

MINUTES OF THE ORDINARY COUNCIL MEETING OF BITOU LOCAL MUNICIPALITY HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON FRIDAY, 26 FEBRUARY 2021 AT 9H05

1. OPENING

The Speaker, Alderman E V Wildeman welcomed everyone present at 9h05 and indicated that a 5 minutes delay will be allowed on the request of the administration.

2. ATTENDANCE

The meeting was held at the Council Chambers as well as virtually via skype.

The attendance registers of members of the Municipal Council, Officials are attached hereto as annexures.

3. APPLICATION FOR LEAVE OF ABSENCE

Leave of absence was received from Councillor W J Nel.

Resolved

That leave of absence be granted to Councillor W J Nel.

4. DECLARATION OF INTERESTS

None Received

5. CONFIRMATION OF MINUTES

5.1 Minutes of the Ordinary Council Meeting: 29 January 2021

Resolved:

That the Minutes of the Ordinary Council Meeting held on 29 January 2021, be, and are hereby, **CONFIRMED & SIGNED.**

Proposed: Councillor S E Gcabayi

Seconded: Councillor X Matyila



6. **STATEMENTS AND COMMUNICATIONS BY:**

6.1 **The Executive Mayor**

The Executive Mayor, Councillor M P Lobese greeted everyone present.

In his opening remarks he highlighted that the Adjustment Budget be considered in line with the projects identified, especially at Ward level and considering COVID-19. He mentioned that it would be a challenge to spend some of the funds originally budgeted for.

He extended a word of thanks to Councillors and Officials for their involvement with curbing the spread of COVID-19 and acknowledged that the statistics is normalizing.

The Executive Mayor informed Council that he requested that a feedback report be submitted on the Seasonal Plan (2020 festive season) in order to give Council and overview of the festive activities. He also requested Council to pronounce themselves with regards to the fencing at the public areas, which was at the time erected in order to be in line with COVID-19 Regulations and to minimize/prevent the influx of people to the beach area.

He then raised his concerns with regards to the challenges in relation to the Qolweni/Bossiesgif relocation Project process and expressed his disappointment with officials in the planning and implementation of the project.

He then informed Council that the municipality received a letter from Parliament stating that a delegation will be visiting the municipality in the forthcoming week to look at aspects of human settlements, including the material stored at the Airport. He mentioned that Council will conduct a presentation at this meeting also giving clarity on the reasons for the storage of material at the Airport.

In his closing remarks the Executive Mayor mentioned that he is delighted to notice some progress with the land earmarked for the Ebenezer Housing Development Project.

6.1 **The Speaker**

The Speaker stated that as far as COVID-19 is concerned, it is his wish that the President will lower the lockdown levels soon, in order for normal working practices to resume, in order to ensure Budget Implementation.

Councillor M M Mbali mentioned that the call made by the Executive Mayor for Council to pronounce themselves with regard to the fencing at the beaches, as communicated under the Mayor's communication and statement earlier must be viewed as an announcement, as no item was tabled before Council in this respect.

Speaker then indicated that the administration should deal with the matter in consultation with the Executive Mayor.



7. **PRESENTATIONS**

None

8. **ITEMS FOR INFORMATION, WHICH HAVE BEEN DEALT WITH BY THE EXECUTIVE MAYOR IN TERMS OF DELEGATED AUTHORITY**

That the Items for information: Resolutions by the Mayoral Committee for the period 24 November 2020 circulated with the agenda, be **NOTED**.

