

**MINUTES OF THE SPECIAL COUNCIL MEETING OF BITOU LOCAL MUNICIPALITY  
HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET,  
PLETTENBERG BAY ON THURSDAY, 28 JULY 2022 AT 9H05**

**1. OPENING**

The Speaker, Councillor C N-J Terblanche welcomed everyone present at 9h05 and requested a moment of silence out of respect for the different denominations.

**2. ATTENDANCE**

As per attached attendance register. The Speaker informed the Members that the Executive Mayor, Councillor D J Swart will join the meeting virtual.

**3. APPLICATION FOR LEAVE OF ABSENCE**

Application for leave of absence was received from Councillor T Mhlana.

**Resolved**

That application for leave of absence be granted to Councillor T Mhlana.

**FOR INFORMATION**

**4. DECLARATION OF INTERESTS**

No declaration of interest was received.

**5. CONFIRMATION OF MINUTES**

**5.1 Minutes of the Ordinary Council meeting dated 31 May 2022**

**5.1 Confirmation of Resolutions C/6/25/05/22 and C/6/27/05/22 taken at the Ordinary Council Meeting dated 31 May 2022**

That Resolutions C/6/25/05/22 and C/6/27/05/22 taken at the Ordinary Council meeting of 31 May 2022, be and are hereby **CONFIRMED AND SIGNED.**

Proposed: Councillor S E Gcabayi

Seconded: Councillor W J Nel

**5.2 Minutes of the Ordinary Council meeting dated 30 June 2022**

That the minutes of the Ordinary Council meeting of 30 June 2022, be and are hereby **CONFIRMED AND SIGNED.**

Proposed: Councillor W J Nel

Seconded: Councillor A R Olivier

Approved: 31 August 2022

CNS

## 6. STATEMENTS AND COMMUNICATIONS BY:

### 6.1 The Executive Mayor

*The Speaker informed the meeting that the Deputy Executive Mayor has been standing in for the Executive Mayor due to being off sick and announced that the Deputy Executive Mayor will be reading out the speech of the Executive Mayor on his behalf.*

*"Regarding settlement arrange for payment of arrear and write-off-offered-we need to encourage those who feel that they cannot afford the payment arrangements offered to also come speak to us to see what arrangement can be made to assist them to settle their debt.*

*The Municipal Manager has discretion to make decisions on individual circumstances and it is the municipality's intention to assist everyone to bring their services accounts up to date.*

*We can possibly arrange a set-off based on payment of current accounts. People must not just ignore their outstanding accounts; we will try to help them settle.*

*While BM was under budget by 2% for this year (R17M) it is an improvement on the 20% (R52m) at end October 2021. Expenditure is -1% (R11M) vs 3% (R33M). Current ratio is at 1.7:1.0*

*Another round of outreach programs regarding debt outstanding will be conducted."*

### 6.2 The Speaker

None

## 7. PRESENTATIONS

### 7.1 IMPLEMENTATION PLAN FOR THE WATER MANAGEMENT DEVICES

#### Resolved

That cognisance be taken of the presentation made by the Ms. A Naidoo from Sakh'iKhaya Suppliers on the implementation plan for the water management devices.

FOR INFORMATION

### 7.2 IMPLEMENTATION OF ELECTRICAL SMART METERS

#### Resolved

That cognisance be taken of the presentation made by the Manager Electrical & Mechanical Services, Mr. J Cupido on the Implementation of the Electrical Smart Meters.

FOR INFORMATION

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

That cognisance be taken of the resolution taken by the Executive Mayor at the Mayoral Committee meeting of 22 June 2022.

FOR INFORMATION

**9. NOTING OF OUTSTANDING / PARTIALLY IMPLEMENTED COUNCIL RESOLUTIONS**

*For the record: - An updated list of outstanding / partially implemented council resolutions was screened at the council meeting and replaces the resolutions list dated 22 July that was circulated with the agenda.*

**Resolved**

That the Council Outstanding Resolution feedback report dated 28 July 2022, be NOTED.

