

<b>MINUTES OF AN ORDINARY COUNCIL MEETING OF THE KOUGA MUNICIPALITY HELD          AT THE KOUGA COUNCIL CHAMBER (JEFFREYS BAY UNIT) ON          TUESDAY, 30 OCTOBER 2018 AT 10:00</b>
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**PRESENT: Councillors**

H Bornman	(Speaker)
H Hendricks	(Executive Mayor)
D Benson	
F Baxter	
FJ Campher	
B Williams	
BF Rheeder	(Alderman)
DM Nkomo	
L Vorster	
F Louw	
NS Botha	
B Dhludhlu	
WPD Gertenbach	
R Jantjies	
T Jantjies	
P Nkwalase	
J Mayoni	(arrived at 10:30)
C Mandeka	
M Peters	
A Mabukane	(arrived at 11:30)
V Camealio-Benjamin	
M Dayimani	(left at 10:40)
C Matroos	
T Meleni	
V Vumazonke	
E Februarie	(arrived at 10:30)
S Jujwana	

**Officials &  
Municipal Manager**

C du Plessis	(Municipal Manager)
K Moodley	(Director: Corporate Services)
S Thys	(CFO)
F Mabusela	(Director: Planning, Dev & Tourism)
N Machelesi	(Director: Community Services)
V Felton	(Director: I&E)
L Opperman	(Manager: Legal Services)
D de Jager	(Manager: Human Resources)
J Hammes	(Acting Manager: Administration)
L Randal	(Media Liaison Officer)
L Makupula	(Committee Services)
B Klopper	(Committee Services)

1. **NOTICE OF MEETING**

The Speaker read the notice convening the meeting.

2. **OPENING AND WELCOME**

The Speaker welcomed everybody to the meeting and requested Councillor Cllr T Jantjes to open the proceedings with a prayer.

The Speaker advised that the Standing Rules of Order By-Law adopted by Council on 18 September 2018 had been promulgated and advised that the following would appear on all future agenda: -

***“Councillors are required to comply with the Standing Rules and Orders of Council and all its Committees By-law as promulgated in the Provincial Gazette on 22 October 2018 No.4134 and applicable to this meeting of Council. Any person who willfully contravenes any provision of these rules shall be guilty of an offence and which contravention shall be dealt with in accordance with the disciplinary procedures for Councillors.”***

A booklet containing the promulgated Standing Rules of Order By-law was distributed to all Councillors.

3. **LEAVE OF ABSENCE**

Cllr W Coenraad	-	With leave of absence
D Biggs	-	Without leave of absence

Cllr M Dayimani advised that due to an urgent matter, requested permission to be excused at 10:30.

4. **PRESENTATION**

None

5. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

Congratulations to Cllr Mandeka who had got married.

A moment of silence for Mr Leon Herbst who had passed away on 27 October 2018 – condolences extended to the Herbst family.

6. **STATEMENTS OR COMMUNICATION BY THE SPEAKER**

The Speaker stated that success is not by accident but comes with hard work and perseverance as the community deserves good service delivery. The Speaker stated that Council is here to serve the community and to strive to make Kouga Municipality the best in the country in terms of service delivery.

- MRM went well with good coverage;
- Rules & Ethic Committee established – meetings held, training planned in January 2019;
- Proof of Residence – Ward Cllrs are to use the new form as training was provided to all Councillors in becoming Commissioners of Oath;
- Call Centre – 1<sup>st</sup> Birthday – congrats to responsible officials for driving the proper functioning of the call centre;
- Council is to stay solution driven and to give proper service to the community;

7. **STATEMENTS OR COMMUNICATIONS BY THE EXECUTIVE MAYOR**

The Executive Mayor expressed his sincere condolences to the Herbst Family and mentioned that from tributes, he made an impact in the department and amongst fellow officials.

- Municipal Manager and Director: Infrastructure & Engineering secured funding of R151m for drought mitigation and is to be spent by end March 2019;
- Request support from the CFO for the initiative and to spend the allocated funds before end March 2019;
- Director: Community Services secured EPIP funding of R20m for dune rehabilitation in Oyster and the SFB Spit Dune Protection which is a huge risk;

8. **REPORT BACK: SARAH BAARTMAN DISTRICT MUNICIPALITY REPRESENTATIVES**

**Resolved (30 October 2018)**

1. That Council's representative to the SBDM, as appointed on 31 May 2018, be requested to report to the next Council meeting and at every Council meeting thereafter.

9. **REPORT BACK: INTERGOVERNMENTAL RELATIONS FORUM (IGR)**

None

10. **REPORT BACK: MUNIMEC**

None

11. **DECLARATION OF INTEREST**

None

12. **STATUTORY MATTERS**

12.1 **CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS**

*The Municipal Manager confirmed that all reports, are accurate and truthful.*

12.2 The Minutes of the Ordinary Council Meeting held on 18 September 2018 were confirmed and accepted.

Proposed: W Gertenbach

Seconded: F Baxter

12.3 **MATTERS ARISING – 18 SEPTEMBER 2018**

9. **REPORT BACK: IGR FORUM - ILLEGAL LAND GRABS**

The Municipal Manager advised that a meeting with the Department Public Works will be held on 31 October 2018 and confirmed that the exchange/occupation of land will be discussed and the mentioned meeting. Two areas are being affected which are Sea Vista and Ocean View but cognisance must be taken that any action against offenders occupying the land illegally is to be instituted by the landowner.

