan 5 and 6 of the IDP of the eThekweni Municipality.

Accordingly,

COMMITTEE RECOMMENDS:

- 2.13.1 That 8 (eight) Learners, an Educator, two Councillors of eThekweni Municipality Local History Museum and a living legend be approved to travel to the Sister City Bremen, Germany from 01 to 13 November 2018 to participate in the Night of the Youth Festival and other intercultural exchange programme.
- 2.13.2 That the Office of the Speaker together with Committee leadership nominates two (2) Councillors to travel to Sister City Bremen, German from 01-13 November 2018 in order to attend the Night of the Youth Festival and other intercultural exchange programme.

The Financial implication:

	Flights	Insurance	Subsistence allowance	Visa	Ac & local transport costs	Total
8 Learners	8 ×R10 503 = R84 024	8×450 =R3600	R20 000 for 8 learners and an educator	Subsidized by Germany Embassy	Subsidies by Bremen City	R107 624
LHM Official (Project Manager)	Subsidized by Durban German Consulate	450	R16 841	Subsidized by Durban German Consulate	Subsidized by Bremen City	R17291
LHM Official	R10 503	450	R 16841	R 1330	Subsidized by Bremen City	R29 124
Educator	R10 503	450	NIL	R 1330	Subsidized by Bremen City	R12 283
The Living Legend	Nil	Nil	Nil	Nil	Nil	Nil

	Flights	Insurance	Subsistence allowance	Visa	Ac & local transport costs	Total
Nominated Councillor	R10503	R450	R16 481	R1330	R1700× 10 = R17000	R45 764
Total						R212 086

FC No.: (Local History Museum) 34/339 R166 322 15032 various.12120.35000-4

FC No.: (Speakers Officer) 2019/08/20 R45 764 32123 various.12120.35000-4

ADOPTED.

- 2.14 Implementation of Programme from October to November 2018:
(Page L1: Community Services Committee - Agenda 2018-09-17)

COMMITTEE RECOMMENDS:

- 2.14.1 That the Head: Community Participation and Action Support Unit be granted authority to implement a programme of action as contained in the report of the Deputy City Manager: Governance and International Relations dated 2018-09-05.
- 2.14.2 That subject to approval of .1 above and prior to the implementation of each programme, the Head: Community Participation and Action Support be tasked to submit a quarterly implementation plan containing specific information such as areas of implementation, budget and timelines, to enable the Committee to monitor the progress of the above project/exercise.

ADOPTED.

3. DURBAN PENSION FUND: OPTION TO MEMBERS TO TRANSFER TO KZN MUNICIPAL PENSION FUND ON AN ANNUAL BASIS (4/5/1/4)

(Page 32)

COMMITTEE RECOMMENDS:

- 3.1 That the offer to allow members of the Durban Pension Fund to transfer to the KZN Municipal Pension Fund on an annual basis, be approved.
- 3.2 That subject to the adoption of .1 above, the costs in respect of communication exercise and associated professional services, totaling up to R50 000.00 (Fifty Thousand Rand) each year, be approved.

ADOPTED.

4. APPROVAL FOR ETHEKWINI MUNICIPALITY'S PARTICIPATION IN THE FUTURE CITIES PROGRAMME IN THE UNITED KINGDOM PROSPERITY FUND (7/4/1 & 20/1/7/1)

(Page 36)

With the recommendations in the report having been amended by the inclusion of a further recommendation to indicate that the Chief Strategy Officer and Deputy City Manager: Human Settlements, Engineering & Transport be requested to jointly coordinate Durban's participation in the first phase of the Future Cities Programme,

COMMITTEE RECOMMENDS:

- 4.1 That Council supports further scoping work required to develop a meaningful partnership with the United Kingdom Prosperity Fund and the Future Cities Programme.
- 4.2 That Council supports the issuing of a positive response from the City Manager's office to the letter of invitation received from the British High Commission regarding eThekweni Municipality's participation in the first phase of the Future Cities Programme.
- 4.3 That the Sustainable and Resilient City Initiatives Unit report back to Council on progress made in advancing this partnership, should eThekweni Municipality receive technical support through the Future Cities Programme.
- 4.4 That the Chief Strategy Officer in the Strategic Management Strategy Office and Deputy City Manager: Human Settlements, Engineering & Transport be requested to jointly coordinate Durban's participation in the first phase of the Future Cities Programme.

Financial Implications:

There are no direct financial implications associated with the partnership with the United Kingdom Prosperity Fund. However, should the Municipality decide to supplement the technical support from Kingdom Prosperity Fund, this would need to be financed by the city. This is yet to be decided, and will be subject to the relevant approval processes.

