

# SPECIAL COUNCIL MEETING

OPEN



DATE: 5 October 2023  
TIME: 08:00  
Virtual

<p><b>KOUGA MUNICIPALITY (EC108)</b></p> <p><b><u>NOTICE CONVENING A MEETING</u></b></p> <p><b>NOTICE IS HEREBY GIVEN</b> that in terms of Section 19 of the Local Government: Municipal Systems Act, 2000 (Act No.32 of 2000) that a Special Council Meeting will be held virtually on</p> <p><b><u>DATE: 5 October 2023</u></b></p> <p><b><u>TIME: 08:00</u></b></p>  <p><b><u>B.WILLIAMS</u></b> <b>SPEAKER</b></p>	<p><b>UMASIPALA I-KOUGA (EC108)</b></p> <p><b><u>ISAZISO NGENTLANGANISO</u></b></p> <p><b>ISAZISO</b> sikhutshiwe ukuba ngokweCandelo-19 uMthetho weeNkqubo zikaMasipala, (uMthetho 32 ka-2000), ukuba kubanjwe intlanganiso ebonakalayo yesigqeba Ye khansile</p> <p><b><u>UMHLA: 5 EyeDwarha 2023</u></b></p> <p><b><u>IXESHA: 08:00</u></b></p>  <p><b><u>B.WILLIAMS</u></b> <b>USOMLOMO</b></p>	<p><b>MUNISIPALITEIT KOUGA (OK108)</b></p> <p><b><u>KENNISGEWING VAN VERGADERING</u></b></p> <p><b>KENNIS GESKIED HIERMEE</b> dat ingevolge Artikel 19 van die Wet op Munisipale Stelsels, 2000 (Wet No.32 of 2000), dat 'n virtuele raadsvergadering gehou sal word op</p> <p><b><u>DATUM: 5 Oktober 2023</u></b></p> <p><b><u>TYD: 08:00</u></b></p>  <p><b><u>B.WILLIAMS</u></b> <b>SPEAKER</b></p>
--	--	---

*Councillors are required to comply with the Standing Rules and Orders of Council and all its Committees By-law as promulgated in the Provincial Gazette on 22 October 2018 No.4134 and applicable to this meeting of Council. Any person who willfully contravenes any provision of these rules shall be guilty of an offence and which contravention shall be dealt with in accordance with the disciplinary procedures for Councillors.*

## **A G E N D A**

1. **NOTICE OF MEETING**
2. **OPENING AND WELCOME**
3. **ABSENT WITH LEAVE**
4. **ABSENT WITHOUT LEAVE**
5. **PRESENTATIONS**
6. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**
7. **STATEMENTS OR COMMUNICATIONS BY THE SPEAKER**
8. **STATEMENTS OR COMMUNICATIONS BY THE EXECUTIVE MAYOR**

9. **DISCLOSURE OF INTEREST**

10. **STATUTORY MATTERS**

11. **MATTERS DEALT WITH IN TERMS OF DELEGATED AUTHORITY BY THE EXECUTIVE MAYOR**

*(The reports by the Executive Mayor, in terms of the provisions of Section 63 of the Local Government Municipal Systems Act, 32 of 2000, on matters dealt with by the Executive Mayor in terms of delegated authority as detailed in the Minutes to be noted).*

12. **REPORT BY THE OFFICE OF THE MUNICIPAL MANAGER**

**23/10/MM1** Approval to Appoint an Acting Incumbent in the Vacant Position of Director: Planning and Development

Pages: 6 – 8

13. **CLOSURE**

---

**Distribution list:**

Executive Mayor

Speaker

All Councillors

Municipal Manager

All Directors

Relevant Managers

Committee Services

# MATTERS DEALT WITH IN TERMS OF DELEGATED AUTHORITY BY THE EXECUTIVE MAYOR

KOUGA LOCAL MUNICIPALITY

REPORT BY  
THE OFFICE OF THE  
MUNICIPAL MANAGER

KOUGA LOCAL MUNICIPALITY

**KOUGA MUNICIPALITY (EC108)**  
**SPECIAL COUNCIL MEETING**  
**OFFICE OF THE MUNICIPAL MANAGER**

**DATE: 5 OCTOBER 2023**

**ITEM NO: 23/10/MM1**

**APPROVAL TO APPOINT AN ACTING INCUMBENT IN THE VACANT POSITION OF DIRECTOR: PLANNING AND DEVELOPMENT**

1. Introduction:

The purpose of this item is to seek the Council's approval to appoint an acting incumbent in the vacant position of Director: Planning and Development whilst the recruitment processes for a permanent placement is underway.

2. Background:

The position of Director: Planning and Development has been advertised twice already with the Council being unable to obtain or attract candidates that meet the requirements.

During both instances, the Council had to appoint an acting Director to fulfill the duties and functions attached to the position to ensure smooth and optimal functioning within the directorate. During both instances, Mrs. L. Opperman, Manager: Legal Services, was appointed to act as follows:

- 1) 01 April – 30 June 2023
- 2) 01 July – 30 September 2023

COGTA Inputs

In terms of the provided legislation, correspondence was addressed to COGTA EC to solicit their advice and approval for a waiver with regards to an acting appointment or extension, as well as to invoke the alternative measures provided for in terms of either headhunting amongst others.

The response from the above-mentioned office was that the Council should advertise for a third time as this would serve as evidence or proof that all avenues were resorted to before a process of headhunting would be undertaken. They were, therefore, of the view that they would not be able to provide a waiver in terms of the above mentioned for the Council at this instance. The Council has, therefore, commenced with the recruitment process and advertised in all national platforms, as well as local platforms, and digital recruitment platforms from the 14<sup>th</sup> of September 2023 onwards. The closing date is the 6<sup>th</sup> of October 2023.

### Acting Appointment

In the absence of a warm body, and whilst the recruitment process is currently unfolding, there needs to be an incumbent assigned the duties and functions for the Director: Planning and Development.

During the request to solicit a waiver, the matter of the acting period was also raised to COGTA EC to which they replied that the provisions are clear in that acting appointments are limited to a maximum period of six (6) months continuous and that the Council should appoint a different incumbent to act.

To this end, the Council is therefore required to appoint an acting incumbent for a period of three months to allow the recruitment process to unfold and conclude. The recommendation, therefore, is to appoint Mr. Lawrence Ramakuwela to act in the vacant position of Director: Planning and Development for a three-month period effective 05 October 2023 to 04 January 2024.

### 3. Comments by Directorates:

#### 3.1 Municipal Manager

That the item be supported.

#### 3.2 Deputy Municipal Manager

That the item be supported.

### 4. Financial Implications

As per available budget.

### 5. Legal Implications

Local Government: Municipal Systems Act 32 of 2000, as amended during 2022 and promulgated on the 1st of November 2022.

### 6. Recommendation:

- 6.1 That the Council approves the acting appointment of Mr. Lawrence Ramakuwela, Manager Town Planning, to act in the vacant position of Director: Planning and Development for a three-month period effective 5 October 2023.

Item prepared by : The Manager Human Resources:



Item approved by : The Deputy Municipal Manager:



Item endorsed by : The Municipal Manager:

