

**MINUTES OF A VIRTUAL SPECIAL COUNCIL MEETING OF KOUGA MUNICIPALITY HELD
ON WEDNESDAY, 30 JUNE 2021 13:09**

PRESENT: Councillors

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

**Officials &
Municipal Manager**

| | |
|--------------|---|
| C du Plessis | (Municipal Manager) |
| M Rossouw | (Acting Director: Corporate Services) |
| E Oosthuizen | (Acting Director: Infrastructure & Eng) |
| N Machelesi | (Director: Community Services) |
| R Lorgat | (CFO) |
| J Marias | (Manager: Planning & Development) |
| M Penxa | (Manager: Human Settlements) |
| D De Jager | (HR Manager & Acting: COO) |
| L Opperman | (Manager: Legal Services) |
| A Jonck | (Manager: Office of the Mayor) |
| N Zode | (Acting Senior Committee Officer) |
| M Julius | (Committee Clerk) |

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 welcomed those present and requested that Alderman B Rheeder open with a prayer.

3. **ABSENT WITH LEAVE**

K Moodley (Director: Corporate Services)
F Mabusela (Director: Planning, Development & Tourism)

4. **ABSENT WITHOUT LEAVE**

Cllr A Mabukane
Cllr M Dayimani
Cllr E Februarie
Cllr S Jujwana
Cllr F Baxter

6. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

Cllr D Benson asked those present to keep those infected by Covid-19 in their prayers. He urged that caution be exercised when moving around.

Ms M Rossouw, Manager: Auxiliary Services and Administration, stated that there was an apology for the Director: Corporate Services who was on leave.

Cllr Oliphant expressed care and sympathy to those with Covid-19 on behalf of ANC. He extended condolences not only to the Ferreira family for the loss of their father and mother, but the many others that had succumbed as well.

The Speaker stated that it was a difficult time.

Cllr Jantjies expressed condolences to those who had lost loved ones. He extended condolences to the families of the well-known man of Pellsrus, Mr Gavin Natal, 26th ACDP candidate, and Mr Steven Jeggels, a surfer and surf-trainer to the youth.

Alderman Rheeder stated that Director Mabusela was on leave.

Cllr Alexander stated that Ms Leigh Human, would represent Kouga as Ms Teen SA. She was in need of assistance and resided in ward 5. Kouga and the Eastern Cape could be proud of the achievement.

The Speaker gave thanks and extended congratulations to Ms Human.

Cllr Benson extended his condolences to Director: Community Services on the passing of her brother and asked that she be kept in prayer. The Speaker extended condolences to the Director as well.

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

None

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

None

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 OF COMMITTEES OF COUNCIL**

None

11. **REPORT BY THE OFFICE OF THE MUNICIPAL MANAGER**

None

12. **REPORTS BY THE EXECUTIVE MAYOR**

12.1 **REPORTS BY THE CHAIRPERSON: CORPORATE SERVICES**

21/06/CORP8

KOUGA MUNICIPALITY – CALENDAR OF MEETINGS: 1 JULY 2021 TO 30 JUNE 2022

Cllr Jantjes greeted those present and introduced the item.

The Executive Mayor reminded MPAC that its Annual Work Plan had to be submitted to Council for approval. He hoped that it would be tabled at the next Ordinary Council.

Cllr Dhludhlu noted the reminder and stated that MPAC was the only meeting scheduled for the voting month but hoped that there would be attendance.

Resolved (30 June 2021)

1. That the Updated Calendar of Meetings for the period 01 July 2021 to 30 June 2022, be approved.

12.2 REPORTS BY THE CHAIRPERSON: PLANNING AND DEVELOPMENT

21/06/PD8

ESKOM FUNDING ALLOCATION FOR THE INSTALLATION OF ELECTRICAL CONNECTIONS IN THE GAMTOOS VALLEY MUNICIPAL AREA

Alderman Rheeder provided a background on the item.

The notice Division of Revenue Act (DoRA) allocation for electrification was received late and it was a battle to get the Municipality's plans approved.

The allocations were as follows:

- 21/22 FY – R12 047 000,00.
- 22/23 FY – R10 440 000,00 and
- 23/24 FY - R14 912 000,00.

An indication was also given regarding the breakdown for the reduction of the R12 million. There was also a request from Eskom that R1 043 846 be made available to Sunday's River Valley Municipality. "Cyril Ramaphosa" had to be corrected to "Ramaphosa Village" throughout the item.

Cllr Dennis welcomed the plan and the assistance to the Gamtoos Valley area. He raised a concern about the transfer to Sunday's River and questioned whether the Municipality was in a position to relinquish its funds. He further stated that the ANC was in agreement with the recommendations except for the transfer of the funds and requested that more information be provided on why the Municipality had agreed to the request.

Cllr Peters asked if Eskom would be electrifying the Stofwolk area. On electrification projects in the Gamtoos Valley, she requested that the projects be done hand in hand with the Councillor's office and that citizens be prioritized.

The Speaker agreed that there had to be collaborative work.

Alderman Rheeder stated that the notification for the DoRA funds, was received very late and one of Eskom's conditions was that the planning had to be ready in April, but this had not happened.

Eskom wanted to take R7 million away from Kouga and that was why Eskom had requested that R 1 million be transferred to Sunday's River in order for Kouga to retain its allocation. The matter had been deliberated in four meetings with the relevant officials and it was determined that there were two areas ready for implementation: Weston and Loerie.

It was through this communication that over R6 million was saved in Kouga Municipality. This was however, on the condition that R1 million be given to Sunday's River Municipality.

The concern was that Eskom had indicated that the allocation was derived from the Municipality's IDP, and no specific plans were submitted by the Electrical Department, I&E or the Municipal Managers Office which was also why the notification had been received late.

He asked that Council say thank you for the R6 million that would be used in the current year to electrify two areas and that work commence on plans in order to avoid the loss of funds in future.

The Speaker asked if there was anybody against the recommendations.

Cllr Dennis stated that there was a contradiction in Eskom's approach and that the Municipality was furthering it as funds were being given away despite Tjoksville requiring electrification. It was a contradiction to make Tjokville wait for electrification whilst a million was given to another Municipality. The recommendations were fine except for 3 which the ANC was not in agreement with.

The Speaker sought clarity on the ANC's position.

Cllr Dennis stated that the ANC was against recommendation 3 which indicated that R1 million be transferred to Sundays River.

The Speaker stated that according to his understanding the Municipality did not have a choice and asked that Alderman Rheeder comment.

Alderman Rheeder stated that there were two options either losing the entire R7 million or giving R 1 million to Sunday's River and retaining R 6 million.

The Speaker indicated that these were the options.

The Manager: Human Settlements clarified that the reason Tjoksville's electrification had to be resuscitated was because Tjoksville was in Thornhill which was electrified by the Nelson Mandela Bay Metro and not Eskom.

There were engagements in the past with the Metro regarding the area's electrification. This had not materialized therefore the matter had to be resuscitated in order for electrification to take place late in the current year or the upcoming year.

Cllr Peters requested a 5 min caucus.

Cllr Oliphant stated that the Speaker and others were inaudible and requested that the issue be taken into consideration.

The Speaker stated that Cllr Oliphant had to check his connectivity and granted the ANC a caucus break.

Cllr Dennis stated that the ANC was not completely opposed to the transfer of funds, but further information was required. At the minimum, the correspondence from Eskom requesting the transfer was required. The ANC would agree on the basis that the correspondence was provided.

On the option mentioned that Eskom would take the funds away if the request to transfer was denied, he requested that Eskom be engaged on the matter as it was not in a position to threaten the Municipality. Was the threat by Eskom in writing or verbal?

There were two requests: correspondence from Eskom requesting the transfer and secondly, the Speaker's Office had to write to Eskom expressing the discomfort regarding its threat. This was the ANC's position

The Speaker asked if the ANC was in agreement with recommendations and that their other concerns would be addressed on other platforms.

Cllr Dennis asked that the two pieces of correspondence be addressed to Eskom.

The Speaker stated that it was already in place and could be shared.

Resolved (30 June 2021)

1. That the DoRa allocations R 12 047 000 for the 21/22, R10 440 000,00 for the 22/23 and R14 912 000,00 for the 23/24 FY's be noted.
2. That Council takes note of the fees/costs and expenditure of the 2021/22 FY allocation, for the installation of the remaining 92 houses in Stofwolk, pre- planning costs, and 5% administration fees thus leaving a balance of R7 093 934.00 on the 21/22 FY allocation.
3. That Council approves the transfer of **R 1 043 846.18** to Sundays River Valley Municipality as per request by ESKOM on 4 June 2021.

4. That Council notes the final funding amount available for the 21/22 FY is R6 050 087.82 after transfer of R1 043 846.18 to Sunday River Valley Municipality.
5. The Council approves the electrification of 154 Informal houses in Loerie (154) and 71 Informal houses in Weston (71).
6. That Kouga finalize the Final Design Plans(FDP) by September 2021 to enable Eskom to commence implementation in October 2021.
7. That the Human Settlements, Town Planning and Electricity sections work closely together to ensure such finalization of the FDP by September 2021.
8. That Council approves the electrification of 278 Informal houses in Ramaphosa Village (278) in the 2022/23 FY.
9. That Council approves the electrification of 990 informal houses in Hankey(990) in the 2023/24 FY.
10. That Council indemnifies ESKOM and accepts liability for costs of relocating electrical connections installed from informal houses to formal houses at the completion of the formal housing project.
11. That the electrification of Tjolkville be resuscitated administratively and feedback be submitted to the next I&E Portfolio committee.
12. That a multi-disciplinary Human Settlements Committee be established under the leadership of the Municipal Manager to consider and strategize around matters of electrification of informal settlements, provision of services and amenities to such areas etc.

21/06/PD9

**APPLICATION FOR WAIVING PAYMENTS (DEPOSITO) FOR
ERECTING OF ELECTION POSTERS: DEPARTMENT PLANNING &
DEVELOPMENT**

Alderman Rheeder introduced the item. He requested that recommendation 4.1 be removed from the recommendations and was seconded by Cllr Williams.

Resolved (30 June 2021)

1. That the period of erecting the posters also be exempted from 14 days to a date that Council decided upon and be removed within 3 days after the elections.

2. That the political parties be required to comply with all the conditions as per Outdoor and Advertising By-law,2015, to ensure compliance for the erection of posters.
3. That Council shall reserve the right to impose conditions to ensure compliance to other legislation.
4. That the proposed period for exemption be determined by the Council and that this period be published in the local newspaper to inform all political parties of the exemption of payment of a deposit for the period as approved by Council.
5. That the recommendation below, 4.1 as stipulated in the Special Council Agenda 30 June 2021, be removed.

“That the Council approved the exemption for payment of a deposit, as per tariff for Outdoor Advertising, for all political parties for the erecting of political posters in the Kouga Municipal area.”

Proposed: B Rheeder

Seconded: B Williams

13. **CLOSURE**

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

The meeting closed at 13:49



H BORNMAN
SPEAKER

30 July 2021

DATE
