

**MINUTES OF A VIRTUAL ORDINARY COUNCIL MEETING OF KOUGA MUNICIPALITY  
HELD ON MONDAY, 31 MAY 2021 AT 10:05**

**PRESENT: Councillors**

H Bornman (Speaker)  
H Hendricks (Executive Mayor)  
B Williams  
F Campher  
D Benson  
B Rheeder  
F Baxter  
B Dhludhlu  
L Vorster  
R Jantjies  
T Jantjies  
W Gertenbach  
C August  
M Biko  
M van Niekerk  
W Coenraad  
J Alexander  
S Jujwana  
S Makasi  
M Peters  
P Oliphant  
J Mayoni  
P Nkwalase  
C Matroos  
R Dennis

**Officials &  
Municipal Manager**

K Moodley (Acting: Municipal Manager)  
E Oosthuizen (Acting Director: Infrastructure & Eng)  
F Mabusela (Director: PDT)  
N Machelesi (Director: Community Services)  
S Abrahams (Acting: CFO)  
D De Jager (HR Manager & Acting: COO)  
C Dreyer (Manager: IDP)  
A Koegelenberg (Manager: PMS)  
L Opperman (Manager: Legal Services)  
M Basson (Senior Media Liaison Officer)  
A Jonck (Manager: Office of the Mayor)  
J Marias (Manager: Planning & Dev.)  
F Jamal (Manager: Risk and Internal Audit)  
N Zode (Acting Senior Committee Officer)  
M Julius (Committee Clerk)

**AGSA**

Andre Stapelberg

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.

2. **OPENING AND WELCOME**

The Speaker stated that the meeting that had started on Friday, 28 May 2021, was reconvening and welcomed those present. He requested Cllr B Dhludhlu to open with a prayer.

3. **ABSENT WITH LEAVE**

Cllr Februarie (Sick note)  
C du Plessis (MM)  
R Lorgat (CFO)

The Speaker stated that both the Municipal Manager and CFO had tested positive for Covid-19. Director Moodley would be Acting Municipal Manager and Mr Abrahams would be the Acting CFO.

Cllr Oliphant put it on record that when the Draft Budget was discussed the ANC was not allowed to participate due to a list of speakers not being submitted timeously and therefore when it got to this item it would be futile to participate.

The Speaker stated that the party was not disallowed to engage on the budget item previously. To the contrary he had allowed them to engage on the budget but not any other items and they chose not to. The Speaker had allowed the ANC component to participate despite not submitting a Speaker's list and the component(ANC) had decided not to participate on the budget item or any other item.

Cllr Oliphant stated that the recording could be checked and that according to his recollection the Mayor had proposed that the component participate but the Speaker had ruled against this.

The Speaker stated that the matter was not up for debate at the moment, but Cllr Oliphant could check the recordings which were on the website.

The Speaker welcomed Mr Andre Stapelberg from the Auditor General South Africa (AGSA).

4. **ABSENT WITHOUT LEAVE**

Cllr M Dayimani  
Cllr A Mabukane  
Cllr V Vumazonke

5. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

Cllr D Benson stated that Mr F Tamboer had resigned. He expressed sadness at the passing of Mr Patrick Jack, Law Enforcement Officer, and requested a moment of silence.

He detailed the Councillor's birthdays as follows: Cllr Vumazonke (April), Cllr Dayimani (9 April), Cllr Jujwana (25 May), Cllr August (26 May), Cllr Mandeka (10 June) and the late Cllr Botha(13 June).

The Speaker expressed sadness at the passing of Mr Jack and a moment of silence was observed.

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

The Speaker stated that the Ward Committees were almost 100% operational and Ward Development Fund (WDF) spending had increased. Unspent WDF funds would be redirected to the drought. Ward Committee vacancies had also been filled as the term end approached and after the election new ward committees would be elected. Ward Committees had to be consulted on priorities for the new financial year. He advised that virtual platforms be utilised for public engagement and that safety protocols be followed. Ward Development priorities had to be submitted as soon as possible.

On Covid-19, he stated that numbers were rising and asked that safety be considered when engaging with the public and that safety protocols should be followed. He further mentioned that the office at the Main building in Jeffreys Bay was closed for the week due to positive Covid-19 cases.

The Speaker reminded Councillors that there was an upcoming policy workshop and emphasised that the platform be used for debating policy instead of at Council meetings.

It was an important meeting as the Budget was being tabled therefore speakers would be given 3 minutes and perhaps four minutes on the Budget item. He indicated that he would be strict in applying the rules of order.

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

The Executive Mayor stated that he would make his statement before the Budget was tabled.

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

None

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

None

10. **REPORT BACK: MUNIMEC**

None

11. **DECLARATION OF INTEREST**

None

12. **STATUTORY MATTERS**

13. **MINUTES OF PREVIOUS MAYORAL COMMITTEE MEETING FOR NOTING**

13.1 Minutes of the Mayoral Committee Meeting held on 16 February 2021.

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

14.1 **MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 26 FEBRUARY 2021**

**Resolved (31 May 2021)**

1. That the minutes of the Ordinary Council meeting held on 26 February be accepted.

Proposed: B Rheeder

Seconded: D Benson

14.2 **MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 31 MARCH 2021**

**Resolved (31 May 2021)**

1. That the minutes of the Special Council meeting held on 31 March 2021 be accepted.

Proposed: B Rheeder

Seconded: C August

14.3 **MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 28 APRIL 2021**

**Resolved (31 May 2021)**

1. That the minutes of the Ordinary Council meeting held on 28 April 2021 be accepted.

Proposed: D Benson

Seconded: R Jantjies

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. **REPORTS OF COMMITTEES OF COUNCIL**

16.1 **KOUGA AUDIT COMMITTEE**

**21/05/KACC1** **MINUTES OF THE KOUGA AUDIT COMMITTEE**

**Resolved (31 May 2021)**

1. That the minutes of the Kouga Audit Committee meeting held on 24 November 2020 be noted.

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

**21/05/MM1** **COUNCIL RESOLUTIONS FOR 26 FEBRUARY 2021, 31 MARCH 2021 AND 28 APRIL 2021**

**Resolved (31 May 2021)**

1. That the updated Action Sheets reflecting resolutions of the Ordinary Council meeting for 26 February 2021 be noted.
2. That the updated Action Sheets reflecting resolutions of the Special Council meeting for 31 March 2021 be noted.
3. That the updated Action Sheets reflecting resolutions of the Special Council meeting for 28 April 2021 be noted.
4. That it be noted that the Action Sheets are referred to Top Management meetings for discussion and progress reports are to be submitted to their respective Portfolio Committee meetings.

**21/05/MM5** **REPORT ON THE PROGRESS OF THE WARD DEVELOPMENT FUND AS AT 31 MARCH 2021**

Cllr Gertenbach clarified that the first recommendation on page 135 referred to all the unspent capital funds of the 2020/21 financial year. He wanted to add another recommendation that indicated that the operational funding be redirected as it could be of aid.

The Executive Mayor clarified that the recommendation had to indicate that operational funding be availed for drought expenditure. Cllr Jantjies seconded the recommendation.

Cllr Dennis on recommendation 5.1, stated that the WDF Councillors and Ward Committees were involved in identifying projects. He queried how the new drought related projects would be identified.

The Speaker stated that new projects were not being identified as the funds would be additions to the current drought projects as the drought was already ongoing.

Cllr Peters expressed disappointment as priorities for the WDF were submitted timeously and priorities were not completed. She stated that money was not spent due to delays in the Speaker's Office. If money had to be redirected, it had to be redirected from other departments such as funding for events. Noting an LED&T item in the agenda, to donate to an event, she disapproved of donations to events while there was a drought to be considered. She further stated that it was due to the Speaker's Office that funds were not spent.

The Speaker stated that some wards were able to spend their funds and that he could only approve items when processes were followed, and all the information required for approval was submitted. Procurement processes had to be followed and this was where Ward Councillors had to assist the procurement Officer. To say that the Speaker did not approve was not true as many wards did spend their funds.

Cllr Makasi concurred with Cllr Peters that there were delays at the Speaker's Office. SMME's had been sent back multiple times to rectify quotes due to over quoting. She further mentioned that supply chain delays had to be addressed.

Cllr Jujwana stated that he was covered. He stated that the Speaker had to follow up on Ward Councillors and whether funds were being utilized as it was time that all Councillors spent funds correctly. He seconded Cllr Peters as there was a water shortage and it was bad to take funds from Councillors.

The Speaker commend Cllr Jujwana for following processes and utilizing the WDF.

**Resolved (31 May 2021)**

1. That all unspent Capital funding from the Ward Development Fund to be redirected to emergency drought funding.
2. That Capital Funding for the 2021/2022 Financial year will be availed for Camera Systems in all 15 Wards.
3. That Operational Funding for the 2021/2022 Financial year be availed for drought expenditure.

Proposed: W Gertenbach

Seconded: R Jantjies

21/05/MM6

**PUBLIC PARTICIPATION REPORT: THIRD QUARTER 2020/2021**

Alderman Rheeder sought clarity on the status of the SOP mentioned on page 138, recommendation 5. The Acting Municipal Manager indicated that a first draft had been formulated and circulated but she would follow up on the matter.

Cllr Dennis raised a concern on the recommendation requesting planned meetings to be submitted at the beginning of the month as this could be difficult as unplanned meetings arose. He suggested that it be two weeks before instead. The Speaker stated that he did not have a problem, but the main concern was that an advanced notice had to be given.

Cllr Jujwana agreed that notice of meetings be given and queried referring to page 136, on whether people in wards where there were no meetings held received stipends. Cllr Jujwana seconded Cllr Dennis's amendment to the recommendation.

Cllr Peters queried whether a Ward Committee would receive their funds despite a lack of quorum. The Speaker responded that the Ward Policy had to be consulted as it was detailed there.

**Resolved (31 May 2021)**

1. That Ward Councillors will be requested to submit notice of planned meeting schedules two weeks prior loud hailing request.
2. That PPU identified the need to consolidate action sheets and submit to various portfolio meetings on a quarterly basis for resolution/action.
3. That a Process Flow SOP on policy formulation to be developed by 30 April 2021 and presented to Senior Management to incorporate terms of reference for the establishment of Public Participation Communications Committee.

Proposed: R Dennis

Seconded: S Jujwana

21/05/MM9

**2019/20 ANNUAL REPORT: MUNICIPAL PUBLIC ACCOUNTS COMMITTEE OVERSIGHT REPORT**

Alderman Rheeder on page 147, indicated that a correction had to be made as it stated that the first draft was submitted to AGSA on 31<sup>st</sup> of October 2021 which was incorrect.

Cllr Oliphant stated that the ANC's Chief Whip had submitted names from the opposition to serve on the MPAC but his name was not included on notices for meetings and this had to be corrected. They have noted that this had continued unabatedly. He further mentioned that the oversight report was a matter of compliance and therefore there was no problem.

The Speaker stated that the concerns were noted and that there were currently ANC Councillors serving on MPAC. Regarding the replacement of Cllr Meleni, it was not for the ANC's submission to make a replacement but rather Council's approval was required.

The item had not been before Council yet, but the matter would be taken further.

Cllr Dennis on the additional chemical toilets mentioned on page 149, stated that the areas of Chris Hani and No- R10 in Ward 2 were being ignored regarding toilets and water. He pleaded that the areas be assisted and added that he had made requests to the Municipal Manager for additional toilets in these areas, but nothing had been forthcoming.

The Speaker stated that Cllr Gertenbach and the Acting Director noted the concerns raised.

Cllr Gertenbach on toilets, stated that 20 mobile toilets had been purchased and two were earmarked for that area which would be put up in the next month or two.

The item was approved unanimously.

### **Resolved (31 May 2021)**

1. That the Oversight Report on the 2019/20 Annual Report be approved for submission to Council with the following specific recommendations to Council:
  - 1.1 That having fully considered the 2019/2020 Annual Report of the Kouga Municipality and representations thereon, the Oversight Report by the Municipal Public Accounts Committee be adopted and that the following recommendations be confirmed as resolutions of Council:
    - 1.1.1 That monthly reports on the implementation of the Procurement Plan be submitted to Portfolio Committees for scrutiny and the determination of corrective actions where required.



- 1.1.2 That quarterly reports on the implementation of the Procurement Plan be submitted to the Municipal Public Accounts Committee for scrutiny as part of oversight over Institutional Performance.
- 1.1.3 That Portfolio Committee Chairperson ensure that SDBIP implementation Performance Reports for the relevant Directorate is submitted to the Portfolio Committee for consideration.
- 1.1.4 That quarterly Institutional SDBIP Implementation Reports be submitted to the Municipal Public Accounts Committee for oversight.
- 1.1.5 That the Internal Audit Unit on a quarterly basis report to the Municipal Public Accounts Committee on the submission of supporting performance evidence in respect of all Directorates.
- 1.1.6 That it be noted with concern that no attention was given to the Council priority of the conversion of bucket sanitation to more acceptable sanitation system and that an action plan for such conversions be submitted to Council without further delay.
- 1.1.7 That a report on community acceptance of the containerized sanitation for informal settlements be submitted.
- 1.1.8 That measures be implemented to ensure that all consumers are billed for service received from Kouga Municipality.
- 1.1.9 That measures be implemented to reduce water losses to more acceptable levels.
- 1.1.0 That measures be implemented to reduce electricity losses to more acceptable levels.

**21/05/MM10**

**ANNUAL REPORT (2019/2020)**

Cllr Oliphant sought clarity on where the findings and working notes of the AGSA found expression in the Annual Report.

The Acting Municipal Manager stated that when the oversight report was prepared by the MPAC Committee it was done in conjunction with matters raised by the AG. Therefore, it should find expression in the oversight report.

There was also a management letter which comprised of actions formulated by management and the AG to resolve issues out of the AG's Report. The Management Report had been considered but most of the findings were expressed in the Oversight Report.

The Speaker stated that page 499 in the agenda and page 296 in actual report contained the AG's Report

### **Resolved (31 May 2021)**

1. That the 2019/20 Annual Report be approved without reservations in terms of the provisions of Section 129(1) of the Municipal Finance Management Act.
2. That the Accounting Officer make the approved 2019/20 Annual Report public and submit the 2019/20 Annual report to:
  - The Auditor-General;
  - The Provincial Treasury;
  - The Provincial Department for Local Government;
  - Other institutions as prescribed by legislation.

**21/05/MM11**

### **REVIEW OF THE DRAFT INTEGRATED DEVELOPMENT PLAN (IDP) FOR 2021/21 (2017-2022 5 YEAR CYCLE)**

The Speaker stated that the item was on page 8 of the Supplementary Agenda and that the finance items were included in that agenda as well.

Cllr Oliphant stated that the opposition appreciated that the IDP was in the review stage but was concerned about the effect of Covid-19 on the public participation process. Virtual public participation limited participants, which was important especially for such a crucial document. He proposed that an approach that would allow the majority of people in Kouga to participate be developed. The current process had to be improvised to include broader participation of more communities in wards.

The Speaker noted the concern and stated that Covid-19 made it difficult, but citizens health had to be a high priority and could not be put at risk.

Various media platforms were utilised for public participation processes and there were many written submissions despite the lack of contact meetings.

Cllr Gertenbach sought clarity on recommendations 9.4 and 9.5 regarding Action Sheets.

The Acting CFO stated that there had been a Budget and IDP Steering Committee Meeting where the public's inputs were tabled. Most of the inputs and comments received from the public were related to operational issues. The IDP and Budget Steering Committee had recommended that the operational issues be tabled at Top Management to see if the matters could be included in daily operations of the administration and Directors, and be monitored by the Municipal Manager.

Cllr Dennis cautioned against the exclusion of some communities considering the socio-economic inequalities and the means of public participation utilized. The Municipality had to go the extra mile to get inputs from various communities that did not always have access to all forms of media.

The Speaker noted the request and added that very few other Municipalities in the Eastern Cape went as far as Kouga to ensure public engagement.

It had gone above and beyond in various forms to ensure engagement and had even made copies available in libraries.

The Executive Mayor stated that the IDP and Budget consultation processes are his responsibility. He did not take consultation periods very lightly and did take the points raised by Cllr Dennis and others into account. Covid-19 was the highest priority and therefore ensuring the protection of citizens and curbing the spread of the virus was important. Traditionally the turnout at contact sessions were extremely low especially in areas with informal settlements. The figures for consultations during this round had exceeded expectations.

Cllr B Williams enquired whether the AGSA representative would do a presentation or make an input.

The item was approved without objections.

The Speaker asked if Mr Stapelberg had any input.

Mr Stapelberg stated that he was present to hear the approval of the Annual Report which consisted of the AG's Report, financial statements and performance report and to answer any questions related to the Audit Report. He asked to be excused if he was not required further.

The Speaker thanked Mr Stapelberg and stated he was excused as the report had been approved without serious questions.

The Speaker requested a 5-minute comfort break and the ANC Caucus requested to be put in a break-out room.

### **Resolved (31 May 2021)**

1. That the **Final 2021/22 IDP** of the 2017/22 Integrated Development Plan be approved in terms of the provisions of Chapter 5, Section 25 of the Local Government Municipal Systems Act, 32 of 2000.
2. That the **Final IDP 2021/22** document be submitted to the MEC and relevant stakeholders within 10 days of adoption by Council in terms of Chapter 5, Section 32(1)(a) of the Municipal Systems Act, Act 32 of 2000.
3. That the **Final 2021/22 IDP** be made public on the municipal website within 10 days of adoption by the Council in terms of Chapter 4, Section (17)(2)(b) of the Municipal Systems Act, Act 32 of 2000.
4. That an action sheet be created to list all comments/inputs and be tabled at the next top management meeting for actioning.
5. That the progress on the action sheet be monitored and evaluated by the Mayoral Committee.

#### 18. **REPORTS BY THE EXECUTIVE MAYOR**

##### 18.1 **REPORTS BY THE CHAIRPERSON: FINANCE**

The Executive Mayor stated that the budget for 2021/22 was being tabled against a crisis time in the country and Municipality. Winter was approaching, a Covid-19 third wave was emerging, and the country had been placed back on adjusted Alert Level 2, all whilst the Municipality is battling a drought. The drought was not only in the Gamtoos Valley but across Coastal Towns as well and there was a looming day zero where Kouga would run out of surface water in the next 4 - 5 months if the winter rains did not come. These natural disasters had the potential to cripple the Municipality's financial position and compromise service delivery.

The number of active Covid-19 cases had increased in the region and the CFO, Municipal Manager and Acting Fleet Manager had all tested positive for Covid-19. He wished them a speedy recovery.

To aggravate matters the prolonged drought had not been broken and the introduction of water rationing in the greater St Francis Bay area was a possibility if consumption did not drop drastically over the next two months. The combined level of supply dams feeding Kouga had dropped to below 12%.

Politics and petty differences had to be set aside now more than ever to save Kouga's people. He had confidence that a collective faith and resilience would assist the Municipality to remain stable through the current difficulties it faced.

The Executive Mayor tabled the Budget against the background of the various circumstances he had indicated.

The Budget remained cash backed with a basis on a 93% collection rate and the priorities identified in public consultations had been fully considered. Due to the economic impact of the extended lockdown on households and businesses, the Municipality tried to remain prudent in the Budget tabled.

Operating Expenditure was in an excess of R1 billion, and this was a testament to the seriousness of taking Kouga forward. Capital Expenditure was reduced from the budget adjustment to R61 million based on the available capital. The main operating expenditure included employee related costs at 35%, bulk electricity purchases at 20%. Service charges were at 55.74% and property rates were at 22.65%. Grants and subsidies were at 15%, which was a clear indication that Kouga was not dependent on National Grant Funding for survival.

Tariff increases remained steady with clients taken into consideration. Property Rates had been increased by 5.25%, Water at 7.1%, Sanitation at 6.5% and Refuse at 6.5%. Electricity increases were in line with NERSA recommendations for an increase of 14.59% and the Environmental Management Fee had not increased at 0%.

The bulk of capital expenditure was directed at Infrastructure and Development at R45 million and Community services at R7.9 million. The main capital projects included the upgrade of gravel roads at R14.2 million, Hankey Wastewater Treatment at R9.2 million, Electrification of Ocean View at R6.7 million and the upgrade of Sports Fields at R4.1 million. Considering where the bulk of the capital funding was directed It was clear that the budget was pro poor.

Augmentation fees were reduced to support poorer communities and to stimulate development in the region. Electrical augmentation fees were reduced by 30%, rezoning applications were reduced by 23% as well. Rezoning applications specific to RDP and low-cost housing areas decreased by 45%, departure applications by 23% and departure usage in RDP and Low cost housing decreased by 45%, subdivisions by 23% and subdivisions for RDP and low cost housing by 45%. Consent to use applications decreased by 48% and refuse augmentation decreased by 10%. For additional dwellings less than 60 square meters there would be no charge.

The Executive Mayor tabled the final Annual Budget for 2021/22 and congratulated the 5<sup>th</sup> Administration for its sterling work done through the period of good governance through service excellence. Many Municipalities in Eastern Cape showed signs of deterioration, the roaring lion Kouga lead the way casting hope and light in a period of darkness.

The Speaker indicated that there was a replacement item for the Budget.

Cllr Williams proposed an additional recommendation in light of the drought, which indicated that the Accounting Officer be mandated to begin processes to access loan funding for drought specially for drought mitigation projects. Cllr August seconded the recommendation.

Cllr Dennis stated that the ANC caucus was not allowed to participate in Budget discussions and therefore it would not participate on the item despite cognisance of its seriousness. It was sad that Caucus had to take such a stance due to the manner it was treated on the day it wanted to participate.

The ANC was abstaining on the item and would not participate on issues related to the item as it was dismissed at the last meeting where the Budget was discussed.

The Speaker stated that he would collect the recordings of the previous Council Meeting in March to attest to the fact that he had indicated that the ANC did not submit a speaker's list but had given it a chance to participate on the budget item. On page 68 of the agenda in the minutes, the matter was detailed.

The Executive Mayor stated that he had sent the Speaker an extract of the minutes.

The Speaker read the extract of the minutes which indicated that the ANC caucus had decided to leave the meeting itself. He stated that he had provided an option to the caucus to participate but it had refused. He would provide the recordings if necessary. This should not be used as an excuse to not participate on the budget. The ANC was free to participate on the Budget and it did not have to make the Speaker a scapegoat for its non-participation on the Draft Budget discussion. The Speaker noted and accepted the ANC's position. He reiterated that he should not be made a scapegoat for the ANC's non-participation on the budget discussion.

Cllr Dennis stated that the ANC caucus conceded that no speakers list was submitted. The Speaker's ruling that the caucus could not participate was accepted, however, when it got to the Budget item the Speaker then indicated that they could participate, and on this basis, the ANC determined that the Speaker could not allow them to participate in one moment and then not in the next. The Mayor advised that the ANC be allowed to participate and the Speaker refused. It was due to the Speaker's refusal that they did not participate on that day. The ANC maintained this position.

The Speaker welcomed the ANC indicating that it had not submitted a list.

Cllr Oliphant stated that meeting should continue with high spirit. It was not the party's intention to make the Speaker a scapegoat. The guidance given by the Executive Mayor on that day was welcomed. The Budget could continue but the ANC would convene their virtual media briefing on the budget and other governance related issues.

The Speaker asked that all the finance items be tabled and thereafter a voting poll would be launched. Members would be allowed to vote for each item.

Cllr Dennis stated that the ANC caucus would abstain on the Budget item.

The Speaker requested that the ANC indicate this using the "Abstain" option on the voting poll.

Cllr Oliphant stated that abstaining meant that the ANC was participating therefore they did not want to put it on record that they were abstaining. The ANC had to be regarded as observers on the item.

Cllr August raised a point of order and stated that Councillors could not indicate that they would be observers when voting.

The Speaker stated that abstaining had to be indicated in the vote as Councillors could not be observers as they were elected. Councillors could therefore leave if they would not vote or indicate that they were abstaining on the vote. The ANC had to clarify their role as they could not be observers. If they were abstaining it had to be made official in the vote.

Cllr Oliphant requested a 5-minute caucus.

Cllr Oliphant stated that the Budget was a cardinal pillar of the institution. The point of departure was that ANC Councillors would abstain from the item but would individually indicate on the voting poll for recording purposes.

The Speaker requested that the rest of the finance items be tabled before the poll was put up.

The Executive Mayor tabled all the items that would be presented by Cllr Williams.

**21/05/F17     MEDIUM-TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF) –  
BUDGET FOR THE 2021/22 TO 2023/24 FINANCIAL YEARS**

A vote was held for item no. **21/05/F17** as follows:

Cllr J Alexander	In favour
Cllr C August	In favour
Cllr D Benson	In favour
Cllr M Biko	In favour
Cllr F Campher	In favour
Cllr W Coenraad	In favour
Cllr B Dhludhlu	In favour
Cllr W Gertenbach	In favour
Cllr H Hendricks	In favour
Cllr T Jantjes	In favour
Cllr R Jantjies	In favour
Cllr B Rheeder	In favour
Cllr M van Niekerk	In favour
Cllr L Vorster	In favour
Cllr B Williams	In favour
Cllr H Bornman	In favour
Cllr R Dennis	Abstain
Cllr C Matroos	Abstain
Cllr J Mayoni	Abstain
Cllr P Nkwalase	Abstain

Cllr P Oliphant

Abstain

In favour of the recommendations = 16

Not in favour of the recommendations= 0

Abstain = 5

That it be noted that the following Councillors were not present at the time of the vote:

- Cllr C Makasi
- Cllr F Baxter
- Cllr M Peters
- Cllr S Jujwana

That it be noted that the following Councillors were not present in the meeting: -

- Cllr E Februarie
- Cllr M Dayimani
- Cllr A Mabukane
- Cllr V Vumazonke

### **Resolved (31 May 2021)**

1. That the Executive Mayor recommends 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 24 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, approves the Annual Budget for the 2021/22 financial year and the indicative allocations for the projected outer years 2022/23 and 2023/24; and the multi-year and single year capital appropriations, as set out in the following tables, including the associated recommendations.
  - a) Consolidated Budget Summary [Table A1]
  - b) Budgeted Financial Performance (revenue and expenditure by standard classification); [Table A2]
  - c) Budgeted Financial Performance (revenue and expenditure by municipal vote); [Table A3]
  - d) Budgeted Financial Performance (revenue by source and expenditure by type); [Table A4]
  - e) Multi-year and single year capital appropriations by municipal vote and standard classification and associated funding by source. [Table A5]
2. That the budgeted financial position, budgeted cash flows, cash-backed reserves/accumulated surplus, asset management and basic service delivery targets be noted as set-out in the following tables:



- a. Budgeted Financial Position; [Table A6]
- b. Budgeted Cash Flows; [Table A7]
- c. Cash backed reserves and accumulated surplus reconciliation; [Table A8]
- d. Asset management; [Table A9]
- e. Basic service delivery measurement. [Table A10]

3. That the tariffs be increased as follows, with effect from 1 July 2021:

Property rates	5.25%
Water	7.1%
Sanitation	6.5%
Refuse	6.5%
Electricity (average increase in electricity income)	14.59%
Environmental Management Fee	0%

a) Indicative tariffs for 2022/23 and 2023/24 will be increased as follows:

	<u>2022/23</u>	<u>2023/24</u>
Property rates	5.25%	5.25%
Water	7.1%	7.1%
Sanitation	6.5%	6.5%
Refuse	6.5%	6.5%
Electricity (average increase in electricity income)	6.25%	6.25%
Environmental Management Fee	0%	0%

4. That the mSCOA status report and project implementation (Annexure D) be approved.
5. That the 2021/22 Procurement plan (Annexure E) be approved.
6. That the Accounting Officer be mandated to begin a process to access loan funding for the drought, specifically for drought mitigation projects.

Proposed: B Williams

Seconded: C August

**21/05/F18**     **ADOPTION OF THE PROPOSED PROPERTY RATES TARIFFS FOR THE 2021/21 FINANCIAL YEAR**

Cllr Williams introduced the item and indicated a 5.2% tariff increase.

A vote was held for item no. **21/05/F18** as follows:

Cllr J Alexander	In favour
Cllr C August	In favour
Cllr D Benson	In favour
Cllr M Biko	In favour

Cllr F Campher	In favour
Cllr W Coenraad	In favour
Cllr B Dhludhlu	In favour
Cllr W Gertenbach	In favour
Cllr H Hendricks	In favour
Cllr T Jantjes	In favour
Cllr R Jantjies	In favour
Cllr B Rheeder	In favour
Cllr M van Niekerk	In favour
Cllr L Vorster	In favour
Cllr B Williams	In favour
Cllr H Bornman	In favour
Cllr R Dennis	Abstain
Cllr C Matroos	Abstain
Cllr J Mayoni	Abstain
Cllr P Nkwalase	Abstain
Cllr P Oliphant	Abstain

In favour of the recommendations = 16

Not in favour of the recommendations= 0

Abstain = 5

That it be noted that the following Councillors were not present at the time of the vote:

- Cllr C Makasi
- Cllr F Baxter
- Cllr M Peters
- Cllr S Jujwana

That it be noted that the following Councillors were not present in the meeting: -

- Cllr E Februarie
- Cllr M Dayimani
- Cllr A Mabukane
- Cllr V Vumazonke

### **Resolved (31 May 2021)**

1. That the Council, in terms of Section 30(2) of the Local Government: Municipal Structures Act, Act 117 of 1998 (as amended) and the Local Government: Municipal Property Rates Act, Act 6 of 2004, read in conjunction with the Local Government: Municipal Systems Act, Act 32 of 2000, the Municipality's Rating Policy and with Chapter 4 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, and **by resolution taken by majority of its full number**, levies the following rates in the Rand for the period 1 July 2021 to 30 June 2022, in respect of the various categories of properties as set out below:

CATEGORY	PROPOSED TARIFFS FOR 2021/22 CENT/RAND
Residential	0.009202
Industrial / Mining	0.009570
Business / Commercial	0.009570
Farms-Agricultural	0.002301
Farms-Other Business/Wind Farms and Other Industrial Purposes	0.009570
Farms-Residential	0.009202
Farms-Private Towns	0.009202
Smallholding-Agricultural	0.002301
State Owned	0.009202
Municipal	0.009202
Special Rating Area	0.002301
Private Towns	0.009202
Private Towns (Exempt)	0.009202
Formal and Informal Settlements	0.009202
Communal Land	0.009202
State Trust Land	0.009202
Restitution and Redistribution Properties	0.009202
Protected Areas	0.009202
National Monuments/Heritage Sites	0.009202
Public Benefit Organisation	0.009202
Multiple Purposes	0.009202
Public Service Infrastructure (P.S.I.)	0.009202

2. That the Council, in terms of Section 30(2) of the Local Government: Municipal Structures Act, Act 117 of 1998 (as amended) and the Local Government: Municipal Property Rates Act, Act 6 of 2004, read in conjunction with the Local Government: Municipal Systems Act, Act 32 of 2000, the Municipality's Rating Policy and with Chapter 4 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, and **by resolution taken by majority of its full number**, grants the following rebates for the period 1 July 2021 to 30 June 2022, in respect of the following categories and owners of properties as set out below:

	Rebates for 2021/22
R15 000 on Residential Properties	R15 000
National Monuments/Heritage Sites	-100%
Provisions of Land Act	- 100%
Communal Property Association	-100%
Protected Areas	-100%
Welfare/Churches/Public Benefit Organisations	-100%
Municipal Properties	-100%

<b>Rebates:</b>	
<b>Private Towns:</b>	-20%
- Kromme River (Suburb 70010)	
- Air Park (Suburb 10001)	
- Gamtoos Mouth (Suburb 90003)	
- Edenglen (Suburb 40004)	
- St Francis Bay Links (Suburb 70009)	
- Marina Martinique (Suburb 40013)	
- Lifestyle Estate (Suburb 40054)	
- Sea View Resort (Suburb 40011)	
R 85 000 on Informal and Formal Settlements	R85 000
R 85 000 for Owners who qualify for Equitable Share	R85 000
R 85 000 for Rate Payer 60 years and older with a household income not more than R15000.00	R85 000

**21/05/F19      REVISION OF FEES AND CHARGES FOR THE 2021/22 FINANCIAL YEAR:**  
**SPORTS AND RECREATION**

Cllr Williams introduced the item which indicated a 4.1% tariff increase.  
A vote was held for item no. **21/05/F19** as follows:

Cllr J Alexander	In favour
Cllr C August	In favour
Cllr D Benson	In favour
Cllr M Biko	In favour
Cllr F Campher	In favour
Cllr W Coenraad	In favour
Cllr B Dhludhlu	In favour
Cllr W Gertenbach	In favour
Cllr H Hendricks	In favour
Cllr T Jantjes	In favour
Cllr R Jantjies	In favour
Cllr B Rheeder	In favour
Cllr M van Niekerk	In favour
Cllr L Vorster	In favour
Cllr B Williams	In favour
Cllr H Bornman	In favour
Cllr R Dennis	Abstain
Cllr C Matroos	Abstain
Cllr J Mayoni	Abstain
Cllr P Nkwalase	Abstain
Cllr P Oliphant	Abstain

In favour of the recommendations = 16

Not in favour of the recommendations= 0

Abstain = 5

That it be noted that the following Councillors were not present at the time of the vote:

- Cllr C Makasi
- Cllr F Baxter
- Cllr M Peters
- Cllr S Jujwana

That it be noted that the following Councillors were not present in the meeting: -

- Cllr E Februarie
- Cllr M Dayimani
- Cllr A Mabukane
- Cllr V Vumazonke

### **Resolved (31 May 2021)**

1. That the Council, by resolution taken by majority of its full number, and in terms of Sections 30(2) and 93(4) of the Local Government: Municipal Structures Act, Act 117 of 1998 (as amended), read in conjunction with Chapter 4 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, approves the fees and charges for Sports and Recreation, as reflected in **Annexure 'A'**, with effect from 1 July 2021.

### **21/05/F20 REVISION OF FEES AND CHARGES FOR 2021/22 FINANCIAL YEAR: NATIONAL TRAFFIC, LICENSING SERVICES AND PROTECTION SERVICES**

Cllr Williams introduced the item which indicated a 4.1 % internal increase but the E-NATIS tariff increase was still forthcoming.

A vote was held for item no. **21/05/F20** as follows:

Cllr J Alexander	In favour
Cllr C August	In favour
Cllr D Benson	In favour
Cllr M Biko	In favour
Cllr F Campher	In favour
Cllr W Coenraad	In favour
Cllr B Dhludhlu	In favour
Cllr W Gertenbach	In favour
Cllr H Hendricks	In favour
Cllr T Jantjes	In favour
Cllr R Jantjes	In favour
Cllr B Rheeder	In favour
Cllr M van Niekerk	In favour
Cllr L Vorster	In favour
Cllr B Williams	In favour
Cllr H Bornman	In favour
Cllr R Dennis	Abstain
Cllr C Matroos	Abstain

Cllr J Mayoni  
Cllr P Nkwalase  
Cllr P Oliphant

Abstain  
Abstain  
Abstain

In favour of the recommendations = 16

Not in favour of the recommendations= 0

Abstain = 5

That it be noted that the following Councillors were not present at the time of the vote:

- Cllr C Makasi
- Cllr F Baxter
- Cllr M Peters
- Cllr S Jujwana

That it be noted that the following Councillors were not present in the meeting: -

- Cllr E Februarie
- Cllr M Dayimani
- Cllr A Mabukane
- Cllr V Vumazonke

#### **Resolved (31 May 2021)**

1. That the Council, by resolution taken by majority of its full number, and in terms of Sections 30(2) and 93(4) of the Local Government: Municipal Structures Act, Act 117 of 1998 (as amended), read in conjunction with Chapter 4 of the Local Government: Municipal Finance Management Act, Act 56 of 2003 approves the fees and charges as reflected in **Annexure 'B'**, with effect from 1 July 2021.

#### **21/05/F21 REVISION OF FEES AND CHARGES FOR THE 2021/22 FINANCIAL YEAR: FIRE FIGHTING SERVICES**

Cllr Williams introduced the item which indicated a 4.1 % increase.

A vote was held for item no. **21/05/F21** as follows:

Cllr J Alexander	In favour
Cllr C August	In favour
Cllr D Benson	In favour
Cllr M Biko	In favour
Cllr F Campher	In favour
Cllr W Coenraad	In favour
Cllr B Dhludhlu	In favour
Cllr W Gertenbach	In favour
Cllr H Hendricks	In favour
Cllr T Jantjes	In favour
Cllr R Jantjes	In favour

Cllr B Rheeder	In favour
Cllr M van Niekerk	In favour
Cllr L Vorster	In favour
Cllr B Williams	In favour
Cllr H Bornman	In favour
Cllr R Dennis	Abstain
Cllr C Matroos	Abstain
Cllr J Mayoni	Abstain
Cllr P Nkwalase	Abstain
Cllr P Oliphant	Abstain

In favour of the recommendations = 16

Not in favour of the recommendations= 0

Abstain = 5

That it be noted that the following Councillors were not present at the time of the vote:

- Cllr C Makasi
- Cllr F Baxter
- Cllr M Peters
- Cllr S Jujwana

That it be noted that the following Councillors were not present in the meeting: -

- Cllr E Februarie
- Cllr M Dayimani
- Cllr A Mabukane
- Cllr V Vumazonke

### **Resolved (31 May 2021)**

1. That the Council, by resolution taken by majority of its full number, and in terms of Sections 30(2) and 93(4) of the Local Government: Municipal Structures Act, Act 117 of 1998 (as amended), read in conjunction with Chapter 4 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, approves the fees and charges for Fire Fighting Services as reflected in **Annexure 'C'**, with effect from 1 July 2021.

**21/05/F22**    **REVISION OF FEES AND CHARGES FOR THE HIRING OF MUNICIPAL FACILITIES: 2021/22 FINANCIAL YEAR**

Cllr Williams tabled the item which indicated a tariff increase of 4.1%  
A vote was held for item no. **21/05/F22** as follows:

Cllr J Alexander	In favour
Cllr C August	In favour
Cllr D Benson	In favour
Cllr M Biko	In favour
Cllr F Campher	In favour
Cllr W Coenraad	In favour
Cllr B Dhludhlu	In favour
Cllr W Gertenbach	In favour
Cllr H Hendricks	In favour
Cllr T Jantjes	In favour
Cllr R Jantjies	In favour
Cllr B Rheeder	In favour
Cllr M van Niekerk	In favour
Cllr L Vorster	In favour
Cllr B Williams	In favour
Cllr H Bornman	In favour
Cllr R Dennis	Abstain
Cllr C Matroos	Abstain
Cllr J Mayoni	Abstain
Cllr P Nkwalase	Abstain
Cllr P Oliphant	Abstain

In favour of the recommendations = 16

Not in favour of the recommendations= 0

Abstain = 5

That it be noted that the following Councillors were not present at the time of the vote:

- Cllr C Makasi
- Cllr F Baxter
- Cllr M Peters
- Cllr S Jujwana

That it be noted that the following Councillors were not present in the meeting: -

- Cllr E Februarie
- Cllr M Dayimani
- Cllr A Mabukane
- Cllr V Vumazonke



## Resolved (31 May 2021)

1. That the Council, by resolution taken by majority of its full number and in terms of Section 30(2) and 93(4) of the Local Government: Municipal Structures Act, Act 117 of 1998 (as amended), read in conjunction with Chapter 4 of the Local Government: Municipal Financial Management Act, Act 56 of 2003 approves the fees and charges for the hiring of Municipal Facilities, as reflected in **Annexure 'D'**, with effect from 1 July 2021.

### **21/05/F23 COMMUNITY SERVICES DIRECTORATE: REVISION OF TARIFFS, FEES AND CHARGES FOR THE 2021/22 FINANCIAL YEAR**

Cllr Williams tabled the item which indicated a tariff increase of 4.1%  
A vote was held for item no. **21/05/F23** as follows:

Cllr J Alexander	In favour
Cllr C August	In favour
Cllr D Benson	In favour
Cllr M Biko	In favour
Cllr F Campher	In favour
Cllr W Coenraad	In favour
Cllr B Dhludhlu	In favour
Cllr W Gertenbach	In favour
Cllr H Hendricks	In favour
Cllr T Jantjes	In favour
Cllr R Jantjies	In favour
Cllr B Rheeder	In favour
Cllr M van Niekerk	In favour
Cllr L Vorster	In favour
Cllr B Williams	In favour
Cllr H Bornman	In favour
Cllr R Dennis	Abstain
Cllr C Matroos	Abstain
Cllr J Mayoni	Abstain
Cllr P Nkwalase	Abstain
Cllr P Oliphant	Abstain

In favour of the recommendations = 16

Not in favour of the recommendations= 0

Abstain = 5

That it be noted that the following Councillors were not present at the time of the vote:

- Cllr C Makasi
- Cllr F Baxter
- Cllr M Peters
- Cllr S Jujwana

That it be noted that the following Councillors were not present in the meeting: -

- Cllr E Februarie
- Cllr M Dayimani
- Cllr A Mabukane
- Cllr V Vumazonke

**Resolved (31 May 2021)**

1. That the Council, by resolution taken by majority of its full number, and in terms of Sections 30(2) and 93(4) of the Local Government: Municipal Structures Act, Act 117 of 1998 (as amended), read in conjunction with Chapter 4 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, adopts the proposed tariffs, fees and charges for the Community Services Directorate, reflected as reflected in **Annexure 'E'**, with effect from 1 July 2021.

**21/05/F24 PROPOSED WATER AND SANITATION TARIFF INCREASES FOR 2021/22 FINANCIAL YEAR**

Cllr Williams tabled the item which indicated a tariff increase of 7.1%  
A vote was held for item no. **21/05/F24** as follows:

Cllr J Alexander	In favour
Cllr C August	In favour
Cllr D Benson	In favour
Cllr M Biko	In favour
Cllr F Campher	In favour
Cllr W Coenraad	In favour
Cllr B Dhludhlu	In favour
Cllr W Gertenbach	In favour
Cllr H Hendricks	In favour
Cllr T Jantjes	In favour
Cllr R Jantjes	In favour
Cllr B Rheeder	In favour
Cllr M van Niekerk	In favour
Cllr L Vorster	In favour
Cllr B Williams	In favour
Cllr H Bornman	In favour
Cllr R Dennis	Abstain
Cllr C Matroos	Abstain
Cllr J Mayoni	Abstain
Cllr P Nkwalase	Abstain
Cllr P Oliphant	Abstain

In favour of the recommendations = 16

Not in favour of the recommendations= 0

Abstain = 5

That it be noted that the following Councillors were not present at the time of the vote:

- Cllr C Makasi
- Cllr F Baxter
- Cllr M Peters
- Cllr S Jujwana

That it be noted that the following Councillors were not present in the meeting: -

- Cllr E Februarie
- Cllr M Dayimani
- Cllr A Mabukane
- Cllr V Vumazonke

### **Resolved (31 May 2021)**

1. That the Council, by resolution taken by majority of its full number, and in terms of Sections 30(2) and 93(4) of the Local Government: Municipal Structures Act, Act 117 of 1998 (as amended), read in conjunction with Chapter 4 of the Local Government: Municipal Finance Management Act, Act 56 of 2003 approves the tariffs, fees and charges in respect of Water and Sanitation Services under the control of the Municipality's Infrastructure & Engineering Directorate as reflected in **Annexure 'F'**, with effect from 1 July 2021.

### **21/05/F25      FEES AND CHARGES FOR ELECTRICITY SERVICES IN RESPECT OF THE 2021/22 FINANCIAL YEAR**

Cllr Williams tabled the item which indicated a tariff increase of 14.9 % which was a NERSA Guideline.

A vote was held for item no. **21/05/F25** as follows:

Cllr J Alexander	In favour
Cllr C August	In favour
Cllr D Benson	In favour
Cllr M Biko	In favour
Cllr F Campher	In favour
Cllr W Coenraad	In favour
Cllr B Dhludhlu	In favour
Cllr W Gertenbach	In favour
Cllr H Hendricks	In favour
Cllr T Jantjes	In favour
Cllr R Jantjes	In favour
Cllr B Rheeder	In favour
Cllr M van Niekerk	In favour

Cllr L Vorster	In favour
Cllr B Williams	In favour
Cllr H Bornman	In favour
Cllr R Dennis	Abstain
Cllr C Matroos	Abstain
Cllr J Mayoni	Abstain
Cllr P Nkwalase	Abstain
Cllr P Oliphant	Abstain

In favour of the recommendations = 16

Not in favour of the recommendations= 0

Abstain = 5

That it be noted that the following Councillors were not present at the time of the vote:

- Cllr C Makasi
- Cllr F Baxter
- Cllr M Peters
- Cllr S Jujwana

That it be noted that the following Councillors were not present in the meeting: -

- Cllr E Februarie
- Cllr M Dayimani
- Cllr A Mabukane
- Cllr V Vumazonke

#### **Resolved (31 May 2021)**

1. That the Council, by resolution taken by majority of its full number, and in terms of Sections 30(2) and 93(4) of the Local Government: Municipal Structures Act, Act 117 of 1998 (as amended), read in conjunction with Chapter 4 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, approves the fees and charges of an average increase of 14.59% in respect of electrical services, as per the NERSA application and the SSEG Tariffs, with effect from 1 July 2021, subject to NERSA approval.

**21/05/F26**

#### **FEES AND CHARGES FOR ELECTRICITY SERVICES IN RESPECT OF THE 2021/22 FINANCIAL YEAR**

Cllr Williams tabled the item and indicated that there was multiple new tariff increases and a 4.1% internal tariff increase.

A vote was held for item no. **21/05/F26** as follows:

Cllr J Alexander	In favour
Cllr C August	In favour
Cllr D Benson	In favour
Cllr M Biko	In favour
Cllr F Campher	In favour
Cllr W Coenraad	In favour
Cllr B Dhludhlu	In favour
Cllr W Gertenbach	In favour
Cllr H Hendricks	In favour
Cllr T Jantjes	In favour
Cllr R Jantjes	In favour
Cllr B Rheeder	In favour
Cllr M van Niekerk	In favour
Cllr L Vorster	In favour
Cllr B Williams	In favour
Cllr H Bornman	In favour
Cllr R Dennis	Abstain
Cllr C Matroos	Abstain
Cllr J Mayoni	Abstain
Cllr P Nkwalase	Abstain
Cllr P Oliphant	Abstain

In favour of the recommendations = 16

Not in favour of the recommendations= 0

Abstain = 5

That it be noted that the following Councillors were not present at the time of the vote:

- Cllr C Makasi
- Cllr F Baxter
- Cllr M Peters
- Cllr S Jujwana

That it be noted that the following Councillors were not present in the meeting: -

- Cllr E Februarie
- Cllr M Dayimani
- Cllr A Mabukane
- Cllr V Vumazonke

## Resolved (31 May 2021)

1. That the Council, by resolution taken by majority of its full number, and in terms of Sections 30(2) and 93(4) of the Local Government: Municipal Structures Act, Act 117 of 1998 (as amended), read in conjunction with Chapter 4 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, approves the fees and charges in respect of electrical services, as reflected in **Annexure 'H'**, with effect from 1 July 2021.

### **21/05/F27** **FINANCE DIRECTORATE: REVISION OF FEES AND CHARGES FOR THE 2021/22 FINANCIAL YEAR**

Cllr Williams introduced the item and indicated that tariffs were increased by 4.1%

A vote was held for item no. **21/05/F27** as follows:

Cllr J Alexander	In favour
Cllr C August	In favour
Cllr D Benson	In favour
Cllr M Biko	In favour
Cllr F Campher	In favour
Cllr W Coenraad	In favour
Cllr B Dhludhlu	In favour
Cllr W Gertenbach	In favour
Cllr H Hendricks	In favour
Cllr T Jantjes	In favour
Cllr R Jantjies	In favour
Cllr B Rheeder	In favour
Cllr M van Niekerk	In favour
Cllr L Vorster	In favour
Cllr B Williams	In favour
Cllr H Bornman	In favour
Cllr R Dennis	Abstain
Cllr C Matroos	Abstain
Cllr J Mayoni	Abstain
Cllr P Nkwalase	Abstain
Cllr P Oliphant	Abstain

In favour of the recommendations = 16

Not in favour of the recommendations= 0

Abstain = 5

That it be noted that the following Councillors were not present at the time of the vote:

- Cllr C Makasi
- Cllr F Baxter

- Cllr M Peters
- Cllr S Jujwana

That it be noted that the following Councillors were not present in the meeting: -

- Cllr E Februarie
- Cllr M Dayimani
- Cllr A Mabukane
- Cllr V Vumazonke

**Resolved (31 May 2021)**

1. That the Council, **by resolution taken by majority of its full number**, and in terms of Sections 30(2) and 93(4) of the Local Government: Municipal Structures Act, Act 117 of 1998 (as amended), read in conjunction with Chapter 4 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, adopts the proposed fees and charges for the Finance Directorate as reflected in **Annexure 'I'**, with effect from 1 July 2021.

**21/05/F28 REVISION OF VARIOUS TARIFFS: PLANNING, DEVELOPMENT AND TOURISM FOR THE 2021/22 FINANCIAL YEAR**

Cllr Williams introduced the item and indicated that tariffs were revised, as indicated in the Mayor's speech, which would make it investor friendly and easier for residents to develop their properties. He thereafter tabled all the finance items and the Budget for the vote.

The Speaker stated that he would launch the zoom poll and requested that Councillors vote for the finance items. He gave Councillors two minutes to vote.

A vote was held for item no. **21/05/F28** as follows:

Cllr J Alexander	In favour
Cllr C August	In favour
Cllr D Benson	In favour
Cllr M Biko	In favour
Cllr F Campher	In favour
Cllr W Coenraad	In favour
Cllr B Dhludhlu	In favour
Cllr W Gertenbach	In favour
Cllr H Hendricks	In favour
Cllr T Jantjes	In favour
Cllr R Jantjes	In favour
Cllr B Rheeder	In favour
Cllr M van Niekerk	In favour
Cllr L Vorster	In favour
Cllr B Williams	In favour
Cllr H Bornman	In favour

Cllr R Dennis	Abstain
Cllr C Matroos	Abstain
Cllr J Mayoni	Abstain
Cllr P Nkwalase	Abstain
Cllr P Oliphant	Abstain
Cllr S Jujwana	Abstain

In favour of the recommendations = 15

Not in favour of the recommendations= 0

Abstain = 6

That it be noted that the following Councillors were not present at the time of the vote:

- Cllr C Makasi
- Cllr F Baxter
- Cllr M Peters

That it be noted that the following Councillors were not present in the meeting: -

- Cllr E Februarie
- Cllr M Dayimani
- Cllr A Mabukane
- Cllr V Vumazonke

### **Resolved (31 May 2021)**

1. That the Council, **by resolution taken by majority of its full number**, and in terms of Sections 30(2) and 93(4) of the Local Government: Municipal Structures Act, Act 117 of 1998 (as amended), read in conjunction with Chapter 4 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, approves the fees and charges in respect of Planning and Development, as reflected in **Annexure 'J'**, with effect from 1 July 2021.

## **18.2 REPORTS BY THE CHAIRPERSON: INFRASTRUCTURE & ENGINEERING**

### **21/05/I&E7 REPORT: REDUCTION IN ELECTRICAL AUGMENTATION FEES**

Cllr Gertenbach tabled the item and stated that at the previous Council meeting a reduction in electrical augmentation fees was approved pending the determination of the percentage reduction. A reduction of 30% had been determined which brought the fee down from R 13 000 to R8 800.

Cllr Williams proposed that the word "electrical" be added to "Augmentation fees" for recommendation 9.2 and was seconded by Cllr Dhludhlu.



The Speaker proposed that the wording change from "That Council considers to "That Council approves" but asked for legal input.

The Manager: Legal Services stated that it be changed to read "That Council approve" if the item is approved. If approved, recommendation 9.3 had to read "that Council approves the reduction"

Alderman Rheeder seconded the amendment.

The Speaker stated that there were two changes, a change of wording for recommendation 9.2 and 9.3.

Cllr Dennis on augmentation and electrical networks, asked what procedure had to be followed to augment electricity.

The Speaker stated that it was a technical process and that there was a specific process and a form which could be collected from the I&E office.

Cllr Dennis sought further clarity on the process and the Speaker indicated that there was an official process that had to be followed.

The item was approved unanimously.

**Resolved (31 May 2021)**

1. That the report on the reduction of electrical augmentation fees be considered by council.
2. That consideration be given to the possible "ringfencing" of Electrical Augmentation Fees.
3. That Council approves a reduction of 30% in Electrical augmentation fees, to make investment and development more attractive in Kouga.
4. That the reduced amount for electricity augmentation of R 8 864.69 excl. VAT be included in the 2021/22 tariff schedule.

Proposed: B Williams

Seconded: B Rheeder

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

**21/05/CS4 ENVIRONMENTAL HEALTH EVALUATION OF SCHOOLS FOR COVID 19 READINESS 2021**

Cllr D Benson introduced the item for noting.

Cllr T Jantjes raised a question of clarity regarding how up to date the report was. There were Covid-19 positive cases at Nico Malan Secondary, but this was not indicated in the report but perhaps the school had been evaluated since then.

The Director: Community Services stated that an updated report would go to the Portfolio Committee as the report was ongoing.

**Resolved (31 May 2021)**

1. That the report on the Environmental Health Evaluation of School Premises conducted to ensure Covid 19 readiness within the Kouga Municipal Area be noted and accepted.

**21/05/CS5 OYSTER BAY DUNE REHABILITATION UPDATE**

Cllr Benson introduced the item and stated that the task team had been established and would start working soon.

**Resolved (31 May 2021)**

1. That the report on Oyster Bay dune rehabilitation be noted.
2. That a task team to find alternatives for Oyster Bay be established.
3. That the task team be established in 10 days from now (07 April 2021).

**21/05/CS6 ST FRANCIS BAY REVETMENT**

Cllr Benson introduced the item.

Alderman Rheeder on page 647, asked if the amount requested for rock revetment was in the budget as the situation at St Francis Main Beach was serious.

The Director: Community Services responded that it was in the budget for the new financial year.

Cllr Oliphant stated that he hoped that the Municipality would take note of the sewerage crisis in Umzamowethu, Oyster Bay, and not just matters in affluent areas such as St Francis Bay.

The Executive Mayor stated that he had visited the site and witnessed the situation in Umzamowethu.

Cllr Dennis stated that a Councillor had called him as there were serious internet access challenges in the Gamtoos Valley and therefore some Councillors were out of the meeting.

The Speaker stated that the meeting still had a quorum. Cllr Peters and Cllr Baxter were still connected but not Cllr Jujwana. Cllr Jujwana was the only Councillor that was no longer present since the beginning of the meeting. He noted that Cllr Jujwana was no longer present due to connectivity issues.

Cllr Benson stated that internet masts had to be set up in the area.

**Resolved (31 May 2021)**

1. That the report on St Francis Bay Revetment be noted.
2. That the 80 meter of the authorized area that was left unprotected be finalized in the 2021/22 financial year.

**21/05/CS7 KEEPING KOUGA CLEAN AND GREEN**

Cllr Benson introduced the item and encouraged planting and the use of waterwise plants.

**Resolved (31 May 2021)**

1. That the pilot Community Environment and Waste Management and Tree planting programmes be noted and supported.
2. That Communities be encouraged to participate and get involved in these programmes.

**18.4 REPORTS BY THE CHAIRPERSON: PLANNING AND DEVELOPMENT**

**21/05/PD1 PROGRESS REPORT: ALIENATION OF 98 WET ERVEN: KRUISFONTEIN**

Alderman Rheeder introduced the item and proposed that a recommendation be added which indicated that the offer to purchase for occupants of 98 wet erven to purchase ceases at the end of June. He was seconded by Cllr August.

The Speaker asked if anyone was against the recommendations.

Cllr Dennis stated that he was against the recommendation and maintained that the erven be given to those currently residing there. He was seconded by Cllr Oliphant.

Cllr Oliphant stated that there was a discussion in a previous Council meeting where it was indicated that there was nothing stopping a formal request to rescind the previous decision to sell the erven.

The Speaker requested that the vote be held after all the items were tabled and asked that other items be tabled.

A vote was held for item no. **21/05/PD1** as follows:

Cllr F Campher	In favour
Cllr B Rheeder	In favour
Cllr M van Niekerk	In favour
Cllr W Gertenbach	In favour
Cllr T Jantjes	In favour
Cllr H Hendricks	In favour
Cllr R Jantjies	In favour
Cllr L Vorster	In favour
Cllr D Benson	In favour
Cllr B Dhludhlu	In favour
Cllr W Coenraad	In favour
Cllr F Baxter	In favour
Cllr B Williams	In favour
Cllr C August	In favour
Cllr J Alexander	In favour
Cllr H Bornman	In favour
Cllr C Matroos	Not in favour
Cllr R Dennis	Not in favour

In favour of the recommendations = 16

Not in favour of the recommendations= 2

Abstain = 0

That it be noted that the following Councillors were not present at the time of the vote:

- Cllr C Makasi
- Cllr M Peters
- Cllr J Mayoni
- Cllr P Nkwalase
- Cllr P Oliphant
- Cllr S Jujwana

That it be noted that the following Councillors were not present in the meeting: -

- Cllr E Februarie
- Cllr M Dayimani
- Cllr A Mabukane
- Cllr V Vumazonke

### **Resolved (31 May 2021)**

1. That Council take note the progress report on the alienation of the 98 wet erven in Kruisfontein.

2. That Council grant authorization to the Accounting Officer to the conclude Option to Purchase agreements as the Grantor on behalf of the Municipality.
3. That the Option to Purchase for occupants of the 98 wet erven cease at the end of June.

Proposed: B Rheeder

Seconded: C August

**21/05/PD4 MONTHLY PROGRESS REPORT ON HUMAN SETTLEMENTS GRANT FUNDED PIPELINE PROJECTS**

Alderman Rheeder introduced the item and stated that there was good news as a contractor had been appointed for the first 200 houses of the 1500 Ocean View plots and there was R18 million for the upgrading of informal settlements. There was also more than R 40 million allocated towards infrastructure for the Hankey 990 project and a contractor would be appointed soon.

Cllr Makasi welcomed the great news about the 200 houses but wanted to know when the contractor would be on site?

Alderman Rheeder responded that he had spoken to the Housing Manager and that it would hopefully start around August/September.

Cllr Dennis asked who had appointed the contractors and queried whether it had been the Eastern Cape Department of Human Settlements who had made the appointment.

The Speaker requested that a formal response be submitted to Cllr Dennis as Director Mabusela had connection issues.

**Resolved (31 May 2021)**

1. That the report on the human settlements grant funded projects be noted.

**21/05/PD8 AUTHORIZATION OF THE DRAFT JEFFREYS BAY CENTRAL BUSINESS DISTRICT (CBD) PRECINCT PLAN FOR PUBLIC PARTICIPATION**

Alderman Rheeder introduced the item, and it was approved unanimously.

**Resolved (31 May 2021)**

1. That the Council note the progress made on the Jeffreys Bay CBD Precinct Plan.

2. That the Council approves and grants authorization for the Draft Jeffreys Bay CBD Precinct Plan, to be published 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.

**21/05/PD9 APPLICATION: ALIENATION OF LAND AND PURCHASE OF VARIOUS PROPERTIES IN HANKEY: MGM TRUST (MR. DU PREEZ)**

Alderman Rheeder introduced the item, and it was unanimously approved.

**Resolved (31 May 2021)**

1. That Council **grants Final approval** for the disposal of the following municipal properties in Hankey namely, a portion of erf 17 including street, 288, 303, 326, 331, 336, 341 and 342 to MGM Trust.
2. That the properties contemplated herein, be sold to MGM Trust at the stipulated market related valuation amounts:

<b>ERF</b>	<b>VALUATION (R)</b>
17 including streets	1 170 000,00
288	20 000,00
303	290 000,00
326	50 000,00
331	20 000,00
336	20 000,00
341	180 000,00
342	20 000,00
<b>Total</b>	<b>1 770 000,00</b>

3. That Council authorizes the Accounting Officer to enter into a sale agreement with MGM Trust, for the sale of the properties mentioned in 1 above at the fair market value of R1 770,00.00 (all inclusive).
4. That the Applicant MGM Trust be responsible for payment of transfer, subdivisions and other Land Use related costs linked to this application.

**21/05/PD10 DISPOSAL AND CLOSURE OF LONG STREET, BOKMAKIERIE STREET, PORTION OF BLOUBOK STREET AND PORTION OF HERON STREET – PUBLIC ROADS IN THE INDUSTRIAL AREA HUMANSDORP**

Alderman Rheeder introduced the item, and it was unanimously approved.

### **Resolved (31 May 2021)**

1. That in view of no objections received from the public participation process, the Council **grants final approval** for the disposal and closure of erf 763(Long Street) and a portion of erf 2077(Portion of Bloubok, Portion of Heron and Bokmakierie Streets) Humansdorp by way of an Out-of-Hand process to Woodlands Dairy.
2. That the process of closure of Long Street, a portion of Bloubok Street, Bokmakierie Street, and a portion of Heron Street be finalized.
3. That Council authorizes the Accounting Officer to conclude a Sale agreement in respect of the properties specified in 9.1 above at the combined fair market value of **R390 000.00 (Three Hundred and ninety Thousand Rands only)**.
4. That the applicant be responsible for the costs associated with the closure of public roads and transfer of property.

### **21/05/PD11 LAND SWAP: A PORTION OF ERF 6650 IN FAVOUR OF ERF 6649, JEFFREYS BAY: MR. S. STANLEY**

Alderman Rheeder introduced the item.

Cllr Dennis asked if the land was required for basic services and Alderman Rheeder and the Speaker confirmed that it was not. The item was thereafter, unanimously approved.

### **Resolved (31 May 2021)**

1. That Council **grant Final approval** for the land swop of a portion of erf 6650 to the extent of 245m<sup>2</sup> to compensate for the land lost by property owner of erf 6649, due to the encroachment of the turning road circle in Salamander Street.
2. That Legal Services attend to the transfer and registration processes in implementing the resolution 1 above.
3. That the Municipality be liable for all Transfer, subdivision and consolidation costs linked to this transaction.
4. That Council notes that the portion of 6650 to be alienated is not needed for future basic services, in terms of s14 of the MFMA read together with the MTAR (2008) and Municipal Policy on Disposal of Council Immovable Assets.

**21/05/PD12 FUNDING APPROVAL FOR THE INSTALLATION OF 990 CIVIL SERVICES INFRASTRUCTURE, HANKEY**

Alderman Rheeder introduced the item, which was for the appointment of Civil Services Infrastructure, Hankey which had R40.54 million allocated.

The Speaker welcomed the news.

Cllr Gertenbach welcomed the news and cautioned that water be considered when planning for land usage was done. There had to be consultation with I&E on the matter.

**Resolved (31 May 2021)**

1. That the report on the funding approval of **R 40 545 232.32** grant funding for the completion of pre planning activities and installation of 990 civil infrastructure services in Hankey be noted.
2. That the preliminary implementation plan/program for the Hankey 990 housing project be noted.
3. That all progress reports on this housing project be submitted to the Planning & Development Portfolio Committee.

**21/05/PD13 APPLICATION FOR WAIVING OF PENALTIES IMPOSED ON BUILDING PLAN SUBMISSIONS TO THE DEPARTMENT PLANNING & DEVELOPMENT: UNAUTHORISED BUILDING WORK IN TERMS OF THE NATIONAL BUILDING REGULATIONS AND STANDARDS ACT, ACT 103 OF 1977: EXTENSION OF PERIOD FROM 30 JUNE 2021 TO 31 DECEMBER 2021**

Alderman Rheeder introduced the item which was a request to waiver penalty clauses for late building plan submissions until 31 December 2021.

Cllr Oliphant welcomed the item. He stated that he had a problem with the use of the wording "penalties for late submission" when there were many people who had submitted plans since June 2020 and there had been no outcomes made yet. He further enquired who would be penalised for this, the institution?

Building plans were currently submitted online, which was not accessible to everyone. Penalties had to be the last resort and perhaps the sentence had to read that Council had an obligation taking into account the Covid-19 situation to pursue via the media all those that were intending to submit plans to do that timeously. He did not support penalties.



Alderman Rheeder stated that the indemnity had been coming for two years as there were still outstanding plans, and the request was for an extension for an additional six months. Covid-19 did not prevent the submission of building plans as it was done electronically, which was the only way.

This was for old building plans that had begun before and where there was no occupation certification in place. Those people received a waiver for the penalties and not the building plan.

Cllr Oliphant agreed if it was a waiver.

The Executive Mayor stated that the amnesty was not for people that turned RDP houses into businesses.

Cllr Dhludhlu proposed that recommendation 4 be amended to indicate that "relevant social media platforms" be included. Communities had to be informed as this was the final extension. Cllr Gertenbach seconded the proposal.

#### **Resolved (31 May 2021)**

1. That the Council approves the extension period from **30 June 2021 until 31 December 2021** on the waiver of penalties on existing applications (BEFORE THE INCEPTION PERIOD) for exemption of these penalties and that the normal build plan application fee be applicable and be paid by the applicant.
2. That, the applicant shall where applicable, be required to comply with the national building regulations and Standards Act ,1977(Act 103 of 1977, as amended) to ensure sound building control management.
3. The Council shall reserve the right to impose conditions to ensure compliance to other legislation.
4. The proposed period for exemption be determined by the Council and that this period be published in the local newspaper and all relevant social media platforms to inform all residents of the waiver period for penalties.

Proposed: B Dhludhlu

Seconded: W Gertenbach

**21/05/PD14 AUTHORIZATION FOR CALL FOR NOMINATION OF EXTERNAL KOUGA MUNICIPAL PLANNING TRIBUNAL (MPT) MEMBERS (5 YEAR CONTRACT 2021-2026)**

Alderman Rheeder requested that it be noted that the current committee's term was over in October and a new committee had to be elected. Its current members could apply as well.

**Resolved (31 May 2021)**

1. That Council authorizes the Accounting Officer, or delegate to proceed with publication for calls for nominations of suitably qualified persons to be appointed as Members of the municipal planning tribunal.
2. That four external members be appointed including 1 person either admitted as an attorney in terms of the Attorneys Act, 1979 (Act No. 53 of 1979) or admitted as advocate of the Supreme Court in terms of the Admission of Advocates Act, 1964 (Act No. 74 of 1964).
3. That the Municipal Manager appoints a panel of Municipal officials comprising of the following employees:
  - Director: Planning, Development and Tourism
  - Manager: Planning and Development
  - Director: Infrastructure and Engineering Services
  - Manager: Legal Services
  - Environmental Specialist
  - The Chief Financial Officer
4. That the new members be remunerated in line with the current rate pertaining to non-official members of commissions and committees as determined by the Minister of Finance, in terms of Treasury Regulation 20.2.2.
5. That the standard conditions of service for external members of the municipal planning tribunal as adopted be applicable.
6. That in line with Section 37 (1) of SPLUMA, Council hereby confirms that term of office of new external members Municipal Planning Tribunal is 5 years and members may not serve for a continuous period of 10 years.
7. That the standard code of conduct for external members of the municipal planning tribunal as adopted by the Council be applicable.
8. That the approved category of delegations as approved by Council be applicable.

**21/05/PD15 APPLICATION TO PURCHASE: A PORTION OF PORTION 4 OF THE FARM ZWARTENBOSCH NO. 347: TEEN CHALLENGE SA**

Alderman Rheeder introduced the item and proposed that a recommendation 8 be added which indicated that if the land was sold to applicant it could only be sold back to Council. This was because it was proposed that the land be sold at 25% of the normal valuation and the recommendation would prevent the applicant from selling the land at a profit.

Cllr Gertenbach asked for clarity on whether the land was situated on the water springs. The Acting Director: I&E stated that it was not on the springs if he was talking about the correct property.

Cllr Campher confirmed that the land was south of Felix Street.

Cllr Oliphant stated that it was clear unless proven otherwise that the Municipality had embarked on a processes of disposing the land but later realized that processes were not properly followed hence there was a rescindment and recommendation to give the Accounting Officer authorization to continue with the land disposal.

He asked if it was "out of hand" selling and if yes enquired what legislation was used instead of competitive bidding. The land had a name attached to it which would make it difficult for the institution to dispose of. He recommends that the land be sold through a competitive bidding process instead of focusing on Teen Challenge SA. This was the oppositions position on the matter.

The Speaker noted Cllr Dennis and indicated that legislation utilised was mentioned within the item.

Alderman Rheeder stated that in 2013 Council had resolved to lease the Portion. There was a recommendation to advertise the intention to sell the land, which gave others interested a chance to apply therefore the processes and legislation were adhered to.

Cllr Dennis stated that the unsolicited bidding route which was being followed as was done for the Caravan Park. National Treasury's involvement had not been mentioned. As it was an unsolicited bid, national treasury had to be made aware.

Alderman Rheeder stated that after the advertisement period the matter would return to Council and thereafter necessary government authorities could be informed.

The Executive Mayor requested clarity on the reference point for the Caravan Park unsolicited.

Cllr Dennis stated that alienation of land was being discussed. When a preferred bidder was determined beforehand it became an unsolicited bid and National Treasury (NT) had to be informed of any unsolicited bids.

The Ben Marias Caravan Park had a preferred bidder, and this case had a preferred bidder as well, therefore National Treasury had to be informed as per the MFMA.

The Speaker stated that the Director and Alderman Rheeder noted Cllr Dennis.

The Speaker requested a seconder for the additional recommendation 8 which Cllr Vorster seconded. He asked if anyone was against the recommendations with all concerns raised noted.

Cllr Dennis stated that the ANC would only approve if the recommendation that National Treasury be informed of Council's intention was included.

The Speaker asked if the ANC was not in agreement at the current stage.

Cllr Dennis responded that it was not as National Treasury had to be informed.

The Speaker asked if there had to be a vote or that the matter would go ahead in good faith.

Cllr Dennis stated that there had to be a recommendation that indicated that National Treasury provide approval of the unsolicited bid as per the MFMA concerning unsolicited bids.

The Speaker asked if there had to be a vote on the matter or if a commitment that National Treasury would be written to was adequate.

Cllr Oliphant stated that a recommendation which stated that National Treasury be informed of the intention to sell has to be included. He seconded Cllr Dennis's proposal.

The Acting MM stated that National Treasury had to receive comments on the process and the Supply Chain Policy made provision for this in terms of the public participation process. Once this process was finalised the Accounting Officer had to submit written comments to National Treasury and Provincial Treasury. Therefore, there was a provision in the policy for the process.

The Acting CFO proposed that "all legislative requirements be adhered to" as indicated in the 2013 resolution be included in the recommendation as this ensured that all policies were adhered to regarding the alienation.

Cllr Oliphant stated that there would not be a problem if this was inserted.

Cllr Dennis stated that the leasing and disposal of land were different matters.

The Acting CFO had made reference to a lease agreement. The disposal of land was being discussed and National Treasury had to be informed of the decision to dispose of the land and that it was an unsolicited bid. He requested that the recommendation be added which indicated that National Treasury be informed.

There were no objections to the amended recommendations and the recommendations were approved.

**Resolved (31 May 2021)**

1. That Council **rescinds** the resolution pertaining to the lease of a portion of portion 4 of the Farm Zwartbosch No. 347 to Teen Challenge which reads as follows: -

**13/05/FAME26 APPLICATION FOR LAND – PORTION OF FARM 347 PORTION 4 (ZWARTENBOSCH)**

**Resolved: (30 May 2013)**

- i) *That Teen Challenge SA-Western Cape be allowed to utilize the Portion of Farm 347, Portion 4 of the Farm Zwartbosch for community projects for a period of nine (9) years and 11 (eleven) months, subject to the following conditions:*
  - a) *That a formal Lease Agreement be entered into between Teen Challenge SA –Western Cape and the Council.*
  - b) *That Teen Challenge SA – Western Cape be responsible for all cost (that may escalate) in respect of services and services connections fees as determined by the Council.*

- c) *That it be recorded that in terms of Section 14 of the Municipal Finance Management Act, the portion of Farm 347, Portion 4 of the Farm Zwartbosch is not required for basic level of municipal service.*
  - d) *That all legislative requirements and advertisement procedures be adhered to.*
  - e) *That any comments and objections from the public be taken into careful consideration.*
2. That Council **grants in-principle approval** for the disposal of a portion of portion 4 of the farm Zwartbosch No. 347 out-of-hand to Teen Challenge SA as a social care user.
  3. That Council grant authorization to the Accounting Officer to advertise the intended disposal of the immovable property herein.
  4. That Council confirms that the land is not needed to provide the minimum level of basic municipal services.
  5. That the subdivision and rezoning of the land be attended to and concluded.
  6. That Council consider the fair market related value of R770 000.00 that was obtained from a professional valuer for the portion of portion 4 of the Zwartbosch No 347.
  7. That Council consider disposing the immovable property contemplated herein to Teen Challenge as a social care user at 25% of the fair market value.
  8. That if the land was to be sold by the applicant, it only be sold back to Council.

Proposed: B Rheeder

Seconded: L Vorster

9. That National Treasury be informed of the intention to dispose the land to the applicant.

Proposed: R Dennis

Seconded: P Oliphant

## 20.6 **REPORTS BY THE CHAIRPERSON: LOCAL ECONOMIC DEVELOPMENT & TOURISM**

### **21/05/LED&T5 APPROVAL FOR REDIRECTING PORTION OF WINTERFEST BUDGET TO THE SOUTH AFRICAN LONGBOARD CHAMPIONSHIP EVENT 2020/2021 FY**

The Executive Mayor tabled the item. Cllr Baxter was unable to present the items due to internet connectivity challenges.

The Speaker stated that the item was for redirection of funds as the Winterfest was not happening and a portion of its budget would be directed to the Longboard Championship.

Cllr Peters proposed that money be redirected towards the drought relief fund for the Gamtoos Area.

Cllr Dhludhlu supported the redirection of funds and added that it was a non-contact sport which would keep tourism going and did not have spectators.

Cllr Williams proposed that a recommendation be added that indicated that the remainder of the Winterfest funds be redirected to drought mitigation projects and was seconded by Cllr Vorster.

Cllr Dennis queried the remaining amount and Cllr Williams responded that it was approximately R400 000.

The amended recommendations were unanimously approved. .

**Resolved (31 May 2021)**

1. That Council **approves** that an amount of R305 200.00 (Three Hundred and Five Thousand Two hundred rand only) all-inclusive be redirected from Winterfest budget to South Africa Longboard Surfing Competition.
2. That a post-event report be tabled to Council for information and endorsement.
3. That the remainder of the Winterfest Budget be redirected towards drought mitigation projects in the current financial year (2020/21).

Proposed: B Williams

Seconded: L Vorster

21. **CLOSURE**

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

The meeting closed at 13:08



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**H BORNMAN**  
**SPEAKER**

30 July 2021

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**DATE**

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