Proposed: Councillor M M Mbali

Seconded: Councillor L M Seyisi

9. **CONSIDERATION OF REPORTS (NON-DELEGATED MATTERS)**

Section 1: Office of the Municipal Manager

Resolution C/1/198/02/21

INFORMATION REGARDING THE APPOINTMENT OF AUDIT AND PERFORMANCE AUDIT COMMITTEE MEMBERS

Department: Office of the Municipal Manager **Demarcation:** All Wards
Portfolio Comm: Strategic Services **Delegation:** Council
File Ref: 3/2/2/2/1/2

Resolved

1. That Council note that Mr. M.F. Hennessy accepted the appointment as a member of the Audit and Performance Audit Committee, effective 1 January 2021.
2. That Council sympathetically note that Mr. J.Z.A Vumazonke passed away which leaves a vacant members position on the Audit and Performance Audit Committee.
3. That Council approve that the vacant position as mentioned in clause 2 above, be advertised, and that the Interim Committee (as per Council Resolution C/1/148/03/20), comprising of the Speaker, the Chairpersons of the Finance and Engineering Portfolio Committee, Municipal Public Accounts Committee and Audit Committee respectively, the Municipal Manager and the Chief Audit Executive”, be delegated to evaluate possible applicants and to make a recommendation for appointment to Council.
4. That the Municipal Manager address a letter to the family of Mr J Z A Vumazonke expressing the municipality’s condolences with his passing away.

Proposed: Councillor M M Mbali

Seconded: Councillor X Matyila

EXECUTION: Chief Audit Executive

Cc: Municipal Manager



Resolution C/1/200/02/21

SCHEDULE OF MEETINGS FOR MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

Directorate: Office of Municipal Manager **Demarcation:** All Wards
Portfolio Comm: n/a (MPAC) **Delegation:** Council

File Ref:

Resolved

1. That the following schedule of dates for the Municipal Public Accounts Committee for the year 2021 be considered.

MONTH	PORTFOLIO COMMITTEE	DATE	TASK
FEBRUARY	Municipal Public Accounts Committee	16/02/2021	Deal with outstanding Reports
MARCH	Municipal Public Accounts Committee	18/03/2021	Quarterly meeting
MAY	Municipal Public Accounts Committee	12/05.2021	Deal with any referrals from Council/ any other matter
JUNE	Municipal Public Accounts Committee	18/06.2021	Quarterly meeting
SEPTEMBER	Municipal Public Accounts Committee	15/08.2021	Quarterly meeting
OCTOBER	Municipal Public Accounts Committee	13/11.2021	Deal with any referral from council/any other matter
NOVEMBER	Municipal Public Accounts Committee	12/11/2021	Quarterly meeting / submit final report to Council

2. That it be noted that schedule can be amended, taking into account the 2021 Local Government Elections, which will take place between 3 August 2021 and 3 November 2021.

Proposed: Councillor M M Mbali
Seconded: Councillor V P M van Rhyner

EXECUTION:MPAC Coordinator
 Cc: Municipal Manager



Resolution C/1/205/02/21

** Item was circulated as Addendum 1*

TABLING OF THE PROPOSED AMENDED 2020/2021 TOP-LAYER SDBIP (SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN)

Directorate: Office of the Municipal Manager Demarcation: All Wards
Portfolio Comm: Strategic Services Delegation: Council
File Ref: 5/1/1/4

Resolved

1. That the Council approves the amendments to the 2020/2021 Top-Layer SDBIP (Service Delivery and Budget Implementation Plan);
2. That all the statutory processes be followed, for submission thereof to the relevant State bodies;
3. That the amended Top-Layer SDBIP be placed in the local media and on the municipal website.

Proposed: Councillor M M Mbali
Seconded: Councillor D J Swart

EXECUTION: Acting Senior Manager Governance and Compliance
 Cc: Municipal Manager

Section 2: Directorate Financial Services

Resolution C/2/214/02/21

REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE 2ND QUARTER 01 OCTOBER TO 31 DECEMBER 2020

Directorate: Finance Demarcation: All Wards
Portfolio Comm: Finance & Engineering Delegation: Council
File Ref: 8/1/5/5/2

Resolved

1. That Council notes the Supply Chain Management Implementation Report for the 2nd Quarter, 01 October to 31 December 2020, of the 2020/21 financial year in terms of Section 6(3) of the SCM Policy.
2. That Council recommends the Potential Irregular Expenditure for the period 01 October to 31 December 2020, to the Municipal Accounts Committee (MPAC) for further investigation and appropriate action.