**Resolved (30 October 2018)**

1. That the Municipal Manager submit a status report on the discussions held with the Department of Public Works regarding illegal land grabs and on the progress made, as Council was informed at the Council meeting held on 18 September 2018 that the State Advocates Office was currently dealing with the matter.

13. **MATTERS DEALT WITH IN TERMS OF DELEGATED AUTHORITY BY THE EXECUTIVE MAYOR**

*(The reports by the Executive Mayor, in terms of the provisions of Section 63 of the Local Government Municipal Systems Act, 32 of 2000, on matters dealt with by the Executive Mayor in terms of delegated authority as detailed in the Minutes to be noted).*

13.1 **MINUTES OF THE PREVIOUS MAYORAL COMMITTEE MEETING**

13.1.1 Minutes of a Mayoral Committee Meeting held on 17 July 2018 be noted.

13.1.2 Minutes of a Special Mayoral Committee Meeting held on 23 July 2018 be noted.

14. **REPORTS OF COMMITTEES OF THE COUNCIL**

14.1 **MUNICIPAL PUBLIC ACCOUNTS COMMITTEE MINUTES**

18/10/MPAC1 **MINUTES OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE**

**Resolved (30 October 2018)**

1. That the report submitted by the Municipal Public Accounts Committee dated 19 July 2018 and 23 August 2018, be noted.

15. **REPORTS BY THE OFFICE OF THE MUNICIPAL MANAGER**

18/10/MM1 **COUNCIL RESOLUTIONS FOR 18 SEPTEMBER 2018**

**Resolved (30 October 2018)**

1. That the updated Actions Sheets reflecting resolutions of the Council resolutions meeting for 18 September 2018 be accepted.
2. That it be noted that all resolutions are referred to Top Management meetings for discussion whereafter outstanding reports are submitted to their respective Portfolio Committee meetings.

18/10/MM2 **MEDIA & COMMUNICATIONS QUARTERLY REPORT – JULY TO SEPTEMBER 2018**

**Resolved (30 October 2018)**

1. That the quarterly report of the Media and Communications section for the period July to September 2018 be noted.
2. That a full report from the Media and Communications section for the period July to September 2018 be submitted to the next Portfolio Committee meeting which is to include events not reflected in the report i.e. the Winterfest, Dorp van die Jaar, KIA Makietie.

16. **REPORTS BY THE EXECUTIVE MAYOR**

16.1 **REPORTS BY THE PORTFOLIO CHAIRPERSON: FINANCE**

18/10/F1 **MONTHLY BUDGET STATEMENTS FOR THE PERIOD JULY 2018 TO SEPTEMBER 2018 AND FINANCIAL STATE OF AFFAIRS OF THE MUNICIPALITY AS AT 30 SEPTEMBER 2018 (2018/19 FINANCIAL YEAR)**

Cllr B Williams stated that the financial status of Kouga Municipality revealed a positive reflection and further advised that he attended a Financial Workshop at which SALGA gave recognition that Kouga Municipality was the leading municipality in the Province.

**Resolved (30 October 2018)**

1. That the Executive Mayor notes the Municipal Manager's report on the monthly budget statements, in accordance with Section 71(1) of the Municipal Finance Management Act.
2. That the monthly budget statements be accordingly submitted to Provincial Treasury as stipulated in Section 71(1) of the MFMA.
3. That Council takes note that creditors are understated as not all invoices received from suppliers are being processed upon receipt and are not being reflected as 30 days and over creditors.

18/10/F2 **BUDGET AND TREASURY: WITHDRAWALS FROM MUNICIPAL BANK ACCOUNT FOR THE QUARTER ENDED 30 SEPTEMBER 2018**

**Resolved (30 October 2018)**

1. That the withdrawals that were made in terms of Section 11(1) (b) to (j) of the MFMA for the quarter ended 30 June 2018, be noted.
2. That the report accordingly be submitted to Provincial Treasury and the Auditor General, as stipulated in Section 11 (4) (b) of the MFMA.

18/10/F3 **SUPPLY CHAIN MANAGEMENT: S36 DEVIATIONS AND MONTHLY TENDERS FOR THE MONTH OF AUGUST 2018**

**Resolved (30 October 2018)**

1. That the report on the Section 36 Deviations for the month of August 2018, be noted.

2. That the report submitted to Council as per the Reporting requirements, be noted.
3. That the report be referred to MPAC in terms of the processes followed for correctness regarding compliancy and that should evidence be required by MPAC such be made available.

**18/10/F4**      **SUPPLY CHAIN MANAGEMENT: S36 DEVIATIONS AND MONTHLY TENDERS FOR THE MONTH OF SEPTEMBER 2018**

**Resolved (30 October 2018)**

1. That the report on the Section 36 Deviations and monthly tenders for the month of September 2018, be noted.
2. That the report submitted to Council for as per the Reporting requirements, be noted.
3. That a full report on the expenditure incurred on requisition no. 93799 be submitted to the next Finance Portfolio Committee meeting and that Administration adhere to the Action Sheets.
4. That the report be referred to MPAC in terms of the processes followed for correctness regarding compliancy and that should evidence be required by MPAC such be made available.

**18/10/F5**      **REVIEW OF THE CUSTOMER CARE, CREDIT CONTROL AND DEBT COLLECTION POLICY**

**Resolved (30 October 2018)**

1. That the Customer Care, Credit Control and Debt Collection Policy be approved with amendments.
2. That the approved Customer Care, Credit Control and Debt Collection Policy be placed on the Kouga Website.

