



PROVINCE OF THE EASTERN CAPE
IPHONDO LEMPUMA KOLONI
PROVINSIE OOS-KAAP

**Provincial Gazette
Igazethi Yephondo
Provinsiale Koerant**

Vol. 26

BISHO/KING WILLIAM'S TOWN
14 OCTOBER 2019
14 OKTOBER 2019

No. 4326

We all have the power to prevent AIDS



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DEPARTMENT OF HEALTH

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IMPORTANT NOTICE OF OFFICE RELOCATION

GOVERNMENT PRINTING WORKS PUBLICATIONS SECTION

Dear valued customer,

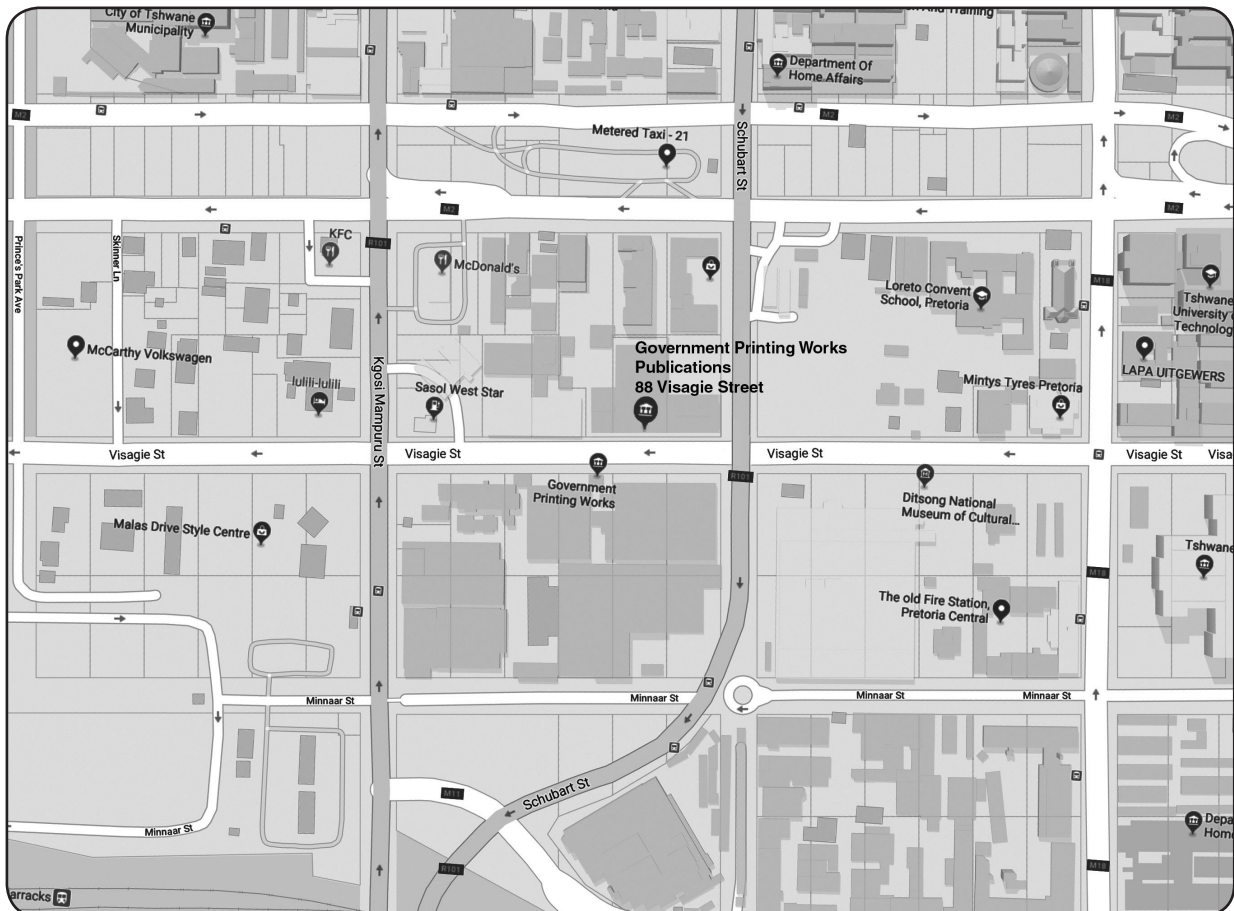
We would like to inform you that with effect from the 1st of November 2019, the Publications Section will be relocating to a new facility at the corner of **Sophie de Bruyn** and **Visagie Street, Pretoria**. The main telephone and facsimile numbers as well as the e-mail address for the Publications Section will remain unchanged.