3. That the Municipal Manager consult the relevant labour legislation and investigate possible solutions to lawfully explore the best means to run the Supply Chain Management Section, in the absence of the Supply Chain Manager.

Proposed: Councillor M M Mbali

Seconded: Councillor X Matyila

***During the discussion of the Item above, the Director Economic Development & Planning, Mr L Gericke recused himself.*

EXECUTION: Acting Manager Supply Chain Manager

Cc: Chief Financial Officer

Resolution C/2/215/02/21

STATUS OF MUNICIPAL FINANCIAL POSITION FOR THE QUARTER ENDING 31 DECEMBER 2020

<u>Directorate</u>	Finance	<u>Demarcation</u>	All Wards
<u>Portfolio Comm:</u>	Finance & Engineering Services	<u>Delegation</u>	Council
<u>File Ref</u>	9/1/3/4		

Resolved

1. That cognisance be taken of the second quarter financial report ending 31 December 2020.
2. That a consolidated departmental overview report, which addresses human capital concerns and the performance of various functionalities be submitted to the next meeting.
3. That clarity be given at the next meeting on the figures, "Total Income By Source", not adding up horizontally as presented on page 79 of the agenda.

Proposed: Councillor M M Mbali

Seconded: Councillor L M Seyisi

EXECUTION: Manager Budget & Reporting

Cc: Chief Financial Officer



Resolution C/2/216/02/21

LIST OF WITHDRAWALS FROM MUNICIPAL BANK ACCOUNT FOR THE QUARTER ENDED 31 DECEMBER 2020

<u>Directorate</u>	Finance	<u>Demarcation</u> All Wards
<u>Portfolio Comm</u>	Finance & Engineering	<u>Delegation:</u> Council
<u>File Ref</u>	5/15/6	

Resolved

1. That the Municipal Council confirms the withdrawals that were made in terms of Section 11 (1) (b) to (j) of the Local Government: Municipal Financial Management Act, 2003 for the quarter October 2020 to December 2020.
2. That the report accordingly be presented to the Provincial Treasury: Western Cape and Auditor – General, as determined by Section 11(4) (b) of the Local Government: Municipal Finance Management Act, 2003.

Proposed: Councillor M M Mbali
Seconded: Councillor S E Gcabayi

EXECUTION: Manager Budget & Reporting
 Cc: Chief Financial Officer

Resolution C/2/217/02/21

VIREMENT REPORT FOR THE QUARTER ENDING 31 DECEMBER 2020

<u>Directorate</u>	Finance	<u>Demarcation</u> All Wards
<u>Portfolio Comm</u>	Finance & Engineering	<u>Delegation</u> Council
<u>File Ref</u>	9/1/3/4	

Resolved

1. That note be taken of the Virement Report for the quarter ended 31 December 2020.
2. That all departments ensure that proper budget planning for overtime is done to avoid Virement and Adjustment budgets throughout the year.
3. That the Virement applications be submitted to the respective Portfolio Chair and the Executive Mayor for scrutiny, before submission to the Mayoral Committee Meeting.

Proposed: Councillor M M Mbali
Seconded: Councillor S E Gcabayi

EXECUTION: Manager Budget & Reporting
 Cc: Chief Financial Officer



Resolution C/2/218/02/21

SPECIAL ADJUSTMENT BUDGET 2020-21

Directorate: Financial Services **Demarcation:** All Wards
Portfolio Comm: Finance & Engineering Services **Delegation:** Council
File Ref: 9/1/3/4

Resolved

1. That the Council approves the Adjustment Budget report as per attached Annexure A.
2. That Council approves the Adjustments Budget supporting documentation as per Annexure B.
3. That Council approves the rollover of MIG of R5.4 million and R359 000 additional Libraries Conditional grant as per annexure C.
4. That the projects in the detailed capital schedule on Annexure D be approved.
5. That Council approves the unforeseen and unavoidable expenditure of R3.5 million will be added on security services which was incurred during the community unrest in October 2020.
6. That Council approved the revised FMG support 2020/21 plan as per attached Annexure E.
7. That the list of the approved Grant-In-Aid applicants be submitted to the next meeting of Council.

