

**MINUTES OF A VIRTUAL ORDINARY COUNCIL MEETING OF KOUGA MUNICIPALITY
HELD ON FRIDAY, 31 MAY 2024 AT 09:00 AM**

PRESENT: Councillors

Ald B Williams	(Speaker)
H Bornman	(Executive Mayor)
Ald D Benson	
B Dhludhlu	
T Jantjes	
W Gertenbach	
H Murray	
R Foley	
F Heystek	
S Ruth	
C August	
M Nicholls	
M van Niekerk	
J Alexander	
L Maree	
M Valgee	
G Stuurman	
W van der Linde	
K Ndzelani	
N Ntshota	
V Zana	
E Mbuqu	
M Mbandana	
W Petersen	

**Officials &
Municipal Manager**

D de Jager	(Acting Municipal Manager)
R Lorgat	(CFO)
N Machelesi	(Director: Community Services)
L Opperman	(Manager: Legal Services)
C de Kock	(Director: Civil & Water Services)
L Ramakuwela	(Acting Director: Planning & Development)
T Madatt	(Director: Electro-Mechanical Services)
K Minnaar	(Chief of Staff)
C Prinsloo	(Legal Officer: Office of the Speaker)
E Goliath	(Manager: Public Participation)
M Basson	(Manager: Media & Communication)
M Julius	(Senior Admin Officer: Committees)
S Sidjiyo	(Committee Officer)
N Mazibuko	(Committee Clerk/Scribe)

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 virtually on 31 May 2024 at 09:00 a.m.

2. **OPENING AND WELCOME**

The Speaker welcomed everyone present to the meeting and requested Ald. Benson to open the meeting in prayer.

With the Municipal Manager having tendered an apology, the Speaker requested that an Acting Municipal Manager be elected for the meeting.

Cllr Petersen nominated Mr Madatt but was not seconded.

The Executive Mayor nominated Mr de Jager for the position and was seconded by Cllr August.

Mr de Jager was elected as the Acting Municipal Manager.

3. **ABSENT WITH LEAVE**

L Nkilishane

B Human

C du Plessis (Municipal Manager)

M Rossouw (Manager: Administration & Auxiliary Services)

4. **ABSENT WITHOUT LEAVE**

M Yali

P Oliphant

N Ntengwane

V Gunuza

5. **PRESENTATIONS**

None.

6. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

The Executive Mayor applauded the Democratic Alliance (DA) for winning the majority of votes within the Kouga region especially in Ward 7 and Vaaldam.

Cllr Petersen congratulated the African National Congress (ANC) on its current position in the National Elections.

Cllr Ntshota congratulated the ANC for the hard work and stated that the votes would be doubled in the next Local Government elections in 2026.

Cllr Mbandana extended his gratitude to the Muslim community from Johannesburg that visited Patensie and held an effective prayer session on wealth and prosperity to motivate the community. He also applauded the ANC for its hard work and the peaceful elections.

Cllr Heystek congratulated the DA for retaining the majority vote in the Western Cape.

Cllr Alexander congratulated the DA for maintaining high performance within the Kouga region.

Cllr Dhludhlu applauded the DA on its progress in the 2024 National Elections.

At 09:16, Cllr Petersen received a warning for speaking without being recognised.

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

None.

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

Good Morning

After many months of meetings, both here, in this building, and in our many communities with our residents, business sector, religious organisations and many NGOs, we table both the 2024/2025 Annual Budget and the adoption of the amended 2024/2025 Integrated Development Plan (IDP) for this administration.

The best way to tell what a government cares about is by looking at its budget.

Speaker, the budget that we table today begins to make real and visible investments in delivering on our pledges to the public.

This budget offers hope for Kouga residents that are fearful of violent crime, with further investments toward our Law Enforcement and Incident Command Centre.

It offers hope of more plentiful affordable housing for all residents in well-located areas. It offers the hope that we can reduce our reliance on Eskom and it offers hope for unemployed residents that need our economy to grow at a much faster pace.

It offers the hope of an improved road and wastewater treatment infrastructure.

I want to say 'thank you' to each resident who got involved in the public participation processes that we pride ourselves on in this Municipality and for adopting a first of its kind walk-in approach which yielded positive outcomes.

We listened carefully to what you had to say and, where possible, we incorporated what many of you asked for. I want to assure our residents that we have read every written submission and considered every input made in person.

Some proposals are at a level beyond the jurisdiction of a municipality which will be included within the Inter-Governmental Relation meeting's agenda, for which I am pleased to acknowledge that we have had more than any municipality in this Province.

Speaker, we cannot forget that this administration took over a municipality that was sadly in millions of rands of debt and where basic service delivery was at a standstill.

This recovery takes time and does not always reveal itself in ways that residents can touch and feel but is critical to ensure we have a base to implement our goals.

Speaker, whilst we are still recovering from years of neglect, particularly in respect of bulk infrastructure, we are now working harder than ever before to grow the local economy and help people into jobs and out of poverty.

That is why the tabled IDP and budget is underpinned by an Economic Development Strategy to serve as a key enabler for socio-economic transformation and long-term infrastructure planning to support our substantial annual population growth.

Essentially, colleagues, this budget and amended IDP must now move us forward, together, in a manner that brings about real, tangible changes to all families in Kouga Municipality whilst accelerating the vital task of full recovery.

To achieve this, we have tabled a budget with a total operating expenditure which has increased by R67 million (4.71%) from R1,4 billion in 2023/24 to R1,5 billion in 2024/25.

Notably, for reasons I have just stated, Civil and Water Services receives the highest allocation of R81 million which equates to 54% of the total budget.

Close to 60% of this budget will go toward upgrading formally neglected infrastructure in our informal settlements.

Some of these capital projects include the upgrade of the sewer pipe in Ocean View, a pump station, rising main and a brand new pipeline in KwaNomzamo as well as the complete upgrade of the KwaNomzamo Waste Water Treatment Works (WWTW).

Other residents will benefit from the reconstruction of the Aston Bay/Paradise Beach causeway and an upgrade to the poorly thought-out Gill Marcus reservoir and pipeline which will now mitigate most of the water related challenges experienced by our residents there.

Speaker, out of control price increases in South Africa are causing serious hardships for our families.

As a caring municipality, we are doing our part to keep inflation down, and to

protect the incomes of struggling families, while still expanding our free services to the poorest residents.

With that, the tariffs will be increased as follows, with effect from 1 July 2024:

Property rates	5.5%
Water	7.25%
Sanitation	6.5%
Refuse	6.5%
Environmental Management Fee	6.5%
Electricity	12.7%

Speaker, like many Kouga residents, I am not happy about the continuous increase in the electricity tariff, set at 12.7% for this financial year, which I know will hit people hard and constitutes 25.66% of our total operating expenditure for 2024/25.

With South Africans enduring loadshedding, which we anticipate commencing again soon, NERSA's unaffordable tariff increases for Eskom are abusive and should be rejected outright.

Eskom cannot be saved by an increase in tariffs.

Eskom is a lost cause that cannot be saved or in any way assisted by making electricity customers pay more.

The regulator has failed to consider its impact on vulnerable persons or to take measures to ensure that those reliant on the subsidy could continue to access power.

Where possible, we will push for more powers to be devolved from the national and Provincial Government to Kouga Municipality.

In the Eastern Cape, 16 of our 39 municipalities are in severe financial distress. Half of our district municipalities are under administration. The municipal debt owed to Eskom has ballooned and is now standing at more than R3,5 billion – Through good governance, this municipality owes ESKOM nothing.

Speaker, through a whole of society approach and by strong Private Public Partnerships (PPP), our forecasted future budgets will include clear allocations to start facilitating the devolution of various national and provincial powers to Kouga such as including energy production, policing and crime prevention.

We cannot sit back and allow our residents to suffer from the lack of services from Provincial/National Government. That is why we have committed to loaning R200M to rehabilitate our road infrastructure in this financial year.