ADOPTED.

5. REQUEST FOR ETHEKWINI MUNICIPALITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH TOKYO METROPOLITAN GOVERNMENT (12/8/1/1 & 32/2/2)

(Page 46)

In welcoming the abovementioned Memorandum of Understanding (MOU) some Members of the Executive Committee expressed the hope that the lessons learnt would be implemented in the City, especially in respect of challenges being experienced with plastic on the beaches, its recycling thereof and proper management of waste. A further request was for the contents of the MOU to be submitted to this Committee for scrutiny.

In response assurance was given that the City Manager and relevant Officials were authorised to craft a draft MOU that would be vetted by the Head: Legal Services in the first instance.

Accordingly,

COMMITTEE RECOMMENDS:

- 5.1 That Council acknowledges the collaboration with member Cities on Local and International climate issues and projects that can deliver measurable greenhouse gas reductions and enhanced adaptation to climate change.

- 5.2 That in noting the contents of the report on the abovementioned MOU, authority be granted to the Head: Mayoral Parlour and Head: Governance & International Relations to facilitate discussions and activities on the content of areas of interest with Tokyo, Japan.
- 5.3 That authority be granted to Her Worship the Mayor, Councillor ZRT Gumede, to enter into a Memorandum of Understanding with the Governor of the Tokyo Metropolitan Government to learn and exchange ideas and policies to support the City in taking bold steps that will bring justice to the urban environment for the benefit of future generations.

Financial Implications:

eThekweni Municipality will have to facilitate the signing of the Memorandum of Understanding by both parties in persons and travel cost may be incurred. The total travel cost for relevant delegation is estimated to R80 000.00 (Eighty Thousand Rand).

ADOPTED.

6. MONTHLY REPORT ON INVESTMENTS (7/11/4)

(Page 53)

COMMITTEE RECOMMENDS:

That in line with the requirements of the Municipal Cash Management and Investment Regulations of the Municipal Finance Management Act, 2003, the report on investments for eThekweni Municipality as at 2018-08-31, which records the total funds invested at financial institutions as R6 901 947.00 (Six Million Nine Hundred and One Thousand, Nine Hundred and Forty Seven Rand), at an average rate of return on investments of 7.88%, as submitted by the City Manager, be noted.

NOTED.

7. REPORT ON AWARDS MADE BY THE CITY FOR THE MONTH OF AUGUST 2018 (9/1/3)

(Page 59)

COMMITTEE RECOMMENDS:

- 7.1 That the public tender awards made by the City for the month of August 2018, inclusive of awards made in terms of Section 36 of the Supply Chain Management Regulations, as contained in the report by the City Manager dated 2018-09-13, be noted.
- 7.2 That it be noted that where information is available for wards and registration numbers, it is included in the report, as information used to compile the report is taken from submissions made by Units.
- 7.3 That the City Manager reserves the right to investigate the awards with a view to taking disciplinary, criminal and recovery actions where wilful and negligent violation of the Supply Chain Management Policies and the Municipal Finance Management Act provisions are observed.

- 7.4 That the City Manager shall table a report to the Committee relative to the disciplinary, criminal and recovery actions taken, it being recorded that the City Manager can only respond when the reports are available.

Recommendations 7.1 and 7.2 NOTED and Recommendations 7.3 and 7.4 ADOPTED.

8. BUDGET ADJUSTMENT FOR CONTRACT E.9347 : AUTHORITY TO UTILISE SECTION 116(3) OF THE MUNICIPAL FINANCE MANAGEMENT ACT FOR THE CLEARANCE AND ERADICATION OF VEGETATION IN CLOSE PROXIMITY TO LV AND MV POWER LINES AND SUBSTATIONS UP TO AND INCLUDING 11 000 V DURING A TWENTY FOUR MONTH PERIOD (27/2/1/3/R & 9/1/3)

(Page 83)

Concerns were raised on various issues relating to the utilization of Section 116(3), especially in respect of the huge increase in project authority, lack of work schedules in terms of the work being undertaken and areas concerned, with the entanglement of electricity infrastructure being of a major issues. The comment made was that it could be ill planning especially as halfway through the contract costs have been depleted with an estimated 55% increase on the extension and furthermore service delivery requests were not determined in advance.

With sufficient justification being provided for the use of Section 116(3) of the Municipal Finance Management Act,

COMMITTEE RECOMMENDS:

- 8.1 That Council notes the reasons for the proposed amendment to the increase in contract sum for Contract E9347, as contained in the report of the City Manager dated 2018-09-07 relative to authority to utilise Section 116(3) of the Municipal Finance Management Act for the Clearance and Eradication of Vegetation in close proximity to LV and MV Power Lines and Substations up to and including 11 000 V during a Twenty Four Month Period for the total value of R13 000 000.00 (Thirteen Million Rand), inclusive of VAT, and thereby authorizes the Accounting Officer to:
- 8.1.1 Give reasonable notice to the Local community of the intention to amend the contract: and
- 8.1.2 Invite the Local community to submit representations to the Municipality.

