

**STEVE TSHWETE LOCAL MUNICIPALITY**

# **MINUTES**

OF THE

# **SPECIAL COUNCIL**

MEETING

**DATE - 29 JUNE 2015**

# STEVE TSHWETE LOCAL MUNICIPALITY

## MINUTES OF A SPECIAL MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDINGS, MIDDELBURG, MPUMALANGA ON MONDAY, 29 JUNE 2015 AT 17:35

### PRESENT

#### Councillors

Cllr M A Masina (Executive Mayor)  
Cllr E F Mathebula  
Cllr D J Motsepe  
Cllr E P Nkosi  
Cllr S D Nkadimeng  
Ald H Pilodia  
Cllr M Mbatiwe  
Cllr E A Jele  
Cllr Z D Mtshweni  
Cllr S M Mnguni  
Cllr P M Shongwe  
Cllr P I Thwala \*Arrived at 17:36  
Cllr M N Mathibela  
Cllr M R Mnguni  
Cllr M J Selala  
Cllr B P Ndala  
Cllr P M Hadebe  
Cllr S A Lukhele  
Cllr M T Selala  
Cllr J Skosana  
Cllr T B Mahlangu  
Cllr T N Morufane  
Cllr K N Monareng  
Cllr J Matshiane

Cllr L I Manzini  
Cllr B C Skosana  
Cllr O Malinga \*Arrived at 17:36  
Cllr M J Sekgwele  
Cllr L E Mkhuma  
Cllr M E Nyambi  
Cllr B H Mokoena  
Cllr G H E Romijn  
Cllr A Struwig  
Cllr A S Grobler  
Cllr S M Mogola  
Cllr T R Langeveld  
Cllr P N Sithole  
Cllr S J Roos  
Cllr H F Niemann  
Cllr D M Longman  
Cllr N J Mlambo  
Cllr J Dyason  
Cllr P Mobango  
Cllr J P Pretorius  
Cllr T N Van Zyl  
Cllr S Wait  
Cllr K P J Uys

#### Absent

Cllr R M Xaba  
Cllr D J Skhosana  
Cllr P P Tau  
Cllr T G Ndlangamandla

#### Officials:

Mr S M Mnguni (Acting Municipal Manager)  
Ms E Wassermann (Executive Director: Financial Services)  
Ms C Hlatshwayo (Executive Director: Community Services)  
Mr M Mahamba (Acting Executive Director: Infrastructure Services)  
Mr S Mothiba (Acting Executive Director: Corporate Services)  
Mr M Masilela (Acting Director: Legal and Administration)  
Mr L Bronkhorst (Assistant Director: Administration)  
Mr P Mokoena (Senior Clerk)  
Ms L Skosana (Clerk Grade 1)  
Ms D Pillay (Clerk Grade 2)

**Temporary absence from the meeting in terms of Section 45(2)(c)**

Name of Cllr	1		
	From	To	Item
Cllr B P Ndala	17:54	17:38	SM35/06/2015
Cllr M E Nyambi	17:42	17:48	SC27/06/2015

**1. OPENING**

Election of Acting Speaker

The Acting Municipal Manager informed the meeting that the Speaker, Cllr R M Xaba is not present and Council therefore has to elect an Acting Speaker.

Proposals for an Acting Speaker was then requested. Cllr B P Ndala proposed the name of Cllr P M Hadebe. The proposal was seconded by Cllr MJ Selala and Cllr P M Hadebe accepted the nomination.

In view of the fact that no further nominations were received, Cllr P M Hadebe was elected as Acting Speaker for the Special Council meeting held on 29 June 2015.

The Acting Municipal Manager conveyed a special word of welcome to Cllr M N Mathibela as the new Ward 29 Councillor for ANC.

Furthermore the Executive Mayor extended the invitation to Councillors to attend Nkangala District Aids Council meeting as well as Integrated Service Delivery Imbizo to be held on 30 June 2015 at 10:00.

**2. APPLICATION FOR LEAVE OF ABSENCE****RESOLVED**

2.1 Application for leave of absence in terms of Section 13 (1) of the Rules of Order

**RESOLVED**

THAT it be noted that Cllrs P J Masilela, M S Motebu, Ald E Du Toit and M T E Mnguni has applied for leave of absence due to other obligations and their application were approved.