Our New Address:
88 Visagie Street
Pretoria
0001

Should you encounter any difficulties in contacting us via our landlines during the relocation period, please contact:

Ms Maureen Toka
Assistant Director: Publications
Cell: 082 859 4910
Tel: 012 748-6066

We look forward to continue serving you at our new address, see map below for our new location.



IMPORTANT NOTICE:

THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.

No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

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Closing times for **ORDINARY WEEKLY** 2019

EASTERN CAPE PROVINCIAL GAZETTE

*The closing time is **15:00** sharp on the following days:*

- **28 December 2018**, Friday for the issue of Monday **07 January 2019**
- **07 January**, Monday for the issue of Monday **14 January 2019**
- **14 January**, Monday for the issue of Monday **21 January 2019**
- **21 January**, Monday for the issue of Monday **28 January 2019**
- **28 January**, Monday for the issue of Monday **04 February 2019**
- **04 February**, Monday for the issue of Monday **11 February 2019**
- **11 February**, Monday for the issue of Monday **18 February 2019**
- **18 February**, Monday for the issue of Monday **25 February 2019**
- **25 February**, Monday for the issue of Monday **04 March 2019**
- **04 March**, Monday for the issue of Monday **11 March 2019**
- **11 March**, Monday for the issue of Monday **18 March 2019**
- **15 March**, Friday for the issue of Monday **25 March 2019**
- **25 March**, Monday for the issue of Monday **01 April 2019**
- **01 April**, Wednesday for the issue of Monday **08 April 2019**
- **08 April**, Monday for the issue of Monday **15 April 2019**
- **12 April**, Friday for the issue of Monday **22 April 2019**
- **18 April**, Thursday for the issue of Monday **29 April 2019**
- **26 April**, Friday for the issue of Monday **06 May 2019**
- **06 May**, Monday for the issue of Monday **13 May 2019**
- **13 May**, Monday for the issue of Monday **20 May 2019**
- **20 May**, Monday for the issue of Monday **27 May 2019**
- **27 May**, Monday for the issue of Monday **03 June 2019**
- **03 June**, Monday for the issue of Monday **10 June 2019**
- **10 June**, Monday for the issue of Monday **17 June 2019**
- **14 June**, Friday for the issue of Monday **24 June 2019**
- **24 June**, Monday for the issue of Monday **01 July 2019**
- **01 July**, Monday for the issue of Monday **08 July 2019**
- **08 July**, Monday for the issue of Monday **15 July 2019**
- **15 July**, Monday for the issue of Monday **22 July 2019**
- **22 July**, Monday for the issue of Monday **29 July 2019**
- **29 July**, Monday for the issue of Monday **05 August 2019**
- **02 August**, Friday for the issue of Monday **12 August 2019**
- **12 August**, Monday for the issue of Monday **19 August 2019**
- **19 August**, Monday for the issue of Monday **26 August 2019**
- **26 August**, Monday for the issue of Monday **02 September 2019**
- **02 September**, Monday for the issue of Monday **09 September 2019**
- **09 September**, Monday for the issue of Monday **16 September 2019**
- **16 September**, Monday for the issue of Monday **23 September 2019**
- **20 September**, Friday for the issue of Monday **30 September 2019**
- **30 September**, Monday for the issue of Monday **07 October 2019**
- **07 October**, Monday for the issue of Monday **14 October 2019**
- **14 October**, Monday for the issue of Monday **21 October 2019**
- **21 October**, Monday for the issue of Monday **28 October 2019**
- **28 October**, Monday for the issue of Monday **04 November 2019**
- **04 November**, Monday for the issue of Monday **11 November 2019**
- **11 November**, Monday for the issue of Monday **18 November 2019**
- **18 November**, Monday for the issue of Monday **25 November 2019**
- **25 November**, Monday for the issue of Monday **02 December 2019**
- **02 December**, Monday for the issue of Monday **09 December 2019**
- **09 December**, Monday for the issue of Monday **16 December 2019**
- **13 December**, Friday for the issue of Monday **23 December 2019**
- **19 December**, Thursday for the issue of Monday **30 December 2019**

LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2018

NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1008.80 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	252.20
Ordinary National, Provincial	2/4 - Half Page	504.40
Ordinary National, Provincial	3/4 - Three Quarter Page	756.60
Ordinary National, Provincial	4/4 - Full Page	1008.80

EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3026.32** per page.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works (GPW)** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe Forms*. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.

2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website www.gpwonline.co.za

All re-submissions will be subject to the standard cut-off times.

All notices received after the closing time will be rejected.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Petrol Price Gazette	Monthly	Tuesday before 1st Wednesday of the month	One day before publication	1 working day prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00 for next Friday	3 working days prior to publication
Unclaimed Monies (Justice, Labour or Lawyers)	January / September 2 per year	Last Friday	One week before publication	3 working days prior to publication
Parliament (Acts, White Paper, Green Paper)	As required	Any day of the week	None	3 working days prior to publication
Manuals	Bi- Monthly	2nd and last Thursday of the month	One week before publication	3 working days prior to publication
State of Budget (National Treasury)	Monthly	30th or last Friday of the month	One week before publication	3 working days prior to publication
<i>Extraordinary Gazettes</i>	As required	Any day of the week	<i>Before 10h00 on publication date</i>	<i>Before 10h00 on publication date</i>
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 working days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
North West	Weekly	Tuesday	One week before publication	3 working days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 working days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 working days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 working days prior to publication

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 working days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days after submission deadline
Mpumalanga Liquor License Gazette	Bi-Monthly	Second & Fourth Friday	One week before publication	3 working days prior to publication

EXTRAORDINARY GAZETTES

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
 - 8.1. Each of the following documents must be attached to the email as a separate attachment:
 - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
 - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
 - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
 - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice. (*Please see Quotation section below for further details*)
 - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
 - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (*Please see the Copy Section below, for the specifications*).
 - 8.1.5. Any additional notice information if applicable.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by “walk-in” customers on electronic media can only be submitted in *Adobe* electronic form format. All “walk-in” customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

QUOTATIONS

13. Quotations are valid until the next tariff change.
 - 13.1. **Take note:** **GPW**'s annual tariff increase takes place on **1 April** therefore any quotations issued, accepted and submitted for publication up to **31 March** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.
14. Each quotation has a unique number.
15. Form Content notices must be emailed to the *eGazette* Contact Centre for a quotation.
 - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
 - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.
16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:**
 - 16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.
 - 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
 - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).
17. **APPLICABLE ONLY TO CASH CUSTOMERS:**
 - 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.
 - 19.1. This means that the quotation number can only be used once to make a payment.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03
- 20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.
- The content document should contain only one notice. (You may include the different translations of the same notice in the same document).
- 20.2. The notice should be set on an A4 page, with margins and fonts set as follows:
- Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;
- Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

CANCELLATIONS

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
22. Requests for cancellation must be sent by the original sender of the notice and must be accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

REJECTIONS

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za). Reasons for rejections include the following:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**APPROVAL OF NOTICES**

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.
26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

27. The Government Printer will assume no liability in respect of—
 - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
 - 27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
 - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

LIABILITY OF ADVERTISER

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

CUSTOMER INQUIRIES

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

GPW has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

PAYMENT OF COST

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: info.egazette@gpw.gov.za before publication.
35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.
37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

PROOF OF PUBLICATION

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website www.gpwonline.co.za free of charge, should a proof of publication be required.
39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette(s)*