FOR INFORMATION

**10 CONSIDERATION OF REPORTS OPEN****Section 1: Office of the Municipal Manager**

Resolution C/1/70/07/22

**APPROVAL OF IDP PROCESS PLAN AND IDP/BUDGET/ PMS TIME SCHEDULE**

**Portfolio**

Strategic Services & Office of the MM

**Demarcation:** All Wards

**File Ref:**

2/8/5

**Delegation:** Council

**Resolved**

1. That the draft IDP Process Plan, Budget and Performance time schedule be noted.
2. That a notice be placed in the local newspaper and municipal website for public inputs and comments.

**Proposed:**

Councillor W J Nel

**Seconded:**

Councillor A R Olivier

**EXECUTION:**

**Manager: Integrated Development Planning**

**Cc**

**Municipal Manager, All Directors, All Managers**

**Resolution C/1/71/07/22****AMENDMENT OF COUNCIL RESOLUTION (3) ON RESOLUTION C/1/64/06/22  
DATED 30 JUNE 2022**

*That it be noted that the subject heading has been changed in the council meeting after discussion of the item.*

**Portfolio Comm:** Strategic Services and Office of the MM  
**File Ref:** 5/15/5/1

**Demarcation:** All Wards  
**Delegation:** Council

**Resolved**

1. That Council takes note of the reasons for resolution (3) not being implementable.
2. That Council amend resolution 3 of council resolution C/1/64/06/22 of 30 June 2022 as follows;

*(a) That the expenditures listed in Annexure C of the report as well as the information which relates to the decanting of Qolweni 234 non-qualified (circulated as a memo with the agenda of 30 June 2022) be referred to the Disciplinary Board in terms of the financial misconduct regulations.*

**Proposed:** Councillor W J Nel  
**Seconded:** Councillor Botha

**EXECUTION:** Municipal Manager

**Section 2: Financial Services****Resolution C/2/57/07/22****REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT  
POLICY FOR THE 4<sup>th</sup> QUARTER 01 APRIL TO 30 JUNE 2022**

**Directorate:** Finance  
**Portfolio Comm:** Finance & Engineering

**Demarcation:** All Wards  
**Delegation:** Council

**File Ref:** 8/1/5/5/2

**Resolved**

1. That Council notes the Supply Chain Management Implementation Report for the 4<sup>th</sup> Quarter, 01 April to 30 June 2022, of the 2021/22 financial year in terms of Section 6(3) of the SCM Policy.
2. That the Potential Irregular Expenditure for the period 01 April to 30 June 2022, be referred to the Municipal Accounts Committee (MPAC) for further investigation and appropriate action.

3. That clarity be given in respect of payments made to LRV sales for the last three months.

Proposed: Councillor J N Kamkam  
Seconded: Councillor M A M Botha

**EXECUTION:** Senior Manager: Supply Chain Management and Revenue  
Cc Municipal Manager, All Directors, All Managers

Resolution C/2/58/07/22

**VIREMENT REPORT FOR THE QUARTER ENDING 30 JUNE 2022**

Portfolio Comm: Finance & Corporate Services Demarcation: All Wards  
File Ref: 9/1/3/4 Delegation: Council

**Resolved**

1. That cognisance be taken of the virements that have been considered or processed during the fourth quarter of the 2021/2022 financial year.
2. That the amount of R106 000,00 in respect of "Hire charges" reflected on page 164 of the agenda be rectified to read R216 013-00.

Proposed: Councillor J N Kamkam  
Seconded: Councillor A J Olivier

**FOR INFORMATION:** Budget Office  
Cc. Municipal Manager (Director Financial Services)

Resolution C/2/59/07/22

**REPORT ON UNAUTHORIZED EXPENDITURE 2021/2022**

Portfolio Com: Finance & Corporate Services Demarcation: All Wards  
File Ref: 5/15/5/1 Delegation: Council

**Resolved**

1. That note be taken of the of the unauthorised operating expenditure of R3 507 495.92 as indicated in the report.

2. That the report to be tabled before council for further processing in terms of section 32 (2) (a) (i) and (ii) which state the following:

A municipality must recover unauthorized, irregular or fruitless and wasteful Expenditure from the person liable for that expenditure unless the expenditure

- a) in the case of unauthorised expenditure, is
  - i) authorized in an adjustments budget; or
  - ii) certified by the municipal council, after investigation by a council committee, as irrecoverable and written off by the council; and
- b) in the case of irregular or fruitless and wasteful expenditure is after investigation by a council committee, certified by the council as irrecoverable and written off by council.

3. That the report on unauthorized, irregular or fruitless and wasteful expenditure be referred to the Municipal Public Accounts Committee (MPAC) for further investigation.

4. That the dates under the "discovery dates" column on page 168 that reflects as 7 November 2022, be amended to read 11 July 2022.

5. That it be noted that the Item did not serve at the Finance and Corporate Services Portfolio Committee.

Proposed: Councillor J N Kamkam  
Seconded: Councillor M A M Botha

**EXECUTION:** Municipal Manager (Director Financial Services)

Resolution C/2/60/07/22

**COST CONTAINMENT REPORT FOR THE QUARTER ENDING 30 JUNE 2022**

Portfolio Comm. Finance and Corporate Services  
File Ref: 3/4

Demarcation : All Wards  
Delegation: Council

**Resolved**

1. That the cost containment report for the quarter ending 30 June 2022 be NOTED.
2. That it be noted that the cost containment table be presented in landscape layout format in future.

Proposed: Councillor J N Kamkam  
Seconded: Councillor M A M Botha

**FOR INFORMATION:** Budget Office  
**Cc:** Municipal Manager

**Resolution C/2/61/04/22****SECTION 71 REPORT FOR THE MONTH OF JUNE 2022**

**Portfolio Comm:** Finance & Corporate Services  
**File Ref:** 9/1/3/4

**Demarcation:** All Wards  
**Delegation:** Council

**Resolved**

1. That cognizance be taken of the Section 71 report for the month ending 30 June 2022.
2. That it be noted that the Item did not serve at the Finance and Corporate Services Portfolio Committee.

**Proposed:** Councillor J N Kamkam  
**Seconded:** Councillor W J Nel

**FOR INFORMATION:** Municipal Manager & Budget Office

**Resolution C/2/62/07/22****SECTION 52 REPORT FOR THE MONTH OF JUNE 2022**

**Portfolio Comm:** Finance & Corporate Services  
**File Ref:** 9/1/3/4

**Demarcation:** All Wards  
**Delegation:** Council

**Resolved**

That cognizance be taken of the Section 52 report for the quarter ending 30 June 2022.

**Proposed:** Councillor E E Gcabayi  
**Seconded:** Councillor S A Mangxaba

**FOR INFORMATION:** Municipal Manager & Budget Office

**Section 3: Directorate Corporate Services**

Resolution C/3/48/07/22

**EMPLOYMENT EQUITY PROFILE OF BITOU MUNICIPALITY PER DIRECTORATE AS AT 30 JUNE 2022**

**Directorate:** Corporate Services  
**File Ref:** 9/1/33

**Demarcation:** All Wards  
**Delegation:** Council

**Resolved**

That Council takes note of the content of the Employment Equity Profile/Status of each Directorate.

**Proposed:** Councillor S A Mangxaba  
**Seconded:** Councillor W J Nel

**FOR INFORMATION:** Manager: Human Resource Management

**Section 4: Community Services**

Resolution C/4/15/07/22

**HUMAN SETTLEMENTS FUNDING APPLICATIONS**

**Portfolio Comm:** Engineering & Community Services  
**File Ref:** 17/0/3

**Demarcation:** All Wards  
**Delegation:** Council

**Resolved**

1. That Council takes cognizance of the report and approve funding applications relating to
  - (a) Replacement of Asbestos roofs
  - (b) Leached toilets in Kwa-Nokuthula, Kurland and New Horizons
  - (c) House without a toilet
  - (d) Construction of toilets in Informal Settlements
  - (e) Structural defects in previously built houses
  - (f) Reconstruction of houses destroyed by fires
  - (g) Emergency structures that were damaged or destroyed by disasters
2. That all tabulated items reflected as "To Be Confirmed" in the background/discussion section will be quantified during the funding application process and the funding application to be tabled at Council for approval before submission.

**Proposed:** Councillor M P Busakwe  
**Seconded:** Councillor S A Mangxaba

**EXECUTION:** Manager: Integrated Human Settlements  
**Cc** Director Community Services



**Resolution C/4/16/07/22****APPROVAL OF THE TEMPORARY EMERGENCY HOUSING POLICY****Portfolio Comm:** Engineering & Community Services**Demarcation:** All Wards**File Ref:** 17/6/P**Delegation:** Council**Resolved**

1. That Council approves the Temporary Emergency Housing Policy.
2. That the Policy be reviewed by Council as and when the Council deems fit to do so.
3. That the wording on the form referred to "ANNEXURE E: EMERGENCY HOUSING MATERIAL" page 415 of the agenda be amended as follows;
  - (a) "SUPPORTED BY THE WARD COUNCILLOR" be changed to read "VERIFIED BY THE WARD COUNCILLOR"
  - (b) that the wording on the form "supported / not supported" be removed from the draft form.
  - (c) that a comments field be created under VERIFICATION BY THE WARD COUNCILLOR"
4. That the wording on the form referred to as "ANNEXURE F: MATERIAL ISSUING FORM" page 416 of the agenda be amended as follows;
  - (a) SUPPORTED BY THE WARD COUNCILLOR" be changed to read "VERIFIED BY THE WARD COUNCILLOR"
  - (b) that the wording on the form "supported / not supported" be removed from the draft form.

**Proposed:** Councillor A. Olivier**Seconded:** Councillor N. Kowapi**EXECUTION:** Manager Integrated Human Settlement  
Cc Director Community Services

Resolution C/4/18/07/22

**APPROVAL OF THE REVISED BITOU HOUSING SELECTION POLICY**

**Portfolio Comm:** Engineering & Community Services  
**File Ref:** 17/6/P

**Demarcation:** All Wards  
**Delegation:** Council

**Resolved**

That the Revised Bitou Housing Selection Policy be approved.

**Proposed:** Councillor J N Kamkam  
**Seconded:** Councillor S A Mangxaba

**EXECUTION:** Manager Integrated Human Settlement  
Cc Director Community Services

**Section 5: Engineering Services**

Resolution C/5/31/07/22

**STATUS OF THE IMPLEMENTATION OF THE WATER MANAGEMENT DEVICES AS  
A WATER DEMAND MANAGEMENT AND CONSERVATION INTERVENTION – JUNE  
2022**

**Portfolio Comm:** Engineering & Community Services  
**File Ref:** 17/1/5/P

**Demarcation:** All Wards  
**Delegation:** Council

**Resolved**

1. That the updated report on the implementation of the water management devices project be noted and approved.
2. That the water management devices be installed in all houses of councillors.

**Proposed:** Councillor J N Kamkam  
**Seconded:** Councillor S E Gcabayi

**EXECUTION:** Manager Water Services  
Cc Director Engineering Services

**Resolution C/5/32/07/22****SUBMISSION OF REVISED MASTERPLANS FOR WATER AND SANITATION SERVICES AND ASSOCIATED STUDY TO ANALYSE TREASURY DATA AND IDENTIFY PROJECTS THAT PROMOTE WATER CONSERVATION/WATER DEMAND MANAGEMENT (WC/WDM) IN BITOU LOCAL MUNICIPALITY**

**Portfolio Comm:** Engineering & Community Services  
**File Ref:** 9/1/3/5

**Demarcation:** All Wards  
**Delegation:** Portfolio

**Resolved**

That the final revised Water and Sewer Masterplans and the follow-on study on water Conservation and Demand Management be adopted.

**Proposed:** Councillor N P Kolwapi  
**Seconded:** Councillor S E Gcabayi

**EXECUTION:** Manager Water Services  
Cc Director Engineering Services

**Resolution C/5/33/07/22****PROGRESS ON THE SOLAR WATER HEATER PROJECT IMPLEMENTED BY THE DEPARTMENT OF MINERALS, RESOURCES AND ENERGY (DMRE)**

**Portfolio Comm:** Engineering & Community Services  
**File Ref:** 12/2/1/4/47

**Demarcation:** All Wards  
**Delegation:** Council

**Resolved**

1. That the content of the report be noted.
2. That the geysers be removed from its current location and that it be temporarily stored at the Ebenezer grounds that is earmarked for a Skills development Centre, and that security services be provided at the site.

**Proposed:** Councillor S E Gcabayi  
**Seconded:** Councillor M P Busakwe

**EXECUTION:** Senior Manager: Electrical and Mechanical services  
Cc Director Engineering Services

**Section 6: Economic Development & Planning****Resolution C/6/41/07/22****PLETT TOURISM: INTERIM MEMORANDUM OF AGREEMENT**

**Portfolio Comm:** Strategic Services  
**File Ref:** 12/2/3/3/9

**Demarcation:** All Wards  
**Delegation:** Council

**Resolved**

1. That a report on the institutional options for the future management of the tourism function be submitted to the Council by not later than 31 August 2022.
2. That a Memorandum of Agreement be entered into between the Municipality and Plett Tourism for a 3-month period, and that money be transferred to Plett Tourism during this period on a proportional basis (i.e., 25% of the annual grant to Plett Tourism).

**Proposed:** Councillor W J Nel  
**Seconded:** Councillor A R Olivier

**EXECUTION:** Director Economic Development and Planning  
**Cc** Municipal Manager

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

None received

**12. CONSIDERATION OF NOTICES OF MOTION**

The following Notices of Motion were submitted in terms of Rule 36 of the Rules of Order:

- 12.3 Notice of Motion dated 20 July 2022, received from Councillor M A M Botha and seconded by Councillor S E Gxabayi, titled "DEVELOPMENT OF YOUTH" (Kranshoek) circulated herewith.

**Resolved**

1. That cognisance be taken of the motion tabled before Council.
2. That the motion be dealt with administratively and that a response be given within six (6) days from the date of being tabled before Council.

**Proposed:** Councillor W J Nel  
**Seconded:** Councillor M P Busakwe

**EXECUTION:** Municipal Manager & Manager: Office of the Executive Mayor

- 12.4 Notice of Motion dated 20 July 2022, received from Councillor M A M Botha and seconded by Councillor S E Gcabayi, titled "DEVELOPMENT OF YOUTH" (Kurland) circulated herewith.

**Resolved**

1. That cognisance be taken of the motion tabled before Council.
2. That the motion be dealt with administratively and that a response be given within six (6) days from the date of being tabled before Council.

Proposed: Councillor W J Nel  
Seconded: Councillor M P Busakwe

**EXECUTION:** Municipal Manager & Manager: Office of the Executive Mayor

- 12.5 Notice of Motion dated 20 July 2022, received from Councillor M A M Botha and seconded by Councillor S E Gcabayi, titled "DEVELOPMENT OF YOUTH" (New Horizon) circulated herewith.

**Resolved**

1. That cognisance be taken of the motion tabled before Council.
2. That the motion be dealt with administratively and that a response be given within six (6) days from the date of being tabled before Council.

Proposed: Councillor W J Nel  
Seconded: Councillor M P Busakwe

**EXECUTION:** Municipal Manager & Manager: Office of the Executive Mayor

- 12.6 Notice of Motion dated 20 July 2022, received from Councillor M A M Botha and seconded by Councillor S E Gcabayi, titled "MUNICIPAL PAYMENT INCENTIVE SCHEME POLICY" circulated herewith.

**Resolved**

1. That cognisance be taken of the motion tabled before Council.
2. That the motion be dealt with administratively and that a response be given within six (6) days from the date of being tabled before Council.

Proposed: Councillor W J Nel  
Seconded: Councillor M P Busakwe

**EXECUTION:** Municipal Manager & Manager: Revenue

O/S

**13. CONSIDERATION OF NOTICES OF QUESTION**

None received

**14. CONSIDERATION OF MOTIONS OF EXIGENCY**

None received

**15. IN-COMMITTEE MATTERS**

Please refer to the In-Committee Minutes of even date.

**16. RECORDING OF COUNCILLORS PRESENT**

The recording of Councillors was done during the Special Council In-Committee meeting of even date.

The Speaker, Councillor C N-J Terblanche requested that Councillors verbally record their presence in the following order;

Councillor M P Busakwe, Councillor W J Nel, Councillor J N Kankam, Councillor A R Olivier, Councillor N Ndayi, Councillor M A M Mutha, Councillor N P Kolwapi, Councillor N T Seti, Councillor S A Mangxaba, Councillor S E Gumbayi, Councillor C N-J Terblanche and Councillor D J Swart.

**17. CLOSURE**

The Speaker adjourned the Ordinary Council meeting where OPEN items were discussed at 11h31.

**CONFIRMED AND SIGNED**

**SIGNATURE:**



The Speaker, Councillor C N-J Terblanche

**DATE:**

05/09/22



## ATTENDANCE REGISTER

SPECIAL COUNCIL MEETING OF BITOU LOCAL MUNICIPALITY HELD IN  
THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET,  
PLETTENBERG BAY ON THURSDAY, 28 JULY 2022 AT 09h00

<u>NAME</u>	<u>SIGNATURE</u>
COUNCILLOR M A M BOTHA	
COUNCILLOR M P BUSAKWE (Deputy Executive Mayor)	
COUNCILLOR S E GCABAYI	
COUNCILLOR J N KAMKAM	
COUNCILLOR N P KOLWAPI	
COUNCILLOR S A MANGXABA	
COUNCILLOR T MHLANA	Apology.
COUNCILLOR N NDAYI	
COUNCILLOR W J NEL	
COUNCILLOR A R OLIVIER	
COUNCILLOR N T SETI	N-T. Seti
COUNCILLOR D J SWART (Executive Mayor)	Online
COUNCILLOR C N-J TERBLANCHE (Speaker)	



## ATTENDANCE REGISTER

### BITOU LOCAL MUNICIPALITY

SPECIAL COUNCIL MEETING OF BITOU LOCAL MUNICIPALITY HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON THURSDAY, 28 JULY 2022 AT 09H00

### OFFICIALS

<u>DESIGNATION</u>	<u>NAME</u>	<u>SIGNATURE</u>
Municipal Manager	Mr M Memani	
<b>DIRECTORS</b>		
Director: Financial Services	Vacant	—
Director: Economic Development and Planning	Mr. L Gericke	
Acting Director: Community Services	Mr. A Sakati	
Acting Director: Engineering Services	Mr M Rhode	
Director: Corporate Services	Mrs M Mpahlwa	
<b>MANAGERS</b>		
Manager: Administration	Mrs T Wildeman	
Acting Manager: Governance and Compliance	Mr A Croutz	(in-committee)
Manager Legal Services	Mr L Loliwe	Virtual
Manager: Office of the Executive Mayor	Mr H Nieuwoudt	Virtual
Manager: Deputy Executive Mayor	Mr X Bangela	
Manager: Office of the Speaker	Mr R Plaatjies	
Chief Audit Executive	Ms H Bester	VIRTUAL
Chief Risk Officer	Mrs C V Staden	o Virtual
Manager: Communications	Mr A Namntu	
Principle Committee Officer	Ms J Jansen	
Committee Clerk	Ms T Mpembe	leave
Senior Communications Officer	Mr R Kova	Virtual

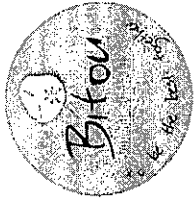
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**BITOU LOCAL MUNICIPALITY**

**SPECIAL COUNCIL MEETING OF BITOU LOCAL MUNICIPALITY HELD IN THE  
COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG  
BAY ON THURSDAY, 28 JULY 2022 AT 09H00**

[illegible]



# ATTENDANCE REGISTER

Interested members of the Public

Thank you for attending

Name	Contact number	Email address	Representing	Signature
CHRISTO VLOK	044 533 5135	staf@vlok.org.za	WARD 17	
CHRIS VAN GREEK	082 774 5088	staf@plettenbergbay.co.za	Sea Garden	
A. BATHO	082 994 42107		CATHIKHANA	

SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON THURSDAY, 28 JULY 2022 AT 9H00