Speaker, today's budget demonstrates the practical manifestation of this government's commitment to our four key objectives:

- Improve customer satisfaction
- Upgrade waste-water treatment works
- Rehabilitate roads and
- Reduce reliance on ESKOM

I wish to thank our ratepayers for their continued support of our goal to make Kouga a flourishing and prosperous home and recommit ourselves to being clean, honest, and accountable custodians of their rates contributions.

I also thank my Mayoral Committee, Top Management and every councillor here and official in this administration – because, in each of these priorities, we have already made incredible progress.

That is not to say there isn't a lot of work still lying ahead—we have only just started and there is so much more that we need to do, and do it with urgency.

This budget and IDP lays the foundation for Kouga becoming a municipality of hope for all; a prosperous, inclusive and safer place where people can look to the future with a sense of optimism.

Thank you.

9. **DISCLOSURE OF INTEREST**

The Speaker noted that Cllr Gunuza had declared an interest for item 24/05/R&E1 and that Cllr Petersen had not declared an interest for item 24/05/R&E2.

10. **STATUTORY MATTERS**

None.

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

Resolved (31 May 2024)

1. That the minutes of the Mayoral Committee meeting held on 19 March 2024 be noted.

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

12.1 **MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 30 APRIL 2024**

Resolved (31 May 2024)

1. That the minutes of the Ordinary Council Meeting held on 30 April 2024 be approved.

Proposed: Ald D Benson

Seconded: Cllr W Gertenbach

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.

14.2 **KOUGA AUDIT COMMITTEE**

None.

14.3 **RULES & ETHICS COMMITTEE**

24/05/R&E1 DISCIPLINARY ENQUIRY HELD BY RULES AND ETHICS COMMITTEE – COUNCILLOR VUYOKAZI GUNUZA

At 09:23, Cllr Zana requested a breakout session for an ANC caucus.

The Speaker granted a 5-minute caucus at 09:23.

Upon return at 09:30, Cllr Zana stated that the ANC was not in support of the item.

The Speaker called for a vote on the acceptance of the recommendations.

In Favour: 16

Not in Favour: 6

Abstained: 0

Resolved (31 May 2024)

1. That the recommendation made by the Rules and Ethics Committee herein be upheld.
2. That the following sanction be implemented against Councillor Gunuza in respect of the charge laid against her and for which charge the Councillor was found guilty.
 - 2.1 That in respect of –
Charge 1 – the sanction imposed is a fine equal to an amount of 50% of one month's salary;
3. That in respect of the sanction imposed, that the deduction will be implemented and processed in respect of the June 2024 payroll.
4. That the Speaker must report the outcome of the investigation to the MEC for local government in the province concerned within 14 days from the date of the Council resolution.

24/05/R&E2 DISCIPLINARY ENQUIRY HELD BY RULES AND ETHICS COMMITTEE – COUNCILLOR WAYNE PETERSEN

Cllr Petersen was placed in the virtual waiting room.

Cllr Zana stated that the ANC was not in support of the item.
The Speaker called for a vote on the acceptance of the recommendations.

In Favour: 16

Not in Favour: 6

Abstained: 0

Resolved (31 May 2024)

1. That the recommendation made by the Rules and Ethics Committee herein be upheld.
2. That the following sanctions be implemented against Councillor Petersen in respect of the charges laid against him and for which charges the Councillor was found guilty.
 - 2.1 That in respect of –
 - Charge 1 – the sanction imposed is a fine equal to an amount of 50% of one month's salary;
 - Charge 2 – the sanction imposed is a fine equal to an amount of 50% of one month's salary;
 - Charge 3 – the sanction imposed is a fine equal to an amount of 50% of one month's salary;
 - Charge 4 – request the MEC to remove Councillor Petersen from office;
 - Charge 5 – the sanction imposed is a fine equal to an amount of 50% of one month's salary.
3. That in respect of charges 1; 2; 3 and 5, the deductions will be implemented and processed over a four (4) month period from June 2024 – September 2024.
4. That the Speaker must report the outcome of the investigation to the MEC for the local government in the province concerned within 14 days from the date of the Council resolution.

Cllr Petersen was allowed back into the meeting.

14.4 **MUNICIPAL PUBLIC ACCOUNTS COMMITTEE**

24/05/MPAC1 APPROVAL OF AMENDED TERMS OF REFERENCE FOR THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC)

Cllr Ndzalani stated that he was not in support of the item.

The Speaker called for a vote on the acceptance of the recommendations.

In Favour: 17
Not in Favour: 6
Abstained: 0

Resolved (31 May 2024)

1. That the Terms of Reference for the Municipal Public Accounts Committee be approved.
2. That this Terms of Reference shall repeal and replace the previous Terms of Reference as approved by Council and shall become effective from the date of this Council resolution.

15. **REPORT BACK: MUNIMEC**

None.

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

24/05/MM2 COUNCIL RESOLUTIONS AS AT 10 MAY 2024

Resolved (31 May 2024)

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

24/05/MM3 ADOPTION OF THE AMENDED 2024/2025 INTEGRATED DEVELOPMENT PLAN (IDP)

The Executive Mayor proposed that queries and corrections to the IDP document be submitted in writing timeously by the Councillors to ensure that the correct IDP was circulated to the public.

Cllr Maree seconded the proposal.

The Speaker suggested that all inputs be submitted by the close of business on Monday, 3 June 2024.

Cllr Mbandana indicated that he was not in support of the recommendations.

The Speaker called for a vote on the acceptance of the recommendations as amended.

In Favour: 17

Not in Favour: 5

Abstained: 0

Resolved (31 May 2024)

1. That the 2024/2025 Annual Amended 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 2024/2025 Amended 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 2024/2025 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.
 - iii) That the approved IDP and Budget be sent to CoGTA/National and Provincial Treasury within 10 days of approval.
4. That any queries on the IDP report be submitted in writing by close of business on Monday, 3 June 2024.

Proposed: Cllr H Bornman

Seconded: Cllr L Maree

24/05/MM4 ORGANISATIONAL STRUCTURE REVIEW: 2024/2025

Cllr Mbandana stated that he was not in support of the recommendations.

The Speaker called for a vote on the acceptance of the recommendations.

In Favour: 16

Not in Favour: 5

Abstained: 0

Resolved (31 May 2024)

1. That the Organisational Structure be approved by Council and submitted to the MEC for comments.
2. That the filling of positions be prioritised subject to budgetary provision and organisational priorities.

17. **REPORTS BY THE PORTFOLIO COMMITTEE CHAIRPERSONS**

17.1 **REPORTS BY THE CHAIRPERSON: FINANCE & ECONOMIC DEVELOPMENT**

24/05/FED15 SPONSORSHIP REQUEST - YELLOWWOODS JAZZ FESTIVAL DEVELOPMENT PROJECTS

Cllr Ndzaleni stated that he was not in support of the item.

The Speaker called for a vote on the acceptance of the recommendations.

In Favour: 17
Not in Favour: 6
Abstained: 0

Resolved (31 May 2024)

1. That Council approves the allocation of R 300,000.00 (Three Hundred Thousand Rand) only, VAT-inclusive, to support the 2024 Yellowwoods Jazz Festival Development Projects.
2. That Council authorizes the Accounting Officer to conclude an addendum to the current Sponsorship Agreement with Gamtoos Tourism to stage the 2024 Yellowwoods Jazz Festival in accordance with the funding allocated in recommendation 1 above.

24/05/FED16 MEDIUM-TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF)- BUDGET FOR 2024/25 TO 2026/27 FINANCIAL YEARS

Cllr Ndzaleni indicated that he was not in support of the recommendations.

The Speaker called for a vote on the acceptance of the recommendations.