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:

Government Printing Works

149 Bosman Street

Pretoria

Postal Address:

Private Bag X85

Pretoria

0001

GPW Banking Details:

Bank: ABSA Bosman Street

Account No.: 405 7114 016

Branch Code: 632-005

For Gazette and Notice submissions: Gazette Submissions:

For queries and quotations, contact: Gazette Contact Centre:

E-mail: submit.egazette@gpw.gov.za

E-mail: info.egazette@gpw.gov.za

Tel: 012-748 6200

Contact person for subscribers: Mrs M. Toka:

E-mail: subscriptions@gpw.gov.za

Tel: 012-748-6066 / 6060 / 6058

Fax: 012-323-9574

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 289 OF 2019**BUFFALO CITY METROPOLITAN MUNICIPALITY (EASTERN CAPE)**

Removal of restrictions in terms of the Spatial Planning and Land Use Management Act No. 16 of 2013:

ERF 6628, EAST LONDON

In terms of Section 47(1) of the Spatial Planning and Land Use Management Act No. 16 of 2013, read with Section 59 of the Buffalo City Metropolitan Municipal Spatial Planning and Land Use Management Bylaw of 2016, approval has been granted for the removal of restrictive title conditions 3.A. (a), (b), (c), (d), B (e) and 4(c) found in Deed of Transfer No. T2951/1991, pertaining to Erf 6628 East London.

PROVINCIAL NOTICE 290 OF 2019



Province of the
EASTERN CAPE
COOPERATIVE GOVERNANCE
& TRADITIONAL AFFAIRS

Office of the Member of the Executive Council
Tyamzashe Building | Civic Square | Bhisho | 5605
P/Bag X0035 | Civic Square | Bhisho | 5605
Tel: +27 (0)40 609 5789 | Fax: +27 (0)40 639 2135

PROVINCE OF THE EASTERN CAPE

Department of Cooperative Governance & Traditional Affairs

Provincial Notice Issued in Terms of Section 47 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000)

PUBLICATION OF A CONSOLIDATED REPORT ON PERFORMANCE OF MUNICIPALITIES IN THE PROVINCE FOR 2017/18 FINANCIAL YEAR

I, Xolile Nqatha, in my capacity as a Member of the Executive Council responsible for Cooperative Governance and Traditional Affairs in the Province of the Eastern Cape, under the powers vested in me in terms of Section 47 (2) (c) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), hereby call for the report (summary) to be published in Provincial Gazette and set 30th September 2019 as a date for the report to be published. A full report is available in the departmental website (www.eccogta.gov.za)

XOLILE NQATHA

MEMBER OF THE EXECUTIVE COUNCIL

COOPERATIVE GOVERNANCE & TRADITIONAL AFFAIRS

DATE: 26/09/19

SERVING OUR COMMUNITIES BETTER

B2B
BACK TO BASICS
SERVING OUR COMMUNITIES BETTER

Consolidated Municipal Annual Performance Report (Sec 47) in respect of 2017/18 Financial Year

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LIST OF ACRONYMS

AFS	Annual Financial Statement
AG	Auditor General
BEP	Bucket Eradication Programme
CDWs	Community Development Workers
CFO	Chief Financial Officer
CMIP	Consolidated Municipal Infrastructure Programme
DDG	Deputy Director General
DEDEA	Department of Economic Development and Environmental Affairs
DCOGTA	Department of Cooperative Governance and Traditional Affairs
DMPF	Disaster Management Policy Framework
DM	District Municipality
EPWP	Extended Public Works Programme
ES	Equitable Share
FBE	Free Basic Electricity
FBS	Free Basic Services
FBW	Free Basic Water
GM	General Manager
HH	Household
ICT	Information and Communication Technology
IDP	Integrated Development Plan
IGR	Inter-Governmental Relations
IHH	Indigent House Hold
ISRDP	Integrated Sustainable Rural Development Programme
KPA	Key Performance Area
KPI	Key Performance Indicator
LED	Local Economic Development
LM	Local Municipality
MEC	Member of Executive Council
MFMA	Municipal Financial Management Act
MIG	Municipal Infrastructure Grants
MM	Municipal Manager
MSA	Local Government: Municipal Systems Act
MSIF	Municipal Support & Intervention Framework
MSIG	Municipal Support and Infrastructure Grants
NMBMM	Nelson Mandela Bay Metropolitan Municipality
NSDP	National Spatial Development Perspective
OTP	Office of the Premier
PGDS	Provincial Growth and Development Strategy
PMS	Performance Management System
QS	Quality Assurance
SDBIP	Service Delivery and Budget Implementation Plan
SDF	Spatial Development Framework
HoD	Head of Department
SIU	Special Investigation Unit
URP	Urban Renewal Program
WSA	Water Service Authority
5YLGSA	5 Year Local Government Strategic Agenda
MPAC	Municipal Public Accounts Committee

