



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 CA Robertson Council Chambers and **via Zoom**, on **FRIDAY, 10 DECEMBER 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 **SPESIALE RAADSVERGADERING** van die 2021/2026 termyn van die Garden Route Distriksmunisipaliteit gehou sal word in die CA Robertson Raadsaal en **via Zoom** op **VRYDAG, 10 DESEMBER 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 EKHETHEKILEYO** yexesha lika 2021/2026 loMasipala Wesithili se Garden Route kwiGumbi leBhunga CA Robertson, izakubanjwa ngo **Zoom NGOLWESIHLANU, 10 KWEYOMNGA 2021** ngentsimbi ye **11:00** ukuqwalasela imiba ebekwe kwi agenda.

ALD GR WOLMARANS
SPEAKER
SPEAKER
SOMLOMO

MG STRATU
Municipal Manager
Munisipale Bestuurder
Mphathi Masipala

Date: 09 December 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 STELSWET, 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

C.3	INAUGURATION OF NEW COUNCILLOR: GARDEN ROUTE DISTRICT COUNCIL: JJ CORNELIUS / INHULDIGING VAN NUWE RAADSLID: JJ CORNELIUS / UKUNGENISWA KOOCEBA EZIKHUNDLENI: IBHUNGA LESITHILI SE GARDEN ROUTE: UCEBA JJ CORNELIUS <i>Refer: Report dated 09 December 2021 from the Municipal Manager (MG Stratu)</i>	3 - 7
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**1. INAUGURATION OF COUNCILLOR / *INSWEER VAN RAADSLID* / UKUNGENISWA
EZIKHUNDLELO KOOCEBA**

REFER REPORT FROM THE MUNICIPAL MANAGER (MG STRATU)

2. PURPOSE

To inform Council of the replacement of Councillor Kaynal Adams who ceased to hold office as a Councillor in the Garden Route District Council on 30 November 2021, and to inaugurate the new Councillor.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

A vacancy occurred on the Garden Route District Council as a result of the resignation of an Independent Civic Organisation of SA (ICOSA) Councillor K Adams. This report serves before Council to seek approval for the inauguration of a replacement Councillor J.J. Cornelius.

5. RECOMMENDATIONS

- 5.1 That cognisance be taken of the notice from the IEC, Dated 6 December 2021
- 5.2 That Cllr. Jan Johannes Cornelius be inaugurated as a Councillor of the Garden Route District Council with effect from 06 December 2021.
- 5.3 That Cllr. Jan Johannes Cornelius be requested to take the Oath of Office, as required in terms the Municipal Structures Act, 1998.

AANBEVELINGS

- 5.1 *Dat kennis geneem word van die kennisgewing van die OVK, gedateer 06 Desember 2021.*
- 5.2 *Dat Rdl. Jan Johannes Cornelius, met ingang van 06 Desember 2021 as Raadslid van die Gardenroute Distriksmunisipaliteit ingehuldig word.*
- 5.2 *Dat Rdl Jan Johannes Cornelius versoek word om 'n eed van die kantoor te neem, soos vereis ingevolge die Wet op Munisipale Strukture, 1998.*

IZINDULULO

- 5.1 Sesokuba kuthathelwe ingqalelo isaziso se IEC, sangomhla 06 KweyoMnga 2021.
- 5.2 Sesokuba uCeba. Jan Johannes Cornelius, angeniswe kwisi khundla sokuba nguCeba weBhunga loMasipala Wesithili se Garden Route ukususela ngomhla wama 06 KweyeMnga 2021.
- 5.2 Sesokuba uCeba. Jan Johannes Cornelius, acewe ukuba athathe Isifungo se Ofisi njengoko kufunwa yi Municipal Structures Act, 1998.

6 DISCUSSION / CONTENTS

6.1 Background

On 4 November a vacancy occurred on the Garden Route District Council as a result of the resignation of ICOSA Councillor K Adams.

Item 11(1)(a) of Schedule 2 of the Municipal Structures Act, 1998 Act 117 of 1998, provides 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. 4 (2) 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." On 01 November 2021, the Provincial IEC was informed of the vacancy as prescribed by item 11 of Schedule 2 of the Municipal Structures Act, Act 117 of 1998.

6.2 Discussion

The Independent Electronic Commission has advised Council that Cllr. J.J. Cornelius (ID No 7406215234081) being the Councillor for the ICOSA, has been declared elected to the Garden Route District Council with effect from 6 December 2021. A copy of the notice from the IEC is attached as Annexure A.

6.3 Financial Implications

The municipality has budgeted for all 35 Councillors.

6.4 Legal Implications

Local Government: Municipal Structures Act as Amended

Local Government: Municipal Systems Act

Local Government: Municipal Finance Management Act

6.5 Staff Implications

A decision to not implement the recommendation will have no Staff implications.

6.6 Linkage to Strategic Objective(s)

Good Governance.

6.7 Previous / Relevant Council Resolutions

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

6.8 Risk Implications

A decision not to implement the recommendation will result in non compliance with legislation.



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

Date: 06 December 2021

Re: **Replacement of Independent Civic Organisation of SA (ICOSA) PR
Councillor Adams: DC4 – Garden Route District Council**

Urgent For Review Please Comment Please Reply Please Recycle

Please be advised that **Jan Johannes Cornelius, ID No. 740621 5234 081**, being the candidate at the top of the party list for the **Independent Civic Organisation of SA (ICOSA)** has been declared elected to **Garden Route District Council**, as prescribed in item 11 of Schedule 2 of the Municipal Structures Act, 1998 (Act. No. 117 of 1998).

Councillor **Cornelius** replaces **Kaynal Adams, ID No. 850118 5144 085**, who ceased to hold office of Councillor in the District Council.

Sincerely

B Heuvel
Manager: Voter Registration & 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
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