

**MINUTES OF THE SPECIAL COUNCIL MEETING OF BITOU LOCAL MUNICIPALITY
HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET,
PLETTENBERG BAY ON FRIDAY, 16 APRIL 2021 AT 9H00**

1. OPENING

The Speaker, Alderman E V Wildeman welcomed everyone present at 9h00. The Speaker apologized for being dressed in a shorts and stated that this is due to the condition of his leg.

2. ATTENDANCE

The meeting was held at the Municipal Council Chambers. 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 M P Lobese.

Resolved

That leave of absence be granted to Councillor M P Lobese.

4. DECLARATION OF INTERESTS

None Received

5. CONFIRMATION OF MINUTES (OPEN)

None – the minutes will be circulate and approved at the next Ordinary Council meeting of 29 April 2021.

6. PRESENTATIONS

None

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

None

8. **FEEDBACK ON THE IMPLEMENTATION OF COUNCIL RESOLUTIONS**

None

**At this point the Speaker requested the indulgence of Councillors in the change of the order of business and indicated that the following amendments be made:

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

10. **CONSIDERATION OF NOTICES OF MOTION**

11. **STATEMENTS AND COMMUNICATIONS BY**

11.1 The Executive Mayor

11.2 The Speaker

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

Section 1: Office of the Municipal Manager

Resolution C/1/211/04/21

ERF 156: APPEAL IN RESPECT OF THE PROPOSED REZONING AND RELATED MATTERS

Directorate: Municipal Manager: Office of the Speaker Demarcation: All Wards

Delegation: Council

File Ref: 18/156/PB

Resolved

1. That Council take note that the Speaker has received a formal appeal in respect of the proposed rezoning and related matters regarding Erf 156.
2. That Council take note that legal advice has been sought by the Speaker and that the advice has been received, which is attached as Annexure B to the agenda.
3. That Council acknowledge receipt of the appeal.
4. That Council take note that the appeal is valid.
5. That the appellant is advised that Council would proceed to consider the appeal once updated relevant reports have been received.

6. That all recent reports in respect of erf 156 received and / or obtained by the municipality be submitted to the office of the Speaker within five (5) days.
7. That it be noted that the Executive Mayor may not participate in any proceedings relating to this matter due to his decision forming the subject matter of the appeal.
8. That subsequent to resolution (6) above, a report be submitted to the Ordinary Council Meeting scheduled for 29th April 2021.

Proposed: Councillor M M Mbali
Seconded: Councillor W J Nel

EXECUTION: **Municipal Manager**
Acting Senior Manager: Governance and Compliance
Manager: Legal Services

Section 2: Directorate Financial Services

No items for consideration

Section 3: Directorate Corporate Services

No items for consideration

Section 4: Community Services

No items for consideration

Section 5: Engineering Services

No items for consideration

Section 6: Economic Development & Planning

No items for consideration

10. CONSIDERATION OF NOTICES OF MOTION

Resolution 9.1

TABLING OF THE NOTICE OF MOTION FOR THE REMOVAL OF THE EXECUTIVE MAYOR IN TERMS OF SECTION 58 OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, ACT 117 OF 1998

**Directorate: Office of the Municipal Manager Demarcation: All Wards
Delegation: Council**

File Ref: 3/2/1/2

Resolved

1. That the Notice of Motion for the removal of the Executive Mayor, Councillor M P Lobese as proposed by Councillor X Matyila and seconded by Councillor V P M van Rhyner in terms of Section 53 & 58 of the Local Government: Municipal Structures Act, Act 117 of 1998, carries.
2. That it be NOTED that due to (1) above, the Executive Mayor's Office is vacant and therefore the Deputy Executive Mayor, Councillor S E Gcabayi will be Acting as the Executive Mayor in terms of Section 56(6) of the Local Government: Municipal Structures Act, Act 117 of 1998.

It is recorded that the above resolution was unanimously adopted by all Councillors present.

**EXECUTION: Municipal Manager
Cc: Director: Corporate Services**



11. STATEMENTS AND COMMUNICATIONS BY:

11.1 The Executive Mayor (Acting)

“Good morning Councillors

Thanks Speaker for giving me this opportunity. Greetings to the officials and the public who have joined us virtually.

As Acting Executive Mayor, I hold all the Authority of the Mayoral seat and I am committed to continue serving the people of Bitou with uninterrupted services. Having served as the Executive Deputy Mayor and having been a Councillor for the past 10 years, I have vast experience in Local Government. My knowledge of the area and the needs of the people will come in handy in my quest to lead this collective of committed Councillors.

We will work together to provide uninterrupted service delivery to our community. With approximately four months to the next Local Government Elections, ours will be also to streamline the Mayoral Office in an attempt to cut costs and contribute to increase service.