16.2 **REPORTS BY THE PORTFOLIO CHAIRPERSON: CORPORATE SERVICES**

**18/10/CORP1**      **MONTHLY REPORTS FOR THE CORPORATE SERVICES DIRECTORATE:  
ADMINISTRATION SECTION FOR JULY AND AUGUST 2018**

**Resolved (30 October 2018)**

1. That the monthly report for July & August 2018, be noted.
2. That the report be referred to the revenue section to obtain cell phone details of rate-payers to give effect to a bulk SMS system, be supported.
3. That a full report on the financial impact of the new PABX System and Cellphone contract be submitted to the next Corporate Services Portfolio Committee meeting.
4. That options for the provision of Ward Councillor offices, be investigated, where required.

**18/10/CORP2**      **CALL CENTRE REPORTS ON SERVICE DELIVERY COMPLAINTS**

**Resolved (30 October 2018)**

1. That the report on the Call Centre Service Delivery Complaints July – August 2018 be noted.
2. That it be noted that all service delivery complaints received directly by Management/Supervisors, be immediately reported to the Call Centre, alternatively on the Vodacom Link Application.
3. That it be noted that many issues are still not going via the Call Centre.
4. That the incidence level of septic tank issues be prioritized, and a root cause analysis be conducted to resolve the issues.
5. That it be noted that all future reports on the Call Centre Service Delivery Requests are to include reports at Ward based level indicating resolved requests.
6. That the Director: Infrastructure & Engineering, Director: Community Services and the Call Centre Supervisor address the integration of the systems in terms reporting and resolution of issues which are bypassing the Call Centre. Such issues must be included in the monthly Call Centre Report



**18/10/CORP3**

**TELEPHONE BILLING FOR AUGUST 2018**

**Resolved (30 October 2018)**

1. That the partial report on telephone activity for August 2018 be noted.
2. That the extent of unanswered calls be noted with concern.
3. That the various Directorates take responsibility for:
  - The unanswered calls in their Department
  - Informing the Auxiliary Section, of the following:
    - Telephone faults
    - Additional telephones required
    - Request for telephone pins
4. That a detailed report on all Ward Offices regarding the lack of equipment and tools of trade for the proper functioning of Ward Offices, be submitted to the next Corporate Services Portfolio Committee meeting.

**18/10/CORP4**

**HR REPORT JULY 2018 – AUGUST 2018**

**Resolved (30 October 2018)**

1. That the HR Report July 2018 – August 2018 be noted.
2. That the Committee notes the stats and monitor movement on a monthly basis.
3. That the overtime expenditure be noted, and a concerted effort be made to reduce the overtime bill.
4. That the upgrading of ablution facilities at all Plants be referred to the Infrastructure and Engineering Department.
5. That the Infrastructure and Engineering Department address the issue of lighting at all Plants.
6. That a report, as contemplated in (7.4) & (7.5) above be submitted to the next Portfolio Committee meeting to be held in November 2018.
7. That the following risks facing security personnel be addressed with immediate effect by the Community Services department: -

- a) Firearm training – competency certificate to be obtained;
  - b) Training on how to safeguard buildings, assets and personnel;
  - c) Training on control and monitoring of access for officials and the public;
  - d) Training on risk prevention during planning and execution phases of dealing with strike actions;
  - e) Female security personnel should not be left on their own at night;
8. That the option of implementing a shift system be investigated for Directorates Infrastructure & Engineering and Community Services for the purpose of reducing overtime costs, be submitted to the next Portfolio Committee meeting.

**18/10/CORP5**

**REPORT ON LEGAL MATTERS**

**Resolved (30 October 2018)**

1. That the Report on Legal Matters be noted and accepted.
2. That it be noted that a full status report be submitted to the next Portfolio Committee meeting under confidential, regarding the suspension of the Manager: Administration which will thereafter be submitted to Council.

**18/10/CORP6**

**APPROVAL OF HUMAN RESOURCES POLICIES**

**Resolved (30 October 2018)**

1. That Council approves the following Human Resource policies:
  - Vehicle Allowance Policy
  - Subsistence and Travel Policy
  - Occupational Health and Safety Policy
  - Recruitment and Selection Policy
  - Training Policy
  - Scarce Skills Policy
  - Absenteeism and Reporting Absence from Work Policy
  - Leave Policy
  - Overtime Policy
  - Acting Policy
  - Essential User Car Scheme Policy
2. That the following Human Resources policies be repealed:

<b>Policy</b>	<b>Date approved</b>	<b>Council resolution</b>
1. Subsistence and Travel Policy	2 December 2014	14/12/AME3
2. Policy on the Payment of Acting Allowances	29 May 2015	15/05/AME13
3. Demotion, Promotion and Transfer policy	29 May 2015	15/05/AME13
4. Leave Management policy	30 August 2013	13/08/AME16
5. Recruitment & Selection Policy	28 March 2013	12/03/FAME53
6. Working hours, Overtime and Attendance records Policy	28 March 2013	12/03/FAME53
7. Occupational Health and Safety Policy	1 August 2017	1707/07/AME&SP2
8. Essential User Car Scheme policy	29 May 2015	15/05/AME13

3. That the approved Human Resources Policies as contemplated in (1) above, be placed on the Kouga Website.

### 16.3 **REPORTS BY THE PORTFOLIO CHAIRPERSON: INFRASTRUCTURE & ENGINEERING**

#### **18/10/I&E1 PROGRESS ON GRANT FUNDING (MIG, INEP & EPWP)**

##### **Resolved (30 October 2018)**

1. That the progress report on Grant Funding (MIG, INEP & EPWP) be noted.
2. That all line departments utilizing contract workers submit the required documentation to the co-ordinating department Project Managements Unit (PMU) before month end for reporting purposes.
3. That the line departments give preference to grant funded projects when payments are made to ensure it is made before month end.
4. That the line departments provide evidence of expenditure timeously on their projects so that the PMU can complete the administration process as stipulated by Cooperative Government and Traditional Affairs.

**18/10/I&E2 REPORT ON MASTER'S THESIS IN THE SCOPE OF CLIMATE PARTNERSHIP**

**Resolved (30 October 2018)**

1. That the Report on Master's Thesis in the Scope of Climate Partnership be noted.

**18/10/I&E3 REPORT ON DROUGHT SITUATION IN KOUGA AREA: GAMTOOS**

**Resolved (30 October 2018)**

1. That the agreement between Kouga Municipality and the local farmer for the use of his borehole, be finalised.
2. That the interventions and actions taken in mitigation of drought conditions being experience, be noted.
3. That long-term drought mitigation projects be established to ensure that the municipality is better prepared for drought and maintains the existing water sources.
4. That a follow-up be done with StatsSA regarding the new quota per capita for water allocations.
5. That water losses be monitored on a monthly basis to pick up any trends and areas for correction, be supported.
6. That the Business Plan submitted by Directorate: Infrastructure & Engineering be made available to the Mayoral Committee.

**18/10/I&E4 KOUGA MUNICIPALITY RESIDENTIAL LOAD MANAGEMENT SYSTEM: ITEMS RAISED AT PORTFOLIO MEETING OF 18 MAY 2018**

**Resolved (30 October 2018)**

1. That an Independent Measurement and Verification Agency be requested to validate the accounts previously submitted by Escotek, be accepted.
2. That data already provided of tests performed to establish how efficiently the system is working, it be noted that further measures are now required as detailed under item (4) hereunder.
3. That it be noted that confirmation that the management system at the injection point is 100% functional.
4. That it be noted that an inspection be carried out on all the load control relays at houses to determine if they are still functional and to effect repairs where necessary.

5. That it be noted that Escotek has undertaken to immediately start with 50 houses at Jeffreys Bay and 50 Humandorp and 20 houses at Cape St Francis to compare the findings with capacity tests already completed, as a start to the process.
6. That it be noted that a study already undertaken to determine the feasibility to switch the relays during the morning peak, indicated feasible.
7. That the present maintenance contract with Escotek to be extended as an Addendum to the present contract with the termination data being the same as the contract between the Municipality and Eskom, be noted.
8. That a meeting be held between the Municipality, Escotek and Clinkscales Maughan-Brown to finalise the actions that need to be taken to resolve this matter of outstanding invoices, be noted.
9. That the addendum to the SLA as drawn-up by the Manager: Legal Services, be accepted.

**18/10/I&E5 RE: AMENDMENTS TO THE 2018/2019 BUDGET – APPROVAL OF ADDITIONAL WATER SERVICES INFRASTRUCTURE GRANT ALLOCATIONS BY THE DEPARTMENT OF WATER AND SANITATION**

**Resolved (30 October 2018)**

1. That the Executive Mayor recommends to the Council, by resolution taken by the majority of its full number, and in terms of Section 30(2) of the Local Government: Municipal Structures Act No. 117 of 1998 (as amended), read in conjunction with Section 28 of the Local Government: Finance Management Act, Act 56 of 2003, approves the following proposed amendments to the 2018/2019 Budget.

<b>Project Name</b>	<b>Description Summary</b>	<b>2018/2019 Adjusted Budget</b>
Kouga Water Supply	Ground water development	R 8,401,000.00
Hankey Water Supply	Ground water development	R 33,179,000.00
Jeffreys Bay Water Supply	Development of boreholes	R 4,500,000.00
Humandorp Water Supply	Equipping of boreholes	R 5,427,000.00
Cape St Francis Water Supply	Equipping of boreholes	R 5,910,000.00
Oyster Bay Water Supply	Equipping of boreholes	R 1,311,000.00

Water Conservation and Demand Management	Meter and internal leak audit. Repairs of leaks and water meters. Reticulation pipe replacement and reservoir level control	R 92,500,000.00
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16.4 **REPORTS BY THE PORTFOLIO CHAIRPERSON: COMMUNITY SERVICES**

**18/10/CS1 KOUGA DROUGHT MITIGATION CAMPAIGN, 25 AUGUST 2018**

**Resolved (30 October 2018)**

1. That the report on the Launch of the Kouga Drought Mitigation Campaign on 25 August 2018, be noted.
2. That it be noted that the Office of the Mayor will embark on the "New Normal Campaign" to encourage all communities in Kouga not to exceed 60 litres of water per day for consumption due to the present drought situation thereby focusing on the 2018 upcoming Festive Season.

**18/10/CS2 MINUTES OF THE SEEKOEI ESTUARY MOUTH MEETING HELD AT THE COUNCIL CHAMBERS (JEFFREYS BAY) ON THURSDAY: 23 AUGUST 2018**

**Resolved (30 October 2018)**

1. That the Seekoei Estuary Mouth minutes be noted.
2. That the following Seeikoei Estuary Committees be noted:

Management Authorities  
Authorisation (breaching / emergency)  
Advisory Committee

Clr D Benson	-	Chairperson
Clr H. Bornman	-	Kouga Municipality Speaker
Prof T. Woodridge	-	NMU
Clr W.P.D Gertenbach	-	Kouga Municipality
Clr B. Rheeder	-	Kouga Municipality
Mr B. Ives	-	Paradise
Mr R. Koleske	-	P.N.W
Mr C. De Klerk	-	ABNW
Mr L. Swiegels	-	KDE / Ward 12
Mr P. De Wet	-	St Francis Bird Club
Mr M. Sobele	-	Kouga Municipality Media
Mr B Brink	-	Dolphin and Development
Mr J Strydom	-	Kouga Business Forum
Mr C.E.R Ferreira	-	Dutch Reform Church
Mr De Klerk	-	Aston Bay Resident
Mr P. De Wet	-	Bird Club member
Miss B. Clark	-	CEN IEM Unit

Mr F. Silberbauer - Environment  
Breaching Sub Committee

#### Election of a Breaching Sub Committee

The following are the members of the breaching subcommittee who will advise the Municipal Manager + DEDEAT on when to breach.

Clr D Benson - Chairperson  
Clr Gertenbach - Coordinator  
Mr B. Ives  
Mr R Koleske  
Disaster official

#### Emergency Committee

Municipal Manager  
DEDEAT

3. That the Municipal Manager liaise with DEDEAT to obtain approval for the breaching the Seekoei Estuary Mouth, be noted.

### **18/10/CS3 PROGRESS ON REPAIRS DONE AT COMMUNITY HALLS**

#### **Resolved (30 October 2018)**

1. That the progress report for the repairs for the community halls be noted.
2. That it be noted that proper monitoring is to be done by Caretakers to prevent future vandalism and that oversight be undertaken by the respective Portfolio Councillor.
3. That an indemnity form be developed, to be signed by all parties utilizing the community halls, in order to have proper records and liability, be supported.
4. That the budgeted financial implications be noted.

**18/10/CS4 STATUS QUO REPORT: OVERGROWN PLOT CLEARING POLICY**

**Resolved (30 October 2018)**

1. That the progress report regarding the Plot Clearing policy be noted.
2. That a data cleansing exercise be implemented in order to obtain the correct and accurate details of defaulting property owners.
3. That the Environmental Health section continue issuing compliance notices to defaulting owners of overgrown vacant plots.
4. That the Plot Clearing Policy be workshopped and finalised before or on 30 November 2018.
5. That the clearing of all private plots be referred to the Office of the Municipal Manager for approval.

**18/10/CS5 KOUGA WHEELCHAIR WEDNESDAY CAMPAIGN, 29 AUGUST 2018**

**Resolved (30 October 2018)**

1. That the report on the Kouga Wheelchair Wednesday Campaign on 29 August 2018 be noted.
2. That a Disability Policy be drafted and workshopped at the next policy workshop, be supported.
3. That the Health & Safety Committee submit recommendations to the next Portfolio Committee meeting regarding the alterations to the municipal buildings for wheelchair accessibility, be noted.
4. That the access ramp to the main municipal building's entrance be re-constructed to ensure wheelchair accessibility, be included in the alternations, as recommended by the Health & Safety Committee, be approved.



**18/10/CS6**    **PROGRESS REPORT ON GERMAN MISSION: KOUGA VS ILSFELD MUNICIPALITIES**

**Resolved (30 October 2018)**

1. That the progress report and recent developments with regards to the Climate Change Partnership between Kouga Municipality and Ilsfeld Municipalities be noted.
2. That the upcoming Municipal Climate Partnership from 21 – 23 November 2018 to be held in Namibia and that the following delegates to represent Kouga Municipality, be approved: -

The Executive Mayor  
Portfolio Councillor Community Services  
Director: Community Services

3. That the placement of the Master's Student to conduct research around water management and development of a feasible strategies for future water management to Ilsfeld Municipality, Fraunhofer IGB and University of Technology Dresden as well as Global Engagement, be noted.
4. That the Progress Report on the German Mission: Kouga Vs Ilsfeld Municipalities be submitted to Council with the names of the individuals attending, namely:

The Executive Mayor  
Municipal Manager  
Director Community Services  
Portfolio Councillor Community Services

5. That the payment of daily S&T, be in line as determined by Council's policy, be approved.

**18/10/CS7**    **PROHIBITION PERIOD OF CONTROLLED FIRES**

**Resolved (30 October 2018)**

1. That the report on the prohibition period of controlled fires in Kouga jurisdiction be from 01 November 2018 to 28 February 2019, be approved.
2. That the notice be advertised on Council's website and in all local newspapers by the respective Directorate.

16.5 **REPORTS BY THE PORTFOLIO CHAIRPERSON: PLANNING, DEVELOPMENT & TOURISM**

**18/10/PDT1 GLOBAL ENTREPREURSHIP WEEK (GEW)**

**Resolved (30 October 2018)**

1. That the report on the Global Entrepreneurship Week (GEW), 1 November 2018 in the Newton Hall, be noted.
2. That the estimated financial implications in the amount of R13 000 to cover transportation of attendees within the Kouga jurisdiction to the event, be approved.

**18/10/PDT2 COMMONAGE LAND AND SUPPORT TO KOUGA EMERGING FARMERS**

**Resolved (30 October 2018)**

1. That the report regarding commonage land and to support the initiative to assist the local emerging farmers, be supported in principle subject to compliance with Section 14.2 (a) of the MFMA.
2. That all portions referred to, as reflected in the table below, be clearly indicated prior to the initiative being proceeded with: -

Area	Challenges	Proposal
Patensie	The land nearby the Patensie Prison that was temporarily availed is very far.	Currently there are no options available in Patensie area except Erf 300 (14.0902HA). There are some challenges concerning Stuurmanskop – archaeological and environmental issues.
Hankey	There is no water supply at the Soetkloof Commonage.  No Lease Agreement was signed.	Possible available sites in Hankey are the following: Farm 184 portion 29(10.2797HA); Erf 18 portion (39.5785HA); Farm 17 portion 0; Farm 17 to the Northern side of town and Farm 17 to the Western side of Rosedale (895.2207HA)  That the LED department facilitates the signing of lease agreements together with Assets Dept..
Lorie and Thornhill	The only land available belongs to the Sarah Baartman District	Kouga and Cacadu land available: Loerie: Farm 436 portions 134

	Municipality.	(21.8062HA), 40 (115.9130HA) and 42 (113.0180HA) Thornhill: Farm 448 portion 3 (20.2947HA)
Jeffreys Bay	No available municipal land in the Jeffreys bay area.	P,D& T is approaching farmers in the surrounding areas.
Humansdorp	There is no lease agreement signed for Erf 347 (Swaartenboch) which was allocated for KwaNomzamo farmers.	The contract for the Kruisfontein Cattle Farmers are in the process of being finalised. KwaNomzamo: A portion of erf 499 (376.3013HA) will be suitable for a commonage area.  That the LED and FINANCE (ASSETS) departments facilitate the signing of lease agreements.
Sea Vista	There is no commonage land.	There is no current municipal land for Sea Vista.

3. That a comprehensive land analysis report verifying the availability of portions of commonage land, purpose of farming, compliance with Section 14.2(a) of the MFMA and Public Participation Process followed, be submitted to the next Portfolio Committee meeting.

**18/10/PDT3 EVENTS APPLICATION FOR PERIOD JULY TO DECEMBER 2018**

**Resolved (30 October 2018)**

1. That the events as reflected in the table below for the period July 2018 to December 2018 as approved by the Events Planning Committee, be noted.
2. That it be noted the Events Policy will be reviewed/workshopped at the next Policy Workshop to be held in November 2018.

Events Discussed, Approved and not Approved by the Kouga Municipal Events Planning Committee meeting held on 9 June 2018

No	Description	Location	Date	Approval Status	Comments and Conditions of Approval
1.	Fishing Skins Winterfest Competition	Kabeljous Lagoon to Kitchen Windows – J/Bay.	14 July 2018	Approved	Risk Assessment handed in.
2.	Bungy Bouncer	Not specified – various locations in Kouga.	Throughout the year	Not approved	1. The physical location of the events be mapped and re-submitted.
3.	FNB Classic Clash	Humansdorp High School	04 August 2018	Approved	<ol style="list-style-type: none"> <li>To liaise with Ms. N Blom (environmental Health for food stall permits).</li> <li>The Municipality will not provide portable stands/toilets. Applicant should secure privately.</li> <li>KLM: Community services will assist with grass cutting.</li> </ol>
4.	J/bay Windfarm MTB Classic	Kabeljous Lagoon Parking Area	14 July 2018	Approved	<ol style="list-style-type: none"> <li>Applicant advised to provide a route map for next year's event.</li> <li>Note be made that the Road name (R62) indicated is incorrect.</li> </ol>
5.	Endurance JBay X Trail Run 2018	Super Tubes; Da Gamma Rd. J/Bay	13-15 July 2018	Approved	None
6.	Bestmed Chokka Trail Run 2018	Cape St. Francis	11-12 August 2018	Approved	<ol style="list-style-type: none"> <li>Safety Plan required.</li> <li>Risk Assessment</li> </ol>
7.	Humansdorp Sec. Relay/Aflos Roadrace-30km	Hankey to Humansdorp	28 July 2018	Approved	<ol style="list-style-type: none"> <li>Safety Plan required.</li> <li>Copy of the route Map</li> <li>Approval from Dept. of Public Works for R330 from</li> </ol>

					Humansdorp to be provided.
8.	Ons Tuiste Fete	Humansdorp-Church Street	04 August 2018	Approved	None
N	Nautical Half Marathon		September 2018	Approved	None
10.	Kite Display Fest (Winterfest)	Kabeljous Beach	13-15 July 2018	Approved	1. Approved if the Event has not been cancelled
11.	Kouga Volleyball Games	Jeffery's Bay Main Beach	14 July 2018	Approved	None
12.	ECC Bike Race	J Bay Billabong Village.	13 July 2018	Approved	1. Arrange meeting of a task team with applicant to address: a) closure of roads and notification of public. b) Traffic concerns c) Risk assessment. d) After
13.	PGP Winter Challenge	St. Francis Bay Canals	14-15 July 2018	Approved	1. Recommend to the applicant to importance of water safety gear for participants (i.e. Buoy aid).
14.	Billy's Event	St. Francis	December 2018/ Jan 2019	Pending	1. The applicant be invited to the meeting to discuss concerns raised with previous event. 2. Proper arrangements for parking. 3. Home owner's association approval of the event required.
15.	Calamari festival	St. Francis	22 September 2018	Approved	None
16.	Jeffreys Baai Kwela Makietie 2018	Jeffreys Baai Caravan park - Da Gama road	21-23 September 2018	Approved	1. Safety plan to be handed in

					<p>2. Permit for food stalls and to contact N. Blom</p> <p>3. Traffic enquiries and to contact S. Nelson</p>
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Events Discussed Approved and not Approved by the Kouga Municipal Events Planning Committee meeting held on 10 August 2018

No	Description	Location	Date	Approval Status	Comments and Conditions of Approval
1.	Funfair Carnival	Hankey primary school	3-4 August 2018	Approved	Event has taken place and the event organisers confirmed reported telephonically to LED that it was successful
2.	Kouga Career Exhibition	Humansdorp Country Club	13-14 August 2018	Approved	Risk Categorization attached
3.	Lente Fees	Nico Malan High	30-01 September 2018	Approved	Risk Categorization attached
4.	Full Moon 120 KM Adventure Race	Cape St Francis resort & surrounds	25 August 2018	Approved	Risk Categorization attached
5.	Heritage celebration Party	Joe Slovo Drive, Tokyo Sexwale,	29 September 2018	Approved	The committee approved the event only if the cut off time is from 18H00pm till 01H00am
6.	Sing with Bucie	Jeffreys bay	21 September 2018	Approved	Awaiting Risk Categorization form
7.	Gamtoos Ferry Canoe Marathon	Gamtoos Ferry Hotel	30 September 2018	Approved	Safety Plan to be submitted Safety on Water requirements Lifeguards to be available Life jackets on every competitor
8.	Loerie NG Kerk	Dutch Reformed Church Loerie	29 September 2018	Approved	Risk Categorization form attached
9.	Wedding Ceremony	St Francis Bay, Barcelona	5 October 2018	Approved	None
10.	Spring Festival	Hankey	6 October 2018	Approved	Awaiting Risk Categorization form

11.	2018 South African Junior Surfing championships	Lower Point Jeffreys bay	2-7 October 2018	Approved	Awaiting Risk Categorization form and must submit a safety plan for the Juniors
12.	Rock Roads Loerie	Rocky roads Loerie	10 November 2018	Approved	Awaiting Risk Categorization form
13.	USN JBay Beach Touchies	Dolphin Beach Jeffreys bay	26 December 2018	Approved	Awaiting Risk Categorization form
14.	JBay Summer	Diaz Road Jeffreys bay	16-19 December 2018	Approved	Awaiting Risk Categorization and the Dates on the application form and the marketing plan differ so the event organiser must clarify on what is the correct date.
15.	Helicopter Rides	Jeffreys bay	16 December 2018- 5 January 2019	Approved	Awaiting Risk Categorizing form
16.	DJ Champ Christmas Picnic	Yellow Wood Park Hankey	25 December 2018	Approved	Awaiting Risk Categorizing form

**18/10/PDT4 AUTHORISATION TO INITIATE A PPP FEASIBILITY STUDY FOR TOURISM AGENCY IN KOUGA LOCAL MUNICIPALITY**

**Resolved (30 October 2018)**

1. That the Municipal Manager of Kouga Municipality be authorised and directed to notify National Treasury and the Provincial treasury of its intent to initiate processes in terms of both MSA section 78, MFMA section 120 and the Municipal PPP Regulations, to assess the appropriate mechanism, (either internal or external, including a PPP), for the provision of Tourism function of which processes may entail the conducting of a feasibility study, and to register said project with the National Treasury PPP Unit, be approved.
2. That the Municipal Manager further be, authorised and directed, to conduct the internal and external assessments required by MSA section 78, and if, at the conclusion of said internal and external assessments determines, in his sole discretion, that it is in the best interests of this Municipality to conduct a feasibility study to determine the appropriateness of the provision of said municipal service by a PPP, to proceed to conduct said feasibility study consistent with all applicable statutory and regulatory

requirements, and report the findings of said feasibility study to this Council in due course, be approved.

3. That the Municipal Manager further be, and he is hereby so authorised and directed to:
  - i. appoint a suitably qualified project officer in terms of section 7 of the Municipal PPP Regulations or delegate the responsibility to the Director: Planning, Development & Planning;
  - ii. if requested by either National Treasury or Provincial Treasury, appoint an advisor; and
  - iii. apply to the Project Development Facility (PDF) of National Treasury for funding to defray the expenses of said advisor;
4. That the findings of the feasibility study be presented to this Council in the following order:
  - i. The findings and recommendations of the internal assessment;
  - ii. The findings and recommendations of the external assessment; and
  - iii. The recommendations to Council in terms of the way forward.
5. That the Municipal Manager further be, authorised and directed, to take further actions as are necessary and desirable in order to effect this Resolution in order that the Council of Kouga Municipality may be provided all relevant and pertinent information for reaching a decision on the establishment of a PPP to deliver Tourism function, be approved.

**18/10/PDT5 REPORT: FUNDING SUPPORT TO SINGING WITH BUCIE MUSICAL TALENT SHOW THROUGH SBDM GRANT OF R150 000.00**

**Resolved (30 October 2018)**

1. That Council approves the payment of R150 000.00 (Kouga's got talent) to the Singing with Bucie talent show (activity), subject to written approval from the Sarah Baartman District Municipality;
2. That subject to approval from KLM and SBDM, the SLA with singing with Bucie be drawn and concluded.
3. That it be noted that written confirmation of approval from SBDM has been obtained whereafter the SLA will be entered into and be submitted for approval.



