

**MINUTES OF AN ORDINARY COUNCIL MEETING OF KOUGA MUNICIPALITY HELD ON
FRIDAY, 29 APRIL 2022 AT 10:00**

PRESENT: Councillors

Ald B Williams	(Speaker)
Ald H Hendricks	(Executive Mayor)
H Bornman	(Deputy Executive Mayor)
Ald D Benson	
B Dhludhlu	
T Jantjes	
W Gertenbach	
H Murray	
R Foley	
F Heystek	
C August	
M Biko	
M van Niekerk	
J Alexander	
L Maree	
S Ruth	
P Oliphant	
M Dayimani	
M Yali	
V Gunuza	
K Ndzaleni	
N Ntshota	
B Human	
N Ntengwane	
V Zana	
M Valgee	
W van der Linde	
L Nkilishane	
M Mbandana	

**Officials &
Municipal Manager**

C du Plessis	(Municipal Manager)
K Moodley	(Director: Corporate Services)
F Mabusela	(Director: PDT)
L Opperman	(Manager: Legal Services)
C Venter	(Manager: Waste Management)
J du Toit	(Area Engineer: Jeffreys Bay)
N Swarts	(Manager: Assets)
R Ceaser	(Acting Area Engineer: St Francis Bay)
S Nzuzo	(Area Engineer: Humansdorp)
A Jonck	(Manager: Office of the Mayor)
N Zode	(Committee Officer)
Y Herbst	(Office Administration: Office of the Speaker)
M Basson	(Senior Media Liaison Officer)
M Julius	(Committee Clerk)

1. **NOTICE OF MEETING**

The Speaker read the notice convening the meeting in terms of Section 19 of the Local Government: Municipal Systems Act, 2000 (Act No.32 of 2000) that a virtual Council Meeting will be held.

2. **OPENING AND WELCOME**

The Speaker welcomed those present and requested that Cllr C August open with a prayer.

The Speaker requested that the Municipal Manager determine protocol regarding senior officials' leave applications for Council meetings.

Cllr P Oliphant requested that he be excused as he had to leave the meeting earlier as he had an appointment to attend at 12.30 pm.

The Speaker responded that he believed the meeting would adjourn before then.

3. **ABSENT WITH LEAVE**

Cllr E Mbuqu
R Lorgat(CFO)
N Machelesi(Director: Community Services)
A Liberty(Acting Director: I&E)

4. **ABSENT WITHOUT LEAVE**

5. **PRESENTATIONS**

None

6. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

Ald D Benson extended birthday wishes to Cllr M Dayimani whose birthday had been on the 9th of April. The Speaker extended birthday wishes to the Councillor as well.

Cllr V Zana extended birthday wishes to Cllr Dayimani.

Cllr Bornman extended condolences to families who lost homes in Ocean View due to fires that morning. Ald Benson had to note this.

The Speaker extended his condolences as well and asked that the Office of the Mayor send a communication to the victims.

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

The Speaker stated that it was very apparent that the Council which was inaugurated on 17 November 2021 had been in full flight over the past five months since taking office.

Ward Committees were fully functional and both the Ward Assistants as well as the Ward Councillors were slowly but surely finding their feet in the high-pressure environment.

The IDP consultation meetings had been taking place since the previous Council meeting and had been a huge success. Over 1000 inputs were received from residents via online surveys, WhatsApp submissions and through Ward Committees which meant that Council could go to the IDP consultation meetings with relevant priorities and present them to the communities.

Engagements of this nature was nothing short of phenomenal and the positive and constructive way the IDP meetings had been held was a testimony of a Council that listened to the communities and accurately captured their needs and priorities.

From as far afield as Ward 10 in Patensie to Ward 14 in Jeffreys Bay, record attendance of community members has been observed in the IDP meetings. Himself and the Executive Mayor had the privilege to represent Council at many of these meetings and it was great to witness that the meetings did not degenerate into service delivery complaint meetings which had been the norm in the past.

He commended the Ward Councillors who were clearly in constant engagement with their communities and dealing with service delivery complaints daily which was a huge contributing factor to facilitating IDP meetings to be managed as IDP meetings.

Ward Councillors would be holding at least one public feedback meeting during this quarter, and this will further ensure that government was being brought to the people and dealing with service delivery problems as and when they arose.

The co-operation Councillors were receiving from the officials was highly appreciated and while we are far from being a well-oiled machine, we are all working together and doing our best to better the lives of all the residents of Kouga Municipality.

One week of IDP meetings remained which was due to the postponement of some meetings due to load shedding and the concern for resident's safety and having to get home in the dark.

He extended his deep appreciation to the IDP team as well as the Public Participation Unit for ensuring that the meetings were successful.

The Municipality was well on track to tabling a credible IDP and Budget to Council before the end of May that would ensure Kouga Municipality remains legislatively compliant.

As we celebrated Freedom Day on Wednesday, and 28 years of democracy in South Africa, let's reflect that while we have political freedom, there are still other freedoms that we need to continue fighting for.

Some of these freedoms include economic freedom and as Council we need to continue striving to make Kouga an investor friendly Municipality that will mean more job creation for our residents.

Freedom from Gender Based Violence also needed attention and he urged all Councillors to support the launch of the Moral Regeneration Movement which will take place in late May.

There was a moral crisis in South Africa that was manifesting itself through crime, corruption, GBV, children on drugs and people having no option but to live on the streets.

By respecting human dignity and equality, a difference could be made in the moral fibre of our local communities and our nation.

He humbly requested everyone's support in the establishment of Moral Regeneration later this month.

He alerted Councillors that Day Zero was fast approaching and the message to save water had to be conveyed to communities. It was critical for extending the remainder of water in the dams and augmentation of borehole supply.

There had also been a slight resurgence of Covid-19 figures in the Municipality, and he urged all Councillors to take care and ensure that communities were safe.

He extended his gratitude to all.

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

The Executive Mayor indicated that his speech will be in abeyance until the next Council meeting.

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

Cllr Zana raised concern about the lack of reporting from the district representatives.

The Speaker requested that the DA Chief Whip and Cllr Zana meet to ensure that the report was tabled.

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

None

The Speaker requested that a report be tabled at the next Council meeting.

Cllr Zana agreed with the Speaker.

Cllr Bornman requested that this be referred to the Collective meeting as there were matters that had to be addressed together with top management. A report would be created for the end of May.

11. **REPORT BACK: MUNIMEC**

None

12. **DISCLOSURE OF INTEREST**

Cllr B Dhludhlu requested a follow up on the status of signed declaration of interest forms.

The Speaker indicated that his Office was following up on the matter.

13. **STATUTORY MATTERS**

None

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

14.1 Minutes of the Mayoral Committee meeting held on 21 February 2022 noted.

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

15.1 **MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 31 MARCH 2022**

Cllr W Gertenbach on page 58, regarding the indigent drive that had to be done through ward offices, stressed the importance of this endeavour.

On page 68 which mentioned the decision for donation of obsolete items, he requested that Ward Councillors note this.

Resolved (29 April 2022)

1. That the minutes of the Ordinary Council meeting held on 31 March 2022 be accepted.

Proposed: W Gertenbach

Seconded: D Benson

16. **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).

17. **REPORTS OF COMMITTEES OF COUNCIL**

None

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

22/04/MM5 COUNCIL RESOLUTIONS AS AT 31 MARCH 2022

The Municipal Manager introduced the item.

Cllr T Jantjes stated that some items were longstanding and a more comprehensive discussion was required at the next Collective meeting. He proposed that a recommendation be included for the tabling of the item at the next Collective meeting.

Ald Benson seconded the proposal.

Resolved (29 April 2022)

1. That the updated Action Sheets reflecting resolutions of previous Council meetings and resolutions approved during the period of the Executive Mayor's Delegated Authority, be noted.
2. That it be noted that all resolutions are referred to Top Management meetings for discussion whereafter outstanding reports are submitted to their respective Portfolio Committee meetings.
3. That Directorates complete the Action sheets comprehensively, indicating the official responsible for actioning the recommendation, the due date, status of completion and tasks performed.
4. That the report be tabled at the next Collective meeting.

Proposed: T Jantjes

Seconded: D Benson

19. **REPORTS BY THE EXECUTIVE MAYOR**

19.1 **REPORTS BY THE CHAIRPERSON: FINANCE**

22/04/F2

MONTHLY BUDGET STATEMENTS FOR THE PERIOD JULY 2021 TO FEBRUARY 2022 AND FINANCIAL STATE OF AFFAIRS OF THE MUNICIPALITY AS AT 28 FEBRUARY 2022 (2021/22 FINANCIAL YEAR)

The Executive Mayor tabled the items for Finance.

Cllr Gertenbach introduced the item and asked that the item be noted and that more time be spent on item 22/04/F21 as it was an updated version of the report.

Resolved (29 April 2022)

1. That the Executive Mayor notes Municipal Manager's report on the monthly budget statements, in accordance with Section 71(1) of the Municipal Finance Management Act.
2. That the monthly budget statements accordingly be submitted to Provincial Treasury as stipulated in Section 71(1) of the MFMA.
3. That the Section 71 report for the period ending 28 February 2022 to be noted by Council.

22/04/F12

SUPPLY CHAIN MANAGEMENT: S36 DEVIATIONS FOR THE MONTHS OF JANUARY 2022

Cllr Gertenbach introduced the item.

Cllr V Gunuza on behalf of the ANC caucus requested that recommendation 7.2 indicate that deviations be drastically reduced.

The Speaker asked that the Municipal Manager note this.

Cllr Yali supported the recommendations with the ANC's proposed amendment.

Ald Benson seconded the proposal.

Resolved (29 April 2022)

1. That Council approves the report.
2. That the use of S36 Deviations be drastically reduced as far as possible.

Proposer: V Gunuza

Seconder: D Benson

22/04/F13

SUPPLY CHAIN MANAGEMENT: S36 DEVIATIONS FOR THE MONTHS OF FEBRUARY 2022

Resolved (29 April 2022)

1. That Council approves the report.
2. That the use of S36 Deviations be drastically reduced as far as possible.

Proposer: V Gunuza

Seconder: D Benson

22/04/F21

MONTHLY BUDGET STATEMENTS FOR THE PERIOD JULY 2021 TO MARCH 2022 AND FINANCIAL STATE OF AFFAIRS OF THE MUNICIPALITY AS AT 31 MARCH 2022 (2021/22 FINANCIAL YEAR)

Cllr Gertenbach introduced the item which indicated that the Municipality was doing well considering the circumstances.

Cllr Dhludhlu stated that the accuracy of page 164 had to be checked as the dates appeared to be incorrect.

On page 170 which mentioned water saving, he requested feedback on the spending in this regard.

The Speaker on page 164, stated that it was a typo which had to read 31 March 2022.

On expenditure for water saving, he requested that the Municipal Manager comment.

The Municipal Manager stated that he would liaise with finance on the matter.

The Director: Corporate Services stated that the Adjustments Budget made provision for the installation of restrictors. There had been a deviation and a service provider had been appointed. The installation of 200 restrictors had been piloted. The other initiatives varied from sorting leakages to pressure reducing techniques which were being implemented. Measures were ongoing.

Resolved (29 April 2022)

1. That Council notes Municipal Manager's report on the monthly budget statements, in accordance with Section 71(1) of the Municipal Finance Management Act.
2. The Executive Mayor's report on the implementation of the budget and the financial state of affairs of the municipality, in accordance with Section 52(d) of the MFMA be noted.
3. That the monthly budget statements accordingly be submitted to Provincial Treasury as stipulated in Section 71(1) of the MFMA.

22/04/F22

**BUDGET AND TREASURY: WITHDRAWALS FROM MUNICIPAL BANK
ACCOUNT FOR THE QUARTER ENDED 31 MARCH 2022**

The Speaker noted that there were no speakers on the item.

Resolved (29 April 2022)

1. That the Council notes the withdrawals that were made in terms of section 11(1) (b) to (j) of the MFMA for the quarter ended 31 March 2022; and
2. That the report accordingly be submitted to the Provincial Treasury and Auditor-General as determined by section 11(4) (b) of the MFMA.

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

22/04/I&E3 WATER QUALITY REPORT

The Executive Mayor tabled the items for Infrastructure and Engineering.

Cllr L Maree presented the item.

Cllr Zana requested clarity on the alternative measures mentioned within the recommendations. What would be done to improve the water quality? The colouring of water in the Gamtoos Valley was declining.

The Municipal Manager stated that a R100 million loan from The Development Bank of South Africa had been approved in the Adjustments Budget. Once the public participation for this had been completed and if there were no objections the loan could be used to improve water quality.

The Speaker questioned if the RO plants that would be funded through the loans were the proposed alternatives.

The Municipal Manager confirmed that he was correct.

Cllr Zana on the number of recently drilled boreholes, questioned whether this was a good investment, as the water required treatment.

The Municipal Manager responded that when drilling was done some water was of acceptable quality and could be placed into the system. Water was only tested after drilling and if the quality was not acceptable it was addressed in two ways- firstly blending and secondly a RO plant was used.

RO plants would be used to address the iron and manganese levels in the borehole water in Humansdorp, St Francis Bay and Jeffreys Bay. This would be implemented in the upcoming months.

The Speaker stated that a lot more feedback on the water crisis was required. There had to be regular feedback through the Mayor's Office.

The Municipal Manager had to note the request for communication.

Resolved (29 April 2022)

1. Hankey

That due to the Manganese level slightly exceeding the SANS limits, other alternatives be pursued to treat the water to be within **SANS** requirements.

2. Jeffreys Bay

That due to the JBM boreholes(new boreholes) exceeding the Iron levels in terms of the SANS limits, alternative treatment processes be pursued to treat the water and bring it acceptable **SANS** standards. Therefore, it be noted that JBM boreholes (JBM2; JBM3; JBM4 & JBM5) have been put out of commission.

22/04/I&E9

REPORT: ELECTRICAL MAINTENANCE REPORT JULY 2021 TO FEBRUARY 2022

Cllr L Maree tabled the item.

Cllr L Nkilishane noted that 200 structures were completed but a few people were left out of the process in Golf Course, Humansdorp and he had created a list of these people. Some houses were left without electricity but everyone had to receive electricity.

The Speaker asked that the list be submitted to his office.

Cllr Gertenbach stated that electrical maintenance was a problem due to copper theft and illegal connections.

He proposed an additional recommendation, that drastic steps be taken by law enforcement to address cable theft and illegal connections.

Cllr Zana on page 219, stated that the mention of illegal structures had to be corrected to informal structures. Streetlights were maintained by Eskom in the Gamtoos Valley but there were issues in this regard.

During the IDP process communities had raised concern about the matter. Eskom had to be pushed to improve the streetlights in Patensie and other small towns in the Gamtoos Valley.

The Speaker indicated that based on the discussion two additional recommendations had to be included which addressed theft and maintenance of streetlights respectively.

Cllr August proposed that the amended recommendations be accepted and was seconded by Cllr W van der Linde.

Resolved (29 April 2022)

1. That the report on electrical maintenance be noted.
2. That dedicated provision be made in the 2022/23 budget for electrification of illegal structures so as not to adversely affect the operational/maintenance budget.
3. That the human settlements department manage all informal settlements in terms of special development and approved layouts in all areas. This will enable the electrical department to apply for funding to electrify these areas and not utilise council funding.
4. That Law Enforcement actively police the theft of copper cables and illegal electrical connections.
5. That Eskom be engaged on the maintenance and repair of street lights in the Gamtoos Valley.

Proposed: C August

Seconded: W van der Linde

22/04/I&E10

REQUEST FOR APPROVAL FOR THE DEVIATION FROM KOUGA MUNICIPALITY AUGMENTATION POLICY

Cllr Maree tabled the item.

Cllr Zana requested clarity on the implications of the item and whether it would create risk for the Municipality.

Cllr Bormman was concerned that the Municipality would lose out on the upgrade of infrastructure. He understood that the main developer wanted to sell plots to a secondary developer which would pay the fees individually.

This meant that the augmentation fees would be received over time in smaller portions which meant that it would take longer to upgrade infrastructure. He requested further clarification on the matter.

The Manager: Legal Services, stated that the Developer had an agreement with a third party, *Marina Invest*, in terms of the agreement 12 of the erven within the development would be transferred to *Marina Invest*. The amendment only spoke to the 12 erven that had to be deferred for 36 months. The fees for the remaining 27 erven in the development would be received as per the main agreement but the payment for the 12 erven transferred, the payment would be deferred for 36 months.

The Speaker stated that the 36 month period was the maximum period and regardless of whether Marina Investment sold the plots, the Municipality would receive the augmentation fees. If the property was sold within 6 months would this not be paid immediately?

The Legal Manager stated that if the sale happened before the end of the 36-month period, the fees would be payable, and fees could be collected if occurred before 36 months. The inclusion of the 36-month period was intended to limit the term for payment.

Cllr Bornman was not in agreement with the 36-month period and indicated that recommendation 5.3 had to be amended to indicate 12 erven and the period for payment.

The Manager: Legal Services agreed with the amendment. The term would form part of the agreement but could be addressed in the recommendations.

The Executive Mayor stated that three years was too lengthy, and Council had to consider amending this to 18 months.

The Speaker stated that based on the discussion, the recommendations had to be amended as proposed by Cllr Bornman and that an 18-month period for payment be included as well.

Cllr Bornman asked if the 18-month period was reasonable.

He proposed that the recommendations be accepted as amended.

The Municipal Manager stated that it was attainable and that 18 months could be accepted.

Cllr R Foley seconded the proposal.

Resolved (29 April 2022)

1. That Council approves the Deviation from the Kouga Municipality Augmentation Policy.

2. That Council authorises the Accounting Officer to conclude the Amendment Agreement to the Memorandum of Services Agreement ('MSA') dated 29 October 2009.
3. That Council supports and approves the control measure, namely: that these 12 erven be red - flagged at the Treasury Department so that when the required rates clearance is applied for to transfer erven, the Treasury Department can notify:
 - The Infrastructure and Engineering Department to determine the required Augmentation to be paid
 - The Building Control Section so that they can request proof of payment of the required Augmentation fee as part of the submission documents prior to approving building plans for those particular erven
4. That the time period for the payment of the augmentation levies be set to 18 months and that the agreement be amended accordingly.

Proposed: H Bornman

Seconded: R Foley

19.3 **REPORTS BY THE CHAIRPERSON: PLANNING, DEVELOPMENT & TOURISM**

22/04/PDT4 ALLOCATION PROCESS OF 200 HOUSES IN OCEANVIEW 1500 PROJECT

The Executive Mayor tabled the items for Planning, Development and Tourism.

Cllr Bornman introduced the item.

Cllr Nkilishane stated that the EFF was not in support of the list of beneficiaries as it was done by officials without the involvement of the committee or Councillors. The minutes of the meeting where the decision was taken had to be provided. The list was suspicious, and the EFF was not in support of it.

Cllr Yali stated that he had tried to organise that the department have a meeting with beneficiaries of 1500 houses for a progress update since January 2022 but this had failed. The Speaker and Municipal Manager were aware of the urgent request to have a meeting with the beneficiaries. He supported Cllr Nkilishane and requested that the list be deferred to the next Council meeting. There were several individuals on the list that had not met criteria for phase one. This was a long overdue project and having person's not meeting the criteria on the list would collapse the project.

Cllr Bornman agreed with the Councillors and stated that other Councillors had also pointed out matters which had to be addressed. He proposed that both the recommendations be deleted and that a recommendation be made to indicate that a beneficiary's list verification meeting be held within the next 14 days.

The Speaker requested that a meeting with beneficiaries be included as well.

Cllr Bornman agreed and added that a recommendation be included to indicate that the verified list be returned to Council.

Cllr Dayimani stated that there had previously been a Council resolution for the establishment of Housing Committees across all the wards.

The Speaker asked that Cllr Bornman investigate Housing Committees.

The Executive Mayor requested comment on the status of Housing Committees and whether criteria for beneficiaries could be waived as it was set by the province and not the Municipality.

The Municipal Manager asked that the Director or Manager: Human Settlements respond. According to his knowledge the criteria was determined by the Department of Human Settlements and the Municipality did not have much control.

The Director: PDT stated that she was unsure whether the Municipality could deviate from the criteria. Correspondence had been received from the Department of Human Settlements and it was a national stance that the criteria of elderly and disabled be used for the first phase of top structures. An attempt could be made to motivate for deviation, but this was the criteria as per the correspondence.

On the Housing Committees, she stated that the committees were not fully functional in some wards, but work was being done to resuscitate and review the committees.

The Executive Mayor stated that if the committees were not consulted on the beneficiary list, a resolution of Council was not adhered to.

The Speaker requested a way forward.

Cllr Bornman proposed that Council proceed with original amendments.

The Executive Mayor proposed that additional recommendation be added which indicated that the Housing Committees had to be resuscitated as a matter of urgency.

Cllr Yali requested that new Councillors form part of the committees and the committees be capacitated where necessary.

Cllr Bornman seconded the Executive Mayor.

Resolved (29 April 2022)

1. That a special meeting for Beneficiary List Verification be held within the next 14 days.
2. That a meeting with beneficiaries be held as per the request at the IDP meeting within the next 14 days.
3. That a verified list of beneficiaries be tabled at the next Council meeting.
4. That Housing Committees be resuscitated as a matter of urgency.

Proposed: H Hendricks

Seconded: H Bornman

22/04/PDT7 SPONSORSHIP AGREEMENT FROM TASTE EXPERIENCES T/A CONCOURS SUR MESURE REQUEST EVENT SUPPORT FOR THE CONCOURS SUR MESURE FESTIVAL FROM 27 – 30 OCTOBER 2022

Cllr Bornman tabled the item.

Cllr Zana requested that all sponsorship items 22/04/PDT 7 – 12 be combined for approval.

The Speaker asked that the items be dealt with separately.

Cllr Zana raised concern about festivals mainly being on the coastal belt of Kouga whilst other communities was left out. Kruisfontein and Kwanomzamo had to be considered for a festival.

A lot of funds were injected into festivals but there had to be an analysis on whether the figures reflected that the investment was value for money. Were locals being employed? The Municipality had to look into festivals in poorer communities.

The Executive Mayor stated that he had seen a report on the benefits of recent Easter Festival which were positive. He agreed with attracting events across the region. There was engagement with DSRAC for the return of the Hankey Jazz Festival and the Mayoral Cup would be spread across the region. It was difficult to control event proposers and Council had to consider incentives for having events in certain locations.

He proposed that when events were in Jeffreys Bay that the institution make transport available. Getting tourism was part of the Events Capital strategy. He would do research on who was benefitting from events.

The Speaker indicated that the Easter Festival was a success and noted Cllr Zana's comments.

Cllr Foley suggested that the marketing strategies be amplified so that all the regions of Kouga were aware. The marketing for all sponsored events local marketing be amplified.

The Speaker stated that this had to be noted for all the sponsored events.

Cllr Bornman was in full agreement.

Cllr F Heystek proposed that the recommendations be approved and was seconded by Cllr Dhludhlu.

Resolved (29 April 2022)

1. That Council approves the funding amount of R250 000.00 (Two Hundred and Fifty Thousand Rand) excluding vat. towards the Concours Sur Mesure Festival hosted in the Kouga Local Municipal area from 27 – 30 October 2022.
2. That Council authorizes the Accounting Officer to conclude a Sponsorship Agreement / SLA with Taste Experiences T/A Concours Sur Mesure in respect of sponsorship stated in (1.) above.

Proposed: F Heystek

Seconded: B Dhludhlu

22/04/PDT8 SPONSORSHIP AGREEMENT FROM SURFING SOUTH AFRICA REQUESTING EVENT SUPPORT FOR THE SOUTH AFRICA LONGBOARD CHAMPIONSHIPS IN AUGUST 2022

Cllr Bornman introduced the item.

Cllr Maree proposed that the recommendations be approved and was seconded by Cllr Foley.

Resolved (29 April 2022)

1. That Council approves the funding amount of R300 000.00 (Three Hundred Thousand and) excluding vat towards the 2022 SA Longboard Championships hosted in the Kouga Local Municipal area in August 2022.

2. That Council authorizes the Accounting Officer to conclude a Sponsorship Agreement / SLA with Surfing South Africa in respect of sponsorship stated in (1.) above.

Proposed: L Maree

Seconded: R Foley

22/04/PDT12 SPONSORSHIP AGREEMENT FROM KINETIC EVENTS REQUEST EVENT SUPPORT FOR THE 2023 ADVENTURE RACING WORLD CHAMPIONSHIPS PRE-LAUNCH AND MARKETING IN 2021/2022 AND 2022/2023

Cllr Bornman introduced the item.

Cllr Heystek proposed that the recommendations be approved and was seconded by Cllr Foley.

Resolved (29 April 2022)

1. That Council approves the funding amount of R490 000.00 (Four Hundred and Ninety Thousand rand only) towards the 2022 event pre-launch and marketing budget for the 2023 Expedition Africa Kouga- Adventure Racing World Championships hosted in the Kouga Local Municipal area in 2023.
2. That Council approves funding amount of R1 000 000.00 (One Million Rands Only) in 2023 for hosting the 2023 Expedition Africa Kouga- Adventure Racing World Championships hosted in the Kouga Local Municipal area in 2023.
3. That Council authorizes the Accounting Officer to conclude a Sponsorship Agreement / SLA with Kinetic Events respect of sponsorship stated in (1.) above.

Proposed: F Heystek

Seconded: R Foley

22/04/PDT13 3-YEAR SPONSORSHIP PROPOSAL FROM THE WORLD SURF LEAGUE (WSL) TO REQUEST EVENT SUPPORT TO HOST THE J-BAY OPEN SURF FROM 2022 – 2024 IN JEFFREYS BAY

Cllr Bornman introduced the item.

The Director: PDT stated that the year "2022/23" had to be indicated for the R1.6 million funding as the year had been omitted.

Cllr Foley proposed that the amended recommendations be accepted and was seconded by Cllr van Niekerk.

Resolved (29 April 2022)

1. That Council approves the funding proposal and 3-year sponsorship request submitted by the World Surf League (WSL) for the J-Bay Open Surf event hosted in Kouga Municipality as follows:

- i) R1,5 million (One Million Five Hundred Rand) all-inclusive in financial year 2021/2022.
- ii) R1,6 million (One Million Six Hundred Rand) all-inclusive in the financial year 2022/2023; and
- iii) R1,7 million (One Million Seven Hundred Rand) all-inclusive in the financial 2023/2024.

2. That Council authorizes the Accounting Officer to conclude a 3-year Sponsorship Agreement / SLA with the World Surf League (WSL) in respect of sponsorship stated in (1.) above.

Proposed: R Foley

Seconded: M van Niekerk

22/04/PDT14 ESTABLISHMENT AND RECOGNITION OF THE KOUGA SMME FORUM

Cllr Bornman tabled the item and stated that a number of things had happened behind the scenes since the item had been drafted. He proposed that the item be withdrawn to allow for the creation of a more inclusive item for SMMEs in Kouga.

Cllr Yali stated that the item made provision for other forums or chambers that wanted to be included thus Council could continue. Any form of upliftment for small businesses were supported. The LED department had to ensure that there were development programmes for the various chambers.

Cllr Bornman stated that the one forum mentioned did not qualify and the other had split. The recommendations were in order but the item itself was no longer applicable. He was not withdrawing the item but proposing that the item be deferred to the next Council meeting when more clarity could be determined regarding forums.

Cllr Yali supported the item.

Resolved (29 April 2022)

1. That the item be deferred to the next Council meeting.

22/04/PDT15 GRANT IN AID APPLICATIONS FOR THE 2021/22 CALENDAR YEAR

Cllr Bornman introduced the item and proposed that an additional recommendation 5.2 be included which indicated that the Grant in Aid policy be workshopped at the next policy workshop.

Cllr Yali requested an informative programme for all organisations in Kouga to ensure that their applications were improved.

The Speaker asked that this be included in the recommendations.

Cllr Bornman stated that there was an open-door policy and those not approved could be assisted. He had also proposed the policy be workshopped in hope that further provisions could be added to assist applicants.

The Speaker indicated that communities could be educated on the policy and applications during the public participation process may be made.

Cllr Dhludhlu stated that rejected applicants should be invited to reapply once the policy had been reviewed. He proposed that the amended recommendations be accepted and seconded by Cllr Gertenbach.

Resolved (29 April 2022)

1. That Council **approves** the recommendations of the Grant- in- Aid Committee to allocate funds as follows:

<u>ORGANISATION</u>	<u>GRANT ALLOCATION</u>
On Eagles' Wings	R 8 000.00 (for sewing item in the business plan)

2. That the Grant in Aid policy be workshopped and that communities be educated on the policy and application process during the public participation process.

Proposed: B Dhludhlu

Seconded: W Gertenbach

22/04/PDT16 ALLOCATION OF 200 INFORMAL HOUSES IN KRUISFONTEIN

Cllr Bornman introduced the item.

Cllr Zana noted the item and stated the same project had to be done in Ocean View.

Resolved (29 April 2022)

1. That the report in respect of the 200 Kruisfontein informal housing project allocation be noted.

22/04/PDT17 WAIVING OF BUILDING CONTROL PENALTY FEES FOR ERF 875 JEFFREYS BAY RESIDENTIAL DEVELOPMENT

Cllr Bornman introduced the item and requested that it be referred to MPAC for further investigation.

Cllr Foley proposed that the amended recommendations be approved and was seconded by Cllr Jantjes.

Resolved (29 April 2022)

1. That Council notes the content of this report.
2. That Council **approves the waiver of penalty fees** of R139 368,00, (One Hundred and Thirty Nine, Three Hundred and Sixty Eight Rands only), relating to unauthorized building works for Erf 875 Jeffreys Bay.
3. That the matter be referred to MPAC for further investigation.

Proposed: R Foley

Seconded: T Jantjes

22/04/PDT18 COUNCIL DISPOSAL OF ERF 353, HUMANSDORP (OLD CARAVAN PARK) FOR A SOCIAL HOUSING PROJECT

Cllr Bornman introduced the item.

Cllr Zana noted that there was a public participation process and enquired on how this had gone and what the community's response was. He noted that National Treasury had been informed.

Cllr Bornman stated that the public participation mentioned in the item spoke to development of a Social Housing Project. There had been a call for development on the dilapidated caravan park. The Director: PDT could comment on the outcome of the public participation process. There was not much interest in the property for development. The background talks to a long-term lease which was not realised therefore the social housing avenue was approached- which would benefit the community greatly.

The Executive Mayor stated that the item was introduced to Council in 2014, to have the caravan park developed and it had since gone to communities at various stages. The caravan park had been a hub for crime and there was a sense of urgency for development. The consensus was that there be development on the pocket of land, and he had not seen any objections.

The Director: PDT stated that the Deputy Mayor and Mayor had covered the background well. On the very last public participation notice, she said there were no objections and there was none as well for previous two attempts. Bidders were not responsive in the first approach and the unsolicited approach did not receive objections. Treasury had not rejected the unsolicited process. Based on lessons from the previous attempts, social housing would be a better use of the space.

Cllr Zana enquired on who would be the owners of the land.

Cllr Bornman stated that there were different models for social housing, but this would depend on proposals received.

At this stage the aim is to get proposals. The various models and specifics would be determined at a later stage.

Cllr Jantjes proposed that the recommendations be accepted.

Cllr Dhludhlu seconded the proposal, noting that there were no financial implications for demolition of structures currently on the land as this was not mentioned in the item.

Resolved (29 April 2022)

1. That the Social Housing with (mixed use component) project proposed for Erf. 353, Humansdorp as indicated on plan **(Annexure A)** be approved by Council.
2. That the Humansdorp Social Housing project be included in the IDP.
3. That the Planning Development and Tourism Directorate prepare a Request for Proposals document for advertising/publication.

Proposed: T Jantjes

Seconded: B Dhludhlu

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

22/04/CS9 AMENDMENT OF COUNCIL RESOLUTION NO: 15/03/F14 – IRMA BOOYSEN NATURE RESERVE, CAPE ST FRANCIS

The Executive Mayor tabled the items for Community Services.

Ald Benson introduced the item and stated that all the land belonged to the Municipality.

He indicated that Cllr Oliphant- who had asked for permission- had left the meeting.

Cllr Maree proposed that the recommendation be approved and was seconded by Cllr Heystek.

Resolved (29 April 2022)

1. That the Council of the Kouga Local Municipality amend the previous Council Resolution pertaining to the proclamation of municipal properties as a Nature Reserve (Council Resolution No. 15/03/F14) with the following:
 - Kouga Local Municipality is the registered owner of the immovable properties listed below, and the municipal Council consents to have such properties declared as part of an existing local Nature Reserve, known as the Irma Booysen Flora Reserve,

in terms of section 23(1)(a)(ii) of the National Environmental Management: Protected Areas Act (No. 57 of 2003):

- Remainder of Erf 832 Kaap St Francis, Kouga Local Municipality, Division Humansdorp, Province Eastern Cape. In extent 53,3297 (Fifty Three comma Three Two Nine Seven) hectares, held by Certificate of Consolidated Title Number T85275/2000CTN.
- Erf 839 (Portion of Erf 833) Kaap St Francis, Kouga Local Municipality, Division Humansdorp, Province Eastern Cape. In extent 7929 (Seven Thousand Nine Hundred and Twenty Nine) square metres, held by Certificate of Registered Title Number T85276/2000CTN.
- Erf 477 Kaap St Francis (Public Place), Kouga Local Municipality, Division Humansdorp, Province Eastern Cape. In extent 18,4451 (Eighteen comma Four Four Five One) hectares, held by Deed of Transfer Number T1653/2018.
- Erf 761 Kaap St Francis, Kouga Local Municipality, Division Humansdorp, Province Eastern Cape. In extent 2,5391 (Two comma Five Three Nine One) hectares, held by Deed of Transfer Number T800/2018.
- Erf 1997 Sea Vista (Public Place), Kouga Local Municipality, Division Humansdorp, Province Eastern Cape. In extent 3,5805 (Three comma Five Eight Zero Five) hectares, held by Deed of Transfer Number T56152/1990CTN.
- Erf 234 Kaap St Francis (Public Place), Kouga Local Municipality, Division Humansdorp, Province Eastern Cape. In extent 2,9625 (Two comma Nine Six Two Five) hectares, held by Deed of Transfer Number T19682/2021.
- Erf 187 Kaap St Francis (Public Place), Kouga Local Municipality, Division Humansdorp, Province Eastern Cape. In extent 5292 (Five Thousand Two Hundred and Ninety Two) square metres, held by Deed of Transfer Number T19683/2021.

- Erf 348 Kaap St Francis (Public Place), Kouga Local Municipality, Division Humansdorp, Province Eastern Cape. In extent 10,3232 (Ten comma Three Two Three Two) hectares, held by Deed of Transfer Number T652/2022.
 - Erf 178 Kaap St Francis (Public Place), Kouga Local Municipality, Division Humansdorp, Province Eastern Cape. In extent 4,8529 (Four comma Eight Five Two Nine) hectares, held by Deed of Transfer Number T22694/2021.
 - Erf 171 Kaap St Francis (Public Place), Kouga Local Municipality, Division Humansdorp, Province Eastern Cape. In extent 5177 (Five Thousand One Hundred and Seventy Seven) square metres, held by Deed of Transfer Number T22695/2021.
- Kouga Local Municipality agrees to be assigned and accept such assignment as the Management Authority for the Irma Booysen Flora Reserve, in terms of section 38(2)(a), section 38(3), and section 39(1) of the National Environmental Management: Protected Areas Act (No. 57 of 2003).
 - Kouga Local Municipality may enter into a co-management agreement with a suitably qualified and resourced party (e.g., conservation partners) to help support the ongoing management of the Nature Reserve, as provided for under section 42 of the National Environmental Management: Protected Areas Act (No. 57 of 2003).
 - The Accounting Officer / Municipal Manager of the Kouga Local Municipality is duly authorised to perform any and all such acts relating to the signing of the necessary documents, on behalf of the Kouga Local Municipality as the registered landowner, pursuant to the execution of the abovementioned resolutions contained herein.

Proposed: L Maree

Seconded: F Heystek

22/04/CS18 DELEGATION TO ATTEND SECOND PHASE CLIMATE CHANGE PARTNERSHIP PROGRAM IN GERMANY

Ald Benson introduced the item.

Cllr Gunuza stated that the ANC caucus congratulated the delegation and requested that a report be submitted upon their return. She was seconded by Cllr Jantjes.

The Speaker indicated that the recommendations made provision for a report back.

The Executive Mayor on page 417, stated that the dates for the trip had to be corrected to: 7 May to 18 May 2022.

Resolved (29 April 2022)

1. That the Council grant approval for the delegation (As follows: Executive Mayor Horatio Hendricks, Director Community Services Nomvula Machelesi and Manager office of the Mayor Anene Jonck) to attend the second phase partnership programme in Ilsfeld, Germany.
2. That Council endorse the Executive Mayor to sign the second phase twinning agreement between Ilsfeld Municipality, Germany and Kouga Municipality.
3. That Council approves all relevant S&T and other incidental costs.
4. That a comprehensive report back be submitted to Council.

Proposed: V Gunuza

Seconded: T Jantjes

22/04/CS19 REVIEW OF THE EASTERN CAPE AND KOUGA MUNICIPALITY INTEGRATED WASTE MANAGEMENT PLAN (IWMP)

Ald Benson introduced the item.

Cllr Zana welcomed the item. There were concerns regarding landfills and he wanted to know what the document proposed regarding this. Land fill sites had to be secured as there were people residing on these sites. He welcomed the provisions for illegal dumping.

The Speaker stated that these matters had to be monitored.

Ald Benson asked the Manager: Waste Management to comment on people living on the land fills.

The Manager: Waste Management on people living on land fills, stated that the issue was a lack of fencing, but it was extremely expensive to erect a concrete fence. She stated that there was a record of persons living on the sites and it was not ideal, but this was one of the priorities that funding applications would be made for.

The Municipality tried to limit the number of people living on sites and recycling programmes were being introduced to reduce items going to landfills. There were other projects to address these matters and illegal dumping. She said that there could be a workshop on the reviewed plan.

The Speaker stated that if Councillors wanted to attend a workshop on the Plan, his office could be emailed, and it could be coordinated.

Cllr Foley proposed that the recommendations be approved and was seconded by Cllr Zana.

Resolved (29 April 2022)

1. That the review of the Eastern Cape and Kouga Municipality Integrated Waste Management Plan (IWMP) be adopted.

Proposed: R Foley

Seconded: V Zana

19. **CLOSURE**

The meeting closed at 12:22



B WILLIAMS
SPEAKER

7 May 2022

DATE
