



KENTON
on Sea

Ratepayers Association
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MINUTES OF KOSRA ANNUAL GENERAL MEETING

Date : 20 Dec 2022, 17h00

Venue : Kenton Bowling Club, Kenton-on-Sea

Present : As per Attendance Register

1. Welcome & Introduction

The Chairperson, Kevin van Huyssteen, welcomed everyone & thanked all for attending. A special welcome was extended to the following guests:

- Advocate Rolly Dumezweni, Municipal Manager Ndlambe Municipality
- Director Nombulelo Booyesen-Willie, Ndlambe Municipality
- Deputy Director Thulani Maluleke, Ndlambe Municipality
- Deputy Director Fanie Fouche, Ndlambe Municipality
- Mr Lotter Wepener, Chairperson of BRRAG
- Mr Justin Wilmot, Chairperson of Kenton Chamber of Business & Tourism
- Mr Dave Curran, Chairperson of Estuary Care

2. Minutes of Previous Meeting :

The minutes of the AGM held on 27 December 2021, previously circulated via the website, were taken as read and adopted.

3. Annual Report

The Chairperson reported that considerable progress has been achieved this year by KOSRA in establishing positive relations with Ndlambe Municipality. We have collaborated effectively on various issues, with a particular focus on addressing water supply challenges, which have been among our primary missions this year.

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Our alignment with Ndlambe extends to dealing with the water issue and Amatola, which has been elevated to what we now refer to as the Service Delivery Support Group (SDSG). KOSRA actively participated in forming this umbrella body, alongside BRRAG, Chamber of Business, and Estuary Care. Within the SDSG, we collaborate on issues impacting all parties, such as water, security, infrastructure, and roads.

Dedicated individuals within the SDSG, including Chester Wilmot and Jacques de Witt, work tirelessly to assist in managing the limited water supply received from Amatola.

Annual Reports have been distributed to all members, providing insights into the various matters our committee has addressed throughout the year, with substantial strides made. For instance, we are pleased to report that the sewerage pump station at the 4th Avenue Conservancy Tank, adjacent to the Sandbar restaurant, is now operating correctly. Similarly, the pump station in Riversbend has been put into operation and is now effective. We are informed that other pump stations, like Klipfontein, are also receiving attention.

Our committee members have contributed significantly to upgrading road signs in Kenton. While seemingly minor, these improvements signify progress in our endeavors. Additionally, substantial efforts have been dedicated to cleaning up the town, and collaborative efforts with Ndlambe have been made to address waste issues prevalent in recent years. Monthly meetings, particularly with Nombulelo and Fanie, aim to devise better approaches to recycling and waste management, including the establishment of a new dumpsite.

4. Financial Report

KOSRA currently enjoys a relatively sound financial position, having collected approximately R500,000 in membership fees during the last financial year. Expenditure totaling around R250,000 were allocated to various small projects, including security initiatives and clean-up efforts.

We maintain a float of nearly R1 million, the Chairperson emphasized the need for careful and strategic expenditure. While we may not have the resources to address substantial challenges at present, we are positioned to effect meaningful change in

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areas such as litter clean-up, pathway and foliage clearing, contributions to security measures during peak seasons, and other security initiatives. Additionally, we aim to make progress in the realm of roads, which will be a focal point in the upcoming years.

The Financial Report of 2022, included in the Annual Report, has been duly approved.

5. Appointment of Office Bearers

All existing office bearers were nominated as a group for 2023 and seconded. Their appointment for a further year was confirmed.

6. Summary of the Sand Dune issue

The Chairperson welcomed specialist Environmental Attorney, Jeremy Ridl, who is based in Kwazulu-Natal & was recommended to the SDSG by Lotter Wepener. Jeremy has offered invaluable advice in this complicated and specialized field and has come to Kenton to address the issues directly, aiming to meet with the Department of Environmental Affairs (DEA) soon to take further steps.

Jeremy started by noting that he is staying at Neil Howsen's house on Westbourne Road, which has been largely engulfed by the dune. Neil's residence is directly impacted, and neighboring houses near Dry Bones Valley (DBV) are also at risk. Upon reflecting on past interventions, it is now apparent that they were imprudent, leading to the obstruction of DBV, once a natural sand bypass. The current emphasis is on seeking a solution in harmony with nature, steering clear of excessive long-term maintenance costs.

Ndlambe Municipality finds itself in the midst of two conflicting groups proposing solutions for Dry Bones Valley & the Dune. Lotter Wepener presented Jeremy with the authorized Proposal, which involves the movement of approximately 30m³ of sand either towards the Estuary or Middle Beach. However, this approach appeared to Jeremy as merely relocating the problem to a different location.

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After reviewing the authorized proposal, Jeremy expressed confidence that we could legally challenge the approval of the Maintenance Management Plan (MMP) prepared by the Kenton Sand Dune and Nature Association (KSDNA).

Jeremy consulted with Environmental Experts, Ticky & Nikki, distinguished Estuarine Scientists and world-accredited authorities in their field. They also expressed the view that the legally approved solution lacks merit and is not the appropriate approach. They find artificial solutions to be financially burdensome in terms of maintenance & not the best solution for the natural environment. Their proposed course of action is to essentially reverse the clock and restore Dry Bones Valley to its natural function. They further suggest doing routine maintenance, such as sweeping and cleaning of the existing infrastructure, and protecting it from being totally enveloped by sand. This does not involve excavation or manual relocation of the sand dunes.

Jeremy advised that currently, we are in a position to legally challenge the authorization. The report strongly indicates that the proposed plan is not viable. If authorities insist on proceeding, it's where his expertise in taking matters to court comes in. Litigation is the last resort, as community divisions are not what we want.

To avoid this, we need to get all the parties together to agree that the best course of action is to implement Ticky and Nikki's solution. Though it seems easy to present, the reality is challenging. Jeremy noted that he initially approached Ndlambe, but got nothing from them except at least a willingness to listen. Our opponents refused dialogue & the DEA was unwilling to talk to us initially.

Jeremy proposed utilizing the emergency provision to clear the road for Neil Howsen's safety. However, the DEA rejected it, claiming it's not an emergency since the sand dune has grown gradually. Contrarily, it does qualify as a Section 30 emergency. They later clarified that, according to the current authorized Maintenance Management Plan (MMP), we are permitted to move sand between sections, provided we don't add or remove sand from the dune.

Certain situations, like Neil Howsen's property, demand urgent intervention. While Jeremy does prefer the Section 30 route over their flawed authorization, it gives us the

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capability to address immediate dangers. The DEA resisted opening dialogue until compelled, with us challenging the validity of their authorization.

The DEA have now agreed to engage in a discussion, and Jeremy is hopeful for the meeting to be set for the next day, though not confirmed yet. Jeremy noted that there seems to be consensus among many of the ratepayers and members, and with discussions now ongoing between ourselves, Ndlambe and the DEA, the only remaining individual in this scenario is the advocate for the proposed major intervention.

Jeremy noted that there is an ongoing effort to build momentum and move forward with this issue and invited input and concerns from the community.

Question from a community member: Are we focusing only on this side of the river or looking at both sides ?

Jeremy replied, saying yes, we are looking at both sides. It's not just about this specific sand dune at Dry Bones Valley. On the western side of the river, there's a massive dune field, and that sand is in motion. Interventions in that area might have contributed to the problem. We are going to examine that as well because the entire system serves a unified purpose.

The Chairperson thanked Jeremy for his time and valuable input.

7. Guest Speaker : Advocate Rolly Dumezweni, Municipal Manager of Ndlambe Municipality

The Chairperson extended a warm welcome to our guest speaker, Advocate Rolly Dumezweni, the Municipal Manager of Ndlambe Municipality. He highlighted that this is a historic occasion for KOSRA, especially in the post-1994 era, to have the privilege of the municipal manager agreeing to attend our AGM.

A questionnaire was circulated to all KOSRA members prior to the AGM to submit their concerns about municipal service delivery. Some of the biggest concerns at this stage seem to be the high property rates factor, water supply, condition of the roads, security, dump sites and general maintenance in town.

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Advocate Rolly Dumezweni started off by thanking KOSRA for the invitation & the opportunity to address these concerns with the ratepayers. He commended the Chairperson on his leadership, and the outstanding characters on the KOSRA committee, in particular Adrian Purdon, who the officials at Ndlambe enjoys working with greatly.

The Municipal Manager (MM) emphasized the importance of accountability despite positive working relationships. He focused his speech on service delivery matters related to water, sanitation, roads, electricity, waste management, town planning, and development matters in Kenton-on-Sea, along with financial management. The MM invited the CFO of Ndlambe to answer to the anticipated hot topic of rates.

The MM provided information on Ndlambe's operational budget, indicating that it amounts to approximately R560 million for the entire area. The maintenance budget constitutes only a small percentage of this total. While Treasury norms suggest that it should be 8%, the municipality has deviated from this metric to prevent excessively high rates for the public. The maintenance budget is notably insufficient when considering the challenges posed by aging infrastructure, which is a widespread issue in the entire Ndlambe area.

Regarding roads, the MM acknowledged challenges with tarred roads reaching the end of their lifespan, resulting in frequent potholes. Efforts were being made to address potholes, and the municipality aimed to reconstruct roads that had reached the end of their lifespan. The MM highlighted the long-term strategy of paving all roads, citing the success of paving projects on Kariega and River Road. He urged collaboration with the ward councilor to influence the allocation of EPWP funding for new projects.

The MM addressed the issue of water, emphasizing that working with Amatola Water is a significant challenge faced by all parties, particularly in providing sufficient water supply to both Ward 3 and Ward 4. Efforts to terminate the contract with Amatola were considered by the council, but interventions by the Department of Water and Sanitation (DWS) led to the establishment of stakeholder groups like the Water Tactical Team (WTT), which includes committee members Chester Wilmot, Jacques de Witt &

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municipal officials, reporting to the Water Management Committee which includes the MM, chairperson of KOSRA & the Ward Councilors.

