

**MINUTES OF THE SPECIAL COUNCIL MEETING OF BITOU LOCAL MUNICIPALITY  
HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET,  
PLETTENBERG BAY ON THURSDAY, 29 SEPTEMBER 2022 AT 14H02**

**1. OPENING**

The Speaker, Councillor C N-J Terblanche welcomed everyone present at 14h02 and requested a moment for silent prayer.

**2. ATTENDANCE**

As per attached attendance register.

**3. APPLICATION FOR LEAVE OF ABSENCE**

All Councillors present.

For the record, Councillor N T Seti joined the meeting virtually for a short period but was not able to rejoin the meeting after she lost connection.

**4. DECLARATION OF INTERESTS**

None

**5. CONFIRMATION OF MINUTES**

**5.1 Minutes of the Special Council Meeting dated 31 August 2022**

That the minutes of the Special Council Meeting of 31 August 2022, be and are hereby **CONFIRMED AND SIGNED**.

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

**6. STATEMENTS AND COMMUNICATIONS BY:**

**6.1 The Executive Mayor**

The Executive Mayor, Councillor D J Swart referred to two tragic incidents that occurred over the past weekend, i.e., where a five-year-old son was electrocuted and a fatal shark attack incident on a female at Central Beach and conveyed his condolences to the families for their loss.

Councillor Swart mentioned that such tragedies go along with negativity and blame, however he expressed his concern and disappointment with misinformation that are being released in the media and stated that the misrepresentation of information are not good for the image of the town and business.

The executive Mayor stated that Council has approved the proposal for the erection of a shark safe barrier during May 2022. He further explained that a committee consisting of 12 stakeholders has

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been established in June 2022, and that the objective of the committee is to draft a plan that will ensure that beaches remain safe. The Mayor also mentioned that future plans include erecting more visible warning signs, the appointment of shark spotters, and more vigorous ocean awareness campaigns and precautionary information campaigns and programs for the community and holidaymakers.

## 6.2 The Speaker

None

## 7. PRESENTATIONS

None

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

None

## 9. NOTING OF OUTSTANDING PARTIALLY IMPLEMENTED COUNCIL RESOLUTIONS

**For the record:** At this point the Speaker announced at 14h13, a change in the Order of Business and informed Council that he will first deal with point 15, In-Committee matters.

The Special Council (Open) Meeting proceeded at 15h01.

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

Resolution C/1/87/09/22

**DECLARATION OF VACANCY, APPROVAL OF SELECTION AND RECRUITMENT PROCESS FOR THE FILLING OF POSITION OF DIRECTOR CORPORATE SERVICES****Portfolio Comm:** Strategic Services & Office of the MM  
**File Ref:** 4/3/5/1/3**Delegation:** Council  
**Demarcation:** All Wards**Resolved**

1. That Council note that the post of Director Corporate Services became vacant on 01 September 2022.
2. That Council approve and declare the post Director Corporate Services vacant with effect from 01 September 2022.
3. That the following persons be approved by Council as the Selection and Interview Panel in terms of both Regulations 12 and 15 of Government Gazette No. (37245) respectively:
  - (a) The Municipal Manager who will be the chairperson;
  - (b) Councillor J Kamkani who is the Portfolio head of Finance and Corporate Services;
  - (c) At least one other person, who is not a Councillor or a staff member of the municipality and who has the expertise or experience in the area of the advertised post.
  - (d) Two (2) Union Representatives, 1 union presentative from IMATU and 1 Union Representative from SAMWU who will sit as an observers
4. That Council approves the Recruitment and Selection processes hereunder, in line with the Local Government Regulations on Employment and Conditions of Employment of Senior Managers, promulgated on 17 January 2014.

ACTIVITY	DATE
Advertising for position of Director Corporate Services ( <i>minimum of 14 days from the date of advertisement appearing and not more than 30 days</i> )	2 October 2022
Closing Date	27 October 2022
Shortlisting (within 30 days of closing of advert)	10 November 2022
Screening and competency assessments (within 21 days of shortlisting)	16 November 2022
Interviews (within 21 days of screening)	24 November 2022
Outcome report tabled in Council	30 November 2022
Successful candidate report for duty	01 January 2023

6. That upon completion of the selection process, a report containing the proposed appointment be tabled to Council in order for Council to make the necessary appointment.
7. That, upon Council approving the appointment, the Municipal Manager be mandated to negotiate an offer of employment with the preferred candidate within the parameters of the specific service conditions and budgetary guidelines relating to the position.

