

# MAKHADO LOCAL MUNICIPALITY

## OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE ONE HUNDRED AND SIXTH (106<sup>th</sup>) COUNCIL MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS SCHEDULED FOR 28 JULY 2023 THEN POSTPONED AND HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, MAKHADO ON MONDAY, 31 JULY 2023 AT 14:00.

### PRESENT

#### Councillors

|                |                        |
|----------------|------------------------|
| BALOYI, R      | MASUKA, S              |
| BALOYI, R S    | MATIDZA, T R           |
| BALOYI, S E    | MATUMBA, N J           |
| DAVHANA, N D   | MBOYI, M D             |
| DZHIVHUHO, A S | MPASHE, M J            |
| FURUMELE, M G  | MUDUNUNGU, A           |
| GABARA, M J    | MUKHELI, K             |
| HLONGWANI, B F | MUKHUBA, R             |
| JONES, N B     | MUKHUDWANA, R          |
| KUTAMA N       | MUKOSI, M R            |
| KUTAMA, T      | MUKOSI, M              |
| MABASA, W      | MUKWEVHO-MITILENI, G T |
| MABUDU, H G    | MULAUDZI, M E          |
| MADAVHA, A     | MULEFU, M E            |
| MADZHIGA, F N  | MUNYAI, N              |
| MAGADA, M R    | MUNYAI, N S            |
| MAHOSI, N S    | MUSHANDANA, T T        |
| MAINGO, R T    | NDOU, M D              |
| MAKAMU, T T    | NEMUDZIVHADI, N S      |
| MAKHUBELE, F P | PHANGAMI, L            |
| MALANGE, M C   | PHULUWA, M I           |
| MALANGE, T M   | RALIPHADA, R           |
| MALIVHA, N V   | RAMALATA, T T          |
| MAMAFHA, T J   | RAMALIVHANA, M         |
| MANGANYE, K N  | RAMALWA, M W           |
| MAPHAHLA, A Z  | RAVELE, T R            |
| MAPHAKELA, K P | SEBOLA, D J            |
| MAPHUBU, K     | SIMANGWE, N J          |
| MARAGA, M      | SINGO, M D             |
| MASHAMBA, L    | SMALLE, P A            |
| MASHAU, P      | SWALIVHA, M            |
| MASHAU, T C    | TSHILAMBYANA, M S      |
| MASIPA, P N    |                        |

#### Traditional Leaders

None

#### Officials

|               |                                      |
|---------------|--------------------------------------|
| K M NEMANAME  | (MUNICIPAL MANAGER)                  |
| D G SIBOIBOI  | (DIRECTOR TECHNICAL SERVICES)        |
| S G MAGUGA    | (DIRECTOR CORPORATE SERVICES)        |
| J H LUKHELI   | (DIRECTOR COMMUNITY SERVICES)        |
| A MABUNDA     | (DIRECTOR DEVELOPMENT PLANNING)      |
| N G RALIPHADA | (ACTING CHIEF FINANCIAL OFFICER)     |
| M G RATHANDO  | (MANAGER: COUNCIL SUPPORT)           |
| M MABALA      | (ASSISTANT MANAGER: COMMITTEES)      |
| M D MUNYAI    | (ADMINISTRATIVE OFFICER: COMMITTEES) |

\* \* \* \* \*

## 1. OPENING AND NOTICE OF THE MEETING

The Speaker, Cllr M D Mboyi ruled that a moment of silence be observed for meditation and prayer, whereafter she declared the meeting officially opened and welcomed everyone present.

She expressed that all be reminded of the Municipality's Vision and Mission as follows:

**Vision:** *"A dynamic hub for socio-economic development by 2050"*

**Mission:** *"To ensure effective utilization of economic resources to address socio-economic imperatives through mining, agriculture and tourism"*

She further confirmed that all members had received notice of the meeting, i.e. by sms, e-mail and hard copy.

## 2. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLVED –

THAT leave of absence be granted in accordance with the provisions of rule 21 of the Council's Standing Rules of Order, 2016 published under Provincial Gazette Notice no. 2736 dated 29 July 2016 in respect of the Council meeting held on 31 July 2023 to Cllrs L M Mathalise, B Hlangwani, M R Makwala, N F Chililo, M R Mokgoadi, I A Tshidavhu, H G Maluleke and E T Sithi.

### REMARK:

The following councillors were absent from the Council meeting held on 31 July 2023:

Cllrs W L Esterhuizen and T C Mamafha.