FOREWORD BY MEC FOR COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS IN THE PROVINCE OF THE EASTERN CAPE, HONOURABLE XOLILE NQATHA

The time has come for us in the Province of the Eastern Cape to take stock and reflect on how our municipalities have performed in pursuit of the objectives and milestones that they have set as they continue to make an impact on the lives of the poorest of the poor within their areas of jurisdiction. It is my legislated responsibility to annually report on performance of municipalities. This report has been compiled in accordance with the provisions of s.47 of the Local Government: Municipal Systems Act (Act No. 32 of 2000).

This is a performance report of municipalities in the province in respect of the 2017/2018 Financial Year. It is a consolidated report that is, to a large extent, based on the performance reports prepared by individual municipalities in terms of s.46 of the Local Government: Municipal Systems Act and submitted to the department. The report further attempts to measure the progress made by local government in the province in the year under review.


I am hereby presenting the Annual Performance Report in respect of thirty- eight (38) out of thirty- nine (39) municipalities in the Eastern Cape that have submitted performance reports in respect of the 2017/2018 Financial Year. Enoch Mgijima local municipality is the only municipality that did not submit its annual report for the year under review.

This report indicates areas of strength, weakness, regression and underperformance by municipalities. Of all the Key Performance Areas, Service delivery is a core mandate of a municipality but the performance in this area is very disappointing, not a single municipality that has performed above 60% despite all efforts of support by national and provincial departments. This area requires an urgent intervention politically and administratively.

Furthermore, although all municipalities continue to compile and submit their annual reports as per legislative mandate, much still needs to be done to improve the quality of performance information contained in these reports. Although the officials of my department have worked tirelessly to assist municipalities to improve on the quality of their reports there are a number of municipalities who still submit poor quality reports. This unfortunate state of affair is attributed to poor performance evident in these reports.

In conclusion, I commit that the Department of Cooperative Governance and Traditional Affairs will leave no stone unturned in improving the performance of municipalities in the province to ensure that all inhabitants of the province receive the level and quality of services to which they are entitled. The department will further continue to assist municipalities to put systems in place which will enable them to improve their performance.

I also wish to thank all municipalities that have complied with the legislation in terms of submission of annual reports and further thank all departmental officials who made it possible to come up with a consolidated report.



MR XOLILE NQATHA

MEC: COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

DATE: 22/07/2019

MESSAGE AND OVERVIEW OF PERFORMANCE FROM THE HEAD OF DEPARTMENT (HOD) OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS, MS GABISILE GUMBI-MASILELA

The national government and provincial governments, by legislative and other measures, must support and strengthen the capacity of municipalities to manage their own affairs, to exercise their powers and to perform their functions.

Chapter 3 and 7 of the Constitution of the Republic of South Africa, promote co-operative government between 3 spheres of government and provide principles for effectiveness, transparent, accountable and coherent government for the Republic as a whole.

As the coordinating department for the provincial government, I present this report in compliance with the provisions of Section 47 of the Municipal Systems Act No 32 of 2000 as amended.

The National Development Plan (NDP) chapter on a Capable and Developmental State by 2030 focusses government towards a developmental state that is accountable, focused on citizen's priorities and capable of delivering high quality services consistently and sustainably through cooperative governance and participatory democracy.

It is therefore important to understand where we are, where we could be and what needs to be done moving forward. Our goal is to improve the functionality of municipalities to better serve communities by getting the basics right.

The Act provides that a municipality must prepare a performance report reflecting comparison of performance with targets set for and performance in the previous financial year and submit it to the MEC for Cooperative Governance and Traditional Affairs in the province. No progress has been made in delivering basic services like water, electricity, sanitation and refuse removal at a local level for the poor. Back to Basic approach was the guiding principle for government to monitor progress and review blockages in delivering services, based on the following pillars namely Putting People First, Good Governance, Financial Management, Service Delivery and Capacity Building.

There are 38 out of 39 municipalities that have submitted their annual report in terms of section 46 of the Local Government: Municipal Systems Act No 32 of 2000 as amended. Despite our delivery and achievements, our governance system is a cause for concern. It is clear that much needs to be done to support, educate and where needed, enforce implementation.

We have provided support to our municipalities in various areas including secondment of qualified and competent senior officials to respond to identified administrative weaknesses. In most instances these municipalities did not have Municipal Managers for various reasons ranging from suspensions, resignations or prolonged pending court cases.

The department has established District Support Centre's in order to support and monitor the implementation of municipal action plans.

The Executive Mayors/Mayors and Municipal Managers of all municipalities were requested through a circular to ensure that before they sign their annual reports and that all indicators are incorporated in the report thereby making them confident that the performance information provided is a true reflection of the institution.

Despite the above, the department noted that municipalities performed very low (especially on service delivery) due to under-reporting, not meeting set targets, non-provision of information about the state of their performance and scanty information thus resulting in under performance.

The Consolidated Municipal Annual Performance Report has its overview presented per Key Performance Area as follows:

KPA 1: Municipal Transformation and Organisational Development

Municipal Transformation and Organisational development is the foundation of a sound administration and preparedness of any institution to deliver on its mandate. Therefore, this KPA 1 is a key performance area that plays an integral part across all other KPAs. The report in respect of the 2017/18 Financial Year reflects a further decline in the overall performance compared to the two previous years. The Joe Gqabi district is the best performing district and improved by 6% followed by NMMM with 47.92% which is a decline from previous year.

The worst performing municipalities are Chris Hani DM that achieved 14% and OR Tambo district that had scored a mere 28%. The overall performance by municipality has dropped drastically because of under reporting and lack of oversight by municipalities. The observation drawn from the assessment is that municipalities are developing the annual report for compliance purpose with no information.

KPA 2: Basic Service Delivery

The results of the 2017/2018 assessment as presented in this report reflect an unpleasant situation. It has to be noted that municipalities are expected to perform certain functions which are aimed at enhancing service delivery by virtue of the powers and functions outlined in the Local Government: Municipal Structures Act no.117 of 1998 as amended. Furthermore, municipalities are required to use the public funds entrusted to them to respond to basic services.

A major concern is the unacceptable standard of performance in respect of KPA 2. Basic services delivery is the main reason for the existence of municipalities. Service delivery performance is below 40% in all district municipalities. The majority of municipalities are still lagging behind in meeting their targets, others fail to provide the required information on key service delivery areas thus painting a distorted picture on the overall state of service delivery within the province. The picture below reflects on the overall performance of Metros and district municipalities:

The highest performing municipality is Nelson Mandela Metropolitan which improved from 47% in the previous year, to 55% in the current year. This was followed by Sarah Baartman, at 28% from 12%. Alfred Nzo dropped from 35% to 28%. Amathole District came fourth, with an improvement from 15% to 23%. Joe Gqabi District followed, with no change in performance, it remains at 21%. Buffalo City dropped from second place in the previous year, at 47% to 9% in the current year. The remaining two, Chris Hani District and OR Tambo also regressed. Chris Hani, from 13% to 7%, whilst OR Tambo District regressed from 13% to 4%.