ADOPTED.

9. BUDGET ADJUSTMENT FOR CONTRACT E.9314: AUTHORITY TO UTILISE SECTION 116(3) OF THE MUNICIPAL FINANCE MANAGEMENT ACT FOR THE MAINTENANCE AND REPAIR OF MEDIUM AND LOW VOLTAGE SUBSTATIONS AND MEDIUM AND LOW VOLTAGE OVERHEAD AND UNDERGROUND MAINS FOR MV/LV OPERATIONS DURING A TWENTY MONTH PERIOD: FIXED TERM (27/2/1/3/R & 9/1/3)

(Page 88)

COMMITTEE RECOMMENDS:

- 9.1 That Council notes the reasons for the proposed amendment to the increase in contract sum for Contract E9347, as contained in the report of the City Manager dated 2018-09-07, relative to authority to utilise Section 116(3) of the Municipal Finance Management Act for the maintenance and repair of medium and low voltage substations and medium and low voltage overhead and underground mains for MV/LV operations during a twenty month period: fixed term for the total value of R50 000 000.00 (Fifty Million Rand), inclusive of VAT and thereby authorizes the Accounting Officer to:
- 9.1.1 Give reasonable notice to the Local community of the intention to amend the contract: and
- 9.1.2 Invite the Local community to submit representations to the Municipality.

ADOPTED.

10. MOTIVATION FOR ADDITIONAL FUNDING ON CONTRACT E.9270: AUTHORITY TO UTILISE SECTION 116(3) OF THE MUNICIPAL FINANCE MANAGEMENT ACT FOR THE CONSTRUCTION OF MEDIUM, LOW VOLTAGE ELECTRICAL AND FIBRE OPTIC NETWORKS DURING A TWENTY FOUR MONTH PERIOD (27/2/1/3/R & 9/1/3)

(Page 92)

COMMITTEE RECOMMENDS:

- 10.1 That Council notes the reasons for the proposed amendment to the increase in contract sum for Contract E9270, as contained in the report of the City Manager dated 2018-09-07, relative to authority to utilise Section 116(3) of the Municipal Finance Management Act for the construction of medium, low voltage electrical and fibre optic networks during a twenty four month period for the total value of R30 000 000.00 (Thirty Million Rand), inclusive of VAT, and thereby authorizes the Accounting Officer to:
- 10.1.1 Give reasonable notice to the Local community of the intention to amend the contract: and
- 10.1.2 Invite the Local community to submit representations to the Municipality.

ADOPTED.

11. FINANCE MANAGEMENT CAPABILITY AND MATURITY MODEL (FMCMM) (7/P)

(Page 96)

COMMITTEE RECOMMENDS:

That the report of the Acting City Manager dated 2018-09-19, relative to the Finance Management Capability and Maturity Model be noted, it being recorded that it is an assessment tool that comprises twenty-one key financial management modules which addresses multiple disciplines to enhance service delivery and that further progress reports will be submitted Council in due course.

NOTED.

12. BRIDGE CITY TOWN CENTRE RELEASE AND ALLOCATION OF LAND FOR A BUSINESS PROCESS OUTSOURCING PARK (17/2/2/5/1)

(Page 100)

COMMITTEE RECOMMENDS:

That the resolution adopted by Council on 2018-06-28, relative to the Bridge City Town Centre Release and Allocation of Land for a Business Process Outsourcing Park, be amended to reflect the correct description of the land parcel as follows:

The table below depicts the correction that needs to be made:

Current Description as indicated in Council resolution 2018-06-28	Corrected Description
Erf 141 of Bridge City	Portion 141 of Erf 8 Bridge City
Erf 142 of Bridge City	Portion 142 of Erf 8 Bridge City

The above correction is as depicted on the “Bridge City Overall Layout – Sales Plan” dated December 2017 and Drawing No. 5388F/LAYOUT/N2.

ADOPTED.

13. FINAL DRAFT 2019/2020 IDP PROCESS PLAN (2/1/6/1)

(Page 103)

With Her Worship the Mayor requesting that a workshop be held in the above regard at a future date,

COMMITTEE RECOMMENDS:

13.1 That the final 2019/20 Integrated Development Process Plan as contained in the report of the City Manager dated 2018-09-14 developed in line with the requirements of the Local Government: Municipal Systems Act, Not 32 of 2000, to guide the planning, drafting, adoption and the review of the Integrated Development Plan of the eThekweni Municipality, be adopted.