## 3. OFFICIAL ANNOUNCEMENTS

3.1 The Speaker, Cllr M D Mboyi welcomed the newly appointed Manager: Council Affairs, Mr M G Rathando who was appointed on 1 July 2023. This was his first meeting as employee of Makhado Local Municipality.

3.2 The Speaker, Cllr M D Mboyi requested all Councillors to submit application for leave of absence to the Office of the Speaker if they are not attending the Council and Council Committees meetings because in terms of clause 21.1 of the Standing Rules of Order, 2016 read with the Addendum, 2020 applications for leave of absence from any council or committee meeting must be submitted to the Speaker or the chairperson in writing and signed by the member applying for leave to avoid audit findings.

3.3 The Speaker, Cllr M D Mboyi welcomed the IEC Project Officer, Mr M Netshifhefhe who requested to conduct presentation on civil and voters education. He was afforded 15 minutes maximum to conduct his presentation.

3.4 The Speaker, Cllr M D Mboyi welcomed Mr G Chabalala, Manager Home Affairs Makhado, who would also do a presentation. He was afforded 15 minutes maximum to conduct his presentation.

## 4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER

### 4.1 Condolences

None

#### 4.2 **Congratulations**

The Speaker, Cllr M D Mboyi proposed congratulations to the following councillors who celebrated their birthdays since the last ordinary Council meeting held on 26 April 2023:

|                       |              |
|-----------------------|--------------|
| Cllr N S Nemudzivhadi | 10 May 2023  |
| Cllr N B Jones        | 10 May 2023  |
| Cllr K M Manganye     | 18 May 2023  |
| Cllr M E Mulefu       | 5 June 2023  |
| Cllr R S Baloyi       | 13 June 2023 |
| Cllr M Ramalivhana    | 14 June 2023 |
| Cllr N A Mudunungu    | 21 June 2023 |
| Cllr L Mashamba       | 28 June 2023 |
| Cllr M J Gabara       | 30 June 2023 |
| Cllr T T Makamu       | 4 July 2023  |
| Cllr T T Ngobeni      | 6 July 2023  |
| Cllr R T Maingo       | 9 July 2023  |

#### 5. **PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY PARTY SPOKESPERSON**

- 5.1 Cllr M D Singo proposed congratulations to Makhado Local Municipality for successfully training all Councillors of Makhado Local Municipality on computer literacy.
- 5.2 Cllr M W Ramalwa proposed congratulations to the Economic Freedom Fighters Party for successfully filling FNB Stadium during EFF's 10<sup>th</sup> Anniversary Celebrations.
- 5.3 Cllr R S Baloyi proposed congratulations to the African National Congress Women's League for successfully hosting a National Conference on 21 to 24 July 2023 at Nasrec.

He further proposed congratulations to the African National Congress Women's League for successfully hosting the Provincial Congress on 29 to 30 July 2023 at Polokwane, Bolivia Lodge.

He further proposed congratulations to Cllr N J Matumba for being elected as a member of Provincial Executive Committee (PEC) in Limpopo during the Women's Conference.

He further proposed congratulations to Cde Tebogo Mamorobela for being elected Provincial Secretary of the African Nations Congress Women's League in Limpopo.

He further proposed congratulations to Mr M G Rathando for being appointed as Manager: Council Support.

#### 6. **CONFIRMATION OF MINUTES**

##### 6.1 **REMARK:**

Upon proposal by Cllr K Mukheli, duly seconded by Cllr W Mabasa, it was -

RESOLVED -

THAT the minutes of the 105<sup>th</sup> Ordinary Council meeting held on 26 April 2023 be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

## 6.2 **REMARK:**

Upon proposal by Cllr M Mukosi, duly seconded by Cllr T J Mamafha, it was -

RESOLVED -

THAT the minutes of the 174<sup>th</sup> Special Council meeting held on 31 May 2023 be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

## 7. **QUESTIONS OF WHICH NOTICE HAD BEEN GIVEN**

None

## 8. **MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETING**

None

## 9. **REPORT OF COUNCIL COMMITTEES: JULY 2023**

### 9.1 **Recommendations of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): July 2023**

583<sup>rd</sup> Executive Committee meeting held on 20 July 2023

584<sup>th</sup> Executive Committee meeting held on 31 July 2023

### 9.2 **Recommendations of the respective Section 79 Oversight Committees in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): July 2023**

106<sup>th</sup> Section 79 Oversight Committee: Corporate Services meeting: 25 July 2023

78<sup>th</sup> Section 79 Oversight Committee: Finance meeting: 25 July 2023

68<sup>th</sup> Section 79 Oversight Committee: Development Planning meeting: 24 July 2023

## **ITEM A.77.31.07.23 (Originally A.77.28.07.23)**

### **PERSONNEL: EXTENSION OF ACTING PERIOD: CHIEF FINANCIAL OFFICER (SP 1/1/1)**

#### **RESOLVED A.77.31.07.23 (COUNCIL)**

1. THAT it be approved that the Manager: Budget and Finance Reporting, Mr N G Raliphada be designated to act for a further period of three months as Chief Financial Officer, with effect from 1 August 2023 to 31 October 2023. (DCS)
2. THAT the application of extension of Acting capacity of Chief Financial Officer as set out in paragraph 1 above be submitted to the MEC for Cooperative Government, Human Settlement and Traditional Affairs for approval in terms of section 56(1) (a) (ii) (c) of the Local Government: Municipal Systems Act, No. 32 of 2000, as amended. (DCS)

**ITEM A.78.31.07.23 (Originally A.78.28.07.23)****ELECTIONS: REPLACEMENT OF CLLR M W RAMALWA TO REPRESENT MAKHADO LOCAL MUNICIPALITY IN THE VHEMBE DISTRICT COUNCIL  
(12/3/3/46)****RESOLVED A.78.31.07.23 (COUNCIL)**

1. THAT Council note that Cllr TR Matidza, a member of the Economic Freedom Fighters party, as directed by the IEC in its letter dated 27 June 2023 and attached as Annexure A to the report in this regard, substitutes Cllr M W Ramalwa as the Makhado Municipality's representative in the Vhembe District Municipality effective date of 27 June 2023. (DCS)
2. THAT Vhembe District Municipality be notified that Cllr TR Matidza replaces Cllr M W Ramalwa to represent Makhado Local Municipality in the Vhembe District Municipality with effect of 27 June 2023. (DCS)

ReplaceVhembeCllr\_itm

**ITEM A.79.31.07.23 (Originally A.79.28.07.23)****COUNCIL COMMITTEES: REPORT OF ATTENDANCE OF MEETINGS OF COUNCIL AND ITS COMMITTEES – APRIL 2023 TO JUNE 2023 – QUARTER 4, 2022/2023 FINANCIAL YEAR  
(4/1/B & 10/1/5/1)****RESOLVED A.79.31.07.23 (COUNCIL)**

1. THAT note be taken of the number of meetings held by Council and its Committees for the period 1 April 2023 to 30 June 2023 as follows:

**SUMMARY OF COMMITTEE MEETINGS HELD – QUARTER 4 OF 2022/23**

| <b>DATE 2023</b> | <b>NUMBER OF SECTION 79 COMMITTEES' MEETINGS</b> | <b>NUMBER OF EXECUTIVE COMMITTEE MEETINGS</b> | <b>NUMBER OF COUNCIL MEETINGS</b> |
|------------------|--------------------------------------------------|-----------------------------------------------|-----------------------------------|
| April            | 23                                               | 2                                             | 1                                 |
| May              | 29                                               | 2                                             | 1                                 |
| June             | 1                                                | 0                                             | 0                                 |
| <b>TOTAL</b>     | <b>53</b>                                        | <b>4</b>                                      | <b>2</b>                          |

2. THAT note be taken of the *Report of Attendance of meetings by councilors* for the period 1 April 2023 to 30 June 2023 as more fully recorded in the report in this regard. (DCS)
3. THAT it be noted that no councillors were absent from three (3) or more consecutive meetings of Council and its committees in contravention of Clause 42 of the Standing Rules of Order, 2016 during Quarter 4 of the 2022/23 financial year. (DCS)

Return of Attendance Q4 of 2022-2023

**ITEM A.80.31.07.23 (Originally A.80.28.07.23)****REPORTS AND SURVEYS: OUTSTANDING MATTERS: COUNCIL RESOLUTIONS –  
QUARTER 4: 2022/23 FINANCIAL YEAR  
(10/1/6/1)****RESOLVED A.80.31.07.23 (COUNCIL)**

THAT note be taken of the progress with implementing Council Resolutions in respect of meetings held during Quarter 4 of the 2022/2023 financial year, as well as the summary of previous terms Resolutions not yet implemented, as more fully set out in Annexure A attached to the report in this regard.

(DCS )

CouncilResolutionImplementationQ4-2022-2023\_itm

**ITEM A.81.31.07.23 (Originally A.81.28.07.23)****COUNCIL AND EXECUTIVE COMMITTEE MEETINGS: PROGRAM JANUARY 2024 TO  
DECEMBER 2025  
(4/21 & 4/3/1)****RESOLVED A.81.31.07.23 (COUNCIL)**

1. THAT the program of meetings of Council and its Committees for the period 1 January 2024 to 31 December 2024 be approved and meetings be convened accordingly, as set out herein below:

**CALENDAR YEAR 2024****Table 1**

| <b>JANUARY 2024 TO DECEMBER 2024</b>                  |                                                                                      |                                                                                                                                                                       |
|-------------------------------------------------------|--------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>EXECUTIVE<br/>COMMITTEE<br/>10h00<br/>Thursday</b> | <b>PORTFOLIO<br/>COMMITTEES<br/>10H00 onwards<br/>Monday, Tuesday,<br/>Wednesday</b> | <b>COUNCIL<br/>14h00<br/>Thursday</b>                                                                                                                                 |
| 18 and 25 January 2024                                | 22 and 23 January 2024                                                               | 25 January 2024<br>(Ordinary quarterly meeting (1)<br>*2022/2023 Draft Annual Report<br>*2022/2023 Mid-year Assessment Report                                         |
| 22 and 28 February 2024                               | 26 and 27 February 2024                                                              | <b>28 February 2024<br/>(Special meeting (1)<br/>approval of 2023/24 Adjustment Budget</b>                                                                            |
| 20 and 28 March 2024                                  | 25 and 26 March 2024                                                                 | <b>28 March 2024 (Special meeting(2)<br/>2024/25 Draft Budget consideration,<br/>2024/25 Draft IDP consideration and<br/>the 2022/23 Final Annual Report approval</b> |
| 18 and 25 April 2024                                  | 22 and 23 April 2024                                                                 | 25 April 2024<br>(Ordinary quarterly meeting (2)                                                                                                                      |
| 23 and 30 May 2024                                    | 27 and 28 May 2024                                                                   | <b>30 May 2024 (Special meeting (3)<br/>Approval of Final 2024/25 Budget and IDP</b>                                                                                  |
| 20 June 2024                                          | 24 and 25 June 2024                                                                  | None                                                                                                                                                                  |
| 18 and 25 July 2024                                   | 22 and 23 July 2024                                                                  | 25 July 2024                                                                                                                                                          |

| JANUARY 2024 TO DECEMBER 2024               |                                                                           |                                                                                                         |
|---------------------------------------------|---------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| EXECUTIVE<br>COMMITTEE<br>10h00<br>Thursday | PORTFOLIO<br>COMMITTEES<br>10H00 onwards<br>Monday, Tuesday,<br>Wednesday | COUNCIL<br>14h00<br>Thursday                                                                            |
|                                             |                                                                           | (Ordinary quarterly meeting (3)<br>*Final 2024/25 SDBIP approval<br>2024/25 IDP and Budget Process Plan |
| 22 and 29 August 2024                       | 26 and 27 August 2024                                                     | <b>29 August 2024 (Special meeting (4))</b>                                                             |
| 19 September 2024                           | 23 and 25 September 2024                                                  | None                                                                                                    |
| 24 and 30 October 2024                      | 21 and 22 October 2024                                                    | 30 October 2024<br>(Ordinary quarterly meeting (4))                                                     |
| 21 November 2024                            | 25 and 26 November 2024                                                   | 5 December 2024<br>(Special meeting (4) <i>only if required</i><br>(DCS )                               |

2. THAT notices of all Council meetings be distributed by the Corporate Services department no less than seven (7) days in advance of the date of the meeting, as more fully required by the Standing Rules of Order, 2016, clause 4 to clause 6 promulgated in Provincial Gazette No 2736 of 29 July 2016. (DCS)
3. THAT in order to comply with requirements of the Local Government Municipal Finance Management Act, 2003 read with the Local Government Municipal Systems Act, 2000, the following **Special Council** meetings be held during Calendar Year 2024-
  - 3.1 The Draft Annual Report 2022/2023 and Mid-Year Assessment Report must be approved at the ordinary Council meeting of 25 January 2024. (DCS)
  - 3.2 The 2023/24 Adjustment Budget has to be approved by no later than 28 February 2024 - the special Council meeting of 28 February 2024 will accommodate this requirement.
  - 3.3 Draft Estimates 2024/25 and Draft IDP 2024/2025 as well as the Final Annual Report 2022/2023 must be considered by 28 March 2024 Special Council meeting for 28 March 2024 will accommodate this requirement. (DCS)
  - 3.4 The final 2024/25 Estimates and 2024/25 Integrated Development Plan, must be approved by 31 May 2024 in the Special Council meeting of 30 May 2024 will comply with this requirement. (DCS)
4. THAT a Special Council meeting before Council recession be held during December 2024 on 5 December 2024 in order to consider any outstanding issues before the commencement of the 2<sup>nd</sup> and last half of the 2023/24 financial year. (DCS)
5. THAT the program of meetings of Council and its Committees for the period 1 January 2025 to 31 December 2025 be adopted and meetings be convened accordingly, as set out herein below: (DCS)

## CALENDAR YEAR 2025

Table 3

| JANUARY 2025 TO DECEMBER 2025            |                                                                     |                                                                                                                                        |
|------------------------------------------|---------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| EXECUTIVE COMMITTEE<br>10h00<br>Thursday | PORTFOLIO COMMITTEES<br>09H00 onwards<br>Monday, Tuesday, Wednesday | COUNCIL<br>14h00<br>Thursday                                                                                                           |
| 16 and 23 January 2025                   | 20 and 21 January 2025                                              | 23 January 2025<br>(Ordinary Quarterly meeting (1))<br><i>*Draft 2023/24 Annual Report and 2023/24 Mid-year Assessment Report</i>      |
| 13 and 27 February 2025                  | 17 and 18 February 2025                                             | <b>27 February 2025</b><br><b>(Special meeting (1))</b><br><i>2024/25 Adjustment Budget</i>                                            |
| 13 and 27 March 2025                     | 17 and 18 March 2025                                                | <b>27 March 2025</b><br><b>(Special meeting (2))</b><br><i>2025/26 Draft Budget, 2025/26 Draft IDP and Final 2023/24 Annual Report</i> |
| 10 and 17 April 2025                     | 22 and 23 April 2025                                                | 24 April 2025<br>(Ordinary quarterly meeting (2))                                                                                      |
| 15 and 29 May 2025                       | 19 and 20 May 2025                                                  | <b>29 May 2025 (Special meeting (3))</b><br><i>Approval of Final 2025/26 Budget and IDP</i>                                            |
| 19 June 2025                             | 23 and 24 June 2025                                                 | None                                                                                                                                   |
| 10 and 24 July 2025                      | 14 and 15 July 2025                                                 | 24 July 2025<br>(Ordinary quarterly meeting (3))<br><i>*Final 2025/26 SDBIP 2025/26 IDP and Budget Process Plan</i>                    |
| 14 and 28 August 2025                    | 18 and 19 August 2025                                               | <b>28 August 2025 (Special meeting (4))</b>                                                                                            |
| 11 September 2025                        | 15 and 16 September 2025                                            | None                                                                                                                                   |
| 23 and 30 October 2025                   | 27 and 28 October 2025                                              | 30 October 2025<br>(Ordinary quarterly meeting (4))                                                                                    |
| 20 November 2025                         | 24 and 25 November 2025                                             | 4 December 2025<br><i>(Special meeting (4)), only if required</i>                                                                      |

(DCS )

6. THAT in order to comply with requirements of the Local Government Municipal Finance Management Act, 2003 read with the Local Government Municipal Systems Act, 2000, the following Special Council meetings are held during the Calendar Year 2025 - (DCS)

6.1 The Draft Annual Report 2023/24 and Mid-Year Assessment Report must be approved at the ordinary Council meeting of 23 January 2025. (DCS)

6.2 The 2024/25 Adjustment Budget has to be approved by no later than 28 February 2023 - the Special Council meeting of 27 February 2025 will accommodate this requirement.

6.3 Draft Estimates 2025/26 and Draft IDP 2025/26 as well as the Final Annual Report 2023/2024 must be considered by 27 March 2025; special council meeting for 27 March 2025 will accommodate this requirement. (DCS)



6.4. The final 2025/26 Estimates and 2025/26 Integrated Development Plan, must be approved by 31 May 2025; the Special Council meeting of 29 May 2025 will comply with this requirement. (DCS)

7. THAT a Special Council meeting before Council recession during December 2025 be held on 5 December 2025 in order to consider any outstanding issues before the commencement of the 2<sup>nd</sup> and last half of the 2024/2025 financial year. (DCS)

MeetingsDates2024-2025\_itm

**ITEM A.82.31.07.23 (Originally A.82.28.07.23)**

**FINANCES: 2024/2025 TO 2025/2026 IDP AND BUDGET TIME SCHEDULE  
(6/1/1 2023/2024 & 15/7/1)**

**RESOLVED A.82.31.07.23 (COUNCIL)**

THAT Council approves the 2023/2024 to 2025/2026 IDP and Budget time schedule with the IDP Process Plan as proposed in the Annexure A and B attached to the report in this regard. (CFO)

Budget&IDPTimetable\_itm

**ITEM A.83.31.07.23 (Originally A.83.28.07.23)**

**FINANCES: ASSESSMENT OF PERFORMANCE OF CONTRACTED SERVICE PROVIDERS: QUARTER 4: 2022/23 FINANCIAL YEAR  
(10/1/5/2)**

**REMARK:**

When this matter was considered, Cllr R Mukhuba proposed, duly seconded by Cllr M J Gabara, that the matter be referred back to the Municipal Public Account Committee for further investigation. The proposals was accepted and it is recorded as Council's Resolution herein below.

**RESOLVED A.83.31.07.23 (COUNCIL)**

THAT the matter be referred back to the Municipal Public Account Committee for further investigation. (DCS)

AssessmentQ4ServiceProviders\_itm

**ITEM A.84.31.07.23 (Originally A.84.28.07.23)**

**FINANCES: PROCUREMENT: CLAUSE 36: DEVIATIONS REPORT FOR FOURTH QUARTER ENDING 30 JUNE 2023  
(10/1/5/2)**

**RESOLVED A.84.31.07.23 (COUNCIL)**

THAT in terms of Clause 36 of the Municipal Supply Chain Regulations, 2005 promulgated under the Local Government: Municipal Finance Management Act, 2003, the above deviations be noted by Council. (CFO)

DeviationsQuarter4 2022-2023\_itm

**ITEM A.85.31.07.23 (Originally A.85.28.07.23)**

**PERSONNEL: SUBMISSION OF THE ANNUAL TRAINING REPORT (ATR) FOR 2022/2023 FINANCIAL YEAR (4/2/4)**

**RESOLVED A.85.31.07.23 (COUNCIL)**

1. THAT the Annual Training Report (ATR) for 2022/2023 financial year as recommended by the Training Committee be submitted to Council in terms of Municipal Staff Regulations mentioned above. (DCS)
2. THAT Council take note of the Annual Training Report (ATR) for 2022/2023 financial year attached herewith marked **Annexure A** to the report in this regard. (DCS)

AnnualTrainingReport\_itm

**ITEM A.86.31.07.23 (Originally A.86.28.07.23)**

**PERSONNEL: UPPER LIMITS OF TOTAL REMUNERATION PACKAGES PAYABLE TO MUNICIPAL MANAGERS AND MANAGERS DIRECTLY ACCOUNTABLE TO MUNICIPAL MANAGER: 2022/23 FINANCIAL YEAR UNTIL TO DATE (GOVERNMENT GAZETTE NO. 48789 DATED 14 JUNE 2023) (5/5/2/1)**

**RESOLVED A.86.31.07.23 (COUNCIL)**

1. THAT Council approve General Notice No 3541 (Department of Co-operative Governance and Traditional Affairs) of 2022 promulgated in Government Gazette No 48789 dated 14 June 2023 relating to the *Upper Limits of Total Remuneration Packages payable to Municipal Managers and Managers directly Accountable to Municipal Managers*. (DCS)
2. THAT the cost-of-living salary increase 3% of the Municipal Manager and Managers directly accountable to the Municipal Manager be paid with retrospective effect of 1 July 2022 until to date under Category 4 of the Upper Limits of Total Remuneration packages payable to Municipal Managers and Managers directly accountable to Municipal Managers be approved. (DCS)
3. THAT R1,695.00 payable monthly to Senior managers earning a total remuneration package below R1,900,00 for the 2022/23 financial year be approved. (DCS)
4. THAT the non-pensionable cash gratuity be backdated from 1 July 2022 and be payable until 30 June 2023. (DCS)
5. THAT Council note the categorisation of a municipality determined in terms of this Notice, is higher than the categorisation for the previous financial year and that the Municipal Council must apply in writing to the Minister to obtain approval, after consultation with the MEC for Local Government in the Province. (DCS)

UpperLimitsSnrManagers2023-24\_itm

**ITEM A.87.31.07.23 (Originally A.87.28.07.23)****REPORT: AUDIT AND PERFORMANCE AUDIT COMMITTEE CHARTER, APAC MEETINGS SCHEDULE AND INTERNAL AUDIT CHARTER FOR 2023/2024 FINANCIAL YEAR****(6/13/1/2/1 & 6/13/1/2/2)****RESOLVED A.87.31.07.23 (COUNCIL)**

THAT Council approve the Audit and Performance Audit Committee Charter, APAC Meetings Schedule and noted the Internal Audit Charter for 2023/2024 financial year as more fully set out in the annexures attached to the report in this regard. (MM)

APAC Charter, APAC Meetings Schedule &amp; Internal Audit Charters\_itm

**ITEM A.88.31.07.23 (Originally A.88.28.07.23)****PERSONNEL: SUBMISSION OF THE WORKPLACE SKILLS PLAN (WSP) FOR 2023/2024 FINANCIAL YEAR****(4/2/4)****RESOLVED A.88.31.07.23 (COUNCIL)**

THAT Council take note of the list of planned trainings and Workplace Skills Plan (WSP) 2023/2024 financial year as per the Local Government: Municipal Staff Regulations Chapter 5, attached as **Annexure A** to the report in this regard. (DCS)

Workplace skill plan item

**ITEM A.89.31.07.23 (Originally A.89.28.07.23)****NAMES OF AREAS/VILLAGES TO BE PRIORITIZED AND SUBMITTED TO COGHSTA FOR DISASTER EMERGENCY RESPONSE GRANT****(12/3/3/50)****REMARK:**

When this matter was considered Cllr T Kutama proposed, duly seconded by Cllr T R Ravele that the matter be referred back for proper consultation with all ward councillors. The proposal was accepted and it is recorded as Council's resolution herein below.

**RESOLVED A.89.31.07.23 (COUNCIL)**

THAT the matter be referred back for proper consultation with all ward councillors. (DCS)

DisasterGrantVillages\_itm

**ITEM A.90.31.07.23 (Originally A.90.28.07.23)****TOWN-PLANNING AND CONTROL: INDICATIVE HOUSING ALLOCATION FOR  
2024/25, 2025/26 AND 2026/27 FINANCIAL YEAR  
(17/20 & 17/4/1)****RESOLVED A.90.31.07.23 (COUNCIL)**

1. THAT Council note that the Municipality received a letter from COGHSTA indicative housing allocation for 2024/25, 2025/26 and 2026/27 financial years as per the letter attached as Annexure A to the report in this regard. (DDP)
2. THAT Council note the Municipality is required to submit the required development areas in line with the allocation per financial year and prioritize areas as per the three years submitted list of development areas, copy of which is attached as Annexure B to the report in this regard. (DDP)
3. THAT Council note that number of units can be adjusted should there be changes on the department's budget allocations from the National Department of Human Settlements and any changes to this effect will be communicated with the Municipality Beneficiary list. (DDP)
4. THAT Council note the list submitted by councilors will be communicated with the traditional leaders and other ward structures during the reprioritization process. (DDP)

RDPHousing&amp;HousingPlan\_itm

**ITEM A.91.31.07.23 (Originally A.91.28.07.23)****FINANCES: REPORT ON SPECIAL ADJUSTMENT BUDGET (2023/2024 FINANCIAL  
YEAR)  
(6/1/1(2023/24)****RESOLVED A.91.31.07.23 (COUNCIL)**

1. THAT the 2023/24 Adjusted Budget be adopted by Council through special adjustment to cater additional allocation of Municipal Disaster Relief Grant to be transferred by Department of Cooperative Governance. (CFO)
2. THAT the Council note that the Adjustment Budget for the income and expenditure projections for the financial year ending 30 June 2024 is more fully explained in Annexure A attached to the report in this regard. (CFO)
3. THAT the approved funds should be spent within six (6) months from June to November 2023 and must solely be utilised for approved purposes as outlined above. (CFO)

AdjustmentBudget2023-24\_itm

**ITEM A.92.31.07.23 (Originally A.82.28.07.23)**

**FINANCE: IN YEAR MONITORING AND REPORTING: 4<sup>th</sup> QUARTER: 2022/2023  
FINANCIAL YEAR  
(6/1/1(2022/23)**

**RESOLVED A.92.31.07.23 (COUNCIL)**

THAT the in-year monitoring financial report for the fourth quarter ending June 2023 for the 2022/2023 financial year be considered by Council. (CFO)

MonitoringQ4 2023\_itm

**ITEM A.93.31.07.23 (Originally A.93.28.07.23)**

**COUNCIL COMMITTEES: OUTCOME OF INQUIRY FOR FAILURE TO REMAIN IN  
ATTENDANCE OF MEETINGS OF COUNCIL AND ITS COMMITTEE- JANUARY 2023  
TO MARCH 2023- QUARTER 3, 2022/2023 FINANCIAL YEAR: CLLR W MABASA  
(4/1/B & 10/1/5/1)**

**RESOLVED A.93.31.07.23 (COUNCIL)**

1. THAT note be taken that the Ethics Committee notified Cllr W Mabasa who contravened to appear before the Committee to make presentation, either in writing or verbally as to why he is not be found guilty of being absent from three (3) consecutive meetings of section 79 oversight committee finance. (DCS)
2. THAT note be taken that it is the responsibility of a Councilor to make application of leave of absence if he is not attending meetings of Council and its committees. (DCS)
3. THAT Cllr W Mabasa be given a written warning for contravening section 5 of schedule 7 of the Local Government Municipal Structures Act, No. 117 of 1998, as amended. (DCS)

EthicsNonAttendance\_itm(July)

\* \* \* \* \*

**9.4 Resolutions of the Executive Committee in terms of section 59 (1) of the Local  
Government: Municipal Systems Act, 2000 (Act 32 of 2000): 20 July 2023**

583<sup>rd</sup> Executive Committee meeting held on 20 July 2023

**ITEM B.10.20.07.23**

**PERFORMANCE MANAGEMENT: FOURTH QUARTER SERVICE DELIVERY AND  
BUDGET IMPLEMENTATION PLAN REPORT: 2022/23 FINANCIAL YEAR  
(10/1/4/1-10/1/4/8)**

**RESOLVED B.10.20.07.23 (COUNCIL)**

THAT Council takes note of the Fourth Quarter Performance Delivery and Budget Implementation Plan (SDBIP) Report for the 2022/23 financial year attached to the report in this regard. (MM)

SDBIPQ4 2022-23\_itm

\* \* \* \* \*

**10. PETITIONS**

None

**11. NEW MOTIONS****11.1 MOTION NO. 245: RECEIVED ON 19 JUNE 2023**

Motion no. 245 dated 19 June 2023 was considered under the provisions of clause 28 of the Council's Standing Rules of Order, 2016 published in Provincial Gazette No. 2736 dated 29 July 2016.

**NOTICE OF THE MOTION IN TERMS OF CLAUSE 28 OF THE STANDING RULES OF ORDER: THE REHABILITATION OF THE D4 ROAD THAT CONNECT FROM THE N1 TO THE VUWANI PARTS OF MAKHADO LOCAL MUNICIPALITY**

1. *In the Republic of South Africa, Government is constituted as National, Provincial and Local Spheres which are distinctive, interdependent, and interrelated. A constitutional principle provides guidance in chapter 3 (41) (h) (iii) that these spheres of government must co-operate with one another in mutual trust and good faith by – informing one another of, and consulting one another on, matters of common interest and which in this case is the D4 road.*

*While the road connects from Collins Chabane Municipality and Malamulele Cluster and is being constructed from scratch in that part of the province, it is not the same for that road in Makhado Local Municipality.*

*I, Councilor MW Ramalwa hereby move a motion on behalf of the Economic Freedom Fighters and draw the attention of this council on the distinct construction processes being applied on that road and in our part of the municipality as opposed to that of Collins Chabane (Even though the damages appear to be more or less the same and that this council collectively agree to put an end to such unfair treatment towards its constituency.*

**NOTICE OF THE MOTION IN TERMS OF CLAUSE 28 OF THE STANDING RULES OF ORDER: PROMOTION OF A HEALTHY ENVIRONMENT**

1. *Chapter (7) seven of the Constitution of the Republic of South Africa on Local Government states in section 151 (4) that the national or a provincial government may not compromise or impede a municipality's ability or right to exercise its powers or perform its functions and which objects include but are not limited to section 152 (1) (d) the promotion of a safe and healthy environment and (2) must strive , within its financial and administrative capacity , to achieve the objects set out in subsection (1)*

*While the Elim Hospital is systematically collapsing within Makhado Local Municipality and Many Pregnant women who go there to deliver do not return home with living children owing to the poor health care, they are also forced to wear dirty or bloody Johnny gowns amongst a few and not forgetting the lack of showering rooms and toilets.*

*I, Councilor MW Ramalwa hereby Move a motion on behalf of the Economic Freedom Fighters and draw the attention of this council on the unfair and inhumane healthcare services at the Elim Hospital facility and propose that a health and Safety Portfolio be established to specifically deal with the issues relating to this constitutional and that all the senior Administrators of the health and safety institutions within Makhado local Municipality be brought before this council an provide answers to our many questions, strategic plans to their many challenