



Hessequa Municipality

Environmental Management

Minutes of Tri-Party Service Level Agreement: Proposals meeting held in Witsand on 16 May 2024 at 10:00.

1. Welcome and opening

Shagon Carelse opened the meeting and welcomed everyone.

2. Attendance register

The attendance register was circulated and has been signed by all attendees.

3. Rules of engagement

4. Objectives and envisaged outcome(s) of the meeting

5. CERC – Presentation

6. Questions and answers

Question	The visibility on the river is very important on the estuary and enforcement patrols forms an integral part of the management of the estuary. CERC hasn't been much on the estuary since January. How will this influence effective management of the SLA conditions.
Answer	So currently the enforcement of the marine living resources component which we are currently focused on is primarily done through those catch inspection. The behavior issues are rarely part of the municipal bylaw enforcement, so we've saved to minimize duplication of effort, minimize interaction (potential conflict interaction) with the LBRC and their patrol to a large extent we've stayed off the water. We've used the patrols that we've had primarily around the research stuff and the particularly the bird stuff (CWAC) we not enforcing on the river at the moment. We will be going forward and take it upriver when it becomes important. At the moment our focus has been on the lower part of the river. CERC also makes use of private vessels to do enforcement patrols, when their vessel is out of commission.
Question	So, you obviously confirmed that you don't have any assets, the bakkie and the boat is supplied by Cape Nature. Am I right?
Answer	CERC has one research vessel, but our infrastructure comes from CapeNature.
Question	In your financials you stated that 320 000 a year for repairs and maintenance on assets that you don't have yet.
Answer	No, that's repairs, maintenance and fuel for the CapeNature vessels. The budget of 300 000 is for a future going forward in which case there will be two vehicles and two boats.
Question	Who initiated the current initiative, so we've seen it for a year of CapeNature's presence and to facilitate compliance on the estuary with injury, who initiated that?
Answer	CERC.

Statement	Well, done for that. Thank you for initiating it. I think the compliance with the fisheries act components of overall compliance of the estuary has been sorely missed before and I think it's added great value the sustainability of the estuary.
Question	There are a huge portion of overlapping of functions that we trying to eliminate to avoid duplication. Both entities currently do more than what is expected, so if we decide to go with the one entity to go forward, what are these functions that we as the community will be losing? From what I understand there will by three additional rangers appointed. Where will they be coming from (how will they be appointed)?
Answer	Essentially, they will be recruited through CapeNature recruitment process same as we went through with when the current rangers were recruited, I think what has been shown is what we've successfully done and the feedback from the community attest the fact that both rangers have assimilated into the local community, we have had no complaints about attitude, behavior or anything from them so I think that's relatively easy to accomplish. Part of the Memorandum of Understanding (MOU) stipulates the recruitment requirements and a large part of it is the ability to work with the public and the userbase, so they have to be approachable and have to be able to communicate and educate along the way. Currently I don't think that we stand to lose anything, so effectively the bylaw enforcement that the LBRCT does exclusively now we propose to incorporate into the model. The overlap of the marine living resources stuff continues into our proposed model and effectively you gain a lot of additional capabilities that CapeNature rangers bring which only comes because of their Section 20 appointment in CapeNature. Those enforcement capabilities do not and cannot go down to an NGO level. They stick with government employee and particularly with Cape Nature, so I don't think you lose anything I think you gain.
Question	The birth of CERC is long time coming so it's not a 2020 thing it was probably only registered in 2020 and it was the combination of this is probably a 10-year history thing and in my view it's the best community based, participative based suggestion out there because that was part of the original unhappiness.
Answer	Its origins were essentially in 2016.
Question	So would you say your rangers work well with the public and education of the public is really important, you say that's where your focus is instead of school talks, but we have first-hand experience of your senior rangers, shouting and swearing at members of the public using foul language that made the LBRCT rangers left the scene. So, I only wanted to correct you on that. You may not have received complaints, but we are aware of it at the same time you speak of licensing and collection of permit fees, but your offices are not open to the public and I would like to know who will be doing the administration and reconciliation.
Answer	The administrative functions to a large extent rests with me (Sean). We will man the offices more regularly. At the moment it hasn't been necessary with the limited resources we have the primary goal and a lot of administration has been on getting the pilot project functioning so a lot of that background work has been done so the office will be open more regularly if necessary at the moment there hasn't been need for that. The ranger story Im not sure of.
Question	What im not sure about is what the purpose of this meeting is other than for information. Who is actually going to make the decision, when is it going to be made, because you mentioned something about Hessequa Municipality. Who decides and where does the buck stop in this situation.
Answer	My opinion is that it rests with the municipality they will decide what they want to do.

Question	Dit is baie belangrik dat daar gehoor gegee word aan die vrae, want as ons maar net hier is as gemeenskap en moet luister en die munisipaliteit gaan voor die tyd besluit dan wat is die punt daarvan. Dit is hoekom ek dit attent gemaak het ek is verskriklik teleurgesteld in Swellendam Munisipaliteit, want waar is hulle. Die vergadering moet oor gehou word. Dan moet die amptery van Hessequa en Swellendam verslag doen aan die Burgemeester ook en dan moet die Burgemeester op die ou end die mense antwoord, maar wanneer kom ons as gemeenskap, wanneer sê ons, ons sê. Gaan ons oor na stemming toe hier vandag? Gaan ons, ons opinie lig of gaan ons net die inligting bekom en die munisipaliteit en die Burgemeester wat op die ou einde besluit?
Answer	My naam is Hendrik Visser. I'm the Director of Development Planning at the Hessequa Municipality and the management of rivers and environmental management resides under my directorate. Just to give clarity on your question, first of all the reason or the purpose of this meeting originated from the fact that the current tri-party agreement between the two municipality and the LBRC is coming to an end. The municipalities (both councils) need to revisit the agreement. It was decided first of all by the Hessequa council before they are going to revisit the current agreement, let's look at other alternatives as well and that is the reason why CERC was requested to do the presentation. It was agreed by the Swellendam municipality that the same presentation today will be done on the other side at Infanta. So that will also be done on that side, because it is both sides of the boundary between the municipalities. So, what happens after this engagement - after the presentations we will give the community an opportunity to comment on it so what you've seen you can comment to both municipalities. Correctly so eventually the two councils need to make a decision on who they going to sign an agreement with to deal with the river by-law. Remember the tri-party agreement between the municipalities is purely on the enforcement of the river by-laws. What you've seen here today there is other aspects of management of rivers and not only the enforcement of the river by-law. So yes, eventually the councils need to take a decision on it, but you will be given an opportunity at the end of this meeting. We will also tell you when you can send your comments through and after the meeting on the other side in Swellendam those comments will be presented to the mayoral committees and eventually they will take a decision on that.
Question	So, we are just here as an audience?
Answer	No, today you are going to look at the presentation and you will have an opportunity to comment on the presentation before a decision is taken. Ellie Hill from the Witsand Ratepayer Association: She is extremely proud to say that Hessequa is having this meeting today and I think it's amazing. It is easier for us on our side of the river because they are one municipality and one ratepayer association. So, for the Witsand Ratepayers Association to have communicated with Hessequa Municipality I think was slightly easier to have one organization. On the other side of the river, they have the Infanta Ratepayers, Contiki Property Owners, Malgas Ratepayers and the Swellendam Ratepayers so that's quite a lot of communities. What I want to so say is that you are definitely not here as audience or display. As the Witsand Ratepayer's Association we debated on how to go about this. We didn't want to ask the members to just vote because most people don't have enough background information to understand what they are voting on. Without knowledge it is an irresponsible vote. This meeting, from my point of view is to educate all of us so we can have an responsible voice in society. Hessequa has shown up I really feel like that have brought their side and I am so glad they have done this, and they are willing to listen to us and through the processes we have gone through to get to this point I think it just shows that we have a very healthy functioning democracy, which is amazing for me.

Statement	Referring to a question about the attitude of the rangers, someone mentioned that there's been incidents where the LBRCT has threatened him.
Question	Gaan die munisipaliteit ag slaan op die publieke deelname na hulle hul eie opinies gevorm het, want dit is hoekom publieke deelname daar is. Munisipaliteite slaan geen ag daarop nie. Het die publiek enige sê en hoe julle ag slaan daarop?
Answer	Ja, die publiek se kommentaar word in ag geneem wanneer die besluit geneem word. Reeds omdat die publiek se opinies so belangrik is, is hierdie sessie gereel.
Question	What objective criteria are going to be used by the municipalities jointly to decide who actually gets this appointment not subjective, but objective criteria and I guess the impression has been created that this meeting that there will be transparency going forward in terms of the process to share the outcome of that adjudication - the decision and why the decision was taken so that people can understand it and buy into the decision that was made.
Answer	I think whatever decision is taken at the end I think it is fair and the reason behind that will be conveyed to the public correctly so. From my point of view, I think first of all the financial sustainability of each model and correctly so, when you look at the management overall of rivers and not particular the Breede River there's much broader focus today on management of rivers then in the past it is not only the river bylaw that is applicable, there are management plans and all the other things, what makes the Breede I would say different it actually is the boundary between two district municipalities and that differs from for example the Gouritz River which is the boundary between two local municipalities and as soon as that happens the managing authorities changes as well so in this case the authority that actually oversee the Breede River is actually the provincial department, because it forms the boundary between two district municipalities and the Gourits River by the district municipality. Only two rivers fall completely within the Hessequa Municipal boundary and that is Duivenhoks River and Goukou River. Correctly so, I think whatever decision is taken I think it is just fair after we went through a public participation process to give objective reasons why the municipality has taken a decision and I think from my side to see there one thing we must not forget and that is the input from provincial department as well so whatever the municipality's proposal is that should be and must be communicated with the provincial department as well and to hear what their inputs are and that why their guiding a decision from their side.
Question	How sustainable is your financial structure without the income of the two municipalities, because I understand that you are currently already operating. Is the contribution of the municipalities essential in your going forward process?
Answer	It is not. The municipal contribution is vital if we expand to include the river bylaw, because that means a significant amount more effort needs to be spent upriver where a lot of the behavior stuff in the bylaw is problematic up there, if we stick with the marine living resources the predominant stuff is down here. It limits the operational costs at some level. At the level of the team of three is fully sustained, so in terms of the CapeNature commitments and private funding commitments that's that. The full expansion because of the amount of time we must spend upriver to do it effectively then the municipal contribution becomes necessary.
Statement	I think we agree that if you get that section of the enforcement, there is a need to expand your infrastructure, especially boats, etc.
Question	The MOU that you spoke about between yourself and CapeNature what is the timeframe of that? Is CapeNature permitted financially to contribute throughout those periods?

Answer	We just signed for the initial period because it was a new model so they had to try it on Berg we didn't know if it would work.
Question	If the memorandum of understanding expires will that also be published to the public for comments or not?
Answer	We can do that. The initial one will be didn't, but we can make that participatory. In terms of the clauses that are relevant in terms of who's appointed and how that appointment works and what the performance criteria will be. The MOU stipulates performance criteria that have to be met from CapeNature's side and financial obligation from our side and what we provide.
Statement	Because soon as the municipality becomes involve, it changes completely, because then you must go through a public participation process.
Question	Maak die huidige MOU voorsiening vir julle om betrokke te raak by die implimentering van die munisipale bywette?
Answer	Ja, solank die beamptes aangestel word deur die munisipaliteit.
Question	You mentioned in your presentation about additional funding, as well as three more rangers from CapeNature. Has CapeNature committed to these resources?
Answer	Yes, Pierre de Villiers could unfortunately not joint today, but I can get confirmation in writing from CapeNature.
Statement	Following this meeting there will be another meeting like this in Infanta. The Witsand Rate Payers Association is going to have a vote on a WhatsApp poll on our WhatsApp group and that will be the view of the Witsand ratepayers. The organization will take the majority view and whatever that poll results will be, that will be our standpoint. We won't have that vote today so don't expect that vote today because obviously is it very important that our database accurate and I want to double check the constitution, but two people can join per property, so I just want to double check.

7. LBRCT – Presentation

8. Questions and answers

Question	What the LBRCT is doing for communities, schools and that I think it's brilliant to bring everybody up to date. From a conservancy point of view, bylaw implementation and legal side of things the LBRCT and CERC may be doing the same thing. Business end of things, the biggest part of budget is boat licensing, it is an issue we have been through that trying to change the model. I do not think the LBRCT is prepared to change their current model, which is, and this is my opinion, very discriminative against the larger boats. The larger boats are picking up the tap. We are all river users, so I am speaking on behalf of the boating community on my point of view. You've got a boat with 20HP that pays R50 a year and a boat with 200HP that you pay R1000 a year for the same use. I don't think it's free and I don't think it's fair, the argument for, you've got money to buy a big boat therefore you've got money to pay an expensive license. A Volkswagen beetle pays R300 to drive in the road, a Ferrari pays R900 to drive on a road, but there's maintenance there's work being done. So, from a boat license point of view, is LBRCT prepared to accommodate all boat users and keep it plain and straight forward seeing that they are the majority of the income, and the lower communities would like to know the same on how that can be managed. The municipalities at the end of the day are the people that need to decide and that's clearly from a budget point of view, we have now come up with a model. The probability with simple model is to generate the higher income which makes the financial strain on municipalities slightly less from a budget point of view.
Answer	We are always open to constructive input and anything that comes across to us that works. We can always discuss it. It would also be brought up with both municipalities as they're the final decision makers.
Question	Dit wat daardie meneer nou se is nie heeltemal waar nie. Die konsep is al uit dit gaan met 5% verhoging. Die munisipaliteit keer daardie voorstel goed wat die LBRCT maak. Hessequa

	munisipaliteit en dit is ook inligting wat beperk is maar die somme wys dat die Breede Rivier tarief omtrent 200% en meer hoër as enige ander rivier wat julle verantwoordelik voor is. Hoe kom ons by dit en ander riviere is ook gebaseer op perdekrag. Hoekom binne een munisipale gebied kan jy so groot verskil in tarief het. As ek my voertuig registreer in Riversdal en ek gaan in enige ander plek in die Weskaap is dit dieselfde geld. Hoe kan Hessequa Munisipaliteit dit goed keer om 'n boot tarief van R1500 te hê op een rivier, maar verskil van ander? Met die beperkte inligting wat ek het, is 'n wonder al die werk wat hulle doen, maar daars 'n groot gedeelte van die werk wat 'n munisipale uitgawe is wat die boot eienaars moet betaal want anders gaan sy begroting nie klop nie. Om al daardie werke te doen water monitering, rioolmonitering, bou-regulasie langs die rivier. Dis munisipale werk, dit val direk onder julle departement en verskillende departementshoofde, maar om die begroting te laat balanseer moet die boot eienaar dit betaal, nou as ek dit een stap verder vat en ek weet nie hoe openbare inligting dit is nie daars 'n kosep bestuursplan uit van die Breede Rivier en ek dink dis 'n gedeelte van die nuwe River Management Plan van die Breede Rivier net soos die Sonderendrivier en al die ander riviere in die Wes-Kaap besig is om daardie proses deur te gaan vir "River Management". Zone 5 soos ek dit verstaan loop nou hier van die slipway af reguit oor na die prawnbeds en dit is nou oogmerk vir "kite surfing" en "windsurfing". My vraag is: beteken dit ons mag nie meer daar anker lê nie en grunTERS vang nie, beteken dit hoe gaan die seebote nou in die see kom? Die konsep is daar, maar wanneer is die public participation gedoen? Dit is duidelik dat public participation moet plaasvind as 'n River Management Plan opgestel word. Nou hier is die bylaw... Ek gaan dit nie voorlees nie maar bladsy 18, punt 11, nr 4 staan dit duidelik soos daglig, dat die gelde wat ge-in word uit die rivier gebruik moet word vir die polisering en monitoring, asook die infrastruktuur. Die LBRCT het nou erken hulle pas die bylaw toe dis hoekom ons hier is vandag maar hier is die bylaw, dis bindend, dis geadverteer hoekom sê dit dan hulle moet die geld spandeer in die infrastruktuur, maar wat doen Hessequa Munisipaliteit? 'n Maand terug is hier 'n bord op gesit. As jy nou val op daai slipway en jou heup breek dan is dit nou nie meer Hessequa Munisipaliteit se verantwoordelikehid nie, maar die slip breek uit mekaar uit. Waar is ons geld? Die bylaw se tog so as ons hof toe gaan en jy staan voor die "judge" en ek sê vir die "judge" luister hier sê staan dit in die bywette, maar die munisipaliteit sit borde op. Hier is 'n klomp antwoorde en vrae wat ons het ons kry nooit die geleentheid om te vra nie en ek is jammer dat ek alles in die vergadering gaan maak dat ek so lank praat maar wanneer moet ek die vrae vra en wanneer gaan ek antwoorde kry.
Answer	Die proses vir die hersiening van die "Breede Estuary Management Plan" word gedryf deur die Provinsiale Departement van Omgewingsake (DEADP). Die plan word tans geadverteer vir publieke deelname. Maar in terme van ons tariewe op ons ander riviere dit loop min of meer in lyn nie met die van die Breede Rivier. Ek kan bevestig dat kleiner bote betaal definitief meer as wat dit op die Breede is maar dit loop min of meer uit.
Question	Maar waarop was dit gebaseer hoe kom julle se dat 'n man met 'n 200 perdekrag boot moet nou soveel meer betaal as ou met 15 perdekrag waarop is dit gebaseer? Vraag nommer twee (2) is as die munisipaliteit dit goedkeur om 'n dag tarief van R160 goed te keur wat nie op perdekrag gebassser is nie, dan diskrimineer julle teen 'n groot boot eienaar omdat hy 'n groter boot het. Besef julle as 'n boot eienaar see toe gaan die dag dan het hy sy skipper lisensie, sy trailer het 'n lisensie, hyt 'n SAMSA lisensie, hyt 'n "seaworthy" lisensie, hyt 'n radio lisensie op en 'n fishing license. Die gemeenskap moet nou die meerderheid betaal: vir al die "conservancy werk", al die munisipale werk wat nie onder die conservancy val nie. Omdat dit vir julle gemaklik is en omdat julle nie die mannekrag het om dit te implementeer nie, maak julle gebruik van die LBRCT en dis "fine" en ek is baie dankbaar vir die "conservancy" werk wat gedoen word. Ons het 'n probleem dat ons alleen vir dit gaan betaal.
Answer	Dankie meneer. Ons neem kennis van u versoek. Die platform wat vandag hier is, is vir die aanstelling van die dienslewersonne. Rakende die kostes, ons kan daarvoor gesels.
Question	When you are talking about conservation etcetera it's difficult to sustain, you are talking about sustainability, there's definitely a big opportunity to leverage on big corporates to see aside policies it's become very much part of the strategy of any organization many of those have got executives have retired here and have got property here etcetera, so I'd like to know what you guys are doing to

	incentivize big corporates to invest in the conservation objective of this general area with the incentive of publishing their companies on your website as partners.
Answer	We have conservation programmes which we now discuss with trustees and have had brief meetings and we talk with organizations with similar conservation objectives. We are looking into it.
Question	The degree of buy-in or lack thereof and support for the LBRCT by Witsand community and the comments coming from that side. Trying to understand why the existing dynamics exist. Thank you, Andrew, for sharing the geographic spread of your mandate its quite broad as we heard from Mr Visser and it's quite complex. So, my question is 2 parts really, the LBRCT has existed for 27 years how many Witsand trustees are currently on board?
Answer	They are not currently any on board. I met with your Ratepayer Association - Chairperson about 2 months ago, she asked if a Witsand person could be on the board. I said from the LBRCT side there's no objection. I confirmed that via email on the 29 th of March and I'm waiting for feedback.
Question	What is the average timeframe of the trustees on the board, how long have they been on the board?
Answer	An average would be about 10 years.
Question	What does your MOI (Memorandum of Incorporation) say?
Answer	There is no fixed term.
Question	So, you're a non-profit organization (NPO) obviously you're registered as a Section 21 company, how do you ensure that there's no group think, I mean we heard that a lot of the decisions that has been taken by trustees, recommendations to the municipalities directors supposed to give unvetted opinion so independent. When is the board going to ensure given that there is average 10 years that there's no group think.
Answer	We have opened all policy we want any information on various areas on the Infanta side and one here and Malgas we are always open to new ideas whatever they may be. We are not closed organization at all we open and transparent.
Question	How many questions and comments and requests made by Witsanders over the last 2 years for example have been considered seriously and implemented by the board of trustees?
Answer	That's our existence over the last 2 years we've seen many changes that's what we've been trying to do.
Question	My question is relating to the engagement processes and open to consider other people's viewpoints and so on. Only if the viewpoints have been expressed by Witsanders in the last 2 years and have been adopted by the board of trustees.
Answer	Its all-specific viewpoints and questions. I can't give you specific answers for that. There has been nothing formally brought to our attention that I'm aware of. Our office is based in Witsand, we've got websites, there's various ways to contact us.
Statement	So for quite a few years the LBRCT had a board of trustees that didn't changed pretty much at all I think there was some unhappiness in the community, but more recently that has been a number of trustee appointment including myself and I can tell you I've only been on the board for less than a year I think and there's a lot of youth and energy that's come in recently and I've seen a huge amount of change so it's not the same organization that people think it is. There's a lot more energy and new members active. There's a lack of group think and in the few meetings that I've participated in so far, I've been able to share unpopular opinions unvetted and have those accepted.
Question	If I can just apply the same question to the LBRCT if your allocation of funds for the implementation of the bylaws is withdrawn, how sustainable is your model? It is historically wrong, and it has historically been communicated the unhappiness about the communication, the unwillingness to public participate, you know I don't want to go too deep into that. These questions and statements have been said year in year out for 10 years. It is not a new thing, so the unwillingness of the LBRCT to listen to Witsanders and you have these parties that communicate with us and establish communication platforms. We wake up and there's a night ban on the river. The LBRCT is privy to information, but there is no communication.
Answer	Your first question was about the funding. That is why we are trying to move forward to the future in order to receive fund conservation projects from other companies so that we can still act as a non-profit organization (public benefit organization), but our primary concern is the SLA with the

	municipalities and the rangers that we and the rangers wouldn't obviously be doing conservation projects. Secondly, to come up with another funding model boat license structure is very difficult as you guys know. Unfortunately, in the presentation earlier we didn't see another tariff structure or anything, so we are here to listen to you. We have been listening for the last 3 years.
Statement	Hi guys, I'm going to introduce myself. I am from the Malgas side. I think I'm just going to make a statement to say that I think in this meeting seen how vast the estuary is and how big the area is. From Malgas side we weren't aware of any of your issues on Witsand side. We didn't even know about this meeting. So, we need to get together like this to talk about it. It is very disappointing that Swellendam doesn't have people here, because it is a tri-party agreement between Hessequa, Swellendam and LBRCT.
Question	Witsand has made representations that have been discussed with the LBRCT in terms of boat licenses, along with BRSA (Breede River Stakeholders Association) and the angling club. We have spent two mornings multi-hour meetings with LBRCT and the municipality proposing very detailed alternatives to the boat tariff structure. There were days of analysis and work that went into prepping the boat tariffs but were rejected by the LBRCT.
Answer	Sean, I think you got the point wrong there. Those meetings were for any organization to come forward and make proposals. It was not for the LBRCT to accept or reject. The municipalities make the decisions – not the LBRCT.
Question	The LBRCT's proposal is a 5% increase on last year's tariff. The sole reason that the LBRCT doesn't have any members (trustees) in Witsand is a clear indication that there's something wrong.
Question	Ek wil net die munisipaliteit en LBRCT vrae - Hoekom dink julle is BRSA gestig? Omdat dit unhappy is, hoe die dinge in Witsand gebeur, hoe die polisiering gebeur in Witsand, hoe al daai dinge gebeur. Daar was 'n tydperk van 2-3 jaar waar daar geen "law enforcement" was op die rivier nie, "bylaws" ja. Die ander ding wat ek wou vra is, die LBRCT se rangers, wat is hulle werksure 7 tot 5? Wanneer gaan hulle rangers afdiens? Is daar "constant" nag "patrolling" of nie?
Answer	Our rangers work a two-week shift cycle as mentioned earlier, that includes Saturdays and Sundays from 8:00 till 16:00.
Question	My naam is Carl. Ek wil net weet want ek het al vir die kantoor van LBRCT gevra, hoekom is daar nie pro-rata betaal sisteem nie? Is dit om geld te maak?
Answer	I have been here since 2021. As soon as we got the last service level agreement since then I've been hearing all the concerns. It's my first time learning about boat licensing and tariffs. I was under the impression that we had to run with the municipal financial year. But then as I grew up the ranks and became more into the meetings, we found out that is not necessarily the case and that we can consider a rolling system. A rolling a 12- or 11-month license period so if you buy it in February, it will expire the end of January. The option of a rolling system is being explored.
Statement	My naam is Albert de Klerk. Ek is die Munisipale Bestuurder by Hessequa. Die publieke deelname vir die begroting. Ons het met die belasting betalers voorsitter op die GOP in Oktober by die rolbal klub vergader. That is where we also started the process in terms of the sewage implementation for Breedezicht, so daar is voordurende kommunikasie gewees. Ons het in daardie publieke vergaderings wat goed bygewoon was en ek onthou jy was nie daar gewees nie, ek was self daar, het ons gesê dat die "draft" begroting gaan einde Maart gereed wees deur die munisipaliteit en in April gaan ons deur die hele munisipaliteit, ek self met al die direkteure met die politisie het met begrotings insette deur te werk. Daardie insette het gesluit die 30ste April soos ek hier staan is ons in die proses, 31ste Mei gaan die finale begroting goedgekeur word en daardie 5% is die verhoging wat die munisipaliteit se mandaat deurgegee het vir die publiek om te sê ons gaan nie na 8 of 10% soos ek hier staan sit ons onder andere met 'n 16% verhoging van Overberg water wat ons moet akkommodeer vir Witsand en Heidelberg wat gister deurgekom het. So tariewe is vas, ons het dit gepubliseer, ons het dit gewerkswinkel met die publiek en die insette wat ons gekry het, het aanleiding gegee daartoe dat die elektrisiteit tariewe vir die jaar wat kom op 'n ander manier gehanteer word juis oor publiek insette. Those public inputs were that people weren't happy with their basic electricity charge and electricity charge will increase with 4% while the Eskom tariff increase with the NERSA approved tariffs - so dis op grond van publieke insette. Ek is nou so 23 maande die munisipale bestuurder nadat ek by Johan Jacobs oorgevat het en daars al verskeie

	veranderinge gedoen. So die publieke proses is gedoen, dis geadverteer, dis gehanteer en al die direkteure insluitend myself was by al daai publieke vergaderings juis om daai insette en kan hanteer en terug te vat. So, die 5% is 'n laer inflasie tarief verhoging en dit is wat deurgegee word aan Andrew toe sê hy -“that's what they will be able to collect in term of policy, if they were the successful candidate, whoever comes in will have to operate in terms of that bylaw administration within those terms of structure”. We will take both presentations and we will look at the asset base, the infrastructure and the ability to implement our bylaw. The rest of it which is CapeNature stuff we will not be considered because the company that will be signing in terms of ourselves in terms of the tri-party agreement which to implement our municipal by-laws and that is what will be advised to the municipal council. The ward councillors (community services), Cllr. Boezak and the reason why we are here is for exactly that reason. For the lady from Malgas there's special council meeting in Swellendam I checked with Anneleen Vorster yesterday and she said that I've got a special council meeting, myself and the directors are encapsulated in that we have challenges of our own systems in terms of budgets we cannot be here, but we will send a representative from Swellendam so the record must be set straight it's not that they couldn't attend for the sake of they don't want to attend, because they have a special council meeting that is compulsory for all officials to attend.
Statement	Baie dankie vir die publieke deelname. Not all of us are permanent residents of Witsand. So, the published information does not reach us because we are not in the vicinity. Surely with those email addresses that they send me invoices to. I should be informed about the public meetings, but I am not. It's the same story with the draft and the river management plan that is now out for comment. Ek is baie bly vir wat julle doen, maar ek dink nie die kommunikasie kanaal werk deur nie.
Statement	Asseblief “join” die Witsand Belasting Betalers Vereniging. Ons deel gereeld inligting daar. So ons gebruik meestal ons Whatsapp groep. Ek gebruik die belasting betalers WhatsApp group. Hierdie is 'n vrywillige organisie, sou mens is nie outomaties deel van die groep nie. Jy moet R100 betaal en bewys epos. Ek is al in hierdie posisie van Desember maand af so dit is nie vreeslik lank nie. My ondervinding is baie kort, maar wat ek wel agter gekom het, is dat as mens eers die stelsels begin verstaan en agter die kap van die byl kom kan mens baie effektief wees bv. Ek dink dis die eerste jaar dat die “meeting” uiteindeilk gehou word en dis 'n stap in die regte rigting. So nou weet ek dat volgende jaar as hulle kom om die begroting te bespreek hulle gaan nie in elke lyn uit en in detail in gaan nie want ons gaan vir hulle vra. Maar dit vat ongelukkig 'n klein bietjie tyd want dit werk in siklusse en ons moet die siklusse volg.
Statement	Ek was al in die hof met die LBRCT, maar ek moet se die afgelope 3-jaar doen die LBRCT met Jason en sy span baie goeie werk. Waar Sean Eekhout en sy span weer lekker werk is met hulle werksure. Die LBRCT moet net bietjie aan hulle tye werk. Vir my is die klomp “charters” op die rivier ook 'n probleem en moet daar ook aandag aan gegee word.
Question	It's great that there's a presentation from both organizations. I see both use the boat license as the bulk of their funding. It doesn't seem like it's the organizations that determine the fees, what is the structure now what can be done to get a more than encompassing discussion about the way forward because it's not going to disappear and unfortunately this discussion about the licensing fee is detracting from their LBRCT presentation which is not really fair because it applies to both organizations. What is the way forward to try and get to a solution to deal with this?
Answer	The four rivers that we are talking about that falls under the jurisdiction of Hessequa, they all differ in dynamics so I must say that I hear what you say in order for us to go forward to look at the tariff structure we need to take into account the dynamics of the rivers that they differ. Some are used much less than others in terms of sizes, they also differ. So, for me I still agree that there might be some sort of differential tariff structure but yes, I think we can relook at it that I would suggest after today's meeting is that we look at alternative tariff structures and present it to the people.

	As the municipal manager has explained, the budget has already been finalized and has been sent for approval, but that doesn't mean that we can start looking at restructuring of the model for the new financial year.
Statement	Earlier, the municipal manager referred to assets. If you look at the last pages of LBRCT financial statements the income of the organization has been the boat license tariff and the municipal grants, so those assets and in terms of the SLA any assets purchased with municipal funding, those assets belong to the municipality so essentially the LBRCT assets are not theirs they are municipal assets, because they have been purchased with municipal funding.
Question	Are you referring to the boats and bakkies?
Answer	Some of the assets are funded by the municipality, some aren't. One boat is not financed by the municipality at all, and one engine was also donated by a private individual.
Question	In the case of the transfer of the contract, what assets will be transferred?
Answer	We must look at the asset register and take it from there.
Statement	To wrap up - from the municipality's side first thank you. Sean and Andrew, thank you for your presentations, we appreciate that. As I said earlier, we did liaise with Swellendam Municipality and the request was to do a similar presentation on the other side as well. So, the process from here on forward, after that presentation and the collection of all the comments, my request was earlier that all the comments that we receive will be tabled and summarized and we can also send that out to all of you. If, Sean, if in the meantime you can present an alternative tariff structure that can also be attached to the comments that will be distributed. The process from there on will be, and I'm talking on behalf of the Hessequa Municipality, there will be a report based on the comments and the outcome of this meeting that will be presented to the ward committee of this ward and from there on it goes to the council a decision.
Question	Mr. Visser just a question, the comments and questions from this forum will be captured and shared.
Answer	Philip captured everything.
Question	Na alles afgehandel is en jy terugvoering moet gee, die punt mag dalk 'n probleem wees waar 'n kontrak, waar iemand moet aangewys word 31 Julie, is daar 'n opsie om eerder daai tydperk te verleng dan is dit maand tot maand LBRCT of vir 'n jaar dalk vir CERC as 'n "probation period". Is daar opsies as daar nie iemand aangewys kan word 31 Julie nie?
Answer	The first thing is you must remember that this process that we are looking at now is not going to change the current tariff structure. The tariff structure is very important and that is already finalized within the budget. The second thing, there's already on the budget that needs to be approved, a commitment that was made to the LBRCT in terms of Hessequa same as in Swellendam so I don't think I'm not sure what the contract is saying in terms of renewal and if you can extend the contract.
Statement	The legislation that we need to refer to is the Municipal Financial Management Act (MFMA), specifically Chapter 11, Section 116 deals with procurement regulations. When you procure services like these you can have it through a tender process. What is currently in the public domain is the possible extension of the contract and because it was published both by Swellendam for extension and Hessequa. Ellie approached me about 3 months back to say Municipal Manager are you aware that the community of Witsand is not happy with certain things communication being one and what is the issue. The position was raised to say can we redo the public participation that was done, and I agreed with Mr. Visser and the councillors to say that we will redo the public participation to give a visual opportunity to come forward. So, the fundamental principle sitting in my mind is: Can the contract be extended for a shorter period? That you need to negotiate with the person that's going to get the shorter contract because it might not fit in with their financial plan, so I can't answer that. From a legal perspective if I extend the contract beyond the previous appointment, it is null and void.

	There's a maximum renewal of the previous contract, that's the legal basis of it. But it is sub-judicate to the extent that the council resolve it not the municipal manager. That was the public comments solicited in the public that were advertised.
Question	What does the service level agreement say in terms of serving notice is it signed on that matter?
Answer	There is a process that I need to follow I'm not sure what the notice is in terms of termination, but it also comes back to the issue Sean of asset transfers, but you've got a misperception that if you pay municipal funds that it comes back to the municipality. It depends on if it is a BOT (build-operate-transfer), if it is a PPP, was it a pure rental agreement that we secure services and they by income they derive procure certain infrastructure. It depends on what contractual operations and negotiations were at that time. I agree with Jason, I've been here for 24 months, it has been a steep curve to learn because the communities that we serve at Hessequa is quite vast and different. The closest people get to complaints in Riversdale is boats on the Korentepoort. When I was Langeberg in Robertson permitting and launching was a contentious issue. That's why I came down to listen because I want to have firsthand experience of what my officials and councilors face in terms of the frustration but we are here to serve the community but we are also here to serve the interest that is at a different level, not everyone is owning a boat but you also want access to the river and how do you balance that as well. And you need to strike that middle way and I always say if you are a good municipal manager and I'm saying it with the greatest respect your ability must keep people equally unhappy.