2.2 Application for leave of absence in terms of Section 13 (2) of the Rules of Order

Cllr N J Mahlangu  
Cllr S S Zitha  
Cllr R M Xaba  
Cllr D J Skhosana  
Cllr P P Tau

**3. DISCLOSURE OF INTEREST**

None

*E. J.*

4. CONSIDERATION OF THE ATTACHED REPORTS

REPORT OF THE SPECIAL MAYORAL COMMITTEE HELD ON  
18 JUNE 2015

NON DELEGATED POWERS

*Upon request by the Executive Mayor, it was*

**RESOLVED BY COUNCIL**

*THAT the report by the Executive Mayor in respect of items SC24; 25; 26; 27; 28 & SC29/06/2015 be considered.*

**SC24/06/2015**

**PERSONNEL: FILLING OF THE POST OF EXECUTIVE DIRECTOR: CORPORATE SERVICES**

4/3/R (L)

With the consideration of this item Mr S Mothiba, the Acting Executive Director: Corporate Services recused himself.

**RESOLVED BY COUNCIL**

1. **THAT** the report by the Acting Municipal Manager regarding the filling of the post of Executive Director: Corporate Services, be noted.
2. **THAT** the post of the Executive Director: Corporate Services, be re-advertised in at least two National Newspapers and other mechanisms to attract a pool of applicants.
3. **THAT** Council confirms the appointment of mr M E Mothiba (Director : ICT) as Acting Executive Director : Corporate Services from 19 March 2015 until the filling of the position.
4. **THAT** the MEC be requested, in terms of Section 56 of the Municipal Systems Act, to consider paragraph 3 above.

**SC25/06/2015**

**FINANCES: ADJUSTMENT BUDGET FOR THE 2014/2015 FINANCIAL YEAR: MAY 2015**

5/1/2 (B)/ls

**RESOLVED BY COUNCIL**

- 1 **THAT** Council take note of the report by the Executive Director: Financial Services regarding the Adjustment budget for the 2014/2015 financial year.

E.F

2. **THAT** the adjustment budget regarding the additional R6 million MIG allocation for the 2014/2015 financial year as per **ANNEXURE A** to the Agenda, be approved in terms of Section 28 (2)(b) of the MFMA as set out in the following adjustment budget tables:

2.1	Table B1	:	Adjusted budget summary
2.2	Table B2	:	Adjusted budget on financial performance by vote (Standard classification)
2.3	Table B3	:	Adjusted budget of financial performance by Vote (municipal vote)
2.4	Table B4	:	Adjusted budget on financial performance revenue by source and expenditure by type
2.5	Table B5	:	Adjusted capital expenditure budget by vote and funding
2.6	Table B6	:	Adjusted budget on financial position
2.7	Table B7	:	Adjusted budget on cash flow
2.8	Table B8	:	Cash backed reserves/accumulated surplus reconciliation
2.9	Table B9	:	Asset management
2.10	Table B10	:	Basic service delivery management

3. **THAT** the following adjusted supporting tables be approved:

3.1	Supporting table SB2	:	Supporting detail to financial position budget
3.2	Supporting table SB7	:	Adjustment budget – transfer and grant receipts
3.3	Supporting table SB8	:	Adjustment budget – expenditure on grant programme
3.4	Supporting table SB9	:	Reconciliation of transfers, grant receipts and unspent funds
3.5	Supporting table SB12	:	Adjustment budget – monthly revenue and expenditure (municipal vote)

- 3.6 Supporting table SB13 : Adjustment budget – monthly revenue and expenditure (standard classification)
- 3.7 Supporting table SB14 : Adjustment budget – monthly revenue and expenditure
- 3.8 Supporting table SB15 : Adjustment budget on monthly cash flow
- 3.9 Supporting table SB16 : Adjustment budget on monthly capital expenditure by vote (municipal vote)
- 3.10 Supporting table SB17 : Adjustment budget on monthly capital expenditure by vote (standard classification)
- 3.11 Supporting table SB18a : Adjustments budget on capital expenditure on new assets by asset class
4. THAT the adjustment budget in terms of Section 28 (2) (b) of the MFMA for 2014/2015 financial year with the amended Service Delivery and Budget Implementation Plan and targets be submitted to the National Treasury and Provincial Treasury within 10 working days after being tabled in the Municipal Council.
5. THAT the adjustment budget for 2014/2015 financial year be made public in accordance with Section 21A of the Municipal Systems Act within 10 working days after approval by Council and be placed on Council's website.

SC26/06/2015

**TOWN PLANNING: DRAFT STEVE TSHWETE SPATIAL PLANNING AND LAND USE BY-LAW**

1/1/1 (C)/yb

**RESOLVED BY COUNCIL**

1. THAT the draft Spatial Planning and Land Use Management By-law, be approved.
2. THAT the draft By-laws be published for public comments in accordance with Section 12(3) of the Local Government : Municipal Systems Act 32 of 2000, as amended.
3. THAT a further report be submitted by the Acting Executive Director: Corporate Services upon the expiration of the publication period.
4. THAT a workshop for Councillors on the draft By-law, be arranged.

*E.F*

5. **THAT** the possibility of requesting the Department of Rural Development and Land Reform to exempt and allow Steve Tshwete Local Municipality to implement the By-law, with effect from 1 September 2015, instead of 1 July 2015, be investigated.

**SC27/06/2015**

**LEGISLATION : MUNICIPAL CODE : BY-LAWS**

1/2/1/1 (C)/yb

**RESOLVED BY COUNCIL**

1. **THAT** the Municipal Code attached as ANNEXURE A to the Agenda, be approved as the Municipal Code of the Steve Tshwete Local Municipality.
2. **THAT** the copy of the Municipal Code or an extract thereof be provided to a member of public on request against payment of the reasonable fee determined by Municipal Council annually in the Sundry Tariffs budget (that is, the charge for making copy of the page/document).
3. **THAT** the Acting Executive Director: Corporate Services be authorised to update and add explanatory notes on the Municipal Code as and when it is necessary.

**SC28/06/2015**

**FINANCES: ADDITIONAL ALLOCATION ON THE MUNICIPAL INFRASTRUCTURE GRANT (MIG) FOR THE 2014 / 2015 FINANCIAL YEAR**

5/8/3 (B)/ls

**RESOLVED BY COUNCIL**

- 1 **THAT** Council take note of the report by the Executive Director: Infrastructure Services regarding the additional allocation on the Municipal Infrastructure Grant (MIG) for the 2014/2015 financial year.
- 2 **THAT** it be approved that the additional R6-million allocation be utilized on the roads and storm water in low income areas under project number 1200116 for the 2014/2015 financial year.
- 3 **THAT** the R6-million be reduced on the roads and storm water project (P1200116) and be moved to reservoirs for Kwazamokuhle Extension 8 and 9 (P1600041) in the 2015/2016 budget.
- 4 **THAT** a formal adjustment budget be tabled to the next Council meeting.

*E. P.*



SC29/06/2015

**PMS: PERFORMANCE ASSESSMENT FOR SENIOR MANAGERS: 2013/2014 AND PRECEDING FINANCIAL YEARS**

3/5 (B)/ls

With the consideration of this item the Acting Municipal Manager, Mr S M Mnguni, Executive Director: Financial Services, Ms E Wassermann and Executive Director: Community Services, Ms C Hlatshwayo recused themselves from the meeting.

**RESOLVED BY COUNCIL**

- 1 **THAT** the report on the performance assessment for Senior Managers by Director: Development and Strategic Support, be noted.
- 2 **THAT** the results of the performance assessment of nine (9) Senior Managers from 2008/2009 to 2013/14 be noted and acknowledged.
- 3 **THAT** the results of the performance assessment of five (5) Executive Directors (year of assessment being 2013/2014), be noted and acknowledged.
- 4 **THAT** the Senior Managers together with the Executive Directors be remunerated in line with the outcomes of the performance assessment.

**REPORT OF THE SPECIAL MAYORAL COMMITTEE HELD ON**  
**23 JUNE 2015**

**NON DELEGATED POWERS**

*Upon request by the Executive Mayor, it was*

**RESOLVED BY COUNCIL**

*THAT the report by the Executive Mayor in respect of items SC30; 32; 33; 34 & SC37/06/2015 be considered.*

**SC30/06/2015**

**PERSONNEL: APPOINTMENT OF ACTING MUNICIPAL MANAGER**

4/5/2/8 (M)/ls

With the consideration of this item Mr S M Mnguni, Acting Municipal Manager recused himself from the meeting.