**Proposed:** Councillor J N Kamkam

**Seconded:** Councillor N Ndayi

FOR EXECUTION: Manager: Human Resources Administration  
cc. Senior Manager: Human Resources Management Services

Resolution C/1/88/09/22

**APPOINTMENT OF ACTING DIRECTOR CORPORATE SERVICES FOR THE PERIOD 01 OCTOBER 2022 UNTIL 31 DECEMBER 2022**

**Portfolio Comm:** Strategic Services & Office of the MM      **Demarcation:** All Wards  
**File Ref:** 4/3/5/1/3      **Delegation:** Council

**Resolved**

That Council appoint Mr A Croutz to act as Director Corporate Services for the period 01 October 2022 to 31 December 2022.

**Proposed:** Councillor W J Nel  
**Seconded:** Councillor M R Musakwe

FOR EXECUTION: Manager: Human Resources Administration  
Cc Senior Manager: Human Resources Management Services

Resolution C/1/89/09/22

**DRAFT OPERATIONAL PLAN FOR THE MANAGEMENT OF CENTRAL BEACH PUBLIC LAUNCH SITE**

**Portfolio Comm:** Strategic Services & Office of the MM      **Demarcation:** All Wards  
**File Ref:** 5/1/1/4      **Delegation:** Council

**Resolved**

1. That Council takes note of the Draft Operational Plan for the management of Central Beach public launch site.

2. That Council in-principle approves the Draft Operational Plan for the management of Central Beach public launch site for public consultation/participation with the relevant stakeholders where after it must be resubmitted to Council for final approval.

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

FOR EXECUTION Director: Economic Development and Planning  
cc. Director Community Services

Resolution C/1/90/09/22

**MEDIATION OF DISPUTES ON PERFORMANCE MANAGEMENT OUTCOMES OF THE MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER**

**Portfolio Comm:** Finance & Corporate Services  
**File Ref:** 2/9/2

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

**Resolved**

That Council appoints Councillor Annelise R Olivier as mediator to mediate the disputes between the Employer and the Employees in terms of Regulation 3 (2) (b) of the Municipal Performance Regulations, whose decision will be final and binding on both parties as provided for in the Performance Regulations.

**Proposed:** Councillor N Ndayi  
**Seconded:** Councillor I Mkhana

FOR EXECUTION Senior Manager: Governance and Compliance  
cc. Municipal Manager

Resolution C/1/91/09/22

**REVISION OF BITOU ORGANIZATIONAL MICRO-STRUCTURE**

**Portfolio Comm:** Strategic Services & Office of the MM  
**File Ref:** 2/1/8

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

**Resolved**

1. That the Council takes cognizance of the draft micro-structures of all directorates.
2. That the draft micro-structure be approved in-principal and be referred to CoGTA for their input and comments.

3. That the final micro-structure be re-submitted to Council after receipt and consideration of CoGTA's comments.

**Proposed:** Councillor J N Kamkam  
**Seconded:** Councillor N Ndayi

FOR EXECUTION  
cc.

Manager: Human Resources Administration  
Senior Manager: HR Management Services; Director Corporate services, Municipal Manager

Resolution C/1/94/09/22

**SUBMISSION OF THE VOLUNTARY FINANCIAL RECOVERY PLAN FOR APPROVAL**

**Portfolio Comm:** Strategic Services and Office of the MM  
**File Ref:** 2/11/4  
**Delegation:** All wards  
**Delegation:** Council

**Resolved**

1. That Council take note of the content of the financial analysis presentation submitted as Annexure "B"
2. That Council notes the content of the voluntary recovery plan submitted under Annexure "A".
3. That the Council support and approve the voluntary recovery plan submitted under Annexure "A" of the agenda including the detailed programs annexed as Annexure "A" and the mandatory financial limits, ratios and budget parameters annexed as Annexure "B".
4. That Council take note of the provisional costing of the recovery plan annexed as Annexure "C" and that provision be made to fund the most critical elements contained therein where possible upon the mid-year revision of the budget.
5. That progress reports on the implementation of the voluntary recovery plan be submitted to the Council on a quarterly basis.

**Proposed:** Councillor A R Olivier  
**Seconded:** Councillor N Ndayi

FOR EXECUTION  
Cc.

Acting Chief Financial Officer  
Municipal Manager

**Section 2: Financial Services**

No items for consideration

**Section 3: 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**

Resolution C/6/51/09/22

**DEVELOPMENT OF ERF 2297 NEW HORIZONS TAXI RANK – PROPOSED ECONOMIC HUB**

**Portfolio Comm:** Strategic Services

**File Ref:** 7/1/10

**Demarcation:** Ward 4

**Delegation:** Council

**Resolved**

1. That Council approve and give consent to proceed with construction on Erf 2297, New Horizons Taxi Rank
2. That it be noted that the Bitou Municipality will not contribute financially towards the development of the Taxi rank and that the development of the New Horizons Taxi rank will be funded by Denron as part of their social contribution initiative.
3. That the Municipal Manager be authorised to conclude the Service Level Agreement between Bitou Local Municipality and Denron in respect of the development of the New Horizons Taxi rank.

**Proposed:** Councillor T Mhlana

**Seconded:** Councillor S A Mangxaba

**FOR EXECUTION**  
**Cc**

**Manager: Economic Development**  
**Director: Economic Development & Planning**

Resolution C/6/52/09/22

**PLETT TOURISM ASSOCIATION: CURRENT STATUS AND THE WAY FOWARD**

**Portfolio Comm:** Strategic Services and Office of the MM  
**File Ref:** 9/1/3/6

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

**Resolved**

1. That the Item be **REFERRED BACK.**

**Proposed:** Councillor S A Mangxaba  
**Seconded:** Councillor D J Swart

**FOR EXECUTION**

**Director: Economic Development & Planning**

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

None received

**12. CONSIDERATION OF NOTICES OF MOTION**

None received

**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.

**15.1.1 Minutes of the Special Council In-Committee dated 31 August 2022**

In-Committee Minutes circulated separately as part of the In-Committee Addendum



**16. RECORDING OF COUNCILLORS PRESENT**

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

Councillor D J Swart, Councillor M P Busakwe, Councillor W J Nel, Councillor J N Kamkam, Councillor N Ndayi, Councillor A R Olivier, Councillor M A M Botha, Councillor N P Kolwapi, Councillor S A Mangxaba, Councillor S E Gcabayi, Councillor T Mhlana and Councillor C N-J Terblanche

**17. CLOSURE**

The Speaker adjourned the Ordinary Council meeting where OPEN items were discussed at 15h49.

**CONFIRMED AND SIGNED**

**SIGNATURE:**

  
The Speaker, Councillor C N-J Terblanche

**DATE:**

01 Nov '22

**APPROVED**



## ATTENDANCE REGISTER

**SPECIAL COUNCIL MEETING OF BITOU LOCAL MUNICIPALITY HELD IN  
THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET,  
PLETTENBERG BAY ON THURSDAY, 29 SEPTEMBER 2022 AT 14H00**

<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	
COUNCILLOR N NDAYI	
COUNCILLOR W J NEL	
COUNCILLOR A R OLIVIER	
COUNCILLOR N T SETI	
COUNCILLOR D J SWART (Executive Mayor)	
COUNCILLOR C N-J TERBLANCHE (Speaker)	

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## 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, 29 SEPTEMBER 2022 AT 14H00**

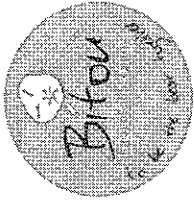
### OFFICIALS

<u>DESIGNATION</u>	<u>NAME</u>	<u>SIGNATURE</u>
Municipal Manager	Mr M Memani	
<b>DIRECTORS</b>		
Acting Director: Financial Services & Manager: Governance and Compliance	Mr. F Lötter	
Director: Economic Development and Planning	Mr. L Gericke	
Director: Community Services	Ms M Paulsen	
Acting Director: Engineering Services	Mr M Rhode	
Director: Corporate Services		
<b>MANAGERS</b>		
Manager: Administration	Mrs T Wildeman	
Manager: Legal Services	Mr A Croutz	
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	—
Manager: Communications	Mr A Namntu	—
Principle Committee Officer	Ms J Jansen	—
Committee Clerk	Ms T Mpembe	
Senior Communications Officer	Mr R Kova	Virtual

**BITOU LOCAL MUNICIPALITY**

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[illegible]



# ATTENDANCE REGISTER

Interested members of the Public

Thank you for attending

Name	Contact number	Email address	Representing	Signature
D. H. H. H.	082 507 6688	thnissika@iafrica.com	Wendy Green	

SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON THURSDAY, 29 SEPTEMBER 2022 AT 14H00