In Favour: 17
Not in Favour: 5
Abstained: 0

Resolved (31 May 2024)

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:

1.1 approves the 2024/25 – 2026/27 Annual Budget, as set out in the “**Annexure A**” on the following tables:

- a) Consolidated Budget Summary [Table A1] [Page 23]
- b) Budgeted Financial Performance (revenue and expenditure by standard classification); [Table A2] [Page 25]
- c) Budgeted Financial Performance (revenue and expenditure by municipal vote); [Table A3] [Page 27]
- d) Budgeted Financial Performance (revenue by source and expenditure by type); [Table A4] [Page 28]
- e) Multi-year and single year capital appropriations by municipal vote and standard classification and associated funding by source. [Table A5]

1.2 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] [Page 32]
- b) Budgeted Cash Flows; [Table A7] [Page 34]
- c) Cash backed reserves and accumulated surplus reconciliation; [Table A8] [Page 35]
- d) Asset management; [Table A9] [Page 36]
- e) Basic service delivery measurement. [Table A10] [Page 39]

1.3 That the tariffs be increased as follows, with effect from 1 July 2024:

Property rates	5.5%
Water	7.25%
Sanitation	6.5%
Refuse	6.5%
Electricity (average increase in electricity income)	12.7%
Environmental Management Fee	6.5%

a) Indicative tariffs for 2025/26 and 2026/27 will be increased as follows:

	<u>2025/26</u>	<u>2026/27</u>
Property rates	5.5%	5.5%
Water	7.25%	7.25%
Sanitation	6.5%	6.5%

Refuse	6.5%	6.5%
Electricity (average increase in electricity income)	15.7%	15.7%
Environmental Management Fee	6.5%	6.5%

- 1.4 That the Council approves the tariffs, as reflected in “**Annexure D**”.
- 1.5 That the Council approves the Electricity tariffs subject to the approval from NERSA in “**Annexure D1**”
- 1.6 That the mSCOA road map be approved. “**Annexure E**”.
- 1.7 That the 2024/25 Procurement plan be approved “**Annexure F**”.
- 1.8 That the Council approves the budget-related policies, as reflected in “**Annexure G**”.
- 1.9 That the Provincial Treasury’s Budget Funding Assessment Report be noted, “**Annexure H**”.

24/05/FED17 REQUEST FOR SPONSORSHIP FOR RENOVATIONS AT THE NEW HUMANSDORP MUSEUM BUILDING ON VOORTREKKER STREET

Cllr Mbandana stated that he was not in support of the recommendations.

The Speaker called for a vote on the acceptance of the recommendations.

In Favour: 17
 Not in Favour: 4
 Abstained: 0

Resolved (31 May 2024)

1. That Council approves the sponsorship of R 200 000 (Two Hundred Thousand Rand) only, VAT-inclusive, to support the Humansdorp Museum to cover the renovations undertaken at the new museum building located on Voortrekker Street.
2. That Council authorizes the Accounting Officer to conclude a funding Agreement with Humansdorp Museum Association to sponsor them for essential renovations undertaken at the new museum building located on Voortrekker Street, in accordance with the funding allocated in recommendation 1. above.

17.2 **REPORTS BY THE CHAIRPERSON: PLANNING & DEVELOPMENT**

24/05/PD5 REQUEST FOR COUNCIL'S IN-PRINCIPLE APPROVAL FOR ALIENATION (LEASE) OF A PORTION OF ERF 170, JEFFREYS BAY (DOLPHIN BEACH ENTERTAINMENT)

Cllr Ruth requested that recommendation 10.5 be amended to read that the Environmental Authorisation as well as Town Planning activities and other administrative costs, be for the cost of the Municipality and was seconded by Cllr Foley.

Cllr Ndzalani stated that he was not in support of the recommendations.

The Speaker called for a vote on the acceptance of the recommendations as amended.

In Favour: 17

Not in Favour: 5

Abstained: 1

Resolved (31 May 2024)

1. That Council **grant in-principle approval** for the alienation (lease) of a portion of Erf 170, Jeffreys Bay to Dolphin Beach Entertainment, represented by Mr. Stephanus Ferreira for a period of 9 years and 11 months, with an option to renew subject to applicable legislation.
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 Council considers the market-related rental valuation per month in line with the use of the approved Asset and Disposal Policy of Council, in line with the intended use of the property.
4. That the property be used for the purpose applied for, and for no other purpose whatsoever, unless prior written consent has been obtained from the Lessor.
5. That the Environmental Authorisation as well as Town Planning activities and other administrative costs, be for the cost of the Municipality.

