



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 2021/2026 term of the Garden Route District Municipality will be held at the CA Robertson Council Chambers and on Zoom on **MONDAY, 27 FEBRUARY 2023** 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 2021/2026 termyn van die Garden Route Distriksmunisipaliteit gehou sal word in die CA Robertson Raadsaal en via Zoom op **MAANDAG, 27 FEBRUARIE 2023** 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 YEBHUNGA** yexesha lika 2021/2026 loMasipala Wesithili se Garden Route izakubanjelwa kwiGumbi leBhunga CA Robertson naku Zoom, **NGOMVULO, 30 KWEYOMDUMBA 2023** ngentsimbi ye **11:00** ukuqwalasela imiba ebekwe kwi agenda.

ALD GR WOLMARANS
SPEAKER
SPEAKER
SOMLOMO

MG STRATU
Municipal Manager
Munisipale Bestuurder
Mphathi Masipala

Date: 23 FEBRUARY 2023
ADDENDUM

AGENDA

1. OPENING AND WELCOMING / OPENING EN VERWELKOMING / UVULO NOLWAMKELO
2. EVACUATION PROCEDURES / ONTRUIMINGSPROSEDURES / INKQUBO YOKUFUDUSWA
3. SILENT PRAYER / MEDITATION / STILLE GEBED / MEDITASIE / UMTHANAZO 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 SPEAKER / MEDEDELINGS DEUR DIE SPEAKER / UNXIBELELWANO LUKASOMLOMO
9.	COMMUNICATIONS BY THE MUNICIPAL MANAGER / MEDEDELINGS DEUR DIE MUNISIPALE BESTUURDER / UNXIBELELWANO LOMPHATHI MASIPALA

ITEMS FOR DISCUSSION / ITEMS VIR BESPREKING / IINGONGOMA EMAZIXOXWE		
SECTION C		
REPORTS FROM THE OFFICE OF THE MUNICIPAL MANAGER / ITEMS VANAF DIE KANTOOR VAN DIE MUNISIPALE BESTUURDER / IMIBA EVELA KWI OFISI YOMPHATHI MASIPALA		
C.2.	INAUGURATION OF ANC COUNCILLOR: GARDEN ROUTE DISTRICT COUNCIL: PE PETROS/ INHULDIGING VAN ANC RAADSLID: RDL PE PETROS/ UKUFUNGISWA KOCEBA WE ANC: IBHUNGA LESITHILI SE GARDEN ROUTE: UCEBA PE PETROS <i>Refer Report dated 25 February 2023 from the Office of the Municipal Manager (MG Stratu)</i>	5 – 8

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)
1 x Vacant

1. INAUGURATION OF ANC COUNCILLOR: GARDEN ROUTE DISTRICT COUNCIL: PE PETROS/ INHULDIGING VAN ANC RAADSLID: RDL PE PETROS/ UKUFUNGISWA KOCEBA WE ANC: IBHUNGA LESITHILI SE GARDEN ROUTE: UCEBA PE PETROS

23 February 2023

REFER REPORT FROM THE MUNICIPAL MANAGER (MG STRATU)

2 PURPOSE

To inform Council of the replacement of Councilor NA Tsengwa who ceased to hold office as councilor in the Garden Route District Council.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

A vacancy occurred on the Garden Route District Council as a result of the resignation of the ANC party representative on Garden District Council, Cllr. NA Tsengwa.

5. RECOMMENDATIONS

5.1.1 That cognizance be taken of the notice from the IEC, dated 21 February 2023.

5.1.2. That Cllr. Pindile Ernest Petros be inaugurated as a Councillor of Garden Route District Council with effect from 21 February 2023.

5.1.4. That Cllr. Pindile Ernest Petros be requested to take the Oath of Office, as required in terms of the Rules of Order.

AANBEVELINGS

5.1.1 *Dat kennis geneem word van die kennisgewing van die OVK, gedateer 21 Februarie 2023.*

5.1.2 *Dat Rdl. Pindile Ernest Petros met ingang van 21 Februarie 2023 as Raadslid van die Gardenroute Distriksmunisipaliteit ingehuldig word.*

5.1.3 *Dat Rdl. Pindile Ernest Petros, versoek word om 'n eed van die kantoor te neem, soos vereis ingevolge die Reëls van Orde.*

IZINDULULO

5.1.1 Sesokuba kuthathelwe ingqalelo isaziso se IEC, sangomhla wama 21 KweyoMdumba 2023.

5.1.2 Sesokuba uCeba. Pindile Ernest Petros, afungiswe njengo Ceba weBhunga loMasipala Wesithili se Garden Route ukususela ngomhla we 21 KweyoMdumba 2023.

5.1.3 Sesokuba uCeba. Pindile Ernest Petros, acengwe ukuba athathe Isifungo se Ofisi njengoko kufunwa yiYimithetho Yogcino Cwangco.

6. DISCUSSION / CONTENTS

6.1 Background

A vacancy occurred on the Garden Route District Council as a result of the resignation of the ANC party representative on Garden District Council, Cllr. NA Tsengwa on 18 January 2023.

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. Pindile Ernest Petros, ID No 660216 5590 081, being the councillor for the ANC party, has been declared elected to the Garden Route District Council with effect from 21 February 2023. A Copy of the notice from the IEC is attached as **Annexure A**.

6.3 Financial Implications

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

6.4 Relevant legislation

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

Rules of Order for procedure and maintenance of order at meetings.

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions:

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

6.7 Risk Implications

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



SOUTH AFRICA

21 February 2023

The Municipal Manager
 Garden Route District Municipality
 P O Box 12
 George
 6530

Re: Replacement of the African National Congress (ANC) PR Councillor to District Council: WC048 – Knysna Local Municipality to DC4 – Garden Route District Council

Please be advised that **Pindile Ernest Petros, ID No. 660216 5590 081**, being the councillor for the **African National Congress (ANC)** in **Knysna Local Municipality**, has been declared elected to **Garden Route District Municipality**, as prescribed in item 23 of Schedule 2 of the Municipal Structures Act, 1998 (Act. No. 117 of 1998).

Councillor **Petros** replaces **Ndoda Aubrey Tsengwa, ID No. 770930 5391 087**, who ceased to hold office of Councillor in the municipality.

Sincerely

G Abrahams
Acting DCEO: Electoral Operations

Electoral Commission

Ensuring Free and Fair Elections

Commissioners: Mr M. Moeys (Chairperson) | Ms JY Love (Vice-Chairperson) | Mr VG Mashini | Dr NP Masuku | Judge D Pillay
 National Office: Election House, Riverside Office Park, 1303 Hevel Avenue, Centurion, 0157 | P/Bag X112, Centurion, 0946
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