



Notice is hereby given in terms of Section 29 of the Local Government: Municipal Structures Act, Act 117 of 1998, that a **COUNCIL MEETING** of the 2016/2021 term of the Garden Route District Municipality will be held **via Zoom**, on **TUESDAY, 25 MAY 2021** at **11:00** 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 **RAADSVERGADERING** van die 2016/2021 termyn van die Garden Route Distriksmunisipaliteit gehou sal word **via Zoom** op **DINSDAG, 25 MEI 2021** om **11:00** 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** yexesha lika 2016/2021 loMasipala Wesithili se Garden Route izakubanjwa ngobuxhakaxhaka **be Zoom NGOLWESIBINI, 25 KUCANZIBE 2021** ngentsimbi ye **11:00** ukuqwalasela imiba ebekwe kwi agenda.

BHJ GROENEWALD
SPEAKER
SPEAKER
SOMLOMO

MG STRATU
Municipal Manager
Munisipale Bestuurder
Mphathi Masipala

Date: 24 MAY 2021

ADDENDUM

AGENDA

1. OPENING AND WELCOMING / OPENING EN VERWELKOMING / UVULO NOLWAMKELO
2. SILENT PRAYER / STILLE GEBED / UMTHANDAZO OTHULEYO
3. ATTENDANCE OF MEMBERS / BYWONING VAN LEDE / AMALUNGU AKHOYO
 - 3.1 COUNCILLORS PRESENT / RAADSLEDE TEENWOORDIG / OOCEBA ABAKHOYO
 - 3.2 COUNCILLORS WITH LEAVE / RAADSLEDE MET VERLOF / OOCEBA ABAKWIKHEFU
 - 3.3 COUNCILLORS WITHOUT LEAVE / RAADSLEDE SONDER VERLOF / OCEBA ABANGEKHO KWIKHEFU
4. NOTING OF THE PROVISIONS OF SCHEDULE 1 (CODE OF CONDUCT FOR COUNCILLORS) OF THE LOCAL GOVERNMENT MUNICIPAL SYSTEMS ACT, 2000 / KENNISNAME VAN DIE VOORSKRIFTE VAN SKEDULE 1 (GEDRAGSKODE VIR RAADSLEDE) VAN DIE PLAASLIKE REGERING MUNISIPALE STELSELSWET, 2000 / UQWALASELO LWEMITHETHO-NEMIMISELO YOLUHLU 1 (INDLELA YOKUZIPHATHA KOCEBA) LOMTHETHO WENKQUBO ZORHULUMENTE BASEKHAYA, 2000
5. DISCLOSURE OF INTERESTS BY COUNCILLORS AND OFFICIALS / VERKLARING VAN BELANGE DEUR RAADSLEDE EN AMPTENARE / UKUCHAZWA KOMDLA NGOOCEBA KUNYE NAMAGOSA

SECTION C

ITEMS FROM THE OFFICE OF THE MUNICIPAL MANAGER / ITEMS VANAF DIE KANTOOR VAN DIE MUNISIPALE BESTUURDER / IMIBA EVELA KWI OFISI YOMPHATHI MASIPALA

C.1	INAUGURATION OF DA COUNCILLOR: GARDEN ROUTE DISTRICT COUNCIL: CLLR N. MAGOPENI/ INHULDIGING VAN DA RAADSLID: RDL N. MAGOPENI / UKUFUNGISWA KOCEBA WE DA: IBHUNGA LESITHILI SE GARDEN ROUTE: UCEBA N. MAGOPENI <i>Refer: Report (4/2/9) dated 24 May 2020 from the Municipal Manager (MG Stratu)</i>	3 - 6
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DISTRICT COUNCIL

25 MAY 2021

1. INAUGURATION OF DA COUNCILLOR: GARDEN ROUTE DISTRICT COUNCIL: CLLR N. MAGOPENI/ INHULDIGING VAN DA RAADSLID: RDL N. MAGOPENI / UKUFUNGISWA KOCEBA WE DA: IBHUNGA LESITHILI SE GARDEN ROUTE: UCEBA N. MAGOPENI

REFER REPORT FROM THE OFFICE OF THE MUNICIPAL MANAGER (MG STRATU)

2 PURPOSE

To inform Council of the replacement of the late ANC councillor, Cllr K. Windvogel who passed away on 07 April 2021.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

A vacancy occurred on the Garden Route District Council as a result of the passing away of the African National Congress (ANC) Councillor on the Garden District Council, Cllr. K Windvogel.

5. RECOMMENDATIONS

5.1.1 That cognizance be taken of the notice from the IEC, dated 21 May 2021.

5.1.2. That Cllr. Nondumiso Magopeni, be inaugurated as a Councillor of Garden Route District Council with effect from 21 May 2021.

5.1.3. That Cllr. Nondumiso Magopeni be requested to take the Oath of Office, as required in terms the Municipal Structures Act, 1998.

AANBEVELINGS

5.1.1 *Dat kennis geneem word van die kennisgewings van die OVK, gedateer 21 Mei 2021.*

5.1.2 *Dat Rdl. Nondumiso Magopeni, met ingang van 21 Mei 2021 as Raadslede van die Gardenroute Distriksmunisipaliteit ingehuldig word.*

5.1.3 *Dat Rdl. Nondumiso Magopeni, versoek word om 'n eed van die kantoor te neem, soos vereis ingevolge die Wet op Munisipale Strukture, 1998.*

IZINDULULO

5.1.1 Sesokuba kuthathelwe ingqalelo isaziso se IEC, sangomhla wama 21 ku-Meyi 2021.

5.1.2 Sesokuba uCeba. Nondumiso Magopeni, afungiswe njengo Ceba weBhunga loMasipala Wesithili se Garden Route ukususela ngomhla wama 21 kuMeyi 2021.

5.1.3 Sesokuba uCeba. Nondumiso Magopeni, acengwe ukuba athathe Isifungo se Ofisi njengoko kufunwa yi Municipal Structures Act, 1998.

6. DISCUSSION / CONTENTS

6.1 Background

A vacancy has occurred on the Garden Route District Council as a result of the passing away of the African National Congress (ANC) Councillor on the Garden Route Council, Cllr. K Windgovel.

Item 11(1)(a) of Schedule 2 of the Municipal Structures Act, 1998 Act 117 of 1998, the Electoral Commission determines as follows;

"11 Filling of vacancies

(1)(a) If a councillor elected from a party list ceases to hold office, the chief electoral officer, must subject to item 13, declare in writing the person whose name is on top of the applicable party list to be elected in the vacancy."

Item 13 of the said Act reads as follows;

“13 Filling of vacancies and changing the order

- (1) A party may supplement, change or increase its list at any time, provided that if a councillor elected according to a party list, ceases to hold office, the party concerned may supplement, change or increase its list by not later than 21 days after the councillor has ceased to hold office. The vacancy must be filled as soon as the party in question has supplemented, changed or increased its list, but not later than 14 days expiry of the 21-day period.”

The Provincial Independent Electronic Commission was informed of the vacancy as prescribed by item 11 of Schedule 2 of the Municipal Structures Act, Act 117 of 1998.

The IEC has advised Council that Cllr. N. Mogopeni (ID No 790511 0788 083) being the councillor for the Democratic Alliance (DA), has been declared elected to the Garden Route District Council with effect from 21 May 2021. A copy of the notice from the IEC is attached as **Annexure A**.

6.2 Financial Implications

As per the notice on the determination for upper limits for Councillors.

6.3 Relevant legislation

Schedule 2 of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998).

6.4 Staff Implications

None

6.5 Previous / Relevant Council Resolutions:

There are no previous or relevant Council resolutions related to this matter.

6.6 Risk Implications

There are no foreseen risks associated with the proposed decision for Council to not implement the Directions.



SOUTH AFRICA

Memorandum

To: The Municipal Manager: Garden Route District Municipality

From: B Heuvel

CC: G Abrahams; M Hendrickse; D Marco; B Mbeleni; K Tshoke
The Municipal Manager: WC045 – Oudtshoorn Local Municipality

Date: 21 May 2021

Re: Replacement of African National Congress (ANC) Councillor to District Council: WC045 – Oudtshoorn Local Municipality to DC04 – Garden Route District Council

Urgent For Review Please Comment Please Reply Please Recycle

Please note that Nondumiso Magopeni, ID No. 790511 0788 083, being the councillor for the Democratic Alliance (DA) in Oudtshoorn Local Municipality, has been declared elected to the Garden Route District Council, as prescribed in item 23 of Schedule 2 of the Municipal Structures Act, 1998 (Act. No. 117 of 1998).

Sincerely

B Heuvel
Manager: Voter Registration and Party Liaison

Electoral Commission

Ensuring Free and Fair Elections

Commissioners: Mr V.G. Mashinini (Chairperson) | Ms J.Y. Love (Vice-Chairperson) | Dr N.P. Masuku | Mr M. Moepya | Judge D. Pillay
National Office: Election House, Riverside Office Park, 1303 Heuwel Avenue, Centurion, 0157 | P/Bag X112, Centurion, 0046
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