

**MINUTES OF A VIRTUAL SPECIAL COUNCIL MEETING OF THE KOUGA MUNICIPALITY  
HELD VIA ELECTRONIC EMAIL ON FRIDAY, 12 JUNE 2020 AT 09:00**

**PRESENT: Councillors**

H Hendricks	(Executive Mayor)
H Bornman	(Speaker)
B Williams	
F Baxter	
BF Rheeder	(Alderman)
B Dhludhlu	
Cllr F Campher	
D Benson	
N Botha	
W Gertenbach	
C August	
T Jantjes	
R Jantjes	
W Coenraad	
M Biko	
M van Niekerk	
L Vorster	
M Dayimani	
M Peters	
C Makasi	
C Matroos	
Cllr S Jujwana	
Cllr Z Mayoni	
P Oliphant	
E Februarie	
P Nkwalase	

**Officials**

C du Plessis	(Municipal Manager)
R Lorgat	(Chief Financial Officer)
K Moodley	(Director: Corporate Services)
V Felton	(Director: Infrastructure & Eng.)
F Mabusela	(Director: Planning, Dev & Tourism)
L Opperman	(Manager: Legal Services)
L Randal	(Media Liaison Officer)
B de Groot	(Senior Admin Officer: Committee Serv)

1. **NOTICE OF MEETING**

The Speaker read the notice convening the meeting and requested Cllr R Jantjies to open the meeting with prayer.

2. **OPENING**

The Speaker welcomed all present to the meeting and advised of the sad passing of Cllr Meleni on 4 June 2020. A moment of silence in memory of Cllr Meleni was afforded. Condolences to the Meleni Family was conveyed.

3. **LEAVE OF ABSENCE**

A Mabukane  
V Vumazonke

4. **PRESENTATIONS**

None

5. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

Cllr Dayimani conveyed condolences to Meleni Family in respect of the passing of Cllr Meleni and stated that he was regarded as a great man and is to be remembered as a passionate leader in his ward who served and always put the interests of the community first.

6. **STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR**

None

7. **DECLARATION OF INTEREST**

None

8. **STATUTORY MATTERS**

9. **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).*

10. **REPORTS BY THE EXECUTIVE MAYOR**

10.1 **REPORT BY THE PORTFOLIO CHAIRPERSON: FINANCE**

**20/06/F2** **MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF) - BUDGET FOR THE 2020/21 TO 2022/23 FINANCIAL YEARS**

Cllr Oliphant raised concern that the Executive Mayor with his delegated authority was requesting a Mayoral Committee member to present the Budget and that in terms of the Municipal Structures Act, it was a requirement that the Executive Mayor present the Budget to Council.

Cllr Dayimani concurred with the concern raised by Cllr Oliphant in that the Executive Mayor was to present the Budget and that this be corrected at the next meeting. Cllr Dayimani also requested that a full report on strategic measure which have been implemented by the Municipality to assist the community be submitted regarding COVID-19 as all communities have been effected in some way or the other.

Cllr Williams presented the MTREF for the 2020/21 to 2022/23 Financial years and advised that in terms of Section 25.1 & 25.2 of the MFMA that the draft budget be deferred for 7 days to allow for public participation. The Public Participation Process ends on 16 June 2020.

Cllr Williams stated that the deferral for 7 days to allow each caucus and public to participate in the discussion on the budget and purpose is to engage on the budget and refer to next special council. The Chief Financial Officer is to be invited to such participation to answer questions on the budget for clarification.

**Resolved (12 June 2020)**

1. That the Medium-Term Revenue and Expenditure Framework (MTREF) - Budget for 2020/21 to 2022/23 Financial Years be adopted as an amended Draft Medium-Term Revenue and Expenditure Framework (MTREF) - Budget for 2020/21 to 2022/23 Financial Years for further consultation.
2. That due to the COVID-19 restrictions, loud hailing be done in all Wards advising the community that the Draft Budget is available at Municipal Offices for comment and input.

Proposed: B Williams

Seconded: N Botha

**20/06/F3**      **ADOPTION OF THE PROPOSED PROPERTY RATES TARIFFS FOR THE 2020/21 FINANCIAL YEAR**

**Resolved (12 June 2020)**

1. That the item be deferred to the next Special Council meeting for consideration.

**20/06/F4**      **REVISION OF FEES AND CHARGES FOR THE 2020/21 FINANCIAL YEAR: SPORTS AND RECREATION**

**Resolved (12 June 2020)**

1. That the item be deferred to the next Special Council meeting for consideration.

**20/06/F5**      **REVISION OF FEES AND CHARGES FOR 2020/21 FINANCIAL YEAR: NATIONAL TRAFFIC, LICENSING SERVICES AND PROTECTION SERVICES**

**Resolved (12 June 2020)**

1. That the item be deferred to the next Special Council meeting for consideration.

**20/06/F6**      **REVISION OF FEES AND CHARGES FOR THE 2020/21 FINANCIAL YEAR: FIRE FIGHTING SERVICES**

**Resolved (12 June 2020)**

1. That the item be deferred to the next Special Council meeting for consideration.

**20/06/F7**      **REVISION OF FEES AND CHARGES FOR THE HIRING OF MUNICIPAL FACILITIES: 2020/21 FINANCIAL YEAR**

**Resolved (12 June 2020)**

1. That the item be deferred to the next Special Council meeting for consideration.

**20/06/F8**      **COMMUNITY SERVICES DIRECTORATE: REVISION OF TARIFFS, FEES AND CHARGES FOR THE 2020/21 FINANCIAL YEAR**

**Resolved (12 June 2020)**

1. That the item be deferred to the next Special Council meeting for consideration.

**20/06/F9**      **PROPOSED WATER AND SANITATION TARIFF INCREASES FOR 2019/20 FINANCIAL YEAR**

**Resolved (12 June 2020)**

1. That the item be deferred to the next Special Council meeting for consideration.

**20/06/F10**      **ELECTRICITY TARIFF INCREASES: 2020/21 FINANCIAL YEAR**

**Resolved (12 June 2020)**

1. That the item be deferred to the next Special Council meeting for consideration.

**20/06/F11**      **FEES AND CHARGES FOR ELECTRICITY SERVICES IN RESPECT OF THE 2020/21 FINANCIAL YEAR**

**Resolved (12 June 2020)**

1. That the item be deferred to the next Special Council meeting for consideration.

**20/06/F12**      **FINANCE DIRECTORATE: REVISION OF FEES AND CHARGES FOR THE 2020/21 FINANCIAL YEAR**

**Resolved (12 June 2020)**

1. That the item be deferred to the next Special Council meeting for consideration.

**20/06/F13**      **REVISION OF VARIOUS TARIFFS: PLANNING, DEVELOPMENT AND TOURISM FOR THE 2020/21 FINANCIAL YEAR**

**Resolved (12 June 2020)**

1. That the item be deferred to the next Special Council meeting for consideration.

**20/06/F14     2019/20 SPECIAL ADJUSTMENTS BUDGET**

The CFO advised due the COVID-19 disaster adjustments were made to the budget in terms of redirection of funds, the reprioritizing of internal allocations were also made that in terms of the Virement Policy.

Cllr Februarie stated that he supported the Adjustment Budget submitted in February 2020 and the budget tabled is not informative and can therefore not accept the Special Adjustments Budget submitted. Cllr Februarie stated that the delegated authority given to the Executive Mayor expired on 16 April 2020 and therefore Council is to make decisions. No report on the Disaster Management implemented by the Municipality.

Cllr Oliphant stated that as politicians they have an oversight role and raised dissatisfaction that clarifications are not made available. Communication is to be forthcoming from the Municipal Manager and not from officials. Cllr Dayimani requested that the Performance Agreement of the CFO be made available.

In favour of recommendation	=	17
Not in favour of recommendation	=	9

**Resolved (12 June 2020)**

1. That the Council, by resolution taken by the majority of its full number, and in terms of Section 30(2) of the Local Government: Municipal Structures Act No. 117 of 1998 (as amended), read in conjunction with Section 28 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, approved the 2019/20 Special Adjustments Budget as set-out in the following tables:

- Table B1 Adjustments Budget Summary;
- Table B2 Adjustments Budget Financial Performance (revenue and expenditure by standard classification);
- Table B3 Adjustments Budget Financial Performance (revenue and expenditure by municipal vote);
- Table B4 Adjustments Financial Performance (revenue and expenditure by type);
- Table B5 Adjustments Budget Capital Expenditure by vote and standard classification and funding source;
- Table B6 Adjustments Budget Financial Position;
- Table B7 Adjustments Budget Cash Flows;
- Table B8 Cash backed reserves/accumulated surplus reconciliation;
- Table B9 Asset Management; and
- Table B10 Basic service delivery measurement.

Proposed: B Williams

Seconded: H Hendricks

11. **OFFICE OF THE MUNICIPAL MANAGER**

**20/06/MM1 2020/21 DRAFT IDP REVIEW OF THE 5 YEAR IDP (2017/2022)**

Cllr Februarie stated that the review of the IDP is be properly consulted however the list of priorities were given but most of the priorities are not reflected and hope that in the next Financial Year that these projects be addressed and be provided for on the budget. The Budget is to be ward based to address issues in all Wards.

**Resolved (5 June 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 for final submission.
2. That the 2020/21 Draft IDP Review of the 5 Year IDP (2017/2022) be placed on the Kouga Website for public participation.

Proposed: H Hattingh

Seconded: B Williams

12. **REPORTS BY THE EXECUTIVE MAYOR**

12.1 **REPORT BY THE PORTFOLIO CHAIRPERSON: PLANNING AND DEVELOPMENT**

**20/06/PD1 APPROVAL OF THE DRAFT REVIEW OF THE 2015 KOUGA MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK FOR PUBLIC PARTICIPATION IN TERMS OF S20(3) OF SPLUMA ACT 16 OF 2013**

**Resolved (12 June 2020)**

1. That due to Covid-19 pandemic and subsequent lockdown, the completion date of the project has been affected and final adoption of SDF by Council will be after 60day public participation period lapses, be noted.
2. That the Draft reviewed Kouga Municipal Spatial Development Framework for public participation in terms of Section 20(3)(a) to (c) of the Spatial Planning and Land Use Management Act, Act 16 of 2013, be approved.

3. That the revised public participation methodology in line with the Disaster Management Act: Regulations: Alert level 3 or any other level that may be imposed by the National Government during Coronavirus COVID-19 lockdown, be referred to Council for approval.

Proposed: B Rheeder

Seconded: B Williams

**20/06/PD2 APPROVAL OF THE FINAL DRAFT REVISED INTEGRATED LAND USE SCHEME FOR KOUGA MUNICIPALITY FOR PUBLIC PARTICIPATION IN TERMS OF S (24) (1) OF SPLUMA AND KOUGA SPLUMA BY-LAW S (17) (18) AND (20)**

**Resolved (12 June 2020)**

1. In terms of the provisions of s(20)(1) and s(17(1) of the Kouga Municipality Spatial Planning and Land Use Management By-law, Council approves the Draft Integrated Land Use Scheme advertised for for Public Participation.
2. That the Draft Integrated Land Use Scheme for Kouga Municipality be submitted to Council once the public participation process has been completed for final approval.

Proposed: B Rheeder

Seconded: B Dhludhlu

**12. CLOSURE**

The Speaker thanked all Councillors for participating in the meeting and declared the meeting closed.

The meeting adjourned at 09:30



**H BORNMAN**  
**SPEAKER**

26 June 2020

**DATE**