

**MINUTES OF AN ORDINARY COUNCIL MEETING OF KOUGA MUNICIPALITY
HELD ON WEDNESDAY, 31 MAY 2023 AT 11:00**

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	
S Ruth	
C August	
M Biko	
M van Niekerk	
J Alexander	
L Maree	
P Oliphant	
M Dayimani	
M Yali	
K Ndzaleni	
N Ntshota	
B Human	
E Mbuqu	
V Gunuza	
M Valgee	
W van der Linde	
V Zana	
M Mbandana	

**Officials &
Municipal Manager**

C du Plessis	(Municipal Manager)
D de Jager	(Deputy Municipal Manager)
R Lorgat	(Chief Financial Officer)
N Machelesi	(Director: Community Services)
J du Toit	(Acting Director: Infrastructure and Engineering)
L Opperman	(Manager: Legal Services) (Acting Director: Planning, Tourism, and Development)
M Rossouw	(Manager: Administration and Auxiliary)
E Goliath	(Manager: PPU)
K Minnaar	(Acting Chief of Staff)
M Basson	(Media Specialist)
M Julius	(Senior Admin Officer: Committees)
L Cronjé	(Committee Clerk)
C Prinsloo	(Intern)

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 an Ordinary Council Meeting will be held.

2. **OPENING AND WELCOME**

The Speaker requested Cllr Ntshota to open the meeting with prayer.

3. **ABSENT WITH LEAVE**

N Ntengwane
C de Kock

4. **ABSENT WITHOUT LEAVE**

L Nkilishane

5. **PRESENTATIONS**

None

6. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

Cllr Benson extended birthday wishes to those who had birthdays in May.

Cllr Zana extended special birthday wishes to Mr Jantjies from Patensie who recently celebrated his 109th birthday. He also conveyed his condolences to those who were victims of the Cholera outbreak, specifically in Hammanskraal.

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

Good morning Honourable Mayor, Councillors, Municipal Managers, officials as well as our guests.

We have a very important agenda before us today with the reviewed IDP, the 2023/24 budget, the organogram and numerous other items that need us to apply our minds as legislators at local government level.

We will work until 13h15 and then break for a quick lunch and then continue with the business of the day.

As we near the end of the financial year, I am pleased to announce that we are R 13 000 away from 100 % expenditure on the Ward Development Fund, the first time in many years that this has taken place in Kouga without the funds being fiscal dumped due to lack of expenditure.

I wish to thank the Deputy Municipal Manager, Mr de Jager, and his team for coming to the rescue and ensuring procurement took place which, inter alia, includes generators for all ward offices so that the entry points to the Municipality for the community remain functional and open.

We have been advised that load shedding will get worse over the winter months where South Africa normally uses an additional 4 GW of electricity daily.

This equates to an extra 4 stages of load-shedding on top of what we are experiencing at the moment.

It is pleasing to note that both the political and the administrative executives are working on plans to ensure we keep our key infrastructure like water treatment plants functioning by supplying alternative power supplies and we are moving into uncharted waters in this regard.

Public Participation has been driven by the IDP meetings over the past two months and each ward was consulted during this period.

I wish to thank the Public Participation Unit as well as the IDP team for their hard work and commitment in making sure we got to each ward and gave our various communities the opportunity to engage with the bible of the Municipality – the IDP.

The needs of the various wards are vast and it is going to be a juggling act to try and meet these needs during a time where finances are tight, both for us as an organisation, and for the residents we serve.

Funds are needed to ensure we become power independent and we are still dealing with the worst drought the area has ever experienced and we have a constitutional obligation to ensure the taps do not run dry – which has cost a lot of money and will probably still need further investment.

All Councillors are probably aware that we have lost Mrs Yvonne Herbst as the Administrator in the Office of the Speaker and I am sure you will all join me in wishing her all the best in her new position in Community Services and we know that Directorate will only benefit from having Mrs Herbst working for them.

Thank you to Mrs Herbst for the professional manner in which she served all our Councillors and for the administrative support she gave us. There is no doubt that Yvonne fully deserved to be awarded with the Most Valuable Employee in Kouga Award and we will miss her.

I would also like to welcome Mrs Donn  Klopper to the Office of the Speaker and in a short space of time she has impressed with her work ethic and she has found her feet in what is a high pressure work environment.

I look forward to a productive Council meeting where debate will take place and that well-reasoned decisions will be made.

Thank you.

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

I wish to begin by expressing my gratitude for the recent downpour of rain which our region has experienced in the past two/three weeks. Whilst this has brought some relief, it is minimal and not significant enough for us to relax and we have to continue fighting to save every drop of water.

I want to thank all those involved in assisting our residents who experienced localised flooding, particularly those affected in the Hankey community. We will continue working with affected communities to reduce the devastating impact of flooding.

I also want to thank the Infrastructure and Engineering department for swiftly attending to the subsequent deterioration of our roads and successfully fixing about 2300 potholes in the last week. Our roads are not acceptable, and we will accelerate the war on potholes in this financial year.

Speaker, over the past 12 years, national government has declared eight national disasters.

Six of these have been since 2020, when the COVID-19 pandemic and subsequent lockdowns first ravaged the healthcare systems and economies of countries across the globe. Four have been called due to floods, two because of droughts, and one, which lasted 750 days, in response to COVID-19.

Honourable Speaker, today, as we table the budget for the 2023/2024 financial year, we find ourselves yet again sitting squarely in another national state of disaster in response to the electricity crisis.

However, unlike the previous disaster, this one is sadly the only one caused by humans. A "human disaster" caused by politicians who do not put the interest of the people first. A disaster that simply should never have happened.

Consequently, Speaker, as local government, we are forced to navigate as best we can through incredibly trying times.

I wish to remind all of us of the unique character that can be found in this local municipality – a unique type of resilience exists in this chamber. Through tenacity and resilience, I can see us rise as the best municipality in South Africa despite the unpromising national climate.

See, speaker, endurance is not just the ability to bear a hard thing, but to turn it into glory. We have achieved this before and I have confidence and faith that through our collective strength we will do so again!

The budget to be tabled today, is a huge step in that direction. It does not only focus on enhancing the municipality's revenue base to sufficiently cover costs incurred during the specific financial year, but increases are kept affordable for all residents. This feeds directly into our long-term financial plan of remaining financially viable and self-sustainable.

The golden thread, therefore, is the consideration of the forced realities we find ourselves in and how best we can endure them, but also considers our residents and how best we can curb these effects throughout the new financial year.

Because that, Speaker, is what a caring government does!

With that being said, the following are notable highlights drawn from this draft budget:

- This is a pro-poor budget – moving forward all residential properties valued at R400 000 and less will not be required to pay property rates, this was previously R100 000 whilst the norm is just R85 000.
- The pensioners rebate will double from R100 000 to R200 000, including the impermissible rate of R15 000.
- There will be a 23.8% reduction in the rates tariff on properties whose value has not increased by more than 30%.
- Our total indigent subsidy budget is R68 492 819 which equates to approximately R1367 per indigent household per month.

OPERATING REVENUE

Total operating revenue has increased by 9.72% or R 102,650 million for the 2023/24 financial year, compared to the 2022/23 Approved Adjustments Budget.

For the two outer years, operational revenue increases by 8.31% and 8.49% respectively, resulting in a total revenue growth of R 305,474 million over the MTREF, when compared to the 2022/23 financial year.

Total operating expenditure for the 2023/24 financial year amounts to R 1,268,316 billion, resulting in a budgeted deficit of R 109,359 million. Compared to the 2022/23 Adjustments Budget, operational expenditure increased by 7.66% in the 2023/24 Budget.

The major operating expenditure items for 2023/24 are employee related costs (35.31%), bulk electricity purchases (28.72%), depreciation (8.65%), contracted services (8.24%), inventory consumed (7.44%) and operational costs (7.41%).

Funding for the operating budget will be obtained from various sources, of which the major contributors are service charges such as electricity, water, sanitation, environmental management fees, refuse collection, property rates and grants and subsidies received from national and provincial government. Once again, 16% of our total revenue budget comes from government grants and 84% is our own revenue.

Tariff Increases

Tariff increases have been kept as low as possible, while still being cost-reflective, as is legally required.

Property Rates

As alluded to earlier, as a caring municipality we propose a 23.8% reduction in the rates tariff for the new financial year starting in July 2023.

If approved, it will mean that any property increasing in value by 30% or less, will experience a rates reduction. Property rates for residential houses will only increase for properties whose value has increased by more than 30%.

Water

The basic levy for water will increase with 7,2%, while the tariff for water consumption remains the same as the current financial year should consumption be less than 9kl per household per month.

Escalating punitive measures will be implemented for households using more than 15kl per month in a bid to curb high water users.

We, furthermore, aim to install smart water meters at all new buildings, which will enhance our water saving measures, as well as identify water leaks.

It is an absolute necessity, while battling this devastating water shortage.

More tariffs

The tariff for sanitation and refuse will increase with 6.5%, while the tariff for environmental management will increase with 7%.

The tariff increase for electricity will be determined through NERSA.

We remain resolute however on our energy plan to reduce our reliance on ESKOM through the procurement of a 600kw plant to begin securing our critical infrastructure which be at an estimated cost of R12million.

CAPITAL BUDGET

The total capital budget for 2023/2024 is R79,342 million.

Major capital projects include:

- Mimosa Street Pipeline Replacement – R16.3 million
- Upgrading of the Sewerage Infrastructure in Hankey – R12.8 million
- Upgrading of KwaNomzamo Wastewater Treatment Works – R10.6 million
- Paradise Beach Water Tower – R9.7 million
- Ocean View 1 250 Electrification – R4 million
- Solar panel installation project – R 12million
- Energy Efficiency Projects – R 3.4million

CONCLUSION

Speaker, tough times lie ahead, but I want to assure you that the challenges are not insurmountable.

I would like to thank every councillor and official who contributed to the compilation of the documents before us today.

Furthermore, I wish to thank our residents for their tenacity and trust. It is through this working social contract, which contributes to our successfully high collection rate, that allows us to have the lowest dependency on grant funding in the province at just 16%. This is an achievement that we should all be proud of and further speaks to our direction toward self-sufficiency.

I am confident that this draft budget will not only afford us the ability to endure the challenges ahead but to turn them, yet again, into victory.

I herewith table the draft annual budget for the 2023/24 financial year.

I Thank You.

9. **DISCLOSURE OF INTEREST**

Cllr Biko and Cllr Foley disclosed interests in item no. 23/06/ PDT10.

10. **STATUTORY MATTERS**

11. **MINUTES OF PREVIOUS MAYORAL COMMITTEE MEETING FOR INFORMATION**

Minutes of the Mayoral Committee Meeting held on 22 February 2023

Resolved (31 May 2023)

1. That Council notes the minutes of the Mayoral Committee Meeting held on 22 February 2023.

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

12.1 **MINUTES OF THE SPECIAL COUNCIL 20 MARCH 2023**

Resolved (31 May 2023)

1. That the minutes of the Special Council Meeting held on 20 March 2023 be approved.

Proposed: Cllr M Dayimani

Seconded: Cllr L Maree

12.2 **MINUTES OF THE ORDINARY COUNCIL MEETING OF 26 APRIL 2023**

Resolved (31 May 2023)

1. That the minutes of the Special Council Meeting held on 20 March 2023 be approved.

Proposed: Cllr F Foley

Seconded: Cllr T Jantjes

13. **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).

14. **REPORTS OF COMMITTEES OF COUNCIL**

14.1 **REPORT BACK: SARAH BAARTMAN DISTRICT MUNICIPALITY REPRESENTATIVE**

None

The Speaker stated that he would request the minutes of the council agenda from the Speaker of Sarah Baartman so that, going forward, the minutes can be included in the agenda.

14.2 **INTERGOVERNMENTAL RELATIONS**

None

14.3 **KOUGA AUDIT COMMITTEE**

None

14.4 **MUNICIPAL PUBLIC ACCOUNTS COMMITTEE**

None

15. **REPORT BACK: MUNIMEC**

None

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

23/05/MM1 COUNCIL RESOLUTIONS AS AT 26 APRIL 2023

The Municipal Manager tabled the action sheets.

Upon Cllr Zana's request to use the municipal house in St. Francis Bay for a press conference, the Executive replied that the facility could only be used for a municipal caucus, not a party conference.

The Municipal Manager reported that the process of drafting terms of reference for the Section-79 committee had been completed and that the Monitoring and Evaluation Committee will hold its first meeting soon.

Resolved (31 May 2023)

1. That the updated Action Sheets reflecting resolutions of previous Council meetings are noted.
2. That Council approves the action sheet be tabled at Top Management for discussion and actioning.

23/05/MM2 APPROVAL TO RE-ADVERTISE THE APPROVED VACANCY OF THE DIRECTOR CORPORATE & DIGITAL SERVICES POSITION

Cllr Jantjes tabled the item and requested that the Council only notes the recommendation and amend it to read that the position be abolished.

At 11:41, the Executive Mayor requested a 10-minute caucus.

The Executive Mayor proposed adding a recommendation instead of amending one. Cllr Jantjes stated that the Municipality has embarked on a recruitment and selection process for the vacant budgeted position of Director: Corporate & Digital Services twice already but has yet to succeed. He recommended that the position of Director: Corporate & Digital Services be abolished in light of the proposed amendments to the organisational structure and that the functions be absorbed under the position of Deputy Municipal Manager.

Proposed: T Jantjes

Seconded: L Maree

Cllr Human stated that he is in line with what is proposed and that he is in support.

At 11:55, Cllr Zana requested a 10-minute caucus.

Cllr Oliphant appreciated the deliberations on the report and referred to the organogram item to follow. His concern was that a decision to nullify the position should not be at the council level. Therefore, he recommended that, as the position is critical, the item be withdrawn and resubmitted as a self-standing item.

Proposed: P Oliphant

Seconded: M Mbandana

The Speaker called for a show of hands to vote.

In favour: Cllr Jantjes' proposal = 17

In favour: Cllr Oliphant's proposal = 10

The proposal of Cllr Jantjes therefore carries.

Resolved (31 May 2023)

1. That Council approves the re-advertisement of the approved, vacant post of Director Corporate and Digital Services inviting applications from suitably qualified candidates, and as a permanent position.
2. That the required advertisement be advertised nationally, as per Section 56 (3) of the Local Government: Municipal Systems Act 32 of 2000, as amended, within 14 days from the date of the Council resolution.
3. That the post be advertised for a minimum period of 14 days as prescribed by the regulations as contained in Chapter 3 - Regulation 10 as contained in MSA 32 of 2000.
4. That a selection panel be established and that it be noted that the selection panel for the appointment of a manager directly accountable to a Municipal Manager must consist of at least three and not more than five members constituted as follows:
 - 4.1. the Municipal Manager, who will be the chairperson;
 - 4.2. a member of the mayoral committee or councillor who is the portfolio head of the relevant portfolio which will be.....
 - 4.3. at least one other person, who is not a councillor or a staff member of the municipality, and who has expertise or experience in the area of the advertised post which will be.....
5. That Council notes the report submitted herein and reject the recommendations as stated from 1. to 4. above.
6. That Council, considering the fact that the Municipality has embarked on recruitment and selection process for the vacant budgeted position of the Director: Corporate & Digital Services twice already and in light of the proposed amendments to the organisational structure, approve that the position of Director: Corporate & Digital Services be abolished, and the functions be absorbed under the position of the Deputy Municipal Manager.

Proposed: T Jantjes

Seconded: L Maree

23/05/MM3 APPROVAL TO RE-ADVERTISE THE APPROVED VACANCY OF THE POSITION: DIRECTOR PLANNING DEVELOPMENT AND TOURISM

The Municipal Manager tabled the item.

Cllr Ruth proposed that Ms Dawn McCarthy forms part of the selection panel of the position and was seconded by Cllr Foley.

She further proposed that the Acting term of Director: Planning, Development, and Tourism be extended for an additional 3 months.

Proposed: S Ruth

Seconded: R Foley

Upon Cllr Mbandana's query on why there was no ANC observer on the panel, it was decided that, as a courtesy, Cllr Mbandana and Cllr Zana would be invited to join the panel.

Resolved (31 May 2023)

1. That Council approves the re-advertisement of the approved, vacant post of Director: Planning, Development and Tourism inviting applications from suitably qualified candidates, and as a permanent position.
2. That the required advertisement be advertised nationally, as per Section 56 (3) of the Local Government: Municipal Systems Act 32 of 2000, as amended, within 14 days from date of the Council resolution.
3. That the post be advertised for a minimum period of 14 days as prescribed by the regulations as contained in chapter 4 section 11(j)
4. That a selection panel be established and that it be noted that the selection panel for the appointment of a manager directly accountable to a Municipal Manager must consist of at least three and not more than five members constituted as follows:
 - 4.1. the Municipal Manager, who will be the chairperson;
 - 4.2. a member of the mayoral committee or councillor who is the portfolio head of the relevant portfolio which will be Cllr S Ruth.
 - 4.3. at least one other person, who is not a councillor or a staff member of the municipality, and who has expertise or experience in the area of the advertised post which will be Dawn McCarthy.

Proposed: S Ruth

Seconded: R Foley

5. That the Acting term of Director: Planning, Development, and Tourism be extended for an additional 3 months.

Proposed: S Ruth

Seconded: R Foley

23/05/MM4 MEDIA AND COMMUNICATION POLICY ADOPTION

Resolved (31 May 2023)

1. That the policy be approved by Council.

23/05/MM5 PETITIONS RECEIVED FROM KOUGA LOCAL CLINICS 2023

Cllr Yali recommended that the item be withdrawn until proper consultations have been conducted. He alleged that the petition's signatures were fraudulent. Cllr Ntshota, Cllr Gunuza, and Cllr Zana concurred.

Cllr van der Linde and Cllr Dhludhlu stated their reasons for supporting the item. In addition, Cllr Dhludhlu recommended that the copy of the petitions be forwarded to the Public Protector for monitoring and enforcement.

Proposed: B Dhludhlu

Seconded: H Bornman

The Deputy Municipal Manager clarified that the petition is not a municipal function. The MEC must be aware of the state of the clinics for the Municipality to achieve the goal of greater access to health for the people of Sea Vista and the greater community.

The Executive Mayor added to Cllr Dhludhlu's recommendation, recommending further that all petitions submitted to Kouga Municipality surrounding the circumstances of the abovementioned clinics be referred to the Eastern Cape Provincial Legislature, the MEC for Health, the Provincial Petitions Commission, and the Public Protector.

Proposed: H Hendricks

Seconded: W van der Linde

The Speaker called for a vote by a show of hands.

In favour: 17

The remainder of the Councillors present abstained.

Resolved (31 May 2023)

1. That all petitions submitted to Kouga Municipality surrounding the circumstances of the abovementioned clinics be referred to the Eastern Cape Provincial Legislature, the MEC for Health, the Provincial Petitions Commission, and the Public Protector.

Proposed: H Hendricks

Seconded: W van der Linde

23/05/MM6 DISCIPLINARY ENQUIRY HELD BY THE RULES AND ETHICS COMMITTEE - CLLR. P OLIPHANT

The Speaker requested Cllr Oliphant to recuse himself from the meeting, but Cllr Oliphant refused.

At 12:47, the Speaker called a 20-minute recess.

Upon Cllr Oliphant still refusing to recuse himself from the meeting, the Speaker agreed to let him stay, but only as an observer not allowed to participate on the item.

The Municipal Manager tabled the item and handed over to the Rules & Ethics Committee Chairperson to present the item.

The Chairperson of the Rules & Ethics Committee pointed out corrections to the item: Under point 3, where the charges were withdrawn, it states "MPAC" but must read as follows: that charge 4 was for absence from an MPAC meeting and that charges 8, 9, 10 were for absence from Community Services meetings.

The Speaker called for a vote by a show of hands.

In favour: 17

The remainder of the Councillors present abstained.

Resolved (31 May 2023)

1. That the following sanctions be implemented against Councillor P Oliphant in respect of the charges laid against him and for which charges the Councillor was found guilty by the Committee:
2. In respect of Charges 1; 2; 3; 5; 6 and 7 – That Councillor P. Oliphant be removed from office.
3. That the Speaker, in line with Item 16(3) of the Code of Conduct for Councillors, within 14 days from the date of the finding inform the MEC, for local government in the Province of the Eastern Cape, of the finding and sanction decided by Council

**23/05/MM7 DISCIPLINARY ENQUIRY HELD BY THE RULES AND ETHICS COMMITTEE -
CLLR. MALIBONGWE DAYIMANI**

The Speaker requested Cllr Dayimani to recuse himself from the meeting, but Cllr Dayimani refused. The Speaker agreed to let him stay and reiterated that no participation will be allowed.

The Deputy Mayor announced that Cllr Dayimani has since resigned as a Councillor from the ANC and proposed that the item be withdrawn. Cllr Alexander seconded the proposal.

The Speaker called for a vote by a show of hands.

In favour: 17

The remainder of the Councillors present abstained.

Resolved (31 May 2023)

1. That the item be withdrawn.

**23/05/MM8 APPLICATION FOR TRANSFER OF LIQUOR LICENCE CERTIFICATE:
QUITSCHYS PIZZA RESTAURANT (PTY) LTD TO MOZAMBIK**

The Speaker reminded the Manager: Legal Services that there has been a change in the legislation; Ward Councillors and the Ward Councillor Forum must be notified that all liquor licences applications must now go through Council as per Section 22-1D1 of the Eastern Cape Liquor Act.

Resolved (31 May 2023)

1. That Council approves the application brought for the registration of transfer of Liquor License certificate between Quitschys Restaurant (PTY) LTD and Mozambik

17. REPORTS BY THE EXECUTIVE MAYOR

17.1 REPORTS BY THE CHAIRPERSON: FINANCE

**23/05/F1 MEDIUM-TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF) -
BUDGET FOR 2023/24 TO 2025/26 FINANCIAL YEARS**

The Executive Mayor tabled the item and handed over to the Deputy Mayor to present.

Cllr Oliphant stated that the Budget was skewed and requested a comprehensive presentation by the Executive Mayor. He urged that the Budget must speak to the poorest of the poor. A ward-based budget was also requested to track the benefits of poverty-stricken people. He stated that the ANC opposes the item.

Cllr Zana and Cllr Mbandana concurred with Cllr Oliphant and expressed concerns about the roads' state.

Cllr Human expressed that he was not supporting the Budget for the same reasons mentioned by Cllr Oliphant. He also raised his concern about the three service deliveries protests that had taken place in the month.

Cllr Gunuza received a warning for speaking out of turn.

The Executive Mayor stated that of the R79M in the Capital Budget, R49M resided for the poorest of the poor and highlighted some examples:

- The Oceanview electrification project
- The upgrading of the Kwanomzamo Wastewater Treatment Works would directly benefit those areas;
- The upgrading of Hankey sewer infrastructure worth R12M;
- The upgrading of the sports facility in Loerie;
- Gravel road upgrades.
- et cetera.

Cllr Gunuza received a warning for speaking out of turn.

Cllr Oliphant received a warning for speaking out of turn.

In conclusion, the Executive Mayor stated that the Budget would be given to members of the public, and they will see that it is not skewed.

The Speaker called for a vote by a show of hands.

In favour: 17

Not in favour: 11

Resolved (31 May 2023)

1. That the Council, by resolution taken by the majority of its full number, and in terms of Section 30(2) of the Local Government: Municipal Structures Act No. 117 of 1998 (as amended), read in conjunction with Section 24 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, approves the 2023/24 – 2025/26 Annual Budget, as set out in the Annual Budget Report supported by **Annexure H** in the following tables:

- 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
 - i. reconciliation;
 - ii. [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 2023:
- | | |
|--|--------|
| — Property rates (decrease in cents in the Rand) | -23.8% |
| — Water | 7.25% |
| — Sanitation | 6.5% |
| — Refuse | 6.5% |
| — Electricity (average increase in electricity income) | 15% |
| — Environmental Management Fee | 7% |

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

	<u>2024/25</u>
<u>2025/26</u>	
Property rates	4.9%
4.7%	
Water	7.25%
7.25%	
Sanitation	6.5%
6.5%	
Refuse	6.5%
6.5%	
Electricity (average increase in electricity income)	9.6%
12.58%	
Environmental Management Fee	7%
7%	

- 4. That the Council, approves the tariffs, as reflected in **Annexure 'B'**.
- 5. That the 2023/24 Procurement plan be approved **"Annexure C"**

6. That the mSCOA road map be approved. **“Annexure D”**
7. That the report on the draft Budget from Provincial Treasury be noted. **“Annexure E”**
8. That the UIFWE Reduction Plan be approved. **“Annexure F”**

23/05/F2

BUDGET RELATED POLICIES

The Deputy Mayor tabled the item. He recommended that the Municipal Manager be allowed to write off debts up to R25,000.00 and the CFO be allowed to write off debts up to R15,000.00 under the Customer Care, Credit Control, and Debt Collection Policy. The proposal was seconded by Cllr Heystek.

Cllr Ndzelani stated that the collective ANC caucus supports the policy.

Cllr Foley referred to the water leak rebate on page 803. He requested that the policy be revised to state that the certificate of a plumber must be submitted to the municipality within 21 days rather than ten.

He further referred to the disconnection of services on page 808. He recommended that it read that a written notice be given to the owner and that the property listing be given to the relevant Ward Councillor.

Cllr Heystek seconded the proposal.

Resolved (31 May 2023)

1. That the Council approves the Policies as reflected in the **Annexure “A”**
 - Customer Care, Credit Control and Debt Collection Policy **“Annexure A1”**
 - KLM SCM Policy **“Annexure A2”**
 - Property Rates Policy **“Annexure A3”**
 - Funding and Reserves Policy **“Annexure A4”**
 - Cost Containment Policy **“Annexure A5”**
 - Cash Management and Investment Policy **“Annexure A6”**
 - Borrowing Policy **“Annexure A7”**
 - Virement Policy **“Annexure A8”**
 - Budget Implementation and Management Policy **“Annexure A9”**
 - Indigent Support Policy **“Annexure A10”**
 - Unallocated Revenue and Building Deposit Policy **“Annexure A11”**
 - Policy on Provision for Doubtful Debt and Write-off of Irrecoverable Debt **“Annexure A12”**

- Tariff Policy “**Annexure A13**”
 - Asset Management Policy “**Annexure A14**”
2. That the Council approve the amendment to the Policy on Provision for Doubtful Debt and write-off of Irrecoverable Debt to allow the Municipal Manager's write-off to increase to R25,000.00, and the CFO's write-off to increase to R15,000.00.

Proposed: H Bornman

Seconded: F Heystek

3. That section 5.8.1 of the Customer Care, Credit Control and Debt Collection Policy be amended to grant twenty-one (21) days for the submission of a certificate from a registered plumber or a sworn affidavit to the Municipality.

Proposed: R Foley

Seconded: F Heystek

4. That 6.3.3 of the Customer Care, Credit Control and Debt Collection Policy be amended to indicate that the Municipality may disconnect municipal services after issuing a fourteen (14) day written notice to the Owner and providing the relevant Ward Councillor with the property listing.

Proposed: R Foley

Seconded: F Heystek

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

23/05/I&E1 REPORT: INTEGRATED NATIONAL ELECTRIFICATION PROGRAM (INEP) ALLOCATION FOR 2023/2024 FINANCIAL YEAR

Cllr Yali urged that informal settlements that have undergone the verification process get electrified as it is otherwise dangerous.

Cllr Mbandana raised his concern about electricity poaching and warned that communities might take charge if the problem is not addressed.

Cllr Zana urged the Council to speed up its electrification efforts.

Cllr Dhludhlu recommended revising recommendation "2." which reads "...erven [and] occupied...".

Resolved (31 May 2023)

1. That the report for the conditions to receive the R4.7m INEP funding be considered and action required to retain the funding be implemented.

2. That the Human Settlements department of Kouga be ready with registered erven and occupied erven and to benefit from the grant.

23/05/I&E2 REPORT: CLEARING OF SERVITUDES THROUGHOUT KOUGA OBSTRUCTING ACCESS TO WATER INFRASTRUCTURE AND POWERLINES FROM KOUGA AND ESKOM

Cllr Maree tabled the item and recommended that PDT lead the negotiations between the departments. The Deputy Mayor seconded the proposal.

Cllr Zana proposed that recommendation "1." be amended to include "relevant Directorate".

Cllr Oliphant seconded the proposal.

Resolved (31 May 2023)

1. That Council compels the relevant Directorate responsible to keep servitudes clear to do so and apply the law should it be necessary.
2. That PDT leads the discussions between the departments.

Proposed: L Maree

Seconded: H Bornman

23/05/I&E3 REGISTERING OF NEW PROJECTS ON MIG

Cllr Ndzalani stated that the ANC does not support the item as it does not benefit all people.

Cllr Mbandana urged new areas to be developed so people can be relocated as necessary.

Cllr Yali stated bulk infrastructure must be prioritised.

Cllr Human raised the concern that the Municipality is not purchasing vehicles where required. He urged the Municipality to stop contracting out vehicles to private companies.

The Executive Mayor recommended that a Transversal committee be appointed to report back to the Mayoral committee.

The Speaker called for a vote by a show of hands.

In favour: 17

Not in favour: 10

Resolved (31 May 2023)

1. That Council approves the item.

2. That a Transversal Committee be appointed, and that their minutes be referred to the Mayoral Committee for oversight purposes.

23/05/I&E4 RE: REALLOCATION OF CAPITAL FUNDS WITHIN INFRASTRUCTURE AND ENGINEERING DIRECTORATES

The Speaker called for vote by a show of hands.

In favour: 17

Not in favour: 10

Resolved (31 May 2023)

1. That Council, by resolution taken by the majority of its full number, and in terms of Section 30 (2) of the Local Government: Municipal Structures Act No. 117 of 1998 (as amended), read in conjunction with Section 28 of the Local Government: Finance Management Act, Act 56 of 2003, approves the following proposed amendments to the 2022/2023 and 2024/2025 Capital Budget:

Project Name	2022/2023 Approved Budget (Excl. VAT)	Actual Expenditure To date (excl VAT)	Available Balance (Excl. VAT)	2022/2023 Proposed Adjustments (Excl. VAT)	Total Adjusted Budget (Excl. VAT)
Machinery and Equipment U-Key: 20200711023385	R125,000.00	R8,339.13	R116,660.87	- R116,660.87	R0.00
Machinery and Equipment U-Key: 20230203054818	R125,000.00	R14,407.48	R110,592.52	R- 110,592.52	R0.00
Machinery and Equipment U-Key: 20230203054821	R125,000.00	R0.00	R125,000.00	- R125,000.00	R0.00
Connecting Kruisfontein Boreholes to Humansdorp WTW U-key: 20220303054991	R3,255,369.00	R3,255,359.56	R9,44	R252,859.03	R3,508,228.03
Repair leaking concrete water tower U-key: 20200711023320	R100,000.00	R17,394.36	R82,605.64	-R82,605.64	R17,394.36
Upgrade Sewer Rising Main La Mer U-key: 20200711023347	R160,000.00	R32,000.00	R128,000.00	- R128,000.00	R32,000.00
Purchase new generator for Workshop No U-key	R0.00	R0.00	R0.00	+R310,000.00	+R310,000.00

23/05/I&E5 EXPANDED PUBLIC WORKS PROGRAMME (EPWP) POLICY NO 4 ADOPTION, IMPLEMENTATION AND EXPRESSION WITHIN KOUGA LOCAL MUNICIPALITY

The Speaker called for a show of hands to vote on the recommendations and it was unanimously approved.

Resolved (31 May 2023)

1. That the report on the Expanded Public Works Programme (EPWP) Policy No 4 Adoption, implementation and expression within Kouga Local Municipality be approved by Council.

23/05/I&E6 REALLOCATION OF MIG FUNDS WITHIN INFRASTRUCTURE AND ENGINEERING DIRECTORATES

Cllr Zana referred to page 187 and raised concern about the slow progress of the contractor working on the Loerie Sportsfield.

The Acting Director: Infrastructure & Engineering responded that the contractor is about three months into his contract and not in breach. He explained that the department is using the mechanism within the MIG finding to shift funds around in order to prevent a rollover.

The Speaker called for vote by a show of hands.

In favour: 17

The remaining Councillors abstained.

Resolved (31 May 2023)

1. That the Council, by resolution taken by the majority of its full number, and in terms of Section 30(2) of the Local Government: Municipal Structures Act No. 117 of 1998 (as amended), read in conjunction with Section 28 of the Local Government: Finance Management Act, Act 56 of 2003, approves the following proposed amendments to the 2022/2023 and 2024/2025 Capital Budget:

Project Name	2022/2023 Approved Budget (Excl. VAT)	2022/2023 Proposed Adjustments (Excl. VAT)	Increase	Decrease
Upgrading of Loerie Sports Facility U-Key: 20220509024215	R4,521,739.00	R4,081,739.00		- R440,000.00
Upgrade Sanitation System of Old Hankey- U-Key: 20190710991734	R13,574,877.00	R14,014,876.63	+R440,000.00	

Project Name	2023/2024 Approved Budget Excl. VAT)	2023/2024 Proposed Adjustments (Excl. VAT)	Increase	Decrease
Upgrading of Loerie Sports Facility 23/24 Draft Budget	R3,057,473.80	R3,497,473.80	+R440,000.00	
Upgrade Sanitation System of Old Hankey- 23/24 Draft Budget	R12,808,470.14	R12,368,470.14		- R440,000.00

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

23/05/CS1 REVIEW AND UPDATE OF KOUGA LOCAL MUNICIPALITY DISASTER MANAGEMENT PLAN

Resolved (31 May 2023)

1. That the reviewed Kouga Local Municipality Disaster Management Plan be adopted by the Council.

23/05/CS2 APPROVAL OF THE CEMETERY MANAGEMENT POLICY OF KOUGA LOCAL MUNICIPALITY

Cllr Zana requested a policy that aligns with cemeteries' expectations. He acknowledged the newly approved cemeteries but highlighted that the current state of the existing cemeteries could be better. He urged that cemeteries be fenced and future cemeteries be far from residential areas.

At 15:47, the Speaker called for a 10-minute coffee break.

Resolved (31 May 2023)

1. That the policy be approved by Council.

17.4 **REPORTS BY THE CHAIRPERSON: PLANNING, DEVELOPMENT, AND TOURISM**

23/05/PDT1 REPORT: LAND EVALUATION COMMITTEE - NEW APPLICATION ON MUNICIPAL LAND & SECTION 14 COMMENTS

Cllr Yali stated that the ANC supports the application for Erf 7292 and the U-Save project, as both will benefit the communities. He raised his concern about an occupation certificate not being issued to ERF 8783. He also raised his concern that Erf 7293 is not reflected in the report and about the church on ERF 7517.

Cllr Foley requested that the report also indicate the exact address of the ERF number.

Resolved (31 May 2023)

1. That Council takes note of the Land Evaluation Committee report.
2. That all Section 14 processes be finalised with confirmation that the land is not needed to provide the minimum level of basic municipal services.

23/05/PDT2 MUNICIPAL FUNDED EVENT CLOSEOUT REPORT: 2022 SOUTH AFRICAN LONGBOARD CHAMPIONSHIP AND 2023 SPONSORSHIP PROPOSAL

Cllr Ruth tabled the item and confirmed that the event will form part of the upcoming budget.

Resolved (31 May 2023)

1. That the event closeout report on the 2022 SA Longboard Championship is noted.
2. That Council approve of the sponsorship of R 300,000-00 (Three Hundred Thousand Rands) only all-inclusive for 2023/2024 FY only.
3. That Council authorises the Accounting Officer to conclude a Sponsorship Agreement / SLA with Surfing South Africa in respect of sponsorship stated in (2.) above.

23/05/PDT3 PARTNERSHIP AGREEMENT WITH GAMTOOS TOURISM TO HOST THE JAZZ IN THE PARK AT YELLOWOODS FESTIVAL

Cllr Ruth tabled the item and made a correction on Page 351 on point 1, that June must read October.

Cllr Mbandana recommended that the residing Councillors are included in the organising committee. Cllr Oliphant agreed, and Cllr Ruth confirmed to invite Ward councillors.

Cllr Human stated that he is in full support of the item.

Resolved (31 May 2023)

1. That Council the approves the partnership agreement of R 500,000-00 (Five Hundred Thousand Rands only) all-inclusive for 2022/2023 FY only, R 200,000.00 (Two Hundred Thousand Rands only all-inclusive) 2023/2024 FY, and R 150,000.00 (One Hundred and Fifty Thousand Rands only all-inclusive) 2024/2025 FY.
2. That Council authorise the Accounting Officer to conclude a Sponsorship Agreement / SLA with Gamtoos Tourism in respect of sponsorship stated in (1.) above.

23/05/PDT4 ESKOM FUNDING ALLOCATION FOR THE INSTALLATION OF ELECTRICAL CONNECTIONS FOR THE 2023/2024 FINANCIAL YEAR

Cllr Mbandana requested additional transformers and stated that they are still waiting for the program to start. He added that community's expectations must be managed.

Resolved (31 May 2023)

1. That the DoRa allocations of R 2 796 400.00 for the 23/24 Financial Year be noted.
2. That Council approves type 1 infill house connections to 118 households, pre-engineering plan, for the 2023/24 Financial Year.
3. That all type 1 infill houses to be electrified in Cyril Ramaphosa be within a 50 metre radius from the nearest point of supply.
4. 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.

23/05/PDT5 PATENSIE 6 RECTIFICATION PROJECT: APPROVAL OF PROJECT

Cllr Mbandana stated that the local SMMEs must also be taken into consideration.

Cllr Human concurred and further requested that the SMMEs benefit from the programme. He asked that an umbrella body for SMMEs be created to determine how they benefit.

Resolved (31 May 2023)

1. That Council approves the allocations of **R1 153 141.40** for the 23/24 for the rectification of six houses.
2. That priority for the construction of these houses be given to SMMEs that reside within the KLM area.
3. That the tender process for the construction of these houses be finalised as a matter of urgency so as to prevent any further delays and inconvenience to the displaced families.

23/05/PDT6 MUNICIPAL FUNDED EVENT CLOSEOUT REPORT: 2022 ALOE CUP RUGBY & NETBALL TOURNAMENT AND 2023 SPONSORSHIP PROPOSAL

Cllr Alexander raised concern that the event must include Kouga local schools.

Cllr Ruth agreed and proposed that at least two schools, as part of the service level agreement, are included. She was seconded by Cllr Alexander.

Resolved (31 May 2023)

1. That the closeout report on the Aloe Cup Rugby and Netball Tournament be noted.
2. That Council approves the sponsorship of R 70, 000-00 (Seventy Thousand Rands) only all-inclusive for 2022/2023 FY only.
3. That Council authorises the Accounting Officer to conclude a Sponsorship Agreement / SLA with Jeffreys Bay Primary School in respect of sponsorship stated in "2." above.
4. That at least two more local schools are invited to participate in the event.

Proposed: S Ruth

Seconded: J Alexander

23/05/PDT7 MUNICIPAL FUNDED EVENT CLOSEOUT REPORT FOR THE 2022 J-BAY SURF FESTIVAL AND 2023 SPONSORSHIP PROPOSAL

Resolved (31 May 2023)

1. That Council notes the close-out report for the funding approved in the 2022/23 financial year.
2. That Council approves the sponsorship of R 200, 000-00 (Two Hundred Thousand Rands only all-inclusive for 2023/2024 FY only.
3. That Council authorises the Accounting Officer to conclude a Sponsorship Agreement / SLA with the organizers of the J-Bay Surf Festival in respect of sponsorship stated in "2." above.

23/05/PDT8 ADOPTION OF THE ANNUAL REVIEWED 2023/2024 INTEGRATED DEVELOPMENT PLAN (IDP)

The Executive Mayor tabled the item and handed it to Cllr Ruth to present. She stated that Ward Councillors needed more time to review the final document. Therefore, she proposed that any additional submissions or corrections to errors be submitted to the IDP Manager by 2 June 2023. The submissions would then be submitted for the Mayoral Committee to review.

Cllr Maree seconded the proposal.

Cllr Mbandana and Cllr Oliphant expressed that the ANC does not support the IDP as it does not speak to the poorest of the poor.

Cllr Yali pointed out errors in the item: On page 239, the description of Ward 6 refers to the Upper Golf Course, although it is, in fact, part of Ward 15. He noted Boskloof's typing error on the same page.

He indicated on page 310 that Ward 13's Government Structure is not reflected, despite being cited for other Wards. Further, he pointed out the typing error of "infrastructure" on page 316 and queried how the SDF would develop Ward 2 as this Ward does not reflect. The same applies to Wards 3, 6, and 7. He referred to page 318 and advised that as per the Department of Health regarding constructing another clinic, a 5km distance between clinics is required. This will not be the case if the clinic is built at Oceanview.

He recommended that errors and additional submissions be sent to the Speaker's Office instead of the IDP Manager, as recommended earlier.

Cllr Ruth amended her recommendation accordingly, and Cllr Maree seconded.

The Executive Mayor reassured the Council that the IDP represents the people's will in response to the concerns expressed by Cllr Ntshota, Cllr Ndzalani, Cllr Zana, and Cllr Human. He reminded the Council of the mammoth public engagement process. This engaged over a thousand people in community meetings, the most in the Municipality's history. Thus, the IDP has genuinely captured the people's words. He expressed that Councillors were present at the public engagement with an opportunity to engage.

The Speaker called for a vote by a show of hands and there were no objections.

Resolved (31 May 2023)

1. That the 2023/2024 Annual Reviewed IDP attached as **Annexure A** to the Agenda **BE ADOPTED** as a principal strategic planning instrument which will continue to guide and inform all planning and development, and all decisions regarding planning, management and development, in the Kouga Local Municipality.
2. That the written submissions received in respect of Draft 2023/2024 IDP attached as **Annexure B** to the Agenda be considered and addressed as part of the wider, holistic and cyclical process of municipal planning.
3. That within 14 days of the adoption of the 2023/2024 Annual Reviewed IDP by Council, the Accounting Officer of the Municipality must in accordance with Section 25 (4) of the Municipal Systems Act

Give notice to the public –

- i) Of the adoption of the plan; and
- ii) That copies of or extracts from the plan are made available for public inspection at specified places.

4. That the approved IDP and Budget be sent to CoGTA/National and Provincial Treasury within 10 days of approval.
5. That additional submissions and corrections be submitted to the Office of the Speaker by 2 June 2023 and thereafter be tabled at the next Mayoral Committee meeting.

Proposed: S Ruth

Seconded: L Maree

23/05/PDT9 ALIENATION OF ERF 2599, SEA VISTA TO THE DEPARTMENT OF PUBLIC WORKS – APPLICATION FROM ROTARY CLUB OF ST FRANCIS FOR THE EXTENSION AND UPGRADE OF ST FRANCIS BAY CLINIC

Cllr Ruth tabled the item.

Resolved (31 May 2023)

1. That Council **grant final approval** for the donation of Erf 2599, Sea Vista to the Department of Public Works, after which it will be consolidated and rezoned with Erf 2600, Sea Vista (St Francis Bay Clinic).
2. That in terms of Section 14 and 90 of the MFMA and departmental inputs, Council hereby confirms that the property is not needed in future to provide the minimum level of basic municipal services.
3. That it be noted that no objections were received with Council's intention to alienate immovable property by way of Deed of Donation to the Department of Public Works.
4. That the Department of Public Works be liable for all cost derived from the transfer.

23/05/PDT10 REQUEST FOR COUNCIL'S FINAL APPROVAL: SELLING OF VACANT MUNICIPAL RESIDENTIAL ERVEN WITHIN THE KOUGA MUNICIPAL AREA

Cllrs Biko and Foley recused themselves from the meeting.

Cllr Zana referred to ERF 13 on page 428 and requested to see the competing bids in the bidding process.

Cllr Dhludhlu recommended that, as surety to the Council, the land be sold voetstoots. Cllr August seconded the proposal.

In response to Cllr Zana's query, Cllr Ruth referred Cllr Zana to the Tender Compliance Report on page 434. This showed the people who attended.

She further explained the concern faced with urban flood mitigation. She recommended that the Environmental Officers recommend whether the vacant municipal residential erven should not be sold and rather be kept for urban flood mitigation.

Recommended: S Ruth

Seconded: L Maree

The Speaker called for a vote by a show of hands.

In favour: 17

Not in favour: 9

At 16:39 Cllr Oliphant received a fine for speaking out of turn.

Resolved (31 May 2023)

1. That Council **grant final approval** for the alienation of vacant residential municipal properties to the successful bidders and tendered price in the table below and in line with the provisions of tender 137/2021.

<u>ERF NO</u>	<u>ZONING</u>	<u>TENDERER</u>	<u>TENDERED PRICE (EXCL. VAT)</u>	<u>MARKET PRICE</u>	<u>RESPONSIVE / NON-RESPONSIVE</u>
ERF 13, ASTON BAY	Residential	Johannes Paulus Ackerman	R180,000.00	R170,000.00	RESPONSIVE
ERF 482, ASTON BAY	Residential	Dr. Bruce G Muir	R120,000.00	R120,000.00	RESPONSIVE
ERF 509, ASTON BAY	Residential	Jeremy Clifford Myburgh	R160,000.00	R130,000.00	RESPONSIVE
ERF 537, ASTON BAY	Residential	Alicia Neline Primo	R143,000.00	R130,000.00	RESPONSIVE
ERF 610, ASTON BAY	Residential	Anton Pretorius	R135,000.00	R120,000.00	RESPONSIVE
ERF 1043, SEA VISTA	Residential	Craig Patrick Kilfoil	R250,000.00	R250,000.00	RESPONSIVE
ERF 1047, SEA VISTA	Residential	Kirsten and Thomas Pearce	R230,000.00	R180,000.00	RESPONSIVE
ERF 1050, SEA VISTA	Residential	James Tsatsire	R170,000.00	R170,000.00	RESPONSIVE PLIGHT OF THE POOR – REFER 4.2 BELOW
ERF 1051, SEA VISTA	Residential	Roland Bridgeman Clack	R201,000.00	R170,000.00	RESPONSIVE
ERF 1052, SEA VISTA	Residential	Jeremy Janille and Nerina Goeda	R170,000.00	R170,000.00	RESPONSIVE PLIGHT OF THE POOR – REFER 4.2 BELOW
ERF 4916, JEFFREYS BAY	Residential	Sizakele Wiseman Biyana	R200,000.00	R160,000.00	RESPONSIVE

					PLIGHT OF THE POOR – REFER 4.2 BELOW
ERF 5408, JEFFREYS BAY	Residential	Anele Justice Matodlana	R160,000.00	R150,000.00	RESPONSIVE
ERF 5820, JEFFREYS BAY	Residential	Delroy Bernard Rademeyer	R171,000.00	R170,000.00	RESPONSIVE
ERF 5832, JEFFREYS BAY	Residential	Rosemary Prinsloo	R130,000.00	R180,000.00	RESPONSIVE
ERF 5833, JEFFREYS BAY	Residential	Wayne Linden	R180,000.00	R180,000.00	RESPONSIVE
ERF 5838, JEFFREYS BAY		Marcia Beverley Toois	R180,000.00	R180,000.00	RESPONSIVE
ERF 6276, JEFFREYS BAY	Residential	Carla Huysamen	R430,000.00	R170,000.00	RESPONSIVE
ERF 6275, JEFFREYS BAY	Residential	David Christo Bezuidenhout	R380,000.00	R170,000.00	RESPONSIVE
ERF 225, PELLSRUS	Residential	Beats and Books NPC	R190,000.00	R180,000.00	RESPONSIVE
ERF 226, PELLSRUS	Residential	Beats and Books NPC	R190,000.00	R180,000.00	RESPONSIVE
ERF 533, PELLSRUS	Residential	Lithemba Vumazonke	R50,000.00	R15,000.00	RESPONSIVE
ERF 1034, HUMANSDORP	Residential	Melanie Frederika Biko	R150,000.00	R190,000.00	PLIGHT OF THE POOR – REFER 4.2 BELOW
ERF 1035, HUMANSDORP	Residential	Ntomboxolo Princess Ncezula	R195,000.00	R190,000.00	RESPONSIVE
ERF 1036, HUMANSDORP	Residential	Keagon Angelo Jerome Kock	R140,000.00	R190,000.00	PLIGHT OF THE POOR – REFER 4.2 BELOW
ERF 1038, HUMANSDORP	Residential	Irene Diane Lapperts	R160,000.00	R210,000.00	PLIGHT OF THE POOR – REFER 4.2 BELOW
ERF 1042, HUMANSDORP	Residential	G Potgieter Properties (Pty) Ltd	R190,000.00	R190,000.00	RESPONSIVE
ERF 1043, HUMANSDORP	Residential	G Potgieter Properties (Pty) Ltd	R190,000.00	R190,000.00	RESPONSIVE

2. That, where bids received is less than the market value, consideration of not less than 75% of the market value should be given for Previously Disadvantaged (PDI) and First Time Homeowners (FTHO) as described in our Policy and Procedures for the Disposal of Immovable Assets adopted 29 October 2020.

3. That Council note that vacant municipal properties not allocated or not sold, be re-advertised in line with the provisions of Tender Notice 137/2021.

<u>ERF NO</u>	<u>LOCALITY</u>	<u>AREA</u>	<u>EXTENT</u>	<u>ZONING</u>	<u>MARKET PRICE</u>
ERF 325	ASTON BAY	GLENNY BUCHNER DRIVE	339m ²	Residential	R250,000.00
ERF 752	ASTON BAY	GLENNY BUCHNER DRIVE	399m ²	Residential	R240,000.00
ERF 5839	JEFFREYS BAY	KWAGGA STREET	399m ²	Residential	R180,000.00
ERF 5304	JEFFREYS BAY	KORAAL STREET	571m ²	Residential	R150,000.00
ERF 5429	JEFFREYS BAY	KORAAL STREET	520m ²	Residential	R150,000.00
ERF 1037	HUMANSDORP	GEELHOUT AVENUE	1200m ²	Residential	R190,000.00
ERF 1039	HUMANSDORP	GEELHOUT AVENUE	1200m ²	Residential	R190,000.00
ERF 1040	HUMANSDORP	GEELHOUT AVENUE	1192m ²	Residential	R190,000.00
ERF 1044	HUMANSDORP	GEELHOUT AVENUE	1200m ²	Residential	R190,000.00
ERF 1045	HUMANSDORP	GEELHOUT AVENUE	1200m ²	Residential	R190,000.00
ERF 1046	HUMANSDORP	GEELHOUT AVENUE	1200m ²	Residential	R190,000.00
ERF 1047	HUMANSDORP	GEELHOUT AVENUE	1200m ²	Residential	R190,000.00
ERF 1048	HUMANSDORP	GEELHOUT AVENUE	1200m ²	Residential	R190,000.00

4. That the Council grant authorisation to the Accounting Officer to enter into a Deed of Sale for the purpose of transferring the properties to the successful bidders.

5. That the land is sold voetstoots.

Recommended: B Dhludhlu

Seconded: C August

6. That the Environmental Officers provide a recommendation on whether the vacant municipal residential erven should not be sold and rather be kept as urban flood mitigation.

Recommended: S Ruth

Seconded: L Maree

23/05/PDT11 REQUEST FOR COUNCIL'S IN-PRINCIPLE APPROVAL & AUTHORISATION TO ADVERTISE: RELOCATION OF THE HUMANSDORP MUSEUM FROM ERF 216 TO ERF 440, HUMANSDORP

Cllr Foley and Cllr Biko rejoined the meeting at 16:39.

The Speaker called for a vote by a show of hands.

In favour: 16

Not in favour: 9

Resolved (31 May 2023)

1. That Council **grants in-principle approval** for the relocation of the Humansdorp Museum to Erf 440, Humansdorp by means of a Right-to-Use Agreement of 9-years and 11 months.
2. That Council grant authorisation to the Accounting Officer to advertise the intended disposal, by way of a right-to-use agreement, of the immovable property herein.
3. That Council confirms that the land is not needed to provide the minimum level of basic municipal services.
4. That the leading department finalise the rezoning of the property.
5. That all administrative costs, including the rezoning of the property, be for the account of the applicant.
6. That Council grant the Accounting Officer authorisation to enter into a Right-to-Use Agreement with the applicant once all processes are concluded.
7. That maintenance be done on the municipal building located at Erf 216, Humansdorp and that it be leased, subject to a competitive process being followed as per applicable legislation and the Council approved Policy.

17.5 **REPORTS BY THE CHAIRPERSON: CORPORATE AND DIGITAL SERVICES**

23/05/CDS3 OHS RISK ASSESSMENT

Cllr Jantjes tabled the item and corrected the item numbers in accordance with the index of the agenda.

Cllr Human expressed concerns about the red blocks, which are incomplete, and that there is no budget for this item. He urged that the item is budgeted to comply.

Cllr van der Linde concurred. He requested that there is a budget for training, signage, and equipment.

The Deputy Mayor recommended that a priority list be created for budget prioritisation. Cllr van der Linde seconded the proposal.

Resolved (31 May 2023)

1. That the number of outstanding non-compliance issues be noted with concern.
2. That funding be sourced by the relevant Department to action outstanding non-compliance issues.

3. That a priority list be created for budget prioritisation.

Proposed: H Bornman

Seconded: W van der Linde

23/05/CDS4 APPROVAL OF THE RECORDS MANAGEMENT POLICY OF KOUGA LOCAL MUNICIPALITY

Resolved (31 May 2023)

1. That the policy be approved by Council.

23/05/CDS5 ORGANISATIONAL STRUCTURE: 2023/2024

Cllr Human queried why the Municipality would need a Deputy Municipal Manager if a Directorate can absorb the functions of the Deputy Municipal Manager.

In response to Cllr Human's question, the Deputy Municipal Manager explained that the Deputy Municipal Manager position is a permanent one as per Section 56 of the Municipal Systems Act. He clarified that all Section 56 Managers must be permanent; only the Municipal Manager is on a 5-year contract that expires one year following the election.

He confirmed that the proper consultation processes were followed and that all managers and directors were included. He added that there was a formal consultation meeting with IMATU, which is the current component of the municipal labour force. He advised that the institution cannot have labour forums, not by the employer's choice but by SAMU's choice. He pointed out that, due to not having enough employer representatives, the institution will not be able to establish a local labour forum. He further stressed that the institution cannot be held at ransom for not reviewing an organogram because SAMU fails its duty to staff. He reported that they had consulted the current union active in the Municipality and included it in the report. It will be included in the report due to the MEC in 14 days.

The Executive Mayor explained that the Strategic Planning Workshop considered the current organogram. The Director: Infrastructure & Engineering highlighted reasons why it is necessary to streamline the specific Directorate and split it into departments that make meaningful sense.

The Municipal Manager emphasised that the split within the Infrastructure & Engineering Directorate will not increase costs as there was small top up amount between the Director and Manager posts and further highlighted that the split would allow the two directors to focus on the respective areas. He also indicated that the current Electrical Manager would be a qualified candidate. The split would solve a lot technical problems.

On the Director: CDS post, he explained that many of the functions under the Director: CDS are intertwined with that of the Deputy Municipal Manager. The remaining functions of Corporate & Digital Services can therefore be absorbed by the Deputy Municipal Manager.

Resolved (31 May 2023)

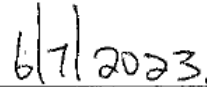
1. That the Organisational Structure be approved by Council and forwarded to the MEC.
2. That the filling of positions be prioritised subject to budgetary provision and organizational priorities.

18. **CLOSURE**

The meeting closed at 17:03



B WILLIAMS
SPEAKER



DATE
