

<b>MINUTES OF AN ORDINARY COUNCIL MEETING OF THE KOUGA MUNICIPALITY HELD          AT THE KOUGA COUNCIL CHAMBER (JEFFREYS BAY UNIT) ON          THURSDAY, 31 JANUARY 2019 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	
C August	
W Coenraad	
P Nkwalase	
J Mayoni	
C Mandeka	
M Peters	
A Mabukane	
V Camealio-Benjamin	
M Dayimani	
T Meleni	
V Vumazonke	
E Februarie	
S Jujwana	

**Officials &  
Municipal Manager**

C du Plessis	(Municipal Manager)
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)
L Randal	(Media Liaison Officer)
M Jantjies	(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 Coenraad to open the proceedings with a prayer.

The Speaker requested that item 19/01/CORP2 be dealt with under the Office of the Municipal Manager – unanimously accepted.

Cllr V Camealio-Benjamin advised that not all Councillors received the Annual Report and therefore could not apply their minds to the content.

The Executive Mayor stated that the tabling of the Annual Report was only a draft document and that the final Annual Report will be submitted to Council in March, affording all Councillors 2 months to discuss the Annual Report and make written submission thereon.

Cllrs Februarie and Meleni referred to the Standing Rules of Order and in terms of Rule 6.1 the Annual Report was received less than 5 days prior to the meeting.

Cllr Williams referred to the supplementary items and due to the oversight to comply with Rule 6.1, he urged Council to accept the supplementary items to remain compliant in terms of Rule 8.

Cllr Februarie stated agendas are not delivered on time and has raised the matter on various occasions and no action is taken.

3. **LEAVE OF ABSENCE**

Cllr Matroos                                      With leave of absence

4. **PRESENTATION: DIRECTOR: INFRASTRUCTURE & ENGINEERING: WATER SITUATIONAL ANALYSIS REPORT**

\*\*\* Presentation attached

General

- Salinity contents of each borehole differs – some are high and other have a good yield and the quality of groundwater is taken into account;
- Kouga Municipality will cross-subsidise funds for all projects until funds are received;
- Funds are to be spent by end March 2019 and should some projects still need to be completed, the allocated funds will not be taken back;
- Replacing of old pipes forms part of the R58m allocated;
- Job Creation – SMME's – contractor is obliged to appoint local community in terms of compliancy;

- Process will be addressed to add electronic water reader – smart meters;
- Water samples are taken and tested weekly and Kouga Municipality is compliant with regulations – independent laboratory;
- Funds invested in water tanks for Hankey are not functioning during the day due to load shedding and therefore water points are to be provided to the community;
- Jo-Jo tanks supplied in Loerie but not to the local school;
- Reservoir in Loerie is open and needs to be closed and secured;
- Fencing tender out to secure the reservoir and all council infrastructure facilities;
- Before any development application is approved by Council, the infrastructure capacity is to be determined.

## 5. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

Condolences to the family in Kwanazamo who lost their child due to drowning;  
 Condolences to the families of two workers - Community Services & Law Enforcement who has passed away

Condolences to the family of a worker – I&E who has passed away;

A moment of silence

Congratulations to 3 SMME's in Kouga who successfully secured funding from District with signed contracts.

Acknowledgement to the Ward Councillor of Patensie and gratitude to the Chairperson of the Landbou Unie and surrounding farmers for donating food parcels over the December 2018 period to destitute families due to unemployment.

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

- Excited for the ensuing year ahead and strive to make Kouga Municipality the best municipality through service excellence;
- Election year – urged Councillors not to Kouga Municipal offices as a political platform;
- Rules & Ethics Committee training to commence;
- MRM Campaign – focussed on crime;

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

The Executive Mayor welcomed all present to the 1<sup>st</sup> Council meeting to be held in 2019 and extended a special welcome to the Office of the Auditor General.

- All are encouraged to vote during election year;
- Recent visit from the German Delegation regarding climate change – productive engagement with 2 universities regarding sustainable town and student exchange;
- KM will benefit directly regarding possible abroad investors and spin-offs;

- Thanked the Director: Infrastructure & Engineering for the update and presentation on the Water Analysis Report;
- Reviewing water restrictions;
- IDP engagements commence in April 2019 – 3<sup>rd</sup> review – report on progress regarding priorities;
- Performance of Directors/Management – 100% attendance by relevant officials – not negotiable;
- Tabling of the 2<sup>nd</sup> Draft Annual Report – late submission thereof will be addressed;
- Request MPAC for oversight of Annual Report and to be bold and to allow public participation;
- Condolences to the family who has lost their son due to the recent drowning – MM investigating the drowning;
- Securing of council facilities important to avoid tragedies;
- Gratitude to the MM for improving performance during 2018;

***“Going to do something – do it better than anyone else”.***

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

None

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 11 December 2018 were confirmed and accepted.

Proposed: B Dhludhlu

Seconded: R Jantjies

13. **MATTERS ARISING**

18/12/PDT2 **AMENDMENT OF LAYOUT PLAN: OCEAN VIEW 1500 HOUSING PROJECT: INSTALLATION OF INFRASTRUCTURE SERVICES**

**Resolved (11 December 2018)**

1. That the approved layout plan for the Ocean View 1500 Housing Project be amended to make provision for 235 additional stands on a portion of portion 125 of the Farm Estate Klein Zeekoe River No. 335 and the densification of 58 middle-income stands comprising erven 9646 to 9663 and 9684 to 9725, be supported.
2. That the proposal to provide the appointed Contractor with alternative stands for the installation of infrastructure service in the Ocean View 1500 Housing Project, be supported.
3. That a Land Surveyor be appointed to undertake the land surveying and pegging activities in the erven mentioned in 1) above, be supported.
4. That the financial implications for the appointment of a land surveyor and town planner to undertake the subdivision and amendment of existing general and layout plan be reported at the next Portfolio Committee meeting.

9. **REPORT BACK: IGR FORUM**

None

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**

None

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

None

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

**19/01/MM1 COUNCIL RESOLUTIONS FOR 11 DECEMBER 2018**

Concern was raised that the information and progress on matters as contained in the Action Sheets is not a true reflection and that the progress reports on outstanding resolutions are to be submitted.

**Resolved (31 January 2019)**

1. That the updated Actions Sheets reflecting resolutions of the Ordinary Council meeting for 11 December 2018 be noted.
2. That the Action Sheets be referred to Top Management meetings for discussions and progress reports be submitted to their respective Portfolio Committee meetings in February 2019.

**19/01/MM2 MID-YEAR INSTITUTIONAL PERFORMANCE REPORT: 2018/19 FINANCIAL YEAR: PERIOD 1 JULY 2018 TO 31 DECEMBER 2018**

Cllr Dayimani stated that the SDBIP is only amended after the approval of the Adjustments Budget which will be workshopped and submitted in March and raised concern that funds budgeted for and indicated in the SDBIP are utilized without tabling to Council regarding the reallocation of funds.

**Resolved (31 January 2019)**

1. That the content of the Mid-Year Institutional Performance Report on the implementation of the Service Delivery and Budget Implementation Plan for the period 1 July 2018 to 31 December 2018 be noted.
2. That the Mid-Year Institutional Performance Report on the implementation of the Service Delivery and Budget Implementation Plan for the period 1 July 2018 to 31 December 2018 be amended in terms of targets which are to be in line with the approved Adjustments Budget.

**19/01/MM3 2<sup>ND</sup> DRAFT ANNUAL REPORT (2017/2018)**

**Resolved (31 January 2019)**

1. That the 2<sup>nd</sup> Draft of the 2017/18 Annual Report be noted in terms of the provisions of Section 127(1) of the Municipal Finance Management Act (Act 56 of 2003).

2. That the Accounting Officer in terms of Section 127 (5) of the MFMA, and in accordance with Section 21 (A) of the Municipal Systems Act:
  - a) Make public the Annual Report; and
  - b) Invite the Local Community to submit inputs and comments on the 2<sup>nd</sup> Draft Annual Report.
  - c) Submit the Annual Report to:
    - The Auditor-General;
    - The Provincial Treasury;
    - The Provincial Department for Local Government;
    - Other institutions as prescribed by legislation.
3. That the 2<sup>nd</sup> Draft Annual Report for the 2017/18 financial year be tabled to the Kouga Audit Committee for consideration.
4. That an Oversight Report on the 2<sup>nd</sup> Draft Annual Report be prepared by the Municipal Public Accounts Committee in terms of Section 129 of the MFMA to be tabled to the Council at the end of March 2019.

16. **REPORTS BY THE EXECUTIVE MAYOR**

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

19/01/F1 **MID-YEAR FINANCIAL REPORT FOR THE PERIOD JULY TO DECEMBER 2018 AND THE ASSESSMENT OF THE MUNICIPALITY'S FINANCIAL POSITION AS AT 31 DECEMBER 2018 (2018/19 FINANCIAL YEAR)**

- Current Debtors collection rate is 94%;
- Debt impairment – bad debts are written off upon Council approval;
- Rental of facilities and equipment a concern;
- Informal Traders – building funded by MIG;
- Upgrading of sporting facilities by MIG funding – Tender awarded end 2018 – contractor currently on site;
- Security Cameras – internal generated funding – areas to be identified for installation;
- Lifesaving Tender closed 15 January 2019 – no bidders – funds to be spent by end March 2019;
- Electrification of informal areas – all budgeted funds for electrification of area will be spent on electrification;
- Funds allocated to purchase wheelie bins – additional funding to purchase 4000 and eventually 8000;

- Fencing tender – only one bidder in terms of specifications – funds can only be utilized once the dispute by a bidder is finalized;

**Resolved (31 January 2019)**

1. That the Municipal Manager's report on the Mid-year Budget and Performance Assessment of the municipality, in accordance with Section 72(1)(a) of the MFMA, be noted.
2. That the Executive Mayor's report on the implementation of the budget and the financial state of affairs of the municipality, in accordance with Sections 52(d), 54(1)(f) and 72 of the MFMA, be noted.
3. That an Adjustments Budget, based on the realistically anticipated revenues, in line with section 18 of the MFMA, be tabled by the Executive Mayor to the Council.
4. That the 2018/19 Adjustments Budget be tabled by the Executive Mayor to the Council on 28 February 2019.
5. That the Mid-year report accordingly be submitted to National Treasury and Provincial Treasury, in line with Section 72(1) (b) of the MFMA.

**19/01/F2 BUDGET AND TREASURY: WITHDRAWALS FROM MUNICIPAL BANK ACCOUNT FOR THE QUARTER ENDED 31 DECEMBER 2018**

**Resolved (31 January 2019)**

1. That the withdrawals that were made in terms of Section 11(1) (b) to (j) of the MFMA for the quarter ended 31 December 2018, be noted.
2. That the report accordingly be submitted to the Provincial treasury and the Auditor-General, as stipulated in Section 11(4) (b) of the MFMA.

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

**19/01/CORP1 MEMBER REPLACEMENT FOR RULES AND ETHICS COMMITTEE**

Cllr T Jantjes was proposed by Cllr Williams and seconded by Cllr B Dhludhlu



**Resolved (31 January 2019)**

1. That Cllr D Biggs be replaced on the Rules and Ethics Committee with immediate effect.
2. That Cllr T Jantjes be appointed to serve on the Rules & Ethics Committee with immediate effect.

**19/01/CORP2**

**2<sup>ND</sup> DRAFT ANNUAL REPORT (2017/2018)**

**Resolved (31 January 2019)**

1. That the 2<sup>nd</sup> Draft of the 2017/18 Annual Report be dealt with under the Office of the Municipal Manager under item 19/01/MM3.

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

None

**16.4 REPORTS BY THE PORTFOLIO CHAIRPERSON: COMMUNITY SERVICES**

**19/01/CS1 FIRE ASSESSMENT REPORT CONDUCTED BY PHOENIX FIRE**

Cllr Meleni expressed concern that assessments are selectively done in Kouga regarding fire disasters as over the same period a fire disaster occurred in Ocean View which had left those affected homeless. Cllr Dayimani stated that the Executive Mayor should visit all disaster-stricken areas in Kouga and not to be selective with assessments of only certain areas.

Cllr B Dhludhlu and Cllr Dayimani made derogatory statements in Council and were requested to withdraw the statements made which were duly done with apology by respective Councillors.

It is be noted that the Opposition Party rejected the Fire Assessment Report conducted by Phoenix Fire.

**Resolved (31 January 2019)**

1. That the report on the Fire Assessment Report Conducted by Phoenix Fire, be noted.
2. That Council approve the following:
  - The installation of a voice logger system for the Fire Station Control room in Humansdorp.
  - That the Municipality should consider making suitably wide fire breaks at strategic points where veld and bush interface with

the urban areas with the installation of additional Fire Hydrants in the fire break areas.

- That the home owners be instructed to clear and improve on their own fire protection arrangements.

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

19/01/PDT1 **GRANT- IN- AID IN YEAR APPLICATION: SPCA**

**Resolved (31 January 2019)**

1. That the grant allocation of R120 000.00 to SPCA as recommended by the Grant in Aid Committee, be supported.
2. That Legal Services draft the SLA for the approved organisations and stipulate conditions as per minutes of the Grant-in Aid Committee.
3. That the Municipal Manager enter into the signed agreements on behalf of the Municipality with the approved organisation in line with the approved delegations.

**The meeting closed at 12:55 for In Committee discussions.**



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**H BORNMAN**  
**SPEAKER**

28 February 2019

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**DATE**

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