



Notice is hereby given in terms of Section 29 of the Local Government: Municipal Structures Act, Act 117 of 1998, that a **SPECIAL COUNCIL MEETING** of the 2021/2026 term of the Garden Route District Municipality will be held at the **PREMIER HOTEL KNYSNA** on **FRIDAY, 21 APRIL 2023** at **08:00** to consider the items as set out in the agenda.

*Kennis geskied hiermee ingevolge Artikel 29 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998, Wet 117 van 1998, dat 'n **SPESIALE RAADSVERGADERING** van die 2021/2026 termyn van die Garden Route Distriksmunisipaliteit gehou sal word by die **PREMIER HOTEL, KNYSNA**, op **VRYDAG, 21 APRIL 2023** om **08:00** ten einde oorweging aan die items soos in die agenda uiteengesit, te skenk.*

Kukhutshwe isaziso ngokwemiqathango yoMhlathi 29 woRhulumente Basekhaya: Umthetho Wezolawulo loMasipala, 1998, uMthetho 117 wango 1998, sokuba **INTLANGANISO EKHETHEKILEYO** yexesha lika 2021/2026 loMasipala Wesithili se Garden Route izakubanjelwa **PREMIER HOTEL KNYSNA, NGOLWESIHLANU, 21 KUTSHAZIMPHUZI 2023** ngentsimbi ye **08:00** ukuqwalasela imiba ebekwe kwi agenda.

**ALD GR WOLMARANS**  
**SPEAKER**  
**SPEAKER**  
**SOMLOMO**

**MG STRATU**  
Municipal Manager  
*Munisipale Bestuurder*  
Mphathi Masipala

Date: 20 APRIL 2023

<b>AGENDA</b>
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1. OPENING AND WELCOMING / OPENING EN VERWELKOMING / UVULO NOLWAMKELO
2. EVACUATION PROCEDURES / ONTRUIMINGSPROSEDURES / IKNQUBO YOKUFUDUSWA
3. SILENT PRAYER (MEDITATION) / STILLE GEBED (MEDITASIE) / UMTHANDAZO OTHULEYO
4. ATTENDANCE OF MEMBERS / BYWONING VAN LEDE / AMALUNGU AKHOYO
  - 4.1 COUNCILLORS PRESENT / RAADSLEDE TEENWOORDIG / OOCEBA ABAKHOYO
  - 4.2 COUNCILLORS WITH LEAVE / RAADSLEDE MET VERLOF / OOCEBA ABAKWIKHEFU
  - 4.3 COUNCILLORS WITHOUT LEAVE / RAADSLEDE SONDER VERLOF / OOCEBA ABANGEKHO KWIKHEFU
5. NOTING OF THE PROVISIONS OF SCHEDULE 7 (CODE OF CONDUCT FOR COUNCILLORS) OF THE LOCAL GOVERNMENT MUNICIPAL STRUCTURES AMENDMENT ACT, 2021 / KENNISNAME VAN DIE VOORSKRIFTE VAN SKEDULE 7 (GEDRAGSKODE VIR RAADSLEDE) VAN DIE PLAASLIKE REGERING MUNISIPALE AANGEPASTE STRUKTURE WET, 2021 / UQWALASELO LWEMITHETHO-NEMIMISELO YOLUHLU 7 (INDLELA YOKUZIPHATHA KOOCEBA) LOMTHETHO WORHULUMENTE BASEKHAYA WESIMO SOMASIPALA OLUNGISIWEYO WANGO 2021
6. DISCLOSURE OF INTERESTS BY COUNCILLORS AND OFFICIALS / VERKLARING VAN BELANGE DEUR RAADSLEDE EN AMPTENARE / UKUCHAZWA KOMDLA NGOOCEBA KUNYE NAMAGOSA

7.	COMMUNICATIONS BY THE SPEAKER/ MEDEDELINGS DEUR DIE SPEAKER / UNXIBELELWANO LUKASOMLOMO
8.	COMMUNICATIONS BY THE EXECUTIVE MAYOR / MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER / UNXIBELELWANO LUKA SODOLOPHU
9.	COMMUNICATIONS BY THE MUNICIPAL MANAGER / MEDEDELINGS DEUR DIE MUNISIPALE BESTUURDER / UNXIBELELWANO LOMPHATHI MASIPALA
10.	APPROVAL OF MINUTES OF COUNCIL MEETING / GOEDKEURING VAN NOTULES VAN RAADSVERGADERING / UKUPHUNYEZWA KWEMIZUZU YENTLANGANISO YEBHUNGA

10.1	None / Geen / Ayikho	
<b>11.</b>	<b>MINUTES OF MAYORAL COMMITTEE MEETING AND SECTION 79 COMMITTEES (FOR NOTIFICATION) / NOTULES VAN BURGEMEESTERSKOMITEEVERGADERINGS EN ARTIKEL 79 A (VIR KENNISNAME) / IMIZUZU YEKOMITI KASODOLOPHU NEZINYE IKOMITI ZOMHLATHI 79 (ITHATHELWE INGQALELO)</b>	
11.1	None / Geen / Ayikho	
<b>12.</b>	<b>STANDING ITEMS / STAANDE ITEMS / IMIBA EMISIWEYO</b>	
12.1	None / Geen / Ayikho	
<b>SECTION A</b>		
<b>REPORTS FROM THE SPEAKER</b>		
A.1	None / Geen / Azikho	
<b>SECTION B</b>		
<b>REPORTS FROM THE EXECUTIVE MAYOR / VERSLAE VANAF DIE UITVOERENDE BURGEMEESTER / IMIBA EVELA KUSODOLOPHU</b>		
B.1	None / Geen / Azikho	
<b>SECTION C</b>		
<b>REPORTS FROM THE OFFICE OF THE MUNICIPAL MANAGER / ITEMS VANAF DIE KANTOOR VAN DIE MUNISIPALE BESTUURDER / IMIBA EVELA KWI OFISI YOMPHATHI MASIPALA</b>		
C.1	None / Geen / Ayikho	
<b>SECTION D</b>		
<b>REPORTS FROM THE FINANCIAL SERVICES DEPARTMENT / ITEMS VANAF DIE FINANSIËLE DIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZEMALI</b>		
D.1	None / Geen / Ayikho	
<b>SECTION E</b>		
<b>REPORTS FROM THE CORPORATE SERVICES DEPARTMENT / ITEMS VANAF DIE KORPORATIEWE DIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZOLAWULO</b>		
E.1	<b>EXTENSION OF ACTING PERIOD IN THE EXECUTIVE MANAGER: FINANCIAL SERVICES POSITION / VERLENGING VAN WAARNEMINGSPERIODE VIR DIE UITVOERENDE BESTUURDER FINANSIËLE DIENSTE</b> <i>Refer report from the Executive Manager Corporate Services (B Holtzhausen) / Acting HR Manager (CE Scheepers)</i>	<b>6 – 10</b>
<b>SECTION F</b>		
<b>REPORTS FROM THE COMMUNITY SERVICES DEPARTMENT / ITEMS VANAF DIE GEMEENSKAPSDIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZOLUNTU</b>		
F.1	None / Geen / Ayikho	

<b>SECTION G</b>		
<b>REPORTS FROM THE ROADS AND TRANSPORT PLANNING SERVICES DEPARTMENT / ITEMS VANAF DIE PAAIE EN VERVOER BEPLANNINGSDIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZENDLELA KUNYE NEZICWANGCISO KWEZOTHUTHO</b>		
G.1	None / Geen / Ayikho	
<b>SECTION H</b>		
<b>REPORTS FROM THE PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT / ITEMS VANAF DIE BEPLANNING EN EKONOMIESE DIENSTE DEPARTEMENT / IMIBA YESEBE LEZICWANGCISO KUNYE NOPHUHLISO LOQOQOSHO</b>		
H.1	None / Geen / Ayikho	
<b>SECTION I</b>		
<b>NOTICE OF URGENT MOTIONS / KENNISGEWING VAN DRIGENDE MOSIES / ISAZISO SEZIPHAKAMISO</b>		
I.1	None / Geen / Ayikho	
<b>SECTION J</b>		
<b>NOTICES OF MOTIONS / KENNISGEWING VAN MOSIES / ISAZISO SEZIPHAKAMISO</b>		
J.1	None / Geen / Ayikho	
<b>SECTION K</b>		
<b>IN CLOSED SESSION / IN GESLOTE SESSIE / KWI-SASHONI YASEKHUSINI</b>		
K.1	None / Geen / Ayikho	
	<b>CLOSURE / SLUITING / UQUKUNJELO</b>	