In conclusion, the department therefore humbly requests municipal political leadership and management echelons to take the annual reporting processes seriously so as not to paint a distorted picture on the overall state of service delivery within the province. Therefore, Executive Mayors/ Mayors and Municipal Managers should ensure that the information provided in the reports is a true reflection of the municipal performance.

KPA 3: Local Economic Development.

The KPI recognizes the important role of LED to create jobs, alleviate poverty and improve quality of life. The LED in the province is geared towards tackling the province's triple problems of poverty, unemployment and inequality. Therefore, LED is delivered in the province through various mechanisms including partnerships, capacity building to distressed municipalities as well as facilitating the implementation of public employment programmes i.e. community works programmes (CWP) and expanded public works programme. The information is based on the 2017/18 financial year compared to the two previous financial years on how municipalities performed in relation to LED. The overall performance for the district and metros has declined as compared to the two previous financial years. The top performing metro was the Nelson Mandela Bay Metro with performance of 67.9% in the 2017/18 financial year compared to 82.1% in the previous financial year. The best performing district was the Alfred Nzo DM with performance of 60.7% in the 2017/18 financial year compared to 57.1% in the previous financial year, followed by Chris Hani DM with performance of 57.1% in the 2017/18 financial year as compared to 50.5% in the previous financial year. The worst performing districts were Amathole DM and Joe Gqabi DM with performance of 46.4% each in the 2017/18 financial year compared to 77.0% and 46.4% respectively for the previous financial year.

KPA 4: Municipal Financial Management and Viability

The performance of municipalities in the year under review has decreased in most indicators across all districts and metros. Municipalities have shown poor performance on the rate of consumer reduction. Most municipalities reported increase on their debtors and only four municipalities managed to decrease their consumer debtors in the province.

With regard to the indicator that measures the extent of municipal own revenue in the municipal actual budget all municipalities in the province are below the norm of 95% collection rate. This is an indication that revenue collection requires urgent attention within all municipalities of the province.

All municipalities must by law have an audit committee. This committee is established in order to advise the municipal council in all matters relating to good governance. In the year under review the assessment has shown a slight decrease with 26 municipalities that have met the full requirements of having functional audit committees. These municipalities have managed to hold their scheduled meetings and attached their audit report to their annual reports. It is unfortunate that there are still municipalities that have failed to provide information in this regard.

The performance of municipalities in the year under review has significantly decreased with regard to audit outcomes. The number of municipalities with *unqualified audit opinions with no matters of emphasis (Clean)* remained at two (2) and the number of municipalities with *unqualified* audit opinions decreased from twenty-two (22) to nineteen (19). Seventeen (17) of those municipalities maintained their unqualified audit opinion and the remaining two progressed from qualified to unqualified with matters of emphasis audit opinion. In the year under review there are also two municipalities that obtained an adverse audit opinion; these municipalities submitted financial statements which contained material misstatements that are not confined to specific amounts, or the misstatements represent a substantial portion of the financial statements. Three (3) municipalities have obtained *disclaimer* audit opinion.

All municipalities are required to spend 100% of their capital budget on an annual basis. This is the budget allocated for capital projects for service delivery. The analysis indicates that only fourteen (14) municipalities have spent 80% of their budget allocated for capital expenditure. Twenty-two (22) municipalities have spent less than 70% and two municipalities have not disclosed their information on capital expenditure.

KPA 5: Good Governance and Public Participation

The results of the 2017/18 financial year assessment as presented in this report reflect an unpleasant situation as performance has regressed with regard to Good Governance and Public Participation with the exception of Amathole District Municipality's highest average score of 50.45% compared to 50% in 2016/17. This is followed by Alfred Nzo achieving an average score of 46.25% in 2017/18, a slight decline from 50% in 2016/17. Sarah Baartman has also shown a decline in performance from 48.44% in 2016/17 to 41.02% in 2017/18. OR Tambo DM has an average score of 40.63% in 2017/18, Chris Hani DM declined from 43.48% in 2016/17 to 33.48% in 2017/18. Joe Gqabi DM regressed from 44.38% in 2016/17 to 25.78% in 2017/18. Nelson Mandela Bay Metro has maintained a stable performance in that it scored 37.50% in 2016/17 and Buffalo City Metro is the worst performing down from 50% in 2016/17 to 31.25% in 2017/18.



