



Bitou Local Municipality
Bitou Plaaslike Munisipaliteit
Umasipala WeBitou

Agenda

SPECIAL MUNICIPAL COUNCIL MEETING

Venue: Council Chambers, Municipal Offices,
Sewell Street, Plettenberg Bay

DATE: 24 OCTOBER 2024

Time: 08h00

BITOU LOCAL MUNICIPALITY

NOTICE

23 October 2024

The Executive Mayor

Councillors

Acting Municipal Manager, Directors and acting Directors

SPECIAL COUNCIL MEETING: THURSDAY, 24 OCTOBER 2024 AT 08H00

NOTICE is hereby given that a Special Council Meeting will be held in the Council Chambers, Municipal Offices, Plettenberg Bay on **THURSDAY, 24 OCTOBER 2024 AT 08H00** to discuss the business set forth in the Agenda.

Yours faithfully



M P BUSAKWE

SPEAKER OF COUNCIL

Constitution of the Council

The Speaker, Councillor M P Busakwe

The Executive Mayor, Councillor J N Kamkam

Councillor S E Gcabayi

Councillor N P Kolwapi

Councillor S A Mangxaba

Councillor H Mitchell

Councillor T Mhlana

Councillor W J Nel

Councillor A R Olivier

Councillor N T Seti

Councillor D J Swart

Councillor C N J Terblanche

Councillor R Willemse



Bitou Local Municipality

Special Council Agenda:

24 October 2024

Time: 08h00

Order of Business

1. OPENING

2. ATTENDANCE

The attendance registers of members of the Municipal Council, Officials will be circulated for signature.

3. APPLICATION FOR LEAVE OF ABSENCE

Application for leave of absence, if necessary, will be considered.

4. DECLARATION OF INTERESTS

Disclosure of interest by Councillors

5. CONFIRMATION OF MINUTES FOR PREVIOUS MEETINGS (OPEN)

None

6. STATEMENTS AND COMMUNICATIONS BY:

6.1. The Executive Mayor

6.2. The Speaker

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 COUNCIL RESOLUTIONS

None

10. CONSIDERATION OF REPORTS (NON- DELEGATED MATTERS)

Circulated herewith

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

15.1 CONFIRMATION OF MINUTES: (IN-COMMITTEE)

None

15.2 CONSIDERATION OF IN-COMMITTEE REPORTS (NON- DELEGATED MATTERS)

Circulated separately as an Addendum

16. RECORDING OF COUNCILLORS PRESENT

17. CLOSURE

10. CONSIDERATION OF REPORTS (NON-DELEGATED MATTERS)

PORTFOLIO INDEX
CONSIDERATION OF REPORTS
SPECIAL COUNCIL MEETING
24 OCTOBER 2024

SECTION 1: OFFICE OF THE MUNICIPAL MANAGER

ITEM NO	SUBJECT	FILE REF	PAGE NO
C/1/263/10/14	APPOINTMENT OF ACTING DIRECTOR PLANNING AND DEVELOPMENT FOR THE PERIOD 24 OCTOBER 2024 TO 30 NOVEMBER 2024	4/3/5/1/6	8

SECTION 2: FINANCE

ITEM NO	SUBJECT	FILE REF	PAGE NO
	No Items for consideration		

SECTION 3: CORPORATE SERVICES

ITEM NO	SUBJECT	FILE REF	PAGE NO
C/3/248/10/24	OATH OR SOLEMN AFFIRMATION BY A NEW MEMBER OF MUNICIPAL COUNCIL: COUNCILLOR KATRINA DE BRUIN	3/2/1/6	11

SECTION 4: COMMUNITY SERVICES

ITEM NO	SUBJECT	FILE REF	PAGE NO
	No Items for consideration		

SECTION 5: ENGINEERING SERVICES

ITEM NO	SUBJECT	FILE REF	PAGE NO
	No Items for consideration		

SECTION 6: PLANNING & DEVELOPMENT

ITEM NO	SUBJECT	FILE REF	PAGE NO
	No Items for consideration		

SECTION 1

**OFFICE OF THE MUNICIPAL
MANAGER**

Section 1: Office of the Municipal Manager

ITEM C/1/263/10/24

APPOINTMENT OF ACTING DIRECTOR PLANNING AND DEVELOPMENT FOR THE PERIOD 24 OCTOBER 2024 TO 30 NOVEMBER 2024

Portfolio Comm: Strategic Services & Office of the MM **Demarcation:** All Wards
File Ref: 4/3/5/1/6 **Delegation:** Council

Attachments: None

Report by: Director Corporate Services

Author: Director Corporate Services

Date: 23 October 2024

PURPOSE OF THE REPORT

For Council to appoint a senior official within the directorate Planning and Development to act as Director Planning and Development for the period 24 October 2024 until 30 November 2024.