Ald M Booyen  
 Ald GR Wolmarans  
 Ald G van Niekerk  
 Ald P Terblanche  
 Ald S De Vries  
 Ald CN Lichaba  
 Cllr / Rdl / Ceba NV Gungubele  
 Cllr / Rdl / Ceba J Hoogbaard  
 Cllr / Rdl / Ceba JG Meiring  
 Cllr / Rdl / Ceba CA Swart  
 Cllr / Rdl / Ceba K Malooi  
 Cllr / Rdl / Ceba C Scheepers  
 Cllr / Rdl / Ceba B van Noordwyk  
 Cllr / Rdl / Ceba CP Taute  
 Cllr / Rdl / Ceba D Acker  
 Ald JC Lambaatjeen  
 Cllr / Rdl / Ceba LSS van Rooyen  
 Cllr / Rdl / Ceba RJ Hector  
 Cllr / Rdl / Ceba SM Toto  
 Ald V Gericke  
 Ald IC Kritzinger  
 Cllr / Rdl / Ceba DL Cronje  
 Cllr / Rdl / Ceba HRT Stroebel  
 Cllr / Rdl / Ceba NT Seti  
 Ald NS Ndayi  
 Ald RH Ruiters  
 Cllr / Rdl / Ceba M Kannemeyer  
 Cllr / Rdl / Ceba MA Mkonto  
 Cllr / Rdl / Ceba JJ Cornelius  
 Cllr / Rdl / Ceba JP Buys (as of 27 July 2022)  
 Cllr / Rdl / Ceba JJ Bavuma (as of 27 July 2022)  
 Cllr / Rdl / Ceba D Saptoe (as of 25 October 2022)  
 Cllr / Rdl / Ceba R April (as of 25 October 2022)  
 Cllr / Rdl / Ceba HD Ruiters (as of 14 December 2022)  
 Cllr / Rdl / Ceba RW Arends (as of 30 January 2023)  
 Cllr / Rdl / Ceba PE Petros (as of 27 February 2023)

**1. EXTENSION OF ACTING PERIOD IN THE EXECUTIVE MANAGER: FINANCIAL SERVICES POSITION / VERLENGING VAN WAARNEMINGSPERIODE VIR DIE UITVOERENDE BESTUURDER FINANSIËLE DIENSTE**

**REPORT FROM THE EXECUTIVE MANAGER: CORPORATE SERVICES (B HOLTZHAUSEN)/ ACTING MANAGER: HUMAN RESOURCES (C SCHEEPERS)**

**2. PURPOSE**

To seek Council approval for the extension of Mr Thembani Loliwe's acting period in the vacant position of the Chief Financial Officer (hereinafter referred to as Executive Manager: Financial Services).

**3. DELEGATED AUTHORITY**

Council

**4. EXECUTIVE SUMMARY**

Council resolved on 13 January 2023 to appoint Mr Thembani Loliwe to act in the position of the Executive Manager: Financial Services. The acting period will come to an end on 30 April 2023.

The position of the Executive Manager : Financial Services has not been filled yet and it is therefore important that the acting period of Mr Loliwe be extended until the filling of the position.

**5. RECOMMENDATION**

That, Mr Thembani Loliwe's acting period in the vacant position of Executive Manager: Financial Services, be extended until 31 July 2023 or until the filling of the positions, whichever comes first.

**AANBEVELING**

*Dat, Mnr Them bani Loliwe se waarnemings tydperk in die vakante pos van Uitvoerende Bestuurder: Finansiële Dienste, verleng word tot 31 Julie 2023 of tot die vulling van die pos, wat ook al eerste kom.*

**6.1 BACKGROUND/DISCUSSION**

On 13 January 2023 Council noted and accepted the resignation of the erstwhile Executive Manager: Financial Services and in the same meeting approved the acting of Mr Them bani Loliwe to act in the Executive Manager: financial Services position for a period of not longer than three months effective 30 January 2023.