Despite commitments made by Amatola in recent meetings, they have not delivered the promised 3 megaliters of water for the upcoming festive season. The MM suggested that the council may need to reconsider its position and explore alternatives, such as seeking a different service provider or exploring a Public Private Partnership (PPP) arrangement. Despite Amatola assuring readiness for upcoming developments, there are concerns about their ability to deliver on these promises.

Regarding the drought, the MM noted that it continues until officially declared over by the Minister of CoGTA (Cooperative Governance and Traditional Affairs). During this period, the drought tariff will remain on rates accounts to help absorb the associated costs, even though it may not be popular among residents.

The MM addressed concerns about municipal rates, acknowledging views that rates are perceived as high. He explained that property rates are determined by a qualified valuator through proper processes, following the Municipal Property Rates Act (MPRA). Rate tariffs are set during the annual budget, approved by the council, and are considered cost-reflective to services provided. The MM emphasized compliance with the MPRA, with CoGTA monitoring and evaluating municipal adherence.

On the topic of crime, the MM expressed a strong belief that combating crime requires collaboration between the community and the police. Neighbourhood watch, anti-crime units, private security companies, and the municipality should work together. Adequate budget allocation for crime prevention was highlighted, with KOSRA encouraged to influence the budget. While the municipality budgets for crime prevention, the adequacy of funds remains a question.

The MM expressed a preference for resolving issues without resorting to litigation, citing an open-door policy for discussions before legal action. Controversies around business openings, building plans, and the sand dune issue were acknowledged. Finding common ground on municipal matters, especially where no strict laws regulate, was encouraged. The MM commended the 'Breaking New Ground' initiative, facilitated by KOSRA, for architects to discuss professional challenges and ethical practices.

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Gratitude was extended to ratepayers contributing to job creation and supporting the community financially. Recognition was given to those who pay monthly salaries to domestic workers, even when absent from their holiday homes, and those supporting education for workers' children and grandchildren.

The MM looked forward to discussions with investors, highlighting the municipality's ability to offer attractive rebate packages. There was optimism about expanding the industrial area in Riversbend, emphasizing water as an enabler to the economy.

The MM regretted not having time to discuss the contributions of institutions like Sunshine Coast Tourism, Chamber of Business, Rotary Clubs, Round Table, Estuary Care, and the accolades of Blue Flag beaches.

The Chairperson thanked the MM for his insights and time.

The Chairperson welcomed questions for the Municipal Manager (MM).

Question 1: "I must complement you because my personal observation is that Port Alfred and Kenton are looking a lot tidier and there seem to be more teams around tidying up. It's looking good. I found it interesting that on the infrastructure, we are 5% behind the average norm. I wondered what the percentage of the budget is that goes to salaries. Second question is, was there an under-spend on the budget this year, and if so, how much was that?"

Answer from the MM: There was no under-spending from the budget. The most controversial aspect of the municipal budget is salaries. Budgets may allocate, for example, a 5% increase, but clashes with bargaining council decisions sometimes result in a 6.5% increase, which must be implemented. Senior management salaries are regulated by the Minister, with upper limits set. Directors' salaries are contentious, often lower than deputy directors. The salary budget is 39% of the total budget, close to the Treasury norm of 40%.

Question 2: "With rates going up, we try to work out how much income was coming into Ndlambe from each town. There is a feeling in Kenton that rates are high. What is

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the percentage of income vs. expenditure relative to each town, so we can see that Kenton-on-Sea gets its fair share of the total budget for maintenance, roads, etc.?"

Answer: The Chairperson deferred this question to the financial director of Ndlambe.

Question 3: "Is it possible for Ndlambe to look at the setback line on building because many ratepayers are buying buildings and fixing them, and they are having to do expensive Environmental Impact Assessment (EIA) exercises on houses that have existed for 50-60 years. Is there some way to look into that and avoid that expense?"

Answer: The Chairperson noted that this would be addressed under the KOSRA town planning umbrella.

Question 4: "The roads in Kenton have never been worse. What is the plan and what is the budget? Is there a plan to fix up pavements also?"

Answer from Thulani Maluleke, Deputy Director of Infrastructure: There is no specific budget allocated for Kenton; it's consolidated for the entire Ndlambe. Funding from external sources, like the Expanded Public Works Program (EPWP), is occasionally secured for specific projects. Slurry sealing Donkin Drive has been completed, with plans for continuous road maintenance. Main roads are prioritized, starting with Kariega Road and moving toward the beach. Westbourne Road is the next target. Upgrades depend on available funding.

Question 5: "We have heard about the water problems. The higher areas like Donkin Drive, Northwood Road, where I live, have no municipal water supply. When we phone for enquiries, we are told there will be no water in these areas, but they can send a tanker with water. Surely, that cannot be the answer. I just cannot understand why we can never get water in these high-lying areas?"

Answer from Thulani Maluleka: A Public-Private Partnership (PPP) arrangement is being explored for an alternative service provider to compete with Amatola for water supply. A booster pump is not a solution, as it just redistributes existing water. The goal is to have a second service provider in competition with Amatola, as seen in Port Alfred,

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yielding positive results. Environmental aspects need consideration, and the process won't be immediate.

8. Closing

The Chairperson thanked all for attending and closed the meeting.

Minutes confirmed :

Date :

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