We will also prepare and present a budget which will be sent to the Provincial and National Treasury. We will have a funded budget that will cater for the needs of all our communities. The budget will go for extensive public participation so that it speaks to their needs.

In the coming days I will be appointing an interim Mayoral Committee that will serve until Council elects a new Executive Mayor which will play a key oversight role over administration work.

In the meantime, we assure our residents that the administration is secure. There will be no political interference. We remain committed to the work we do and our aim is to deliver services to all our residents.

We shall not be derailed and nothing will stop us from reaching all our goals.

Thank you Mr Speaker”

11.2 The Speaker

The Speaker congratulated the Executive Mayor (acting), Councillor S E Gcabayi and wished him all the best. Alderman Wildeman mentioned that he knows that there will be a uniting front amongst all three political spheres, and that he is confident that the Executive Mayor (acting) will get the support from all Councillors.

12. URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

None received

13. **CONSIDERATION OF NOTICES OF QUESTION**

None received

14. **CONSIDERATION OF NOTICES OF EXIGENCY**

None received

15. **IN-COMMITTEE MATTERS**

None

16. **RECORDING OF COUNCILLORS PRESENT**

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

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

NOTED the application of leave for Councillor M P Lobese,

17. **CLOSURE**

The Speaker closed the Special Council meeting where **OPEN** items were discussed at 9h32.

CONFIRMED AND SIGNED

DATE:

05 April 2021

SIGNATURE:

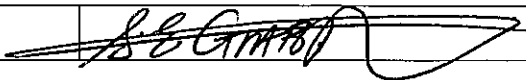



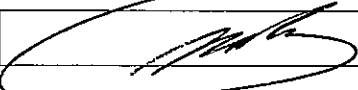
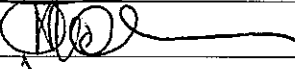
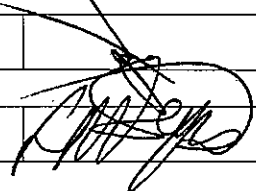


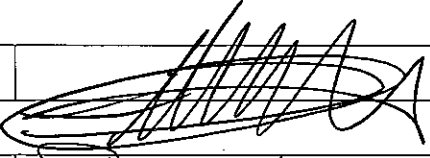
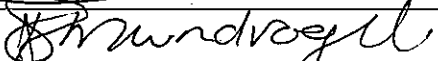

The Speaker, Alderman E V Wildeman

ATTENDANCE REGISTER

BITOU LOCAL MUNICIPALITY

SPECIAL COUNCIL MEETING

HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON FRIDAY, 16 APRIL 2021 AT 09H00

<u>NAME</u>	<u>SIGNATURE</u>
COUNCILLOR S E GCABAYI	
COUNCILLOR J N KAMKAM	Kankam
COUNCILLOR M P LOBESE	APOLOGY
COUNCILLOR X MATYILA	
COUNCILLOR M M MBALI	
COUNCILLOR N NDAYI	
COUNCILLOR W J NEL	
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	

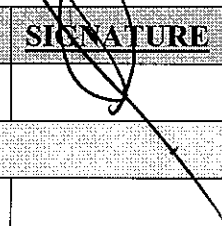

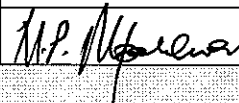
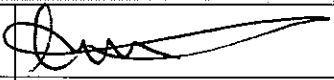



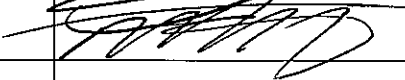




ATTENDANCE REGISTER

BITOU LOCAL MUNICIPALITY

SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON FRIDAY, 16 APRIL 2021 AT 9H00

OFFICIALS

<u>DESIGNATION</u>	<u>NAME</u>	<u>SIGNATURE</u>
Municipal Manager	Adv. L R Ngoqo	
DIRECTORS		
Director: Financial Services	Mr N Dyushu	
Director: Economic Development and Planning	Mr. L Gericke	
Director: Community Services	Mr T Sompani	
Acting Director: Engineering Services	Mr M Rhode	
Director: Corporate Services	Mrs M Mpahlwa	
MANAGERS		
Manager: Administration	Ms T Wildeman	
Chief Executive Audit	Ms H Bester	
Chief Risk Officer	Mrs C V Staden	
Senior Manager: Governance & Compliance (Acting)	Mr G Groenewald	
Manager Legal Services	Mr L Loliwe	
Manager: Deputy Executive Mayor	Mr A Gungubele	
Manager: Office of the Speaker	Mr H M Smith	
Political Officer in Mayor's Office	Mr M Mana	
Manager: Communications	Mr A Namntu	
Manager: Office of the Mayor	Ms M Busakwe	
Administrative Officer	Ms J Jansen	
Committee Clerk	Ms T Mpembe	
ICT BUSINESS ANALYST	MR. G D LEWIS	VIRTUAL