**“ EXTRACT OF MINUTES OF A SPECIAL COUNCIL MEETING THAT TOOK PLACE ON 13 JANUARY 2023**

**E. REPORTS FROM THE CORPORATE SERVICES DEPARTMENT / ITEMS VANAF DIE KORPORATIEWE DIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZOLAWULO**

**E.1 APPOINTMENT PROCESS FOR THE EXECUTIVE MANAGER: FINANCIAL SERVICES / AANSTELLINGSPROSES VIR DIE UITVOERENDE BESTUURDER: FINANSIËLE DIENSTE / INKQUBO YOKUQESHWA KOMP HATHI OLAWULAYO: IINKONZO ZEZIMALI report from the Executive Manager: Corporate Services (B. Holtzhausen)/Acting Manager: Human Resources (C Scheepers)**

**RESOLVED**

1. That Council takes note that Mr Jan Willem De Jager has resigned from his position as the Executive Manager: Financial Services and from the Garden Route District Municipality effective from 29 January 2023.
2. That it be noted that the position of the Executive Manager: Financial Services has been budgeted for.

3. *That approval be granted to commence with the process of filling the position of the Executive Manager: Financial Services, which will become vacant from 29 January 2023.*
4. *That the position of the Executive Manager: Financial Services be advertised Nationally in accordance with the Regulations on appointment and conditions of employment of Senior Managers and be advertised within fourteen (14) days of this Resolution.*
5. *That a Selection Panel be appointed as follows:*
  - a) *the Municipal Manager, who will be the Chairperson;*
  - b) *the portfolio chairperson of the finance portfolio committee; and*
  - c) *Mr. Mbulelo Memani, who is the Municipal Manger of Bitou and a former CFO be part on the panel.*
6. *That a Service Provider be appointed to facilitate the Selection process.*
7. *That the appointment process be done in accordance with the Regulations.*
8. *That the attached process plan for the appointment of the Executive Manager: Financial Services and the advertisement be approved.*
9. *That Mr. Thembani Loliwe be appointed as the Acting Executive Manager: Financial Services for a period not exceeding three (3) months commencing on 30 January 2023. “*

The report on the appointment of the Executive Manager: financial Services served in Council on 20 April 2023, but was withdrawn with a proviso that it will be dealt with in – in closed session meeting to be scheduled as soon as possible.

The approved acting of Mr Thembani Loliwe will come to an end on 30 April 2023 and Council may not have concluded the appointment of the new Executive Manager: Financial Services by then.

Council is therefore requested to extend the acting of Mr Thembani Loliwe for a period of either not longer than three months from 1 May 2023 or until the appointment of the Executive Manager: Financial Services, whichever comes first. Mr Thembani Loliwe has performed very well in the three months that he has occupied



the position and this can also be seen in the report from the Provincial Treasury where they assessed the draft budget.

## **6.2 Financial Implications**

In terms of the Acting allowance policy, Council, subject to the local government: Municipal Systems Act, 2000 and in consultation with the municipal manager, may resolve that an employee should act in a section 56 post in terms of clauses 5.1 and 5.2, in which case the following shall apply:

5.5.1 The employee shall in addition to his salary receive an acting allowance for the period of acting.

5.5.2 The salary component for determining the acting allowance will be 60 percent of the remuneration package of the post in which the employee is acting.

The position of the Chief Financial Officer has been budgeted for in the 2022/2023 financial year.

## **6.3 Legal Implications**

- Municipal Systems Act, 32 of 2000;
- Regulations on the Appointment of and Conditions of Senior Managers, January 2014;
- Main Collective Agreement
- Regulation 35 of the Local Government: Regulations on Appointment and Conditions of Employment of Senior Manager
- Acting allowance policy

## **6.4 Staff Implications**

The position of the executive Manager: Financial Services has been vacant since the resignation of the former appointed official.

## **6.5 Linkage to Strategic Objective(s)**

A Skilled Workforce and Communities; Good Governance;

**6.6 Previous / Relevant Council Resolutions**

Council Resolution E.1 contained in the agenda of 13 January 2023 on the appointment process of the Executive Manager: Financial Services

**6.7 Risk Implications**

It is important that the position is occupied especially as we prepare budgets for the upcoming financial year. The Office of the Auditor General has started its work and it is important that for that purpose also that the CFO position is occupied.