Proposed: Councillor M M Mbali
Seconded: Councillor S E Gcabayi

Councillors D J Swart, N Ndayi, J N Kamkam, A R Oliver, and A S M Windvogel requested that their vote be recorded against the above resolution.

EXECUTION: Manager Budget & Reporting
Cc: Chief Financial Officer



Section 3: Directorate Corporate Services

Resolution C/3/205/02/21

REPORT BACK ON OUTSTANDING FEEDBACK OR PARTIALLY IMPLEMENTED RESOLUTIONS OF MAYORAL AND COUNCIL RESOLUTIONS (CONFIRMED MINUTES)

<u>Directorate:</u>	Corporate Services	<u>Demarcation:</u> All Wards
<u>Portfolio Comm:</u>	Corporate & Community Services	<u>Delegation:</u> Council
<u>File Ref:</u>	3/2/3	

Resolved

1. That cognisance be taken of the outstanding feedback and partially implemented resolutions by the various Directorates and Managers.
2. That all Directorates ensures that the implementation of resolutions are monitored and the feedback register on Collaborator Decision Management System are updated on a regular basis.
3. That this report be submitted through the Office of the Speaker in future.
4. That separate feedback reports be submitted in respect of the implementation of Mayoral Committee and Council Meetings resolutions, respectively.

Proposed: Councillor M M Mbali
Seconded: Councillor L M Seyisi

EXECUTION: Manager Administration
Cc: Director Corporate Services

Resolution C/3/206/02/21

QUARTERLY REPORT HUMAN RESOURCES MANAGEMENT FOR THE PERIOD OF 01 OCTOBER 2020 – 31 DECEMBER 2020

<u>Directorate:</u>	Corporate Services	<u>Demarcation:</u> All Wards
<u>Portfolio Comm:</u>	Corporate & Community Services	<u>Delegation:</u> Council
<u>File Ref:</u>	9/1/33	

Resolved

1. That Council take note of the content of the quarterly Human Resources Management Report for the period 01 October 2020 until 31 December 2020.



2. That a revised Organisational structure be submitted to the next Mayoral committee meeting.
3. That the Municipal Manager investigate the possibility of developing a Promotion Policy in Line with the relevant legislation.

Proposed: Councillor S E Gcabayi

Seconded: Councillor X Matyila

EXECUTION: Senior Manager Human Resources
Cc: Director Corporate Services

Resolution C/3/207/02/21

EMPLOYMENT EQUITY PROFILE OF BITOU MUNICIPALITY PER DIRECTORATE AS AT FEBRUARY 2021

Directorate: Corporate Services

Demarcation: All Wards

Portfolio Comm: Corporate & Community Services

Delegation: Council

File Ref: 9/1/33

Resolved

That Council takes note of the content of the Employment Equity Profile/Status of each Directorate as at February 2021.

Proposed: Councillor S E Gcabayi

Seconded: Councillor X Matyila

For Information: Senior Manager Human Resources
Cc: Director Corporate Services

Resolution C/3/208/02/21

CUSTOMER CARE SECTION: REPORT FOR JANUARY 2021

Directorate: Corporate Services

Demarcation: All Wards

Portfolio Comm: Corporate & Community Services

Delegation: Council

File Ref: 9/1/3/3

Resolved

1. That the report of the Customer Care Section for the month of January 2021 be noted.



2. That it be noted that the Councillors and officials Customer Care Workshop is still outstanding.
3. That it be noted that a summary of total number of incidents logged, be captured in the content of the report.

Proposed: Councillor M M Mbali

Seconded: Councillor S E Gcabayi

EXECUTION: Manager Communication

Cc: Director Corporate Services

Section 4: Community Services

No items for consideration

Section 5: Engineering Services

Resolution C/5/134/02/21

**CAPITAL PROJECTS IMPLEMENTATION PLAN (CPIP): PROGRESS REPORT
FOR PERIOD ENDING DECEMBER 2020**

Directorate: Engineering Services
Portfolio Comm: Finance & Engineering
File Ref: 5/7/1/12

Demarcation: All Wards
Delegation: Council

Resolved

1. That Council takes cognizance of the Capital Project Implementation Plan (CPIP) for the period ending December 2020 and progress recorded therein.
2. That it be NOTED that the delays in the implementation of the Cultural Village Project is caused as a result of internal arrangements between departments.

Proposed: Councillor M M Mbali

Seconded: Councillor X Matyila

For information Manager Programme Management (PMU)
Cc: Director Engineering Services



Section 6: Economic Development & Planning

Resolution C/6/130/02/21

**PROPOSED HOUSING DEVELOPMENT: ERF 4367 PLETTENBERG BAY
(SHELL ULTRA)**

Directorate: Economic Development & Planning
Portfolio Comm: Strategic Services
File Ref: 18/4367/PB

Demarcation: Ward 2
Delegation: Council

Resolution:

1. That the Council confirms the concept of FLISP and/or Social Housing for the proposed development of Erf 4367, Plettenberg Bay.
2. That an implementation report, with timeframes, in respect of the Housing project on Erf 4367, be submitted to the next meeting.
3. That a Committee be established to oversee the key service delivery components of this project.
4. That specific areas be identified on Erf 4367 for FLISP and social housing development purposes respectively.
5. That a call for proposal process be initiated for the future development of Erf 4367, Plettenberg Bay (Shell Ultra).
6. That a letter be addressed to the Provincial Government to inform them that Bitou Municipality's will continue with the housing project and awaits their response as soon as possible.
7. That a database be developed for local middle income groups interested in the housing development.
8. That the housing development not be limited to the Shell Ultra sites but that other sites also be considered for such development.

Proposed: Councillor M M Mbali
Seconded: Councillor L M Seyisi

EXECUTION: Manager Communication
Cc: Director Corporate Services



10. **URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER**

None received

11. **CONSIDERATION OF NOTICES OF MOTION**

None received

12. **CONSIDERATION OF NOTICES OF QUESTION**

None received

13. **CONSIDERATION OF MOTIONS OF EXIGENCY**

None received

14. **IN-COMMITTEE MATTERS**

For In-Committee Matters, please refer to the In-Committee Minutes of even date.

15. **RECORDING OF COUNCILLORS PRESENT**

The Speaker, Alderman E V Wildeman verbally recorded the presence of Councillors in the following order;

Councillor A S M Windvogel, Councillor J N Kamkam, Councillor D J Swart, Councillor N Ndayi, Councillor A R Olivier, Councillor V P M van Rhyner, Councillor M M Mbali, Councillor X Matyila, Councillor M Seyisi, Councillor S E Gcabayi and Councillor M P Lobese.

16. **CLOSURE**

The Speaker adjourned the Ordinary Council meeting where OPEN items were discussed at 11h02.

CONFIRMED AND SIGNED

DATE:

4 MAY 2021

SIGNATURE:

The Speaker, Alderman E V Wildeman

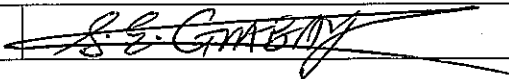

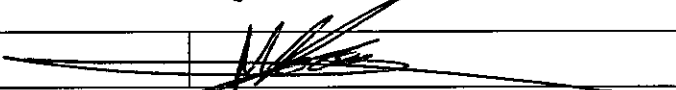
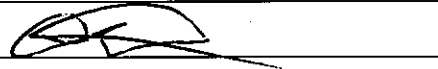
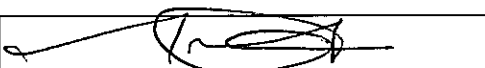


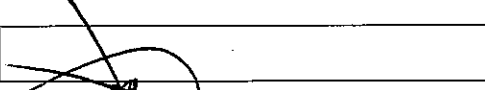
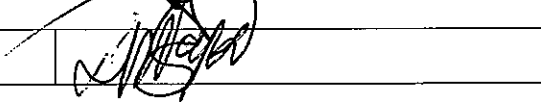
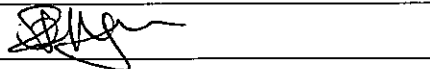
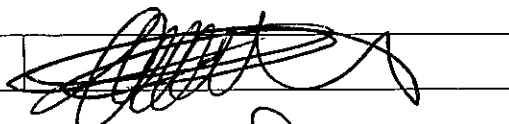
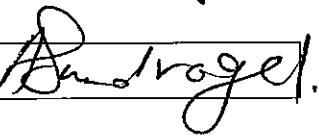
(Approved: 31 March 2021)

ATTENDANCE REGISTER

BITOU LOCAL MUNICIPALITY

ORDINARY COUNCIL MEETING

HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON FRIDAY, 26 FEBRUARY 2021 AT 09H00

<u>NAME</u>	<u>SIGNATURE</u>
COUNCILLOR S E GCABAYI	
COUNCILLOR J N KAMKAM	
COUNCILLOR M P LOBESE	
COUNCILLOR X MATYILA	
COUNCILLOR M M MBALI	
COUNCILLOR N NDAYI	
COUNCILLOR W J NEL	APOLOGY
COUNCILLOR A R OLIVIER	
COUNCILLOR D J SWART	
COUNCILLOR L M SEYISI	
COUNCILLOR V P M VAN RHYNER	
ALDERMAN E V WILDEMAN	
COUNCILLOR A S M WINDVOGEL	VIRTUAL 

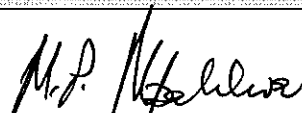

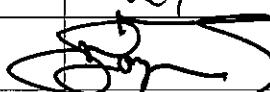
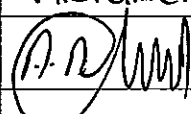
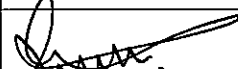
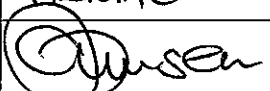



ATTENDANCE REGISTER

BITOU LOCAL MUNICIPALITY

ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON FRIDAY, 26 FEBRUARY 2021 AT 09H00

OFFICIALS

DESIGNATION	NAME	SIGNATURE
Acting Municipal Manager / Director Corporate Services	Mrs M S Mpahlwa	
Acting Director: Financial Services	Mr N Maredi	virtual
Director: Economic Development And Planning	Mr. L Gericke	
Director: Community Services	Mr T Sompani	
Acting Director: Engineering Services	Mr M Rhode	VIRTUALLY.
Senior Manager: Office Of The Political Office Bearers	Mr M Mana	—
Manager: Office Of The Speaker	Mr H Smith	VIRTUAL.
Manager: Deputy Executive Mayor	Mr A Gungubele	
Manager: Office Of The Mayor	Ms M Busakwe	
Manager Legal Services	Mr L Loliwe	VIRTUAL.
Manager: Administration	Ms T M Wildeman	
Manager: Communications	Mr A Namntu	VIRTUAL.
Principal Admin Officer	Mrs J J Jansen	
Committee Clerk	Ms T Mpembe	
	Mr. G. GROENEWALD	