

**MINUTES OF A SPECIAL COUNCIL MEETING OF THE KOUGA MUNICIPALITY HELD AT  
THE KOUGA COUNCIL CHAMBER (JEFFREYS BAY UNIT) ON  
MONDAY, 25 NOVEMBER 2019 AT 09:00**

<b>PRESENT: Councillors</b>	H Hendricks	(Executive Mayor)
	H Bornman	(Speaker)
	B Williams	
	F Baxter	
	BF Rheeder	(Alderman)
	B Dhludhlu	
	N Botha	
	C August	
	T Jantjes	
	L Vorster	
	R Jantjies	
	W Coenraad	
	FJ Louw	
	M Biko	
	M Dayimani	
	TN Meleni	
	P Nkwalase	
	M Peters	
	C Mandeka	
	E Februarie	
V Vumazonke		
P Oliphant		
Cllr A Mabukane		
C Matroos		
<b>Officials &amp; Municipal Manager</b>	C du Plessis	(Municipal Manager)
	N Machelesi	(Director: Community Services)
	F Mabusela	(Director: Planning, Dev & Tourism)
	V Felton	(Director: Infrastructure & Eng.)
	L Randall	(Media Liaison Officer)
	L Opperman	(Manager: Legal Services)
	B Klopper	(Committee Services)

1. **NOTICE OF MEETING**

The Speaker read the notice convening the meeting.

2. **OPENING AND WELCOME**

The Speaker welcomed all Councillors and officials and asked Cllr Meleni to open the proceedings with prayer.

3. **ABSENT WITH APOLOGY**

Cllr F Campher  
D Benson  
Cllr S Jujwana  
Cllr W Gertenbach  
Cllr S Mayoni

4. **ABSENT WITHOUT APOLOGY**

None

5. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

None

6. **PRESENTATIONS**

None

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

None

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

None

9. **DECLARATION OF INTEREST**

None

10. **STATUTORY MATTERS**

11. **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).*

*The Municipal Manager confirmed that to his knowledge that all reports tabled were true and correct.*

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

**19/11/MM1 APPROVAL TO EMBARK ON SECTION 55 OF THE LOCAL GOVERNMENT MUNICIPAL STRUCTURES ACT PROCESS – FOR ELECTION OF AN DEPUTY EXECUTIVE MAYOR**

Cllr Februarie raised concern that approval for the election of a Deputy Executive Mayor was now been sought as the need for such was not pointed out at the time of the 2016 elections. The Accounting Officer was to raise the matter with the MEC for the appointment of a Deputy Executive Mayor and to obtain concurrence.

Cllr Oliphant was in agreement with the concern raised by Cllr Februarie and was of the opinion that the financial implications with such appointment should be applied to service delivery where needed.

The Executive Mayor stated that when the previous Executive Mayor become ill and passed away, no executive decisions could be made until such time that an Acting Executive Mayor had been appointed by Council on 20 April 2018. It was also pointed out that at the time the current Executive Mayor become ill, assistance had been requested as executive duties were outside of Kouga.

The Manager: Legal Services advised that normal procedures were that the election of the Deputy Mayor is done within 14 days after an election, but Council may follow the procedure now with the concurrence of the MEC.

The Executive Mayor requested a 15 min caucus – 09:30

**Resolved (25 November 2019)**

1. That the item be withdrawn and be re-submitted to the Ordinary Council meeting to be held on 12 December 2019.

**19/11/MM2 AMENDMENTS TO THE 2019/20 BUDGET – APPROVAL FOR UTILISATION OF PROJECTED SAVINGS**

**Resolved (25 November 2019)**

1. That the item be withdrawn and that a revised item be submitted to the Ordinary Council meeting to be held in December 2019.

19/11/MM3

**ACCEPTANCE OF DONATION OF IMMOVABLE PROPERTY BY THE KOUGA MUNICIPALITY – ERF354 PATENSIE, ESTATE LATE HENRY DIXON DOUBELL**

Cllr Oliphant stated that the donation of immovable property is appreciated but enquired whether the Municipality would be liable for any transfer costs of the land.

The Manager: Legal Services advised that there would be no transfer costs payable by the Municipality and that all costs for the transfer of the property will be paid by the deceased estate.

**Resolved (25 November 2019)**

1. That the acceptance of the donation of Erf 354, Patensie, situated in the Kouga Local Municipality, division Humansdorp, Eastern Cape Province, in the extent of 7 577 square meters (T16413/1976CTN), be approved.
2. That the Accounting Officer be authorised to enter into a Deed of Donation with the Estate Late Doubell for the acceptance of the donation and attend to the signature of all transfer documentation herein under the delegated powers of the Accounting Officer.

7.2 **REPORTS BY THE CHAIRPERSON: COMMUNITY SERVICES**

19/11/CS1

**DEPARTMENT OF ENVIRONMENT, FORESTRY & FISHERIES (DEFF) REQUEST FOR FUNDING PROPOSALS**

Cllr Februarie stated that he was not against the recommendation but requested clarity on the process followed and requested that a presentation be done at Council, at which time concerns may be raised.

The Director: Community Services advised that prior to the request for funding, Council's approval for funding, proposals need to accompany the application submitted to the Department of Environment, Forestry and Fisheries.

**Resolved (25 November 2019)**

1. That the the following projects for funding, be approved:-
  - a) Separation at Source and construction of a Buy Back Centre
  - b) Green deeds Job Hub and Sustainable Plastic Recycling Solution for the Upliftment of Youth Generation Project
  - d) Any additional project requests for funding

2. That the submission of confirmation to DEFF's DU: Chemicals and Waste Economy regarding the following, be approved:-
  - a) That the projects are alignment to KM's IDP
  - b) That a dedicated project team for each project will be appointed
  - c) That KM declare and accept oversight / monitoring role of DU: Chemicals and Waste Economy
  - d) That KM commit to provide monthly reports to the DU regarding the set deliverables of the initiatives/projects.

### 7.3 **REPORTS BY THE CHAIRPERSON: PLANNING AND DEVELOPMENT**

#### 19/11/PD1 **REVISION OF DRAFT INTEGRATED LAND USE SCHEME FOR KOUGA LOCAL MUNICIPAL AREA**

##### **Resolved (25 November 2019)**

1. That approval to proceed with the review of the Draft Integrated Land Use Scheme, be approved.
2. That the establishment of a Project Committee, comprising of the following persons, be approved:-
  - i. The Municipal Manager;
  - ii. Manager: Legal Services;
  - iii. Director: Planning, Development & Tourism (or representative);
  - iv. Director: Infrastructure & Engineering (or representative);
  - v. Director: Community Services (or representative);
  - vi. Environmental Officer;
  - vii. Other members to be co-opted, as needed;
3. That the Director: Planning, Development be nominated as Chairperson of the Project Committee
4. That, in terms of Section 18(b) of the Spatial Planning & Land Use Management By-law: Kouga Municipality, 2016, a notice be published in the Provincial Gazette in respect of the revision of the Draft Integrated Land Use Scheme for Kouga Municipality.
5. That the revision of the Draft ILUS be put on tender.

**19/11/PD2 COUNCIL DISPOSAL OF FARM 335 PORTION 125 FOR FLISP AND SOCIAL HOUSING DEVELOPMENTS**

The Manager: Integrated Human Settlements advised that all due processes had been followed regarding the disposal of portion 125 for FLISP Social Housing Development. He also advised that all conditions formed part of the tender document with no additional conditions when awarded.

The Manager: Integrated Humans Settlements further stated that a presentation on the Development Methodology, Financial Modelling, and Land Availability Agreement conditions will be made at the Ordinary Council meeting to be held on 12 December 2019.

**Resolved (25 November 2019)**

1. That Council note the award of Notice 88/2019 Farm 335 Portion 125 FLISP/Social housing development to Own Haven Housing Association.
2. That Own Haven Housing Association be invited to next Council meeting to present on Development Methodology, Financial Modelling, and Land Availability Agreement conditions (Nominal price in line with MFMA or Market Value).
3. That Council 's preferred method of alienation/ disposal be through sale of land as opposed to lease.

***The meeting closed at 11:45***



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**H BORNMAN  
SPEAKER**

30 January 2020

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**DATE**

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