

<p>MINUTES OF AN ORDINARY COUNCIL MEETING OF THE KOUGA MUNICIPALITY HELD AT THE KOUGA COUNCIL CHAMBER (JEFFREYS BAY UNIT) ON TUESDAY, 30 APRIL 2019 AT 10:00</p>

PRESENT: Councillors

H Bornman	(Speaker)
H Hendricks	(Executive Mayor)
B Williams	
D Benson	
F Baxter	
FJ Campher	
BF Rheeder	(Alderman)
DM Nkomo	
L Vorster	
F Louw	
W Coenraad	
NS Botha	
B Dhludhlu	
WPD Gertenbach	
C August	
R Jantjies	
T Jantjes	
P Nkwalase	
V Camealio-Benjamin	
J Mayoni	
M Dayimani	
T Meleni	
V Vumazonke	
E Februarie	
C Mandeka	
M Peters	
A Mabukane	

**Officials &
Municipal Manager**

C du Plessis	(Municipal Manager)
F Mabusela	(Acting Municipal Manager)
S Thys	(CFO)
V Felton	(Director: I&E)
K Moodley	(Director: Corporate Services)
N Machelesi	(Director: Community Services)
L Opperman	(Manager: Legal Services)
L Randall	(Media Liaison Officer)
S Moloji	(Committee Services)
B de Groot	(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 Cllr T Jantjes to open the proceedings with a prayer. The Speaker extended a special welcomed to the newly appointed Manager: Integrated Human Settlements, Mawethu Penxa.

A concern was raised that some of the supporting documentation submitted with items by the relevant Directorates are not clear and officials are to ensure that all annexures submitted with items are legible.

3. **LEAVE OF ABSENCE**

None

4. **ABSENT**

C Matroos
S Jujwana

5. **PRESENTATIONS**

None

6. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

Cllr Dhludhlu advised that 4 Councillors from KM received certificates at a function held at the NMU regarding a Human Settlements Course which they attended.

The Speaker gave acknowledgement to Cllr V Camealio-Benjamin and advised that it will most probably be the last Council meeting attended as she has become a Member of Provincial Legislature (MPL).

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

The Speaker stated that the 2019 National and Provincial elections is taking place in due course and urged all Councillors to stay focussed on Council business and not to utilize Council facilities for election campaigning.

The Speaker stated that the scheduled IDP meetings have been taking place in the various Ward over the past two weeks and mentioned that it was a matter of concern that the meetings were not well attended by officials. Ward Councillors are requested to give feedback to their communities.

The Speaker mentioned that only 3-4 Wards spent 100% of the funds allocated and in some Wards no funds allocated were spent.

The Speaker thanked Cllr V Camealio-Benjamin for serving Kouga and the community for the past 13 years with commitment, dedication and valuable contributions made to Kouga. The Speaker wished Cllr V Camealio-Benjamin well in all future endeavours.

The Speaker quoted:-

*“Attitude is a choice,
Happiness is a choice,
Optimism is a choice,
Kindness is a choice,
Giving is a choice.”*

Choices make you – so choose wisely.

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

The Executive Mayor conveyed his best wishes to Cllr V Camealio-Benjamin in serving Kouga for the past 13 years as well as SBDM. He stated that she is a very competent person who had reached great achievements and goals. The Executive Mayor wished her well and stated to continue with great service.

The Executive Mayor expressed his disappointment regarding the IDP process which was not successful as it did not serve the intended purpose. The IDP and Budget are to be aligned and acknowledges this failure. The Municipal Manager is to step in to ensure a quality process.

The Executive Mayor advised that a meeting with the contractor appointed to construct the plastic road was held and commence is envisaged during May 2019 with an official launch.

The Executive Mayor gave recognition to all officials who had worked over the Easter Holiday period in terms of service delivery and urged that officials continue with the good quality of work delivered over the holiday period.

The Executive Mayor advised that a Prayer Session will take place on 2 May 2019 in Kwanomzamo in aid of a peaceful election on 8 May 2019. The Executive Mayor wished all parties success and to have a fair election in the upcoming elections.

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

None

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

None

11. **REPORT BACK: MUNIMEC**

None

12. **DECLARATION OF INTEREST**

None

13. **STATUTORY MATTERS**

14. **REPORTS BY THE EXECUTIVE MAYOR**

15. **CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS**

- 15.1 The Minutes of Special Council Meeting held on 29 March 2019 were confirmed and accepted with amendments.

Proposed: B Rheeder

Seconded: W Gertenbach

16. **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).

16.1 **MINUTES OF PREVIOUS MAYORAL COMMITTEE MEETING**

The minutes of the Mayoral Committee meeting held on 20 February 2019 were noted.

17. **MATTERS FOR INFORMATION**

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

All reports submitted under matters for information were noted and accepted.