**RESOLVED BY COUNCIL**

- 1 THAT Council Resolution C52/01/2015 regarding the appointment of Mr S M Mnguni as Acting Municipal Manager as well as the application made to the MEC to extend the acting period, be confirmed.
- 2 THAT the acting allowance payable to the Acting Municipal Manager with effect from 1 February 2015 be calculated according to the maximum upper limit as determined by the Government Gazette 37500 of 29 March 2014.

**SC32/06/2015**

**MONTHLY REPORT FOR SUPPLY CHAIN MANAGEMENT: SECTION 42: MAY 2015**

9/2/2 (U)

**RESOLVED BY COUNCIL**

THAT the monthly report for May 2015 in terms of Section 42 of the Supply Chain Management Policy as submitted by the Executive Director: Financial Services, be noted.

**SC33/06/2015**

**FINANCES: SUPPLY CHAIN MANAGEMENT FOR 01 JULY 2013 UNTIL 30 JUNE 2014**

9/1/1 (M) /dp

**RESOLVED BY COUNCIL**

**THAT** the report by the Executive Director: Financial Services on the implementation of the Supply Chain Management Policy for the 2013/2014 financial year, be noted.

**SC34/06/2015**

**FINANCES: EXEMPTIONS, REBATES & REDUCTIONS: 30 JUNE 2014**

5/3/1/2 (U)

**RESOLVED BY COUNCIL**

**THAT** Council take note of the report as submitted by the Executive Director: Financial Services regarding the exemptions, rebates and reductions for the financial year ended on 30 June 2014.

**SC37/06/2015**

**ASSETS: MUNICIPAL ASSET TRANSFER REGULATION**

8/1/1 (L)/yb

**RESOLVED BY COUNCIL**

- 1 **THAT** the report on the Municipal Asset Transfer Regulations ("the Regulations") as contained in the Schedules to the Municipal Finance Management Act 56 of 2003, be noted.
- 2 **THAT** the Regulations be complied with when alienating the municipal land and other municipal assets.
- 3 **THAT** the procedures and processes mentioned in the Regulations be observed and implemented when evaluating applications for alienation (sale, lease, donations, disposal, servitudes, etc) of municipal land.
- 4 **THAT** the Council's existing policy on the Alienation of Immovable Property be reviewed to be in line with the Regulations.

DELEGATED POWERS

*Upon request by the Executive Mayor, it was*

**RESOLVED BY COUNCIL**

*THAT Council take note of resolutions SM31; 35 & SM36/06/2015 taken by the Executive Mayor in terms of Delegated Powers.*

E.F

REPORT OF THE SPECIAL MAYORAL COMMITTEE HELD ON  
26 JUNE 2015

NON DELEGATED POWERS

*Upon request by the Executive Mayor, it was*

**RESOLVED BY COUNCIL**

*THAT the report by the Executive Mayor in respect of item SC38/06/2015 be considered.*

SC38/06/2015

IDP: REPORT ON THE CORE COMPONENTS OF THE REVIEWED FINAL INTEGRATED DEVELOPMENT PLAN FOR THE 2015/2016 FINANCIAL YEAR

3/4 (U)

**RESOLVED BY COUNCIL**

- 1 **THAT** the report by the Director: Development & Strategic Support on the reviewed final core components of the Integrated Development Plan for 2015/2016 financial year, be noted.
- 2 **THAT** Council approves the following draft Sector Plans attached as ANNEXURE A to the Agenda of Mayoral Committee as the core components of the IDP:
  - 2.1 Spatial Development Framework
  - 2.2 Disaster Management Plan
  - 2.3 Integrated Transport Plan
  - 2.4 Integrated Waste Management Plan
  - 2.5 Water Services Development Plan
  - 2.6 Roads Master Plan
- 3 **THAT** the adopted core components of the IDP be placed on the municipal website.

4 CLOSURE

Meeting adjourned at 18:07

SIGNED AT MIDDELBURG ON 30-7-2015

SPEAKER 