MS G. GUMBI-MASILELA
HEAD OF DEPARTMENT

COOPERATIVE GOVERNANCE & TRADITIONAL AFFAIRS

DATE: 19/7/19

PROVINCIAL NOTICE 291 OF 2019**NELSON MANDELA BAY MUNICIPALITY (EASTERN CAPE)****Removal of Restrictions in terms of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)****ERF 226, BLUE HORIZON BAY, UITENHAGE, EASTERN CAPE**

Under Section 47 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and upon instructions by the Local Authority, a notice is hereby given that conditions E.6(a), (b), (c) and (d) contained in the Deed of Transfer No. T11488/97 and any subsequent Deed applicable to Erf 226, Blue Horizon Bay, Uitenhage, Eastern Cape, are hereby removed.

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**LOCAL AUTHORITY NOTICE 242 OF 2019****BUFFALO CITY METROPOLITAN MUNICIPALITY****SPLUMA, ACT 16 of 2013 : ERF 795 BEACON BAY : REMOVAL OF RESTRICTIONS**

Under Section 47 (1) of the Spatial Planning and Land Use Management Act, No. 16 of 2013, read with Section 59 of the Buffalo City Metropolitan Municipal Spatial Planning and Land Use Management By-law of 2016, and upon instruction from the abovementioned municipality, notice is hereby given that, following application by the owner of Erf 795 Beacon Bay, conditions C.(4)(a-d) found on page 3 of Deed of Transfer T1706/2000 & C.(1)(a-b)(2)(3) found on pages 3 and 4 of Deed of Transfer T1706/2000, pertaining to Erf 795 Beacon Bay, are hereby removed.

LOCAL AUTHORITY NOTICE 243 OF 2019**BUFFALO CITY METROPOLITAN MUNICIPALITY****SPLUMA, ACT 16 of 2013 : ERF 795 BEACON BAY : REMOVAL OF RESTRICTIONS**

Under Section 47 (1) of the Spatial Planning and Land Use Management Act, No. 16 of 2013, read with Section 59 of the Buffalo City Metropolitan Municipal Spatial Planning and Land Use Management By-law of 2016, and upon instruction from the abovementioned municipality, notice is hereby given that, following application by the owner of Erf 795 Beacon Bay, conditions C.(4)(a-d) found on page 3 of Deed of Transfer T1706/2000 & C.(1)(a-b)(2)(3) found on pages 3 and 4 of Deed of Transfer T1706/2000, pertaining to Erf 795 Beacon Bay, are hereby removed.

LOCAL AUTHORITY NOTICE 244 OF 2019**BUFFALO CITY METROPOLITAN MUNICIPALITY****SPLUMA, ACT 16 of 2013 : ERF 67 KIDD'S BEACH : REMOVAL OF RESTRICTIONS**

Under Section 47 (1) of the Spatial Planning and Land Use Management Act, No. 16 of 2013, read with Section 59 of the Buffalo City Metropolitan Municipal Spatial Planning and Land Use Management By-law of 2016, and upon instruction from the abovementioned municipality, notice is hereby given that, following application by the owner of Erf 67 Kidd's Beach, conditions B.(a-d) found on page 2 of Deed of Transfer T 20420/2018, pertaining to Erf 67 Kidd's Beach, are hereby removed.

LOCAL AUTHORITY NOTICE 245 OF 2019**Nelson Mandela Bay Municipality (EASTERN CAPE)****Removal of Restrictions in terms of the Spatial Planning and Land Use Management Act, 2013
(Act 16 of 2013)****ERF 1360, NEWTON PARK, PORT ELIZABETH, EASTERN CAPE**

Under Section 47 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and upon instructions by the Local Authority, a notice is hereby given that condition/s C. 5. (7), (8), (9), (10) and (11) in Deed of Transfer No. T91134/2003 applicable to Erf 1360, Newton Park are hereby removed.

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