18. **MATTERS FOR DISCUSSION**

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

19/04/MM1 COUNCIL RESOLUTIONS FOR 29 MARCH 2018

Resolved (30 April 2019)

1. That the updated Actions Sheets reflecting resolutions of the Council meeting held on 29 March 2019 be noted.
2. That all resolutions be discussed at Top Management meetings whereafter outstanding reports are to be submitted to respective Portfolio Committee meetings for discussion.
3. That the Action Sheets be distributed within 10 days after Council meetings to the respective Directorates for actioning.

19/04/MM2 CALL CENTRE REPORTS ON SERVICE DELIVERY REQUESTS JANUARY – FEBRUARY 2019

Resolved (30 April 2019)

1. That the report on the Call Centre Service Delivery Requests January – February 2019 be noted with amendments.
2. That the Service Provider be requested to include in the service delivery requests report, plot clearing under environmental which is to be reflected separately in the total summary table and graph.
3. That the Call Centre Reports on Service Delivery Requests be included as a standard item on the agenda for discussion at Top Management meetings and be forwarded to the Office of the Speaker.
4. That the Call Centre Reports on Service Delivery Requests be submitted to all Portfolio Committee meetings for discussion and noting purposes.
5. That the Call Centre Reports on Service Delivery Requests for Wards be forwarded to all Ward Committees for noting purposes.
6. That a collective monthly report between the link app, call centre and day-to-day job card operations regarding service delivery requests received be submitted to the Top Management meetings for discussion.

19/04/MM4 MEDIA REPORT – JULY TO DECEMBER 2018

Resolved (30 April 2019)

1. That the media report for the period July to December 2018 be noted.
2. That it be noted that a Service Provider has been appointed to monitor all media coverage and that statistics will be submitted quarterly.
3. That the Media Liaison Officer develop a monthly newsletter for the whole Kouga Municipality to be phased in with the monthly electronic utility account effective 1 July 2019.

19/04/MM5 FEEDBACK ON ACQUISITION OF IMMOVABLE PROPERTY – WOLTEMADE BUILDING AND IN PRINCIPLE CONSIDERATION TO CONSTRUCT NEW MUNICIPAL OFFICES

The Municipal Manager confirmed that the municipality currently owns property i.e. ERF 5803 & 5804 which is ideally positioned for a new office building that will accommodate the administrative unit. Currently a needs analysis is being undertaken as well as negotiations.

Cllr Camealio-Benjamin stated that prior to the procurement process for the concept and design of the municipal building being commenced with, proper specifications based on the needs analysis is to be in place when calling for public tender.

Resolved (30 April 2019)

1. That negotiations for the purchase Erf 7877, Woltemade & St Croix Streets, Jeffreys Bay, be abandoned in favour of the proposed construction of consolidated office space for the municipality, be supported with amendments.
2. That it be noted that the lease with Bamblela Property Developments for the Woltemade Building will end on 31 January 2021.
3. That the Accounting Officer be authorized to explore the financial implications of the proposed construction of new offices and report back on such findings, be supported.
4. That it be noted, the municipality owns ERF 5803 & 5804 which is deemed suitable for such new offices.
5. That the required budget provision of R1 600 000 for the design, layout, 3D drawings and costing of such offices be provided for in the 2019/20 Budget, be supported.

6. That the Municipal Manager obtain valuations for the following municipal buildings, which could be disposed of in lieu of a consolidated office building, be supported:
 - a. Da Gama Street Office - Erf 271, 272 & 273
 - b. Shell Museum - Erf 6558
 - c. SCM Stores & Fleet - Erf 6633

7. That to give effect to point 5 above, that a competitive process be followed.

19/04/MM6 KOUGA MAYORS CUP TOURNAMENT 2019

Cllr V Camealio-Benjamin stated that payments to sporting bodies are to be consistent with the distribution of funds. Cllr Februarie stated that with future requests for funds by soccer and rugby sporting bodies, Council is to consider increasing fund distribution.

Resolved (30 April 2019)

1. That the proposal be approved and that the following Sport Club structures be paid, as reflected below:-

Eastern Province Kouga Rugby Union:	R20 000
Kouga Local Football Association:	R20 000
Kouga Netball:	R20 000
Kouga Golf:	R20 000
Kouga Chess:	R20 000
Kouga Cricket:	R20 000
Pool:	R10 000
Kouga Volleyball Union:	R10 000
Total:	R140 00

2. That the payment of the Mayors Cup Tournament be condoned by Council.

20. **REPORTS BY THE EXECUTIVE MAYOR**

20.1 **FINANCE**

19/04/F2 **REPORT ON PROGRESS WITH THE PROCUREMENT PROCESS FOR THE DEVELOPMENT OF A LOCAL ECONOMIC DEVELOPMENT STRATEGY FOR THE KOUGA LOCAL MUNICIPALITY**

Cllr Williams requested that the recommendation as contained in the agenda is to be amended by removing point 3.2 and 3.3. Cllr Camealio-Benjamin advised that it is protocol that when amendments are made to recommendations, reason to the change is to be given.

Cllr Williams responded by mentioning that the item does not reside in the Finance Portfolio and will be addressed in the LED Portfolio in the agenda.

Cllr Dayimani stated that it was a good progress report tabled but that information on the specifications on the LED Strategy Development is to be made available to enable Councillor to do an oversight in terms of achievements regarding the LED Strategy development.

Resolved (30 April 2019)

1. That the progress report regarding the appointment of a service provider, to develop a Local Economic Development Strategy for the Kouga Local Municipality, be noted.

Proposed: B Williams

Seconded: B Rheeder

19/04/F3 **REVENUE MANAGEMENT: MONTHLY DEBTORS REPORT – JANUARY 2019**

Cllr Dayimani stated that it was a concern that external service providers need to be appointed to advise Council on debt to be written-off. Due to the financial implications associated therewith, skills transfers should be investigated to retain internal skills and to avoid appointing external service providers with costs.

Cllr Williams advised that the Bad Debts Committee reviews and makes recommendations regarding irrecoverable debt to be written-off. The Bad Debts Committee has not received any relevant information and therefore recommended to appoint an external service provider to advise Council.

Resolved (30 April 2019)

1. That the Debtors Report for the month of January 2019, be noted with amendments.

2. That the CFO be requested to advise of the next Bad Debts Committee meeting.
3. That the CFO report within 7 days on the progress of appointing an external service provider who will advise on debt which is irrecoverable and should be written-off by Council.
4. That a separate revenue report per Ward be tabled at the next Finance Portfolio Committee meeting.

Proposed: B Williams

Seconded: B Rheeder

19/04/F4 REVENUE MANAGEMENT: MONTHLY DEBTORS REPORT – FEBRUARY 2019

Resolved (30 April 2019)

1. That the Debtors Report for the month of February 2019, be noted with amendments.
2. That the CFO be requested to advise of the next Bad Debts Committee meeting.
3. That the CFO report within 7 days on the progress in appointing an external service provider who will advise on debt which is irrecoverable and should be written-off by Council.
4. That a separate revenue report per Ward be tabled at the next Finance Portfolio Committee meeting.

19/04/F5 REVENUE REPORT: SUMMARY OF THE EQUITABLE SHARE ALLOCATIONS PER UNIT/SERVICE AND WARD

Resolved (30 April 2019)

1. That the summary of the Equitable Share allocations per unit/service and ward for the period ending 31 January 2019, be noted.
2. That a separate report on the collection rate on electricity debt be submitted to the next Finance Portfolio Committee meeting as the collection rate is not currently reflected in the report.
3. That Paradise Beach and Sea Vista be reflected as independent entities in future reports indicating EQS allocations, which reflects various town in Kouga as administrative units, be supported.

19/04/F6

REVENUE REPORT: SUMMARY OF THE EQUITABLE SHARE ALLOCATIONS PER UNIT/SERVICE AND WARD

Cllr V Camealio-Benjamin stated that previously the issue was raised about people living on plots who cannot apply in terms of the current policy. People are obtaining water from standpipes and there is electricity on the plots and cannot apply for EQS. A major concern is that people who do qualify, cannot apply.

The CFO stated that the current policy does not make provision for the occupier, only deals with registered owners of the property. The CFO also mentioned that the policy may be reviewed to provide for occupiers of properties.

Cllr Februarie requested that a visit to the respective communities should be done more often to register people who need to make application for EQS and not just on annual visits.

Resolved (30 April 2019)

1. That the summary of the Equitable Share allocations per unit/service and ward for the period ending 28 February 2019, be noted.
2. That Paradise Beach and Sea Vista be reflected as independent entities in future reports indicating EQS allocations, which reflects various towns in Kouga as administrative units, be supported.

19/04/F11

MONTHLY REPORT OF ALL COUNCIL PROPERTIES LEASES AS AT 30 JANUARY 2019 AND 28 FEBRUARY 2019

Cllr Williams expressed dissatisfaction regarding the quality of the report and that the information contained in the tables and graphs was not clear in terms of the current status.

Cllr Dayimani once again advised that he is not in agreement that external services providers are appointed to undertake an audit of council owned property and was of the opinion that Council has the capacity to do the audit internally.

An internal audit to investigate the conduct of officials in the Assets Department should be undertaken to establish as to why the situation has occurred with possible consequence management.

Resolved (30 April 2019)

1. That the Operating Lease of Council properties as at 30 January 2019 and 28 February 2019, be noted with amendments.
2. That an external Service Provider be appointed to audit all council owned property to establish whether contracts have been concluded with all parties occupying council owned property subject to normal procurement processes.
3. That the Accounting Officer be requested undertake an internal audit to investigate the conduct of officials in the Assets Department and that the scope of investigation regarding the conduct of officials in the Assets Department be reported on.
4. That an Immovable Property Workshop for all Councillors be arranged by the relevant Department.
5. That the management of assets and leases be included in the KPI's of the CFO and be included in the SDBIP.

Proposed: B Williams

Seconded: E Februarie

19/04/F12

SHORT-TERM INSURANCE CLAIMS REPORT FOR THE MONTH OF JANUARY 2019

Resolved (30 April 2019)

1. That the Short-term insurance claims report as at 31 January 2019, be noted.
2. That the Manager: Legal Services submit a report on all outstanding insurance claims as well as legal matters under dispute to the next Finance Portfolio Committee meeting.
3. That it be noted that the current service provider has been appointed on a month to month basis until the procurement process has been finalised to appoint a new service provider to manage insurance claims.
4. That an audit of redundant equipment be undertaken by all Directorates with the intention to dispose thereof and that such equipment be removed from the assets register to avoid unnecessary insurance costs for all redundant equipment.
5. That a report as contemplated in 4 above be submitted to the next Finance Portfolio Committee meeting.

19/04/F13 **SHORT-TERM INSURANCE CLAIMS REPORT FOR THE MONTH OF FEBRUARY 2019**

Resolved (30 April 2019)

1. That the Short-term insurance claims report as at 28 February 2019, be noted.
2. That an updated report on the procurement process on the Short-term Insurance tender be submitted to the next Finance Portfolio Committee meeting.

19/04/F14 **EXPENDITURE REPORTS: FOR THE MONTH OF JANUARY 2019**

Resolved (30 April 2019)

1. That the Expenditure reports for the month January 2019, be noted with amendments.
2. That a root cause analysis be undertaken by internal audit as to why all creditors are not reflected on the system and that the progress report be submitted to the next Finance Portfolio Committee meeting.

19/04/F16 **ICT REPORT ON THE OPERATIONAL SOFTWARE WITH THE MUNICIPALITY**

Resolved (30 April 2019)

1. That the ICT report for the month of February 2019 be, noted.
2. That detailed information be provided on each programme and that the KPI's form part of the CFO performance targets and that it be reported in the SDBIP as such for the new Financial Year.

Proposed: B Williams

Seconded: V Camealio-Benjamin

19/04/F17 **REPORT ON THE REVENUE ENHANCEMENT TASK TEAM MEETING HELD ON 20 MARCH 2019**

Resolved (30 April 2019)

1. That the report on the outcomes of the Revenue Enhancement Task Team Meeting, held on 20 March 2019, be noted with amendments.
2. That the Office of the Municipal Manager arrange an urgent meeting within the next 14 days between the Revenue Enhancement Task Team and Mayco to discuss the Revenue Enhancement Plan.

Proposed: B Williams

Seconded: R Jantjies

19/04/F18 **SHORT-TERM INSURANCE: AGREEMENTS OF LOSS REPORTS FOR THE PERIOD ENDING 31 MARCH 2019**

Resolved (30 April 2019)

1. That the Short-term insurance; Agreements of Loss reports as at 31 March 2019, be noted with amendments.
2. That Assets Management form part of the KPI's of the CFO performance management contract and that it be included in the SDBIP for the new Financial Year.
3. That confirmation be obtained from the leading department confirming that all assets mentioned were either replaced or repaired and that the relevant asset value is accurately reflected in the Assets Register.

Proposed: B Williams

Seconded: B Rheeder

19/04/F19 **PROGRESS REPORT: IMPLEMENTATION OF THE MUNICIPAL STANDARD CHART OF ACCOUNTS (mSCOA) FOR THE MONTHS OF JANUARY 2019 AND FEBRUARY 2019**

Cllr Williams expressed his concern that financial dashboard has been made available to the Municipality as agreed to by Bytes 2017. The financial dashboard is not fully functional and cannot access any financial information without the dashboard.

Cllr Williams also reported that various meetings have been held with National Treasury to address the matter to no avail in resolving the matter.

Resolved (30 April 2019)

1. That the progress report on the implementation of mSCOA, be noted with amendments.
2. That all actions be reported to the Portfolio Chairperson within 10 days which is to include the ICT Due Diligence report and that an item be prepared for submission to the next Finance Portfolio Committee meeting.
3. That a report be forwarded to National Treasury stating that Kouga Municipality still does not have a financial dashboard despite the agreement by Bytes to provide in December 2017 to access financial information.

Proposed: B Williams

Seconded: V Camealio-Benjamin

19/04/F21 **MONTHLY BUDGET STATEMENTS FOR THE PERIOD JULY 2018 TO MARCH 2019 AND FINANCIAL STATE OF AFFAIRS OF THE MUNICIPALITY AS AT 31 MARCH 2019 (2018/19 FINANCIAL YEAR)**

Cllr Williams commended the relevant officials regarding the collection rate which had increased to 97%.

Cllr Williams pointed out the following concerns:-

- Slow expenditure on Capital Expenditure – Water Service Infrastructure Grant
- Rentals – 16% of budget – should be 75%
- Licenses and permits – over budget
- Expenditure – debt impairment – very low
- Finance charges – significantly over budget
- Contracted services – over budget

The Municipal Manager advised that the Capital Budget Performance is of concern especially on the Repairs and Maintenance which indicated 52% but also bearing in mind the movements have been made on the Adjustments Budget. The financial software supporting systems for the Municipality is not in place which affects all department therefore the IT support systems needs to be upgraded.

The Municipal Manager referred to the Maintenance Budget and the figures reflected are approximately 4-6 weeks behind due to orders processed and invoices not as yet being paid. Current staff are under tremendous workload.

With reference to the Capital Budget Performance:-

Corporate Services has 3 projects in the current budget and procurement budget – expenditure will therefore take place.

Planning, Development & Tourism – Capital Projects – Informal Trading Building, consultant has been appointed. Land acquisitions for housing projects have been concluded, in the process of finalizing contracts.

Community Services – procurement for additional Vehicles will be finalized within the next 30 days. Wheelie Bins currently being distributed, invoices still need to be paid. Only some internal projects will be carried over to the new financial year.

Infrastructure & Engineering – Drought Water Projects – 50% of allocated funds will be spent by end of June 2019. It must be note that there are some large projects procured which are reflected but invoices have not yet been paid.

Cllr Februarie raised concern that it was unacceptable that officials are not attending to the payment of invoices timeously and expenditure on projects. When the Organizational Structure was under review, staff issues were addressed to avoid such situations.

The CFO advised as follows:-

Rental facilities and Equipment – in the Adjustments Budget the revenue for Caravan Parks was moved from other revenue into the Rental Facilities and Equipment. The actuals have not yet been moved. Will be reflected in next Section 71 report.

Debt Impairment – will be addressed in meeting to be held in due course.

Finance Charges – in terms of the Metro bulk water account, interest is being raised on the outstanding amount of R46m. Therefor the amount of R2.9m is interested charged.

Contracted Services – underspending is mainly on maintenance contracted out. When spending is assessed at end of March, the 30 days delay in paying of invoices needs to be taken into account therefore assessments need to work 30 days back. Latest spending on maintenance is reflected in the report submitted at the end of March 2019 – 59,8%.

Resolved (30 April 2019)

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 Executive Mayor's report on the implementation of the budget and the financial state of affairs of the municipality, for the quarter ended 31 March 2019, in accordance with Section 52(d) of the MFMA, be noted.
3. That the monthly budget statements be accordingly submitted to Provincial Treasury as stipulated in Section 71(1) of the MFMA.

20.2 **CORPORATE SERVICES**

19/04/CORP1

**COMPARATIVE MONTHLY REPORT FOR THE CORPORATE SERVICES
DIRECTORATE: ADMINISTRATION SECTION**

Resolved (30 April 2019)

1. The monthly report for January and February 2019, be noted.
2. That other platforms of advertising such as online media be referred to the Management Committee for more deliberation.
3. That a comprehensive report on the fleet management in terms of vehicle expenditure be tabled to the next Corporate Services Portfolio Committee Meeting.

19/04/CORP2

HR REPORT FOR JANUARY 2019 TO FEBRUARY 2019

Resolved (30 April 2019)

1. That the HR Report for January 2019 To February 2019, be noted.
2. That the Committee notes the stats and monitor movement monthly.
3. That it be noted that a report on the 75 workers will be tabled at the next Corporate Services Portfolio Committee meeting whereafter the report will be tabled to Council.

19/04/CORP3

ANALYSIS: OVERTIME VS SHIFT WORKERS FOR THE TRAFFIC SECTION

Resolved (30 April 2019)

1. That the Analysis: Overtime Vs Shift Workers report for the Traffic Section, be noted.
2. That the overtime cost analysis undertaken to justify the implementation of a shift system on rotation for the Traffic Section in terms of financial implications, be noted.
3. That a Work Study on the overtime vs shift workers for the Traffic Section be conducted to justify the financial implications for the actual need in Kouga, be supported.
4. That the Work Study to be conducted also include the Law Enforcement Department, be supported.

19/04/CORP4

REPORT ON THE PROGRESS OF THE WARD DEVELOPMENT FUND

Resolved (30 April 2019)

1. That the report on the Progress of the Ward Development Fund be noted.
2. That the Ward Development Fund Policy be reviewed at the next Policy Workshop to be held on 17 April 2019.
3. That the reviewed Ward Development Fund Policy be submitted to Council for endorsement.

19/04/CORP5

REPORT ON THE WARD DEVELOPMENT FUND POLICY
Resolved (30 April 2019)

1. That the item be withdrawn.

20.3 **INFRASTRUCTURE & ENGINEERING**

19/04/I&E1 **INFRASTRUCTURE AND ENGINEERING SERVICE DELIVERY REPORT**

Resolved (30 April 2019)

1. That the progress on service delivery of complaints in the Infrastructure & Engineering directorate (i.e. water, sewer, roads, electricity, etc.) for period January – February 2019 be noted with amendments.
2. That a separate report indicating actual daily activities done by the Infrastructure & Engineering Directorate regarding complaints received and resolved by the Call Centre be submitted to the next Portfolio Committee meeting.

Proposed: B Williams

Seconded: W Gertenbach

19/04/I&E2 **RE: PROGRESS ON GRANT FUNDING (MIG, INEP, WSIG & EPWP)**

The Municipal Manger advised that the target is to spend 50 of the R151m on the water projects by end of June 2019. MIG projects – allocated funds will be spent by end of financial year. Internal expenditure which is approximately 40% - current challenges, could possibly do roll over on capital projects. IT support system not optimum to ensure work is properly done in terms of procurement therefore a root cause analysis to be done with consequence management.

Patensie water supply – professional service provider appointed for design. Expenditure incurred regarding the drafting of tender documents for the concept design. Re-advertised for procurement which is currently being done.

Resolved (30 April 2019)

1. That a comprehensive report on the following concerns be submitted to the next Portfolio Committee meeting:-
 - a) Clarity on projects running into multiyear projects.
 - b) Clarity on projects being rolled over due to delayed movements within the allocated time frames.
 - c) Clarity on the capacity of spending the funds on other projects if the money is not spent on the allocated project.

- d) Clarity on when the contractors will be on site as they were had already been appointed.
- e) Clarity on the reasons why the approved budget was spent on the actual expenditure yet, the contractors still needed to be appointed.
- f) Planned action to prevent the delays in the project that may cause the Municipality to lose funding.
- g) Clarity on the tenders that were cancelled and needed to be re-advertised.
- h) Clarity on the projects where contractors had not yet been appointed.

19/04/I&E3 DROUGHT FUNDING: PROGRESS WITH BOREHOLE DEVELOPMENT AND WATER CONSERVATION AND DEMAND MANAGEMENT PROJECTS

Resolved (30 April 2019)

1. That the report on the progress on the implementation of drought relief funds be noted and accepted.

19/04/I&E5 REPORT ON STATUS OF REQUIRED OPERATION AND MAINTENANCE OF SURFACE ROADS

Resolved (30 April 2019)

1. That the Report On Status Of Required Operation And Maintenance Of Surface Roads, be approved with amendments.
2. That a needs assessment be undertaken to identify critical roads in Wards for re-surfacing in line with the available operational budget, be considered.

Proposed: B Williams

Seconded: F Campher

19/04/I&E6 DAY TO DAY OPERATIONS OF THE FLEET SECTION WHICH RESIDES UNDER INFRASTRUCTURE & ENGINEERING DURING THE PERIOD OF FEBRUARY 2019

Resolved (30 April 2019)

1. That the report be referred to the Top Management for discussion.
2. That all Directorates be required to submit an audit report of all redundant equipment/assets to the Office of the Municipal Manager by no later than end April 2019 after which a report of redundant equipment/assets write-offs be tabled at the respective Portfolio Committee meetings for consideration.

3. That once all redundant equipment/assets per Directorate have been identified, that such be disposed of by public auction by end of June 2019.

20.4 **COMMUNITY SERVICES**

19/04/CS7 MIG RING FENCED FUNDING

Resolved (30 April 2019)

1. That the report MIG Ring Fenced Funding for Sport Infrastructure, be noted.
2. That the project be registered under the MIG funding, be approved.
3. That the procurement process be commenced with.
4. That the budget allocation be included in the 2019/2020 financial year, be approved.
5. That the project be allocated on the IDP, be supported.
6. That it be noted that the Manager: Legal Services be requested to obtain confirmation on the % of MIG Funding allocation towards Sports Council Development and submit a report to the next Community Services Portfolio Committee meeting.

19/04/CS8 REPORT ON OYSTER BAY DUNE REHABILITATION

Resolved (30 April 2019)

1. That the work be completed and rehabilitation on the Oyster Bay dune to start immediately, be approved.
2. That it be noted that continuous maintenance of the dunes will be a required process going forward.

19/04/CS9 FIRE RISK REDUCTION PROGRESS REPORT

Resolved (30 April 2019)

1. That all stakeholders from the Municipality be actively involved and committed to make this program a success, be supported.
2. That the program be rolled out to other areas in the Kouga jurisdiction, be supported.
3. That the Fire Risk Reduction Program, be noted.

19/04/CS10 REPORT ON ENVIRONMENTAL AND AWARENESS PROGRAM

Resolved (30 April 2019)

1. That the Environmental and Awareness Programmes be implemented as it will assist greatly to reduce illegal dumping sites in our communities, be supported.

19/04/CS11 REPORT ON WHEELIE BIN MANAGEMENT POLICY

Resolved (30 April 2019)

1. That the reviewed Wheelie Bin Management Policy be approved.
2. That the approved Wheelie Bin Management Policy be placed on the Kouga Website.

19/04/CS12 REPORT ON FIRE RISK REDUCTION COMMITTEE – TERMS OF REFERENCE

Resolved (30 April 2019)

1. That the Terms of Reference for the Fire Risk Reduction Committee, be approved.

20.5 PLANNING AND DEVELOPMENT

19/04/PD1 TOWN PLANNING PROGRESS REPORT: JANUARY – MARCH 2019

Resolved (30 April 2019)

1. That the town planning progress report on for January to March 2019 be noted.
2. That a comprehensive report detailing specific areas where development is currently taking place be tabled on the next Portfolio Committee meeting.
3. That the number of approved building plans and monetary value generated per town also be included in the report as contemplated in (2) and be submitted to the next Portfolio Committee meeting.
4. That the financial implications for the possible appoint of a contractual Building Inspector/Plans Examiner for a period of 6 months to assist with the current backlog in the Town Planning Department be investigated and that a report be submitted to the next Portfolio Committee meeting, be supported.

19/04/PD3 PROPOSED LAND SALES

Resolved (30 April 2019)

1. That the valuations of the erven contained in the item, which are based on the 2018 Municipal Valuation Roll, be accepted.
2. That the proposed land sales already finalised and processed be accepted.
3. That the outstanding proposed land sales be advertised by open public tender, adhering to all legislative requirements and processes to be followed, be approved.

19/04/PD4 KOUGA LOCAL MUNICIPALITY OUTDOOR ADVERTISING CONTROL POLICY: UNAUTHORIZED SIGNAGE AND LEGAL SIGNAGE

Resolved (30 April 2019)

1. That the report on Outdoor Advertising Control Policy on authorised signage and legal signage be noted with amendments.
2. That a report on illegal signage be submitted to the next Community Services Portfolio Committee meeting indicating control measures implemented by Law Enforcement against offenders.
3. That a notice be published in the media advising of Council's intention regarding the process to be followed to legalise illegal signage in Kouga specifying a timeframe by which to legalise i.e. by end of June 2019 failing which Council will take action against offenders not in compliance.
4. That it be noted that the Outdoor Advertising Control Policy on Authorised Signage as well as the By-Law will be reviewed at the next policy workshop to be held in May 2019.

Proposed: V Camealio-Benjamin

Seconded: E Februarie

19/04/PD5 RESCINDMENT OF COUNCIL RESOLUTION: 16/09/IPD1 DATED 9 SEPTEMBER 2016 - APPOINTMENT OF KOUGA MUNICIPAL PLANNING TRIBUNAL MEMBERS, AND APPOINTMENT OF NEW MPT COMMITTEE MEMBERS

Resolved (30 April 2019)

1. That Council Resolution 16/09/IPD1 - Appointment of Kouga Municipal Planning Tribunal Members, dated 9 September 2016, be rescinded.
2. That in terms of the provisions of Section 39 (1) of the Kouga Spatial Planning and Land Use Management By-Law as promulgated under Provincial Notice No. 3609 dated 4 March 2016 the following persons be appointment as external members of the Kouga Municipal Planning Tribunal:

N. H .Janse van Rensburg	(Civil Engineering)
B. Brooker	(Town Planning)
J. du Toit Bester	(Land Surveying)

3. That the appointment of the Kouga Municipal Planning Tribunal Members be for a period of 5 years as from 1 October 2016 to 31 September 2021.
4. That it be noted that MPT Meetings will be held on a bi-monthly basis.
5. That it be noted that the following remuneration packages have been approved by the Council on 18 December 2015:

Chairperson	R3584 per day
Members	R2176 per day

6. That at least one Ad-Hoc Specialist/Technical Advisor per day at the fee applicable to ordinary members, should specific expertise be required.
7. That S & T allowances will also be payable for each seating, as determined by the National Treasury Regulations or the Department of Transport. (In accordance to the approved Standard Conditions of Service).
8. That, Mr Bruce Brooker be appointed as the Chairperson and the Director Infrastructure and Engineering be appointed as Vice Chairperson, as per Paragraph 39 of the Kouga Spatial Planning and Land Use Management By-Law.
9. That in terms of the provisions of Section 39 (4) of the Spatial and Land Use Planning and Land Use Management By-Laws as promulgated under Provincial Notice No. 3609 dated 4 March 2016 the commencement date of the Kouga Municipal Planning Tribunal which is 1 October 2016, be published.

10. That the following officials be appointed as Internal Members of the Kouga Municipal Planning Tribunal:

Director: Planning, Development & Tourism
Director: Infrastructure & Engineering
Chief Financial Officer
Director: Community Services
Manager: Legal Services

11. That the Internal and External members of the Kouga Municipal Planning Tribunal be notified accordingly.
12. That an advertisement (taking equity in consideration), for an additional member (from the Kouga municipal area) to be appointed to serve as Municipal Planning Tribunal Members, be placed in the local newspapers).
13. 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.
14. That the resolutions contemplated 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).

19/04/PD6 REVIEW OF THE KOUGA MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK, 2015

Resolved (30 April 2019)

1. That Council grant approval to proceed with the review of the municipal spatial development framework;
2. That Council approve a Project Steering Committee comprising of the following officials:-

The Municipal Manager
Director: Planning, Development & Tourism (or representative)
Director: Infrastructure & Engineering (or representative)
Director: Community Services (or representative)
Director: Corporate Services (or representative)
Environmental Officer
The Executive Mayor Ex-officio
The Speaker Ex-officio
Portfolio Councillor Ex-officio

Proposed: B Williams

Seconded: C August

19/4/PD7

EXTENSION OF TIMEFRAMES FOR THE LED STRATEGY DEVELOPMENT

Resolved (30 April 2019)

1. That the item be dealt with under the LED Portfolio Committee agenda under item **19/04/LED7**

19/04/PD8

REVISED TERMS OF REFERENCE FOR HOUSING COMMITTEES

Cllr Dayimani stated that it was a concern that a municipal official chair the meeting on the Housing Committee with Councillors also serving on the Committee and was of the opinion that officials should only be responsible for secretariat functions for the Committee.

The Executive Mayor stated that the purpose of the Housing Committee was to de-politicize the Committee in terms of RDP projects and therefore it should be chaired by an official and not by a politician thereby avoiding political interference with the compilation of the beneficiary list as the aim of the administrative process is to maintain fairness and transparency.

Cllr Meleni stated that to his knowledge, no political interference has ever occurred with compilation of the beneficiary lists and disappointed in the Executive Mayor's statement.

Cllr V Camealio-Benjamin stated that it is not protocol for officials to chair a Committee with Councillors especially with Portfolio Councillors being part of the meeting. It was also stated that there seems to be a serious problem in the department Human Settlements regarding beneficiary lists as it is done very selectively.

Cllr Februarie stated that minutes of meetings need to be captured accurately in line with all discussions of such meetings for record purposes and ease of reference.

Cllr Mayoni agreed that no political interference should take place and emphasized that full understanding regarding the contents of the Terms of Reference is important as it is applicable to the Housing Committee and proposed that the TOR should be reviewed.

The Speaker advised that the TOR was workshopped 2 months ago and is tabled for approval as amended in the workshop.

The matter was put to the vote.

Proposal 1

That the revised Terms of Reference for the establishment of Housing Committees, as tabled, be approved.

In Favour	=	15
Not in Favour	=	10

Proposed: B Rheeder

Seconded: R Jantjies

Proposal 2

That the revised Terms of Reference for the establishment of Housing Committees be amended regarding the composition of the Committee in that **no Councillors form part the Housing Committee.**

In Favour	=	10
Not in Favour	=	15

Proposed: E Februarie

Seconded: V Vumazonke

(That it be noted that Cllr B Dhludhlu was not present at the time of voting.)

Resolved (30 April 2019)

1. That the revised Terms of reference for the establishment of Housing Committees, be approved.

20.6 **LOCAL ECONOMIC DEVELOPMENT & TOURISM**

19/04/LED4 SMME BUSSINESS MANAGEMENT TRAINING

Resolved (30 April 2019)

1. That the SMME Training conducted for Loerie and Thornhill, be approved.

19/04/LED5 DESIGN AND CONSTRUCTION OF KOUGA MINI FRESH FOOD AND CRAFT MARKET CHANGE OF SITE FROM ERF 6614 TO ERF 63 JEFFREYS BAY

Resolved (30 April 2019)

1. That Erf 63 be approved as the preferred site for the building of Informal Trader stalls for fresh produce and arts & crafts, with amendments.
2. That the public participation process be commenced with, within 14 days regarding Erf 63, for the Design and Construction of Kouga Mini Fresh Food and Craft Market, Jeffreys Bay.

Proposed: B Williams

Seconded: C August

19/04/LED6 BUILDING INCLUSIVE GREEN MUNICIPALITIES (BIGM) 2019.

Resolved (30 April 2019)

1. That the BIGM progress report, be noted.

19/4/LED7 EXTENSION OF TIMEFRAMES FOR THE LED STRATEGY DEVELOPMENT

Resolved (30 April 2019)

1. That the report and the flow of events in the implementation of the LED Strategy, be noted
2. That the extension of timeframes for the completion of the LED Strategy to March 2020, be approved.
3. That the budgeted amount of R300 593.00 to be rolled over to the 2019/2020 Budget, be approved.

21. CLOSURE

The Speaker thanked all present for their valuable input and moved onto the confidential section of the agenda.

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



H BORNMAN
SPEAKER

30 May 2019

DATE
