

**MINUTES OF A VIRTUAL ORDINARY COUNCIL MEETING OF THE KOUGA MUNICIPALITY
HELD ON FRIDAY, 29 MAY 2020 AT 10:00**

PRESENT: Councillors

H Bornman	(Speaker)
B Williams	(Acting Executive Mayor)
Cllr F Campher	
D Benson	
F Baxter	
BF Rheeder	(Alderman)
B Dhludhlu	
L Vorster	
NS Botha	
R Jantjies	
T Jantjes	
WPD Gertenbach	
C August	
M Biko	
M van Niekerk	
M Dayimani	
S Jujwana	
V Vumazonke	
S Makasi	
M Peters	
P Oliphant	
Cllr J Mayoni	
Cllr C Matroos	

**Officials &
Municipal Manager**

C du Plessis	(Municipal Manager)
R Lorgat	(Chief Financial Officer)
V Felton	(Director: Infrastructure & Eng)
K Moodley	(Director: Corporate Services)
N Machelesi	(Director: Community Services)
L Opperman	(Manager: Legal Services)
L Randall	(Media Liaison Officer)
B de Groot	(Sen Admin Officer: Committees)

1. **NOTICE OF MEETING**

The Speaker read the notice convening the meeting and advised that in terms of the amended Directions on Municipal Operations and Governance and in terms of Section 27(2) of the Disaster Management Act, 2002, that a virtual Ordinary Council Meeting will be held using the zoom platform.

The Speaker advised that due to the absence of the Executive Mayor, an Acting Executive Mayor will need to be elected for the proceedings of the meeting.

2. **OPENING AND WELCOME**

The Speaker welcomed everyone present and requested Cllr D Benson to open the proceedings with a prayer.

The Speaker also referred to the SALGA Circular and supplementary Rules for virtual meetings or sittings which must be read in conjunction with the Rules of Order for Council.

These rules are supplementary and for the purposes of “virtual meetings or sittings” conducted by any form of technology. The Rules will remain in force for the period of the National State of Disaster and may be extended beyond this period by the Municipal Council. The rules shall be referred to as Rules of Virtual Meetings and Sittings.

Cllr Dayimani stated that he has no problem with the Rules regarding virtual meetings but for the past 10 month he has had no laptop and urges that the relevant department address the matter urgently failing which he will not be in a position to participate in future virtual meetings.

The Speaker stated that the process in electing an Acting Executive Mayor is to be proceeded with and called for nominations.

Cllr B Williams was proposed as a nominee as Acting Executive Mayor.

Proposed: B Rheeder

Seconded: M van Niekerk

Cllr Dayimani was proposed as a nominee as Acting Executive Mayor.

Proposed: Z Mayoni

Seconded: C Makasi

The nomination for Acting Executive Mayor was put to the vote

In favour of Cllr B Williams	=	15
In favour of Cllr M Dayimani	=	9

Cllr B Williams was elected as Acting Executive Mayor for the duration of the Ordinary Council meeting.

3. **WITH LEAVE OF ABSENCE**

Cllr H Hendricks
Cllr Coenraad
Cllr T Meleni
Cllr P Nkwalase
Cllr E Februarie
Cllr A Mabukane

4. **WITHOUT LEAVE OF ABSENCE**

None

5. **PRESENTATION**

None

6. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

None

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

None

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

None

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

14.1 **MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 21 FEBRUARY 2020**

Cllr Gertenbach advised that MPAC asked the question in the Oversight Report why the money that was paid to SBDM for Job Evaluation is not be regarded as Fruitless and Wasteful Expenditure, value for our money.

The Director Corporate Services advised that Fruitless and wasteful expenditure means expenditure that was made in vain and would have been avoided had reasonable care been exercised and in terms of the MFMA circular 68, both the above definitions must be fulfilled for it to be deemed fruitless and wasteful. By the municipality not having derived any value, it can be argued that the expenditure was in vain, however, it is not clear whether expenditure could have been avoided had reasonable care been exercised.

The municipality was bound by the Council resolution that authorized the municipality to be part of the district process, until such time that resolution was rescinded on 28 February this year. The rescission of the previous council resolution indicates that the municipality exercised due care.

Resolved (29 May 2020)

That the minutes of the Special Council meeting held on 21 February 2020 be accepted and confirmed.

Proposed: B Rheeder

Seconded: B Dhludhlu

14.2 **MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 FEBRUARY 2020**

Resolved (29 May 2020)

That the minutes of the Ordinary Council meeting held on 28 February 2020 be accepted and confirmed.

Proposed: W Gertenbach

Seconded: B Rheeder

14.3 **MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 26 MARCH 2020**

Resolved (29 May 2020)

That the minutes of the Special Council meeting held on 21 26 March 2020 be accepted and confirmed.

Proposed: D Benson

Seconded: B Rheeder

14.4 **MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 1 MAY 2020**

Resolved (29 May 2020)

That the minutes of the Special Council meeting held on 1 May 2020 be accepted and confirmed.

Proposed: R Jantjies

Seconded: L Vorster

15. **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. **MINUTES AND REPORTS OF COMMITTEES OF THE COUNCIL**

16.1 **MUNICIPAL PUBLIC ACCOUNTS COMMITTEE**

None

16.2 **KOUGA AUDIT COMMITTEE**

20/05/KAC1 MINUTES OF THE KOUGA AUDIT COMMITTEE

Resolved (29 May 2020)

1. That the minutes of the Kouga Audit Committee dated 3 December 2019 be noted.

17. **REPORTS BY THE EXECUTIVE MAYOR**

17.1 **REPORTS BY THE CHAIRPERSON: FINANCE**

20/05/F1 MONTHLY BUDGET STATEMENTS FOR THE PERIOD JULY 2019 TO FEBRUARY 2020 AND FINANCIAL STATE OF AFFAIRS OF THE MUNICIPALITY AS AT 29 FEBRUARY 2020 (2019/20 FINANCIAL YEAR)

Cllr Gertenbach enquired about employee related costs and Finance charges. Overtime is the culprit in high Employee cost. The 42.4% for repair and maintenance is not acceptable. Overtime is running out of hand in spite instruction to control.

The CFO advised that the Employee costs are at 70.4% due to the annual bonus that was paid in November 2019. A work study was performed which will assist in addressing the overtime usage by identifying the needs within Departments. This is also a concern of Finance

Resolved (29 May 2020)

1. 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. The monthly budget statements be accordingly submitted to Provincial Treasury as stipulated in Section 71(1) of the MFMA.

20/05/F18

MONTHLY BUDGET STATEMENTS FOR THE PERIOD JULY 2019 TO MARCH 2020 AND FINANCIAL STATE OF AFFAIRS OF THE MUNICIPALITY AS AT 31 MARCH 2020 (2019/20 FINANCIAL YEAR)

Cllr Gertenbach stated that the Revenue should be at 75%. Except for sanitation, we are falling behind on all main service charges every month.

The CFO advised that the electricity and water revenue is below the 75% referred to. This is mainly due to the revenue streams being raised from based on consumption (as a major component) which is estimated in the budget.

The ratio of employee cost over total expenditure is determined in relation to the total expenditure to date. Where the total expenditure is lower than expected at a point in time, the employee costs % would be high as employee costs are relatively constant each month.

Resolved (29 May 2020)

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, in accordance with Section 52(d) of the MFMA, be noted.
3. That the monthly budget statements accordingly be submitted to Provincial Treasury as stipulated in Section 71(1) of the MFMA.

20/05/F19

FINANCIAL RELIEF FOR COVID 19

Resolved (29 May 2020)

1. That Council approves the Covid-19 Relief measures as follows:

General relief measures

1. All blocked meters will be unblocked from 26 March 2020 (as per Gazette);
2. No credit control will be implemented from the commencement of Lockdown up to 30 June 2020 (as per Gazette);
3. No Prepaid recoveries will be implemented up to 30 June 2020 (as per Gazette);
4. Prepaid recoveries will be implemented at a reduced rate of 25% from 1 July 2020 to 31 December 2020;
5. No interest will be charged on all accounts from the commencement of Lockdown up to 30 June 2020.

Relief measures subject to an application process –

1. A 3-month payment holiday will be granted i.e. April, May and June;
 2. No interest will be charged on outstanding accounts for account holders up to 31 December 2020;
 3. Payment arrangements between 3 to 6 months will be effective;
 4. A rates rebate of an additional R85 000 on the value of the property for Pensioners will be effective from 1 July 2020 based on the Tariff Listing;
 5. Any household where the breadwinner has lost his or her income over the last few weeks and where the household income has dropped to below the maximum income allowed for the Indigent Subsidy for free basket of services, can apply for the Indigent Subsidy for free basket of service and will immediately be put on a COVID-19 Indigent Register. All accountholders qualifying for the Indigent Subsidy during the COVID-19 will lapse on 31 December 2020 and will need to re-apply.
2. That the General relief measures and Application Process be placed on the Kouga Website, all Media platforms as well as loud hailing in all Kouga Wards.

Proposed: B Williams

Seconded: W Gertenbach

20/05/F20

MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF) - BUDGET FOR 2020/21 TO 2022/23 FINANCIAL YEARS

Resolved (29 May 2020)

1. That the Medium-Term Revenue and Expenditure Framework (MTREF) - Budget for 2020/21 to 2022/23 Financial Years be deferred and that in terms Section 25 of the MFMA be reconsidered within 7 (seven) days at a Special Council meeting for final presentation due to non-approval of the budget at the Ordinary Council meeting held on 29 May 2020.

Proposed: B Williams

Seconded: N Botha

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

20/05/MM2 REQUEST FOR APPROVAL FOR THE ALIENATION OF NON-VIABLE IMMOVABLE PROPERTY DESCRIPTION: ERF 1289 SEA VISTA

Resolved (29 May 2020)

1. That Council confirm that Erf 1289 Sea Vista is not required for the minimum level of basic municipal services and confirmed that same is non-viable and of no economic value to Council.
2. That Council approves the disposal and alienation of Erf 1289 Sea Vista to the current registered owner of erf 902 Sea Vista.
3. That the Accounting Officer be authorised to sign the necessary transfer documentation for purposes of alienation and disposal of Erf 1289.

20/05/MM3 RE: REDIRECT MIG FUNDING 2019/2020 FINANCIAL YEAR

The matter followed the voting process as reflected below:-

In favour of the recommendation	=	18
Not in favour of the recommendation	=	2

That it be noted that the Executive Mayor, Cllr Meleni, Cllr Mabukane, Cllr Coenraad, Cllr Februarie and Cllr Nkwalase had tender apology.

That it be noted that the remaining Councillors were not available at the time of the voting process.

Resolved (29 May 2020)

1. That 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: Municipal Finance Management Act, Act 56 of 2003, approved the following proposed amendments to the 2019/2020 Capital Budget

Project Name	2019/2020 Approved Budget	2019/2020 Adjustments Budget
Upgrading/Improvement of Sport Facilities within Kouga Region	R 6,399,288.50	R 2,651,344.51
Upgrading of the St Francis Bay Wastewater Treatment Works	R 14,962,913.50	R 12,074,485.91
Kruisfontein WWTW	R 0.00	R 3,332,524.79
Patensie Sewage Package Plant	R 6,497,950.73	R 15,103,564.11
Mini Fresh Food and Craft Markets in Jeffrey's Bay & Hankey	R 1,404,093.50	R 147,818.58

Upgrading of Hankey Sewage Infrastructure in Hankey	R 500,000.00	R 2,304,734.91
Upgrading of Gravel Roads in Kouga Humansdorp	R 418,203.77	R 418,203.77
Upgrading of Sportfield in Kwanomzamo	R 6,225,000.00	R 374,773.42
Total	R 37,996,000.00	R 37,996,000.00

2. That the 2020/2021 budget be adjusted as follows:

Project Name	2020/2021 Budget	Proposed	2020/2021 Revised Proposed Budget
Upgrading/Improvement of Sport Facilities within Kouga Region	R 4,499,865.00		R 6,535,031.59
Patensie Sewage Package Plant	R 7,509,706.88		R 0.00
Mini Fresh Food and Craft Markets in Jeffrey's Bay & Hankey	R 0.00		R 1,256,274.92
Upgrading of Hankey Sewage Infrastructure in Hankey	R 9,088,213.66		R 7,283,478.75
Upgrading of Gravel Roads in Kouga Humansdorp	R 9,074,088.16		R 9,074,088.16
Upgrading of Sport field in Kwanomzamo	R 0.00		R 5,850,226.58
Total	R 29,999,100.00		R 29,999,100.00

20/05/MM4 2019/20 ANNUAL REPORT: PUBLIC COMMENT

Resolved (29 May 2020)

1. That the content of the report on comments and inputs received following the period for public comment on the 2019/20 Annual Report be noted.

20/05/MM5 QUARTER 3 INSTITUTIONAL PERFORMANCE REPORT: 2019/20 FINANCIAL YEAR: PERIOD 1 JULY 2019 TO 31 MARCH 2020

Resolved (29 May 2020)

1. That the content of the Quarter 3 Institutional Performance Report on the implementation of the 2019/20 Service Delivery and Budget Implementation an for the period 1 July 2019 to 31 March 2020 be noted.

20/05/MM6 2020/21 DRAFT IDP REVIEW OF THE 5 YEAR IDP (2017/2022)

Resolved (29 May 2020)

1. That the 2020/21 Draft IDP Review Of The 5 Year IDP (2017/2022) be deferred and be reconsidered within 7 (seven) days at a Special Council meeting due to non-approval at the Ordinary Council meeting held on 29 May 2020.

Proposed: B Dhludhlu

Seconded: B Williams

18.2 REPORTS BY THE CHAIRPERSON: CORPORATE SERVICES

20/05/CORP1 REPORT ON WARD COMMITTEE POLICY

Cllr Gertenbach pointed out that no distinction is made in the Ward Committee Policy between the functions of a Ward Assistant and Ward Coordinator. The distinction can be included in the policy.

The Director: Corporate Services advised that a ward coordinator is chosen by the Ward Committee to oversee the functioning of the committee whereas the Ward Assistant supports to office of the Ward Councillor by attending to specific office support/ clerical activities associated with the preparation, copying, typing, circulation, safekeeping and retrieval of documents/ correspondence and, communicating with visitors/ officials. However, it must be noted that the policy itself does not make any reference to Ward Assistant.

Resolved (29 May 2020)

1. That the Ward Committee Policy be referred back to the leading department for grammatical errors and amendment to 15.2.3 as contemplated below whereafter the Policy be resubmitted to the Special Council meeting to be held in June 2020.
 - a) 15.2.3. The proposed out of pocket expenses that may be paid as a monthly allowance as determined or provided in the budget per Ward Committee Member. (See paragraph 15.2.6 hereunder).

Proposed: B Rheeder

Seconded: F Campher

18.3 **REPORTS BY THE CHAIRPERSON: INFRASTRUCTURE & ENGINEERING**

20/05/I&E3 RE: PROGRESS ON GRANT FUNDING (MIG & EPWP)

Resolved (29 May 2020)

1. That the progress report be accepted.
2. That it be noted that the demolishing of old existing structures has been completed and work on the Anaerobic Digesters, Sludge drying Beds, road and bulk earthworks has commenced with.
3. That it be noted that the Contractor is to re-establish the site mid-May 2020 pending approval of the revised OHS plan for Covid-19.

20/05/I&E7 REPORT: KOUGA MUNICIPALITY ELECTRICITY & SSEG BY LAW

Cllr Gertenbach stated that the By-Law is clumsy and should be more user friendly with less replication. Did the Electricity By-Law exist and was the SSEG By-Law just added.

The Director: Infrastructure & Engineering advised that the existing By-law added a few extra clauses e.g. the meter tampering and seals that are broken and is more structured. Section B was added, new section for the SSEG installations.

Resolved (29 May 2020)

1. That Council supports the reviewed and amended Electricity By-Law.
2. That the Draft Electricity By-law be published, for public comment in a manner that allows the public an opportunity to make representations with regard to the proposed by-law.
3. That the Draft Electricity-by law be referred back to the Municipal Council following the implementation and finalization of the public participation process referred to in 2 above.

20/05/I&E8 **REPORT: KOUGA MUNICIPALITY SMALL SCALE EMBEDDED GENERATION (SSEG) POLICY**

Cllr Gertenbach stated that this is not a Policy, but an amalgamation of different documents.

Cllr Botha stated that Clause 3.2, All SSEGs shall be net consumers under NET CONSUMER: Can the 12month period referred to be changed to 3 months.

The Director: Infrastructure & Engineering advised that It was a document developed to assist municipalities by the different associations dealing with local government challenges. They are just recognized but can be removed, therefore the recommendation.

Opinions and ideas were invited through this process. It can be changed to 3months, it is in the requirement document and can be changed if not working for the benefit of the municipality. It was suggested that the income department also give an opinion. This is not part of the policy but included in the requirement document which can be changed without a formal process just council decision.

SSEG policy is new in SA therefore the environment will be changing constantly but lawfully we cannot stop the installations rather prepare to accommodate it to our benefit.

Resolved (29 May 2020)

1. That Council supports the process and adopt the SSEG policy with the following amendment:-

"3.2 All SSEG's shall be net consumers

*All SSEG's installations shall consume more energy than they produce over a consecutive **3-month period**;"*

2. That the Draft SSEG policy be published, for public comment in a manner that allows the public an opportunity to make representations with regard to the proposed policy.
3. That the Draft SSEG policy be referred back to the Municipal Council following the implementation and finalization of the public participation process referred to in 2 above.

Proposed: N Botha

Seconded: B Rheeder

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

20/05/CS5 CONSTRUCTION OF ACCESS ROAD ST. FRANCIS BAY SPIT

Resolved (29 May 2020)

1. That the report on the construction of the access Road to St Francis Bay Spit be noted.

20/05/CS8 ADOPTION OF COASTAL MANAGEMENT PROGRAM

Resolved (29 May 2020)

1. That the SBDM workshop on the Coastal Management Program be noted.
2. That the Coastal Management Program for Kouga Municipality coastal areas be adopted.

20/05/CS11 THE SEEKOEI RIVER ESTUARY ARTIFICIAL BREACH

Clr Gertenbach stated that the regular artificial breaking of the berm to let water in and out is not sustainable and at whose costs.

The Director: Community Services advised that the Seekoei Management Plan makes provision for opening at least twice a year and that the continuous maintenance needs to be done by the municipality. Internal resources were used for the maintenance and external resources when there was a crisis with fish dying. Oversight is done by Professor Woodridge on all occasions and the municipality needs to pay for his services.

Resolved (29 May 2020)

1. That the Seekoei Estuary progress report be noted by Council.
2. A close out report be submitted to DEDEAT for the NEMA Section 30A application.

20/05/CS16 PROGRESS REPORT ON REPAIRS AND MAINTENANCE ON KOUGA FACILITIES

Resolved (29 May 2020)

1. That the progress on repairs and maintenance / upgrades completed from July 2019 till March 2020 on all Kouga facilities be noted.

20/05/CS17 ONE MILLION RAND DONATIONS FROM SANTAM TO ASSIST WITH THE FIRE RISK REDUCTION IN ST FRANCIS BAY

Resolved (29 May 2020)

1. That the report on the R1 million donation from Santam to assist with fire risk reduction in St Francis Bay, be noted.

20/05/CS19 SAYM/CWP MOU ENDORSEMENT

Cllr Gertenbach enquired as to what happened with the previous managers. Hope the management of CWP will improve. Sited in the Oversight Report.

The Director: Community Services advised that the CWP manager is still responsible for the programme. Some of the supervisors left the programme for other job opportunities. Regular meetings are held with the programme management and concerns raised and addressed.

Resolved (29 May 2020)

1. That the signing of the Memorandum of Understanding be approved.

18.5 REPORTS BY THE CHAIRPERSON: PLANNING AND DEVELOPMENT

20/05/PD2 REPORT ON THE PROGRESS AND STATUS OF THE SOCIAL HOUSING PARTNETSHIP FOR THE DEVELOPMENT OF A SOCIAL AND (FLISP) HOUSING PROJECT ON ERF 335, JEFFERYS BAY

Cllr Gertenbach stated that this project went out on tender and was allocated to Own Haven. If the conditions are changed, can other tenderers not complain that it was not the original conditions.

The Director: Planning & Development advised that there is no change of conditions in the original tender. The tender is awarded to Own Heaven. As part of the tender, it was indicated that the successful bidder would as part of their scope draft a financial Model / Business plan to SHRA for the projects which would include Development Methodology, Financial Modelling, and Land Availability Agreement conditions. The recommendations in this item are required to enable the SHI (Own Heaven) to complete this task for submission to SHRA.

Resolved (29 May 2020)

1. That Development Contribution or Augmentation fees be waived for the Social housing project.
2. That the plans scrutiny and approval fees be dealt with on the same basis as BNG/RDP housing projects.
3. While a fair market valuation of R 7,2m has been determined, Council favourably considers making the site available at a nominal price in line with its facilitatory and enabling role as described in the Social Housing Act. That Council determines the Land release price at 30% of the fair market value.
4. That the developer is liable for costs of all connector infrastructure requirements to link the development to the existing municipal services networks.
5. That charges be levied for all appropriate utility charges.
6. That it be noted that Clause 13.3 of the Augmentation Policy provides that new township establishments that are government funded initiatives will be excluded from this policy as the provision for bulk infrastructure is funded through a government grant.

20/05/PD3 DONATION AND TRANSFER OF KOUGA MUNICIPAL PROPERTIES FROM KOUGA MUNICIPALITY TO PUBLIC WORKS

Resolved (29 May 2020)

1. That Council confirms that, on reasonable grounds, Erf 1325 Kwanomzamo and Erf 560 Pellsrus, are not required for the provision of the minimum level of basic services as contemplated in Section 14 of the Municipal Finance Management Act, and has considered the fair market value of the assets and the economic and community value to be received in exchange for the assets herein.
2. That Council approves to the donation and transfer of the following properties to the Department of Public Works:

Erf 1325 Kwanomzamo
Erf 560 Pellsrus
3. That erf 560 be rezoned in terms of SPLUMA from Residential 1 to Institutional in accordance to existing land use.

4. That the request for the donation and transfer of Erf 347, Patensie be held in abeyance pending further investigations on future needs for Municipal Services and applicable closure of POS process.
5. That Council mandates the Municipal Manager to sign the Deeds of Donation for the properties listed in paragraph 2 above.
6. That all related and incidental legal costs incurred in this transaction, including transfer costs be a liability of the Department of Public Works.

20/05/PDT5 APPROVAL FOR THE COMMENCEMENT TO ESTABLISH “AESTHETICS AND HERITAGE BUILDING COMMITTEE” FOR THE ST FRANCIS BAY VILLAGE AND CANALS, SANTAREME, HARBOUR PRECINCT, CAPE ST FRANCIS, OYSTER BAY, SEA VISTA TOWN, ST FRANCIS BAY LIGHT INDUSTRIAL AREA IN THE KOUGA LOCAL MUNICIPALITY AREA.

Proposal 1

That Aesthetic Committees be established in all Wards, if required, to maintain uniform architecture design for specific areas be included in the Terms of Reference.

Proposed: B Rheeder

Seconded: B Dhludhlu

The matter was put to the vote, **Proposal 1:-**

In favour of the recommendation with amendments	=	14
Not in favour of the recommendation with amendments	=	3

Proposal 2

That the establishment of Aesthetic Committees for Ward areas be referred back to the respective Portfolio Committee meeting for further deliberation and consideration.

Proposed: P Oliphant

Seconded: M Dayimani

The matter was put to the vote, **Proposal 2:-**

In favour	=	3
Not in favour	=	14

That it be noted that the Executive Mayor, Cllr Meleni, Cllr Mabukane, Cllr Coenraad, Cllr Februarie and Cllr Nkwalase had tender apology.

That it be noted that the remaining Councillors were not available at the time of the voting process.

Based on the above voting process, the following recommendation was accepted:-

Resolved (29 May 2020)

1. That the "Terms of Reference" of the "Aesthetics Committee" be approved.
2. That the Department: Planning & Development facilitate the process to establish such committee(s), be approved.
3. That Aesthetic Committees be established in all Wards, if required, to maintain uniform architecture design for specific areas be included in the Terms of Reference.

Proposed: B Rheeder

Seconded: B Dhludhlu

20/05/PD6

"GUIDELINES FOR BUILDINGS" APPROVAL FOR THE COMMENCEMENT TO DRAFT AN "AESTHETICS AND HERITAGE BUILDING BY-LAW" FOR THE ST FRANCIS BAY VILLAGE AND CANALS, SANTAREME, HARBOUR PRECINCT, CAPE ST FRANCIS, OYSTER BAY, SEA VISTA TOWN, ST FRANCIS BAY LIGHT INDUSTRIAL AREA IN THE KOUGA LOCAL MUNICIPALITY AREA IN TERMS OF SECTION 13 OF THE MSA, 2000:

Cllr Dayimani stated that when the SRA for St Francis Bay was approved the matter ended up in a litigation process, so would the Public Participation Process not also be required in terms of implementing guidelines for buildings.

Alderman Rheeder stated that the SRA was only for certain areas in St Francis Bay and the Public Participation Process and consultation was followed. The Aesthetics Guideline for Buildings has always been the norm for the area to exercise more control on aesthetics for specific areas in terms of building styles. The Aesthetics Committee is to assist with contentious matters and also to maintain heritage and historical buildings.

Cllr Oliphant stated that such Committee is not regarded as a Statutory Committee of Council.

Alderman Rheeder advised that the Aesthetics Committee is an Sub-Committee that monitors the aesthetics by implementing the building guideline.

Resolved (29 May 2020)

1. That the procedure to draft and adopt a “by-law” in terms of Section 12 &13 of the MSA,2000 be approved.
2. That the Department: Planning & Development facilitate the process to promulgate the “By-law”, be approved.
3. That the “Aesthetical Building Guidelines”, be published for public inputs and workshops be held for further inputs and comments, be approved.

19.6 **REPORTS BY THE CHAIRPERSON: LOCAL ECONOMIC DEVELOPMENT & TOURISM**

20/05/LED&T1 GRANT IN AID ALLOCATION WINTERFEST FOR 2019/2020 FINANCIAL YEAR

Cllr Gertenbach referred to the Policy that stipulates that an allocation to a specific Organization can only be made once every three years. The Winterfest did not present a budget or report back as requested in the policy last year and it was cited in the Oversight Report.

The Director: Planning, Development & Tourism advised that the Grant In Aid for 2018/2019 was allocated to the KLTO and not Winterfest directly. An expenditure report from the KLTO including audited Financial Statements was received.

Resolved (29 May 2020)

1. That recommendations of the Grant- in- aid Committee to allocate funds for the Winterfest event as follows, be noted:

ORGANISATION	GRANT ALLOCATION AS PER GRANT IN AID COMMITTEE RECOMMENDATION	FUNDING DEPARTMENT
KOUGA LOCAL TOURISM ORGANISATION	R 1 500 000.00 (One Million Five Hundred Thousand Rands Only)	Planning, Dev & Tourism

2. That in view of the COVID-19 pandemic, the standing recommendation of the Grant in Aid Committee as mentioned in (1) above, not be supported.
3. That the R1 500 000.00 (One Million Five Hundred Thousand Rands Only) proposed for Winterfest event in (1) above be reprioritized and allocated to Disaster Management.

20/05/LED&T3

CONDONEMENT OF 3 YEAR MOA COMMITTING A DONATION OF R100 000.00 TO THE NELSON MANDELA BAY AQUATICS FROM 01 JULY 2017 TO 30 JUNE 2020

Resolved (29 May 2020)

1. That the Memorandum of Agreement be noted.
2. That the signed Memorandum of Agreement and payments made to Nelson Mandela Bay Aquatics for the SA National Open Swim, be approved.

20/05/LED&T4

CONCEPT DOCUMENT FOR LOCAL BUSINESS SUPPORT PARTNERSHIP PROGRAMME FOR BUSINESSES AFFECTED BY COVID-19 PANDEMIC

Resolved (29 May 2020)

1. That the concept of Local Business Support Partnership programme as outlined in the concept document, be approved.
2. That budget provision be allocated as priority for appointment of a consultant under the Disaster Management Regulations for COVID-19, be approved.

REPORTS FOR INFORMATION

20/05/CORP2

REPORT ON THE PROGRESS OF REPAIRS AND MAINTENANCE FOR MUNICIPAL ADMINISTRATION BUILDINGS AND WARD COUNCILLOR OFFICES

Resolved (29 May 2020)

1. That the report on the progress of repairs and maintenance for Municipal Administration Buildings and Ward Councillor offices be noted.
2. That it be noted that the 21-day lockdown will result in substantial delays in completion of maintenance and repair work
3. That the March 2020 report be submitted to the next Portfolio Committee meeting.

20/05/CORP3

REPORT ON PRINTING FOR JANUARY – FEBRUARY 2020

Resolved (29 May 2020)

1. That the report on printing for January – February 2020 be noted with concern
2. That Directorates made a concerted effort to reduce printing and use electronic platforms for transmission of information
3. That Directorates identify the possibility of personal printing and bill staff accordingly
4. That it be noted that the March 2020 report will be submitted to the next Portfolio Committee meeting.

20/05/CORP4

PUBLIC PARTICIPATION PROGRESS

Resolved (29 May 2020)

1. That the report on the progress of Public Participation be noted
2. That respective department's action the issues raised at Ward Committee meetings
3. That the Public Participation Officers give feedback on progress at the Ward Committee meetings
4. That it be noted that the March 2020 report will be submitted to the next Portfolio Committee meeting.

20/02/CORP5

HR REPORT FOR JANUARY 2020 TO FEBRUARY 2020

Resolved (29 May 2020)

1. That the monthly HR report be noted.
2. That the Committee notes the stats and monitor movement on a monthly basis.
3. That departments pay attention to the high-risk areas and implement measures to reduce or eradicate the risks.
4. That the filling of attrition positions be considered after recommendation by the work study consultant with due consideration to integration of positions. The aforesaid being a strategy to curb and reduce the wage bill.

5. That it be noted that the Occupational Health & Safety section monitors progress on the implementation of the risk mitigation by communicating on an ongoing basis with respective Directorates.
6. That the March 2020 report be submitted to the next Portfolio Committee meeting.

20/05/CORP6

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

Resolved (29 May 2020)

1. That the monthly report for the Corporate Services Directorate: Administration Section be noted.
2. That departments monitor printing costs and continue the drive towards a paperless environment.
3. That the March 2020 report be submitted to the next Portfolio Committee meeting.

20/05/CORP7

REPORT ON ADVERTISEMENTS FOR JANUARY– FEBRUARY 2020

Resolved (29 May 2020)

1. That the report on Advertisements for January – February 2020 be noted.
2. That the March 2020 report be submitted to the next Portfolio Committee meeting.

20/05/CORP8

REPORT ON ADVERTISEMENTS FOR JANUARY– FEBRUARY 2020

Resolved (29 May 2020)

1. That the report on Advertisements for January – February 2020 be noted.
2. That the March 2020 report be submitted to the next Portfolio Committee meeting.

20/05/CORP9

REPORT ON CELLPHONE CLAIMS SUBMITTED FOR AUGUST 2018 - FEBRUARY 2020

Resolved (29 May 2020)

1. That the report on cellphone claims submitted during August 2018 – February 2020 be noted with concern.
2. That it be noted the current cellphone contract with Telkom terminates 12 July 2020
3. That in the light of the exorbitant costs of claims, user behaviour and the associated administrative burden associated with the provision of this tool of trade, management consider alternate approaches to providing cell phones.
4. That the March 2020 report be submitted to the next Portfolio Committee meeting.

20/05/CORP10

SDBIP REPORT AS AT 29 FEBRUARY 2020

Resolved (29 May 2020)

1. That progress on the SDBIP as at 29 February 2020 be noted.

REPORTS FOR INFORMATION

20/05/I&E1

DROUGHT FUNDING: PROGRESS WITH BOREHOLE DEVELOPMENT AND WATER CONSERVATION AND DEMAND MANAGEMENT PROJECTS

Resolved (29 May 2020)

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

20/05/I&E2

ACTIVITIES FOR THE PERIOD 18 JANUARY 2020 UP TO 17 MARCH 2020

Resolved (29 May 2020)

1. That the report be noted.

20/05/I&E4 REPORT: 200 ELECTRIFICATION PROJECT: PROGRESS REPORT AND SPENDING TO DATE

Resolved (29 May 2020)

1. That the report on the Kruisfontein 200 electrification project be noted.

20/05/I&E5 AUDIT ON METERS CONNECTED TO THE NETWORK

Resolved (29 May 2020)

1. That the report on the meters connected to the network be noted by the committee.
2. That the March 2020 report be submitted to the next Portfolio Committee meeting.

20/05/I&E6 PROGRESS ON ELECTRICAL MAINTENANCE FOR THE PERIOD OF JANUARY 2020 TO FEBRUARY 2020

Resolved (29 May 2020)

1. That the electrical maintenance reports for the period of January 2020 to February 2020, be noted.
2. That the March 2020 report be submitted to the next Portfolio Committee meeting.

20/05/I&E9 DAY TO DAY OPERATIONS OF THE FLEET SECTION DURING THE PERIOD OF JANUARY 2020 TO FEBRUARY 2020

Resolved (29 May 2020)

1. That the report on the Day to Day operations during the period of August and September 2019 be noted.
2. That the March 2020 report be submitted to the next Portfolio Committee meeting.

REPORTS FOR INFORMATION

20/05/CS1 QUARTERLY REPORT COMMUNITY SERVICES: JANUARY-MARCH 2020

Resolved (29 May 2020)

1. That the monthly report of Community Services Directorate for January-March 2020 be noted.

20/05/CS2 DRINKING WATER QUALITY REPORT JANUARY- MARCH 2020

Resolved (29 May 2020)

1. That the report on the drinking water quality for Kouga Municipality be noted.

20/05/CS3 BLUE FLAG - MARINE WATER SAMPLES REPORT

Resolved (29 May 2020)

1. That the report on Marine Water Quality Testing for January and February 2020 be noted and supported.
2. That it be that the March 2020 report will be submitted to the next Portfolio Committee meeting.

20/05/CS4 RAW MILK QUALITY REPORT FEBRUARY 2020

Resolved (29 May 2020)

1. That the report on the raw milk quality for four dairy farms within Kouga Municipality be noted.

20/05/CS6 KEEP KOUGA GREEN CAMPAIGN

Resolved (29 May 2020)

1. That the Keep Kouga Green campaign be noted.
2. That the School Greening Project be supported.

20/05/CS7 KEEP KOUGA CLEAN CAMPAIGN

Resolved (29 May 2020)

1. That the Keep Kouga Clean report be noted.

20/05/CS9 EDUCATION & AWARENESS WASTE RECYCLING PROGRAM

Resolved (29 May 2020)

1. That the awareness program be noted.

20/05/CS10 REPORT ON GREENEST MUNICIPALITY COMPETITION

Resolved (29 May 2020)

1. That the report be noted.

20/05/CS11 THE SEEKOEI RIVER ESTUARY ARTIFICIAL BREACH

Resolved (29 May 2020)

1. That the Seekoei Estuary progress report be noted.
2. That a close out report be submitted to DEDEAT for the NEMA Section 30A application

20/05/CS12 FIRE RISK AND ENVIRONMENTAL NUISANCE REDUCTION - PLOT AND BUSH CLEARING

Resolved (29 May 2020)

1. That the plot and bush clearing progress report be noted.
2. That it be noted Aston Bay and Paradise plot clearing is scheduled for phase 2 and that a list of plots in both areas has been compiled but the programme has been put on hold due to the lockdown.

20/05/CS13 TRAFFIC FINE REVENUE INCOME PERIOD JANUARY – FEBRUARY 2020

Resolved (29 May 2020)

1. That the revenue income from traffic fines, and the challenges to recover outstanding revenue due to lengthy procedures and processes, be noted.
2. That it be noted that the income for March 2020 will be submitted to the next Portfolio Committee meeting.

20/05/CS14 ILLEGAL TAXI'S

Resolved (29 May 2020)

1. That the report on illegal taxis be noted.

20/05/CS18 PROGRESS REPORT ON THE IMPLEMENTATION OF THE SERVICE DELIVERY BUDGET IMPLEMENTATION PLAN (SDBIP) AS AT 31 MARCH 2020

Resolved (29 May 2020)

1. That the progress report on the progress with regards to the on the implementation of the SDBIP as at 31 March 2020 be noted.

REPORTS FOR INFORMATION

20/5/PD4 TOWN PLANNING PROGRESS REPORT: JANUARY 2020 TO FEBRUARY 2020

Resolved (29 May 2020)

1. That the content in the Town Planning progress report be noted.
2. That the March 2020 Town Planning Progress Report will be submitted to the next Portfolio Committee meeting.

REPORTS FOR INFORMATION

20/05/LED&T2 LED STRATEGY STEERING COMMITTEE MEETING

Resolved (29 May 2020)

1. That the report on the LED strategy Steering Committee be noted.

20. CLOSURE

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

The meeting closed at 13:00 for In Committee discussions.



H BORNMAN
SPEAKER

26 June 2020

DATE