13.2 That upon obtaining Council approval, a copy of the Process Plan be submitted to the Honourable MEC for Co-operative Governance and Traditional Affairs to ensure that the Municipality meets statutory obligations in this regard.

ADOPTED.

14. REQUEST FOR AUTHORITY TO PROMOTE DESTINATION THROUGH PARTNERSHIP AND SPONSORSHIP TO LOCAL PSL SOCCER TEAMS: AMAZULU FOOTBALL CLUB AND GOLDEN ARROWS FOOTBALL CLUB: EXTRACT OF REPORT OF ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE: MEETING HELD ON 2018-09-06

(Laid on table)

The Economic Development and Planning Committee was advised that the key focus in partnering with national brands is to leverage and promote the Durban Football Club and the eThekweni which is in line with meeting Plan 2 of the IDP ie. growing the economy and job creation.

It was noted that the proposed partnership presents the eThekweni Municipality, and in particular, Durban Tourism with abundant marketing opportunities through which potential tourists can be engaged, as they have one of the most recognized Football Brands (Amazulu and Golden Arrows) in South Africa, with soccer being watched in key source markets.

Having highlighted further benefits of destination marketing, it was further noted that the funding to be sourced for the partnership between Amazulu Football Club, Golden Arrows Football Club and the eThekweni Municipality will be as follows:

- 2018/2019 R3.0 million each team – 2018/2019 PSL Season
- 2019/2020 R3.2 million each team – Provided they are still in the PSL
- 2020/2021 R3.4 million each team – Provided they are still in the PSL

Accordingly,

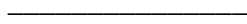
COMMITTEE RECOMMENDS:

- 14.1 That the partnership funding for both Amazulu Football Club and Golden Arrows Football Club for a period of three years, be approved, it being recorded that this will provide an opportunity for the City to conduct and market activation programmes in which potential visitors can be engaged.
- 14.2 That the City Manager, through the Head: Business Support Tourism & Markets be granted authority to negotiate benefits and rights to leverage the destination and profile Durban through this partnership.
- 14.3 That the City Manager be granted authority to conclude contracts with both Amazulu Football Club and Golden Arrows Football Club on the partnership investment.

FINANCIAL YEAR	TOTAL AMOUNT	VOTE
2018/2019	R6 000 000	26723.16315.12120.0000.85520.0010
2019/2020	R6 400 000	26723.16315.12120.0000.85520.0010
2020/2021	R6 800 000	26723.16315.12120.0000.85520.0010

FC No.: 2019/13/02

ADOPTED.



REPORT OF COMMITTEE DECISIONS

Decisions of Committees reflected below have been reported to Council by way of circulating minutes of such Committees to each Member of the Council:-

1. **COMMUNITY SERVICES COMMITTEE**

Meeting held on : 2018-08-20

2. **EXECUTIVE COMMITTEE**

Meetings held on : 2018-08-28
: 2018-08-30

3. **HUMAN SETTLEMENTS AND INFRASTRUCTURE COMMITTEE**

Meeting held on : 2018-09-04

4. **HUMAN RESOURCES DEVELOPMENT SUB-COMMITTEE: HEALTH UNIT**

Meeting held on : 2018-08-13

5. **LOCAL LABOUR FORUM: ELECTRICITY UNIT**

Meetings held on : 2018-08-21

6. **LABOUR FORUM: FIRE AND EMERGENCY SERVICES AND DISASTER
MANAGEMENT AND EMERGENCY CONTROL UNIT**

Meeting held on : 2018-08-28

7. **LOCAL LABOUR GOVERNANCE AND CORPORATE HUMAN RESOURCES
CLUSTER**

Meetings held on : 2018-06-05
: 2018-08-23

8. **LOCAL LABOUR FORUM: HEALTH UNIT**

Meetings held on : 2018-08-06

9. **LOCAL LABOUR FORUM: HUMAN SETTLEMENTS AND INFRASTRUCTURE
CLUSTER**

Meeting held on : 2018-09-13

10. LOCAL LABOUR FORUM: TREASURY AND OFFICE OF THE CITY MANAGER

Meeting held on : 2018-08-16

11. SPEAKER'S COMMITTEE

Meeting held on : 2018-08-27

NOTED.

ITEMS FOR NOTING

The Items for Noting, reflected on Page 45 to 48 of the Agenda were **NOTED.**

The meeting terminated at 13:30

CONFIRMED AT THE MEETING OF THE ETHEKWINI COUNCIL ON 2018-10-31

SPEAKER