Proposed: Cllr S Ruth

Seconded: Cllr R Foley

6. That an escalation be included in the lease agreement.
7. That Council authorises the Accounting Officer to advertise the intended alienation of the immovable property.

24/05/PD6 **REQUEST FOR COUNCIL'S IN-PRINCIPLE APPROVAL: ALIENATION LEASE OF LAND FOR A TELECOMMUNICATIONS MAST AND BASE STATION (HEROTEL) – A PORTION OF ERF 406, PARADISE BEACH**

Resolved (31 May 2024)

1. That Council grant **in-principle approval** for the lease of Erf 406, Paradise Beach to Herotel to formalize the already existing Telecommunications Mast and Base Station for 9 years and 11 months.
2. That in terms of Section 14 and 90 of the MFMA and departmental inputs, Council hereby confirms that the land is not needed to provide the minimum level of basic municipal services.
3. That Council authorises the Accounting Officer to advertise the intended alienation of the immovable property.
4. That Council authorises the Accounting Officer to obtain the market-related valuation in line with Section 14(2) of the Municipal Finance Management Act.
5. That town planning activities and all other administrative processes be finalized at the cost of the applicant.
6. That the property be used for the purpose applied for, and for no other purpose whatsoever, unless prior written consent has been obtained from the Lessor.
7. That an annual escalation be included in the lease agreement.

24/05/PD7 **REQUEST FOR COUNCIL'S IN-PRINCIPLE APPROVAL FOR ALIENATION (LEASE) OF A PORTION OF ERF 1, HUMANSDORP – ASPHALT PREMISES (ROADSAVER GROUP (PTY) LTD)**

Resolved (31 May 2024)

1. That Council **grant in-principle approval** for the alienation (lease) of a portion of Erf 1, Humansdorp (Asphalt Premises), to Road saver Group (Pty) Ltd. (2022/472566/07) represented by Mr. Wilco Bothma for a period of 9 years and 11 months, with an option to renew.
2. That Council authorizes the Accounting Officer to advertise the intended alienation of the immovable property.
3. 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.
4. That Council authorises the Accounting Officer to obtain the market-related valuation in line with Section 14(2) of the Municipal Finance Management Act.

5. That the property be used for the purpose applied for, and for no other purpose whatsoever, unless prior written consent has been obtained from the Lessor.
6. That the lease be cancelled if purpose applied for is not implemented within 3 years from date of signed lease agreement.
7. That all Town Planning activities, as well as other administrative costs including the valuation, be for the cost of the applicant.
8. That an escalation be included in the lease agreement.

24/05/PD8 REQUEST FOR COUNCIL'S IN-PRINCIPLE APPROVAL: LEASE OF LAND FOR A TELECOMMUNICATIONS MAST AND BASE STATION – A PORTION OF ERF 406, PARADISE BEACH

Resolved (31 May 2024)

1. That Council grant **in-principle approval** for the lease of Erf 406, Paradise Beach to Orion Trust, to formalise the existing Telecommunications Mast and Base Station for 9 years and 11 months.
2. That in terms of Section 14 and 90 of the MFMA and departmental inputs, Council hereby confirms that the land is not needed to provide the minimum level of basic municipal services.
3. That town planning activities and all other administrative processes be finalized at the cost of the applicant.
4. That the property be used for the purpose applied for, and for no other purpose whatsoever, unless prior written consent has been obtained from the Lessor.
5. That the lease be cancelled if purpose applied for is not implemented within 3 years from date of signed lease agreement.
6. That an annual escalation be included in the lease agreement.
7. That Council authorises the Accounting Officer to advertise the intended alienation of the immovable property.

24/05/PD9 REQUEST FOR COUNCIL'S FINAL APPROVAL: ALIENATION (LEASE) OF A PORTION OF ERF 164, JEFFREYS BAY FOR A HIGH TELECOMMUNICATIONS MAST – (MTN TOWER/NSRI BASE STATION)

Resolved (31 May 2024)

1. That Council **grant final approval** for the alienation (lease) of a portion (100m²) of Erf 164 (MTN/NSRI Station), Jeffreys Bay for a 15m high Telecommunication Mast to IHS for 9 years and 11 months.