BACKGROUND

Council at its Special Council In-committee meeting of 14 October 2024, resolved under resolution C/1/262/10/24 put the acting Director Planning and Development, Mr. B Ngubo on suspension.

Section 56 (1)(a)(ii) of the Local Government Municipal Systems Act, 32 of 2000 states that a Municipal Council, after consultation with the Municipal Manager, must appoint an acting manager directly accountable to the Municipal Manager under circumstances and for a period as prescribed.

Section 56 (1)(b) states that a person appointed in terms of 56(1)(a)(ii) must at least have the skills, expertise, competencies and qualifications as prescribed.

Section 56 (1)(c) states that a person appointed in terms of paragraph (a) (ii) may not be appointed to act for a period that exceeds three months: Provided that a Municipal Council may, in special circumstances and on good cause shown, apply in writing to the MEC for local government to extend the period of appointment contemplated in paragraph (a), for a further period that does not exceed three months. A written application has been submitted to the MEC for local government to extend the period of appointment until the vacancy is filled if council approves the extension. (Annexure B)

LEGISLATIVE REQUIREMENTS

Municipal Systems Act, Act 32 of 2000
Labour Relations Act, Act 85 of 1993
Regulations 15(6) and 17 of the Regulations on the Appointment and
Conditions of Employment of Senior Managers
Employment Equity Act, Act

Section 1: Office of the Municipal Manager

RECOMMENDED BY THE ACTING MUNICIPAL MANAGER

That Mr Fezile Maki be appointed to act as Director Planning and Development for the period 24 October 2024 to 30 November 2024.

SECTION 3
CORPORATE SERVICES

Section 3: Corporate Services

ITEM C/3/248/10/24

OATH OR SOLEMN AFFIRMATION BY A NEW MEMBER OF MUNICIPAL COUNCIL: COUNCILLOR KATRINA DE BRUIN

Portfolio Comm: Finance & Corporate Services

Demarcation: All Wards

File Ref: 3/2/1/6

Delegation: Council

Attachments: Letter dated 17 October 2024 received from the IEC

Author: Manager Administration

Date: 21 October 2024

PURPOSE OF THE REPORT:

For Councillor Katrina De Bruin to affirm / swear faithfulness to the Republic of South Africa and obedience to the Constitution.

BACKGROUND / DISCUSSION

Correspondence was received from the IEC to inform the municipality of the proportional representative replacement of the Patriotic Alliance (PA) Political Party.

Therefore, Councillor Katrina De Bruin replaces Heinright Mitchell, who ceases to hold office of Councillor in the Municipality.

Accordingly, the newly Councillor will be required to swear or affirm (whichever is her choice) before a responsible official, as follows:

Oath

I (full names and surname) hereby swear that I will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic of South Africa; and I solemnly promise to perform my functions and duties as a Councillor of Bitou Local Municipality to the best of my ability.

Solemn Affirmation

I (full names and surname) hereby solemnly affirm that I will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic of South Africa; and I solemnly promise to perform my functions and duties as a Councillor of Bitou Local Municipality to the best of my ability.

Section 3: Corporate Services

RELEVANT LEGISLATION

Municipal Structures Act, 1998 (Act. No. 117 of 1998)

RECOMMENDED BY THE ACTING MUNICIPAL MANAGER

That Councillor Katrina De Bruin take either the applicable Oath or the Solemn Affirmation of faithfulness to the Republic and obedience to the Constitution in front of the responsible official and then sign the relevant document.



SOUTH AFRICA

17 October 2024

The Municipal Manager
Bitou Local Municipality
Private Bag X1002
Plettenberg Bay
6600

Re: Replacement of Patriotic Alliance (PA) PR Councillor Mitchell: WC047 – Bitou Local Municipality

Please be advised that **Katrina De Bruin**, [REDACTED] being the candidate at the top of the party list for the **Patriotic Alliance (PA)** has been declared elected to **Bitou Local Municipality**, as prescribed in item 18 of Schedule 1 of the Municipal Structures Act, 1998 (Act. No. 117 of 1998).

Councillor **De Bruin** replaces **Heinright Mitchell**, [REDACTED], who ceased to hold office of councillor in the municipality, because of his expulsion.

Sincerely

M J Aphane
Manager: Electoral Registrations & Liaison

Electoral Commission

Ensuring Free and Fair Elections

Commissioners: Mr MS Moepya (Chairperson) | Ms JY Love (Vice-Chairperson) | Mr VG Mashini | Dr NP Masuku | Judge D Pillay
National Office: Election House, Riverside Office Park, 1303 Heuwel Avenue, Centurion, 0157 | P/Bag X112, Centurion, 0046
info@elections.org.za | www.elections.org.za
Tel (+27) 12 622 5700