

**MINUTES OF A VIRTUAL SPECIAL COUNCIL MEETING OF KOUGA MUNICIPALITY
HELD ON FRIDAY, 23 AUGUST 2024 AT 10:00 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	
G Stuurman	
P Oliphant	
W van der Linde	
N Ntshota	
V Gunuza	
M Valgee	
V Zana	
E Mbuqu	
M Mbandana	
W Petersen	
N Ntengwane	

**Officials &
Municipal Manager**

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

Stakeholders

G Billson	(Chairperson: Kouga Audit Committee)
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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 Special Council Meeting will be held virtually on 23 August 2024 at 10:00 a.m.

2. **OPENING AND WELCOME**

The Speaker welcomed everyone present and requested Cllr Foley to open the meeting in prayer.

At 10:09 Cllr Petersen received a warning for speaking out of turn.

3. **ABSENT WITH LEAVE**

Cllr M Yali
Cllr K Ndzalani

4. **ABSENT WITHOUT LEAVE**

Cllr L Nkilishane
Cllr B Human

5. **PRESENTATIONS**

None.

6. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

Cllr Mbandana congratulated Mr Dyantyisi, the 110-year-old man in Patensie who received a house from the Eastern Cape Department of Human Settlement. He thanked the local business community of Patensie for donating household furniture for the house. He further applauded the office of the MEC Human Settlement for its efforts in assisting residents of Patensie.

He acknowledged the successful Trans Baviaans Bicycle Race that was recently held in the Gamtoos area.

Cllr Mbandana further applauded the Katu family, a young athlete who will be participating in an under-20 international event.

He additionally commended President Putin's continuous efforts to defeat Western imperialism.

Cllr Zana indicated that he would like to submit a Motion of Exigency and the Speaker stated that he would allow the tabling of the motion after the item.

Cllr August congratulated five Jeffreys Bay Primary School boys who have been selected to represent the Eastern Province rugby team at the Southern Regional Tournament in Riversdal.

Cllr Gunuza congratulated the African National Congress (ANC) for winning back Ward 1 in Koukamma Local Municipality. She further congratulated Siyabonga Loro who received a scholarship to study in China from the Sarah Baartman District Municipality.

Cllr Petersen celebrated the victory of the ANC in Ward 1 of Koukamma Local Municipality. He further applauded the Links Royal House for prevailing against the Police from the Western Cape.

Cllr Alexander wished Jaco Smit well on his participation in the Paralympics in Paris.

Ald Benson extended belated birthday wishes to the following Councillors:

- 14 June - Cllr Ntshota
- 21 June - Cllr Valgee and Cllr van Niekerk
- 9 August – Cllr Zana

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

None.

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

None

9. **DISCLOSURE OF INTEREST**

None.

10. **STATUTORY MATTERS**

Ald. Benson requested a DA caucus break at 10:20.

The Speaker granted a 10-minute caucus.

11. **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).

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

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

24/08/FED15 2024/25 SPECIAL ADJUSTMENTS BUDGET (ROLLOVERS)

Cllr Petersen indicated that the African National Congress was not in support of the item as the adjustment budget did not include the marginalised masses of Kouga.

At 10:27 Cllr Petersen was referred to the Rules and Ethics Committee for continually speaking over the Speaker.

Cllr Oliphant added that the ANC was only in support of the following items in the adjustment budget (rollover):

- Extended Public Works Programme (EPWP) job creation
- Boots on the ground
- Funding from the Department of Human Settlement on the Hankey 990 project.

At 10:31 Cllr Oliphant received a warning for speaking out of turn.

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

At 10:43 Cllr Petersen was referred to the Rules and Ethics Committee for continually speaking over the Speaker.

The Speaker called for a vote as follows:

In favour: 17

Not in favour: 8

Abstained: 0

At 10:44 the Speaker requested that Cllr Petersen be removed from the virtual meeting.

At 10:44 Cllr Petersen was removed from the virtual Special Council meeting.

Resolved (23 August 2024)

1. That the Council, by a 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 No 56 of 2003, approves the 2024/25 Adjustments Budget Report as set out in the "Annexure A" on the following tables:

- Table 7 - B1 Adjustments Budget Summary
- Table 8 - B2 Adjustments Budget Financial Performance (revenue and expenditure by standard classification)
- Table 9 - B3 Adjustments Budget Financial Performance (revenue and expenditure by municipal vote)

- Table 10 - B4 Adjustments Financial Performance (revenue and expenditure by type)
 - Table 11 - B5 Adjustments Budget Capital Expenditure by vote and standard classification and funding source
 - Table 12 - B6 Adjustments Budget Financial Position
 - Table 13 - B7 Adjustments Budget Cash Flows
 - Table 14 - B8 Cash backed reserves/accumulated surplus reconciliation.
 - Table 15 - B9 Asset Management, and
 - Table 16 - B10 Basic service delivery measurement.
2. That the Council approves the “Annexure B” which regulates the format of the budget documentation as set out in Schedule B (Version 6.8) of the Municipal Budget and Reporting Regulations. This includes the main Tables B1 – B10 as well as the supporting tables SB1 – SB20.
 3. That the Detail Capital Programme be noted, “Annexure C”.
 4. That the Adjustments Budget be submitted to the National Treasury in both printed and electronic format and to the relevant Provincial Treasury.

Cllr Zana requested a caucus break at 10:45.

The Speaker granted a 5-minute caucus.

The meeting reconvened at 10:51.

MOTION OF EXIGENCY

ILLEGAL ELECTRICAL CONNECTIONS IN KOUGA

Cllr Zana proposed a tabling of a Motion of Exigency under Rule 30.1 of the Standing Rules and Orders for meetings of Council and all its Committees on illegal electrical connections in Kouga.

Cllr Mbandana seconded the proposal to table the motion.

The Speaker called for a vote on the tabling of the motion:

In favour: 20

Not in favour: 5

Abstained: 0

Cllr Zana tabled the motion and outlined the ongoing illegal electrical connections faced in Kouga and the current vandalism of infrastructure in St. Francis Bay where residents were disconnected. He further raised a concern about the danger these illegal connection poses to the affected communities and the network overload which results in unplanned power outages in various communities, especially the Sea Vista area.

Cllr Zana added that the situation has reached a deadlock where Police must be deployed to assist in disconnecting the illegal connections. He proposed that in the interim, an audit of all illegal connections in Kouga must be performed to determine the quantity, severity of the problem and cost of connecting the affected informal settlements. He further recommended:

- That a task team be established to deal with the illegal connections and perform an audit of all illegal connections in Kouga.
- That an assessment be performed to determine if the affected communities form part of the Housing Development Agency (HDA) formalisation project.
- That the MMC: Electro-Mechanical Services and the Portfolio Committee members form part of the Task Team and report back to Council on findings.

Ald Benson requested a caucus break at 11:05.

The Speaker granted a 5-minute caucus.

The meeting reconvened at 11:10.

The Executive Mayor indicated that the Democratic Alliance was not against the motion as it was a crisis and there were lives in danger. However, he highlighted that the Municipality had already started with plans to deal with the crisis via the upgrade of the informal settlement project. He indicated that the plans and processes would be communicated to all Councillors.

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

The Speaker called for a vote on the acceptance of the motion of exigency recommendations:

In favour: 7
Not in favour: 15
Abstain: 1

The motion was therefore not tabled in Council.

13. **CLOSURE**

The meeting closed at 11:21



B WILLIAMS

SPEAKER

19 November 2024

DATE