2. That in terms of Section 14 and 90 of the MFMA and departmental inputs, Council hereby confirms that the land is not needed to provide the minimum level of basic municipal services.
3. That Council considers the market-related valuation of R5,000.00 per month for the lease of immovable property.
4. That town planning processes be finalised, and all other administrative costs be for the account of the applicant.
5. That the position of the towers be as such where it can be disguised if possible.
6. That the property be used for the purpose applied for, and for no other purpose whatsoever, unless prior written consent has been obtained from the Lessor.
7. That the lease be cancelled if purpose applied for is not implemented within 3 years from date of signed lease agreement.
8. That an annual escalation be included in the lease agreement.

24/05/PD11 REQUEST FOR COUNCIL'S FINAL APPROVAL FOR THE DISPOSAL OF ERF 2331, HUMANSDORP TO NEW GOSPEL CHURCH

Resolved (31 May 2024)

1. That the Council **grant final approval** for the out-of-hand disposal of Erf 2331, Humansdorp to New Gospel Church.
2. That Council confirms that the following immovable property is not needed for the provision of the minimum level of basic municipal services.
3. That the subdivision be reinstated, and all administrative processes be finalised at the cost of the applicant.
4. That Council authorises the Accounting Officer to enter into a Deed of Sale for the purposes of transferring the said property.

24/05/PD15 REQUEST FOR COUNCIL TO WAIVER PENALTIES IMPOSED ON BUILDING PLAN SUBMISSIONS TO THE DEPARTMENT PLANNING & DEVELOPMENT: UNAUTHORISED BUILDING WORK IN TERMS OF THE NATIONAL BUILDING REGULATIONS AND STANDARDS ACT, ACT 103 OF 1977

Resolved (31 May 2024)

1. That Council approves an amnesty exempting penalties on building plans containing historic unauthorised structures for a period of 6 months, from 1 July 2024 until 31 December 2024.
2. That all amnesty applications be submitted together with building plans.

3. That the normal building plan application fees be applicable and be paid before any approval.
4. The proposed period for exemption determined by the Council be published in the local newspaper and all platforms available to the Municipality, including the monthly bills, to inform all residents of the waiver period for penalties.

24/05/PD16 REQUEST FOR AUTHORISATION TO UNDERTAKE A PUBLIC PARTICIPATION PROCESSES OF THE DRAFT ST FRANCIS BAY & HANKEY CBD PRECINCT PLANS

Resolved (31 May 2024)

1. That Council take notice of the draft Hankey and St Francis Bat CBD Precinct Plans.
2. That Council authorises the commencement of a public participation process as contemplated in Section 21 of the Local Government: Municipal Systems Act for the draft St Francis Bay and Hankey CBD Precinct Plan.

17.3 REPORTS BY THE CHAIRPERSON: CIVIL & WATER SERVICES

24/05/CWS14 RESPONSE REPORT TO MOTION OF EXIGENCY: STATUS UPDATE ON THE KWANOMZAMO WASTEWATER TREATMENT WORKS – HUMANSDORP

Resolved (31 May 2024)

1. That the Item be noted.

24/05/CWS15 RESPONSE REPORT ON MOTION OF EXIGENCY HUMANSDORP WATER SUPPLY CRISES EXPERIENCED DURING THE PERIOD 18 TO 27 FEBRUARY 2024

Resolved (31 May 2024)

1. That the report on motion of exigency at the Humansdorp water supply crises experienced during the period from 18 to 27 February 2024, be noted.

17.4 REPORTS BY THE CHAIRPERSON: COMMUNITY & SAFETY SERVICES

24/05/CSS13 REVIEW AND UPDATE OF KOUGA LOCAL MUNICIPALITY DISASTER MANAGEMENT PLAN 2023/2024

Resolved (31 May 2024)

1. That the reviewed Disaster Management Plan be noted.
2. That the reviewed Disaster Management Plan be approved by Council.

17. **CLOSURE**

The meeting closed at 10:16



B WILLIAMS

SPEAKER

2 July 2024

DATE