**18/10/PDT6 AMENDMENT OF COUNCIL RESOLUTIONS IN RESPECT OF THE APPOINTMENT OF AN AUTHORISED OFFICIAL, AS WELL AS THE KOUGA MUNICIPAL PLANNING TRIBUNAL MEMBERS IN COMPLIANCE WITH THE REQUIREMENTS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT (ACT NO. 16 OF 2013) AND THE APPLICABLE BY-LAW**

**Resolved (30 October 2018)**

1. That Council Resolution 15/12/IPD 7 be amended to read as follows:
  - xi) *That the Director of Planning, Development & Tourism be appointed as the Authorised Official to make decisions on Category 2 Development Applications submitted in terms of SPLUMA;*
  
2. That Council Resolution 16/09/IPD1 be amended to read as follows:
  - vii) *That the following officials be appointed as Internal Members of the Kouga Municipal Planning Tribunal:*  
  

<i>Director:</i>	<i>Planning, Development &amp; Tourism</i>
<i>Director:</i>	<i>Infrastructure &amp; Engineering</i>
<i>Chief Financial Officer</i>	
<i>Director:</i>	<i>Community Services</i>
<i>Director:</i>	<i>Corporate Services</i>
  
3. That the resolutions contemplated in i) & ii) above be advertised in the Provincial Gazette in compliance with the provisions of the Spatial Planning & Land Use Management Act (Act No. 16 of 2913).

**18/10/PDT7 PROGRESS REPORT: SBDM SMME FUNDING 2017/2018 FINANCIAL YEAR**

**Resolved (30 October 2018)**

1. That the new submissions from Sawage Group PTY (LTD) and Clayton Damons PTY (LTD) for SMME funding from SBDM be supported.
  
2. That it be noted that the Service Level Agreement is to be amended to be in line with the Council resolution of SBDM.

**18/10/PDT8 BUILDING INCLUSIVE GREEN MUNICIPALITIES (BIGM) MISSION TO PRINCE EDWARD COUNTY 23 NOVEMBER 2018 TO 10 DECEMBER 2018**

**Resolved (30 October 2018)**

1. That the proposed trip to Canada from 23 November to 10 December 2018 be supported.
2. That the following Councillors and Officials be authorized to represent the Kouga Municipality on the proposed trip as contemplated in paragraph (7.1) above:  
  
Cllr and Speaker Hattingh Bornman (representing the Mayor)  
Ms. FF Mabusela (BIGM coordinator & representing the Municipal Manager)  
Mr. V Yake (LED Officer)  
Mr. X Wagosa (LED Officer)
3. That the payment of estimated daily S&T as determined by Council's policy, be supported, which is as follows:  
  
Fezeka Mabusela = 17 x 177 Canadian dollars = 3,009 Canadian Dollars  
Vusi Yake = 17 x 177 Canadian dollars= 3,009 Canadian Dollars  
Hattingh Bornman = 12 x 177 Canadian dollars = 2.124 Canadian dollars  
Mr. X Wagosa (LED Officer)= 17 x 177 Canadian dollars= 3,009 Canadian Dollars
4. That it be noted that the estimated S&T as contemplated in (3) above will be converted to Rands subject to the forex exchange rate which can only be established closer to the time of departure.
5. That it be noted that in the absence of the Speaker, Councillor D Benson be appointed as Acting Speaker for the period 23 November 2018 to 10 December 2018, be approved.

**18/10/PDT9 REPORT ON THE GRANT IN AID APPLICATIONS PROCESS FOR 2018/2019 FINANCIAL YEAR**

**Resolved (30 October 2018)**

1. That the Kouga Municipal Grant in Aid allocations, to the following organisations, be approved: -

<b>ORGANISATION</b>	<b>GRANT ALLOCATION AS PER RECOMMENDATIONS</b>
Jeffreys Bay Animal Welfare	R 100 000.00
National Sea Rescue Institute	R 120 000.00
Humansdorp Museums Association	R 120 000.00
Kouga Local Tourism Organisation	R 897 000.00 + R1, 300 000.00
Oasis Radio Station	R 156 208.00
Mighty Men Conference - Eastern Cape	R 100 000.00
<b>TOTAL</b>	<b>R 3,689, 800.76</b>

2. That the Manager: Legal Services draft the Service Level Agreements for the approved organisations and stipulate conditions, of the Grant-in-Aid Committee.
3. That the Municipal Manager enter into the signed agreements on behalf of the Municipality with the approved organisations in line with the approved delegations.

**18/10/PDT10 AUTHORISATION TO AVAIL EFR 300 FOR BUILDING OF PATENSIE AGRICULTURAL SCHOOL**

**Resolved (30 October 2018)**

1. That Council avail Erf 300 for the construction of Agricultural School in Patensie, be supported in principle subject to compliance with Section 14.2 (a) of the MFMA to establish whether the said erf is required for any municipal services.
2. That the re-zoning of Erf 300, Patensie be done in compliance with Land Use Scheme, applicable planning legislation and the Policy and Procedures for the Disposal of Immovable Assets as adopted by Council on 25 April 2018.
3. That Council resolve on the method of disposal for this asset as per options indicated in section 3 (ii) of the SCM policy.
4. That The development plan/proposal be submitted to DEDEAT
5. That Environmental authorisation be obtained from DEDEAT and Dept of Agriculture and Agrarian Reform for the proposed development.

The meeting closed at 14:50 for In Committee discussions.

A handwritten signature in black ink, appearing to be 'H Bornman', written over a horizontal line.

H BORNMAN  
SPEAKER

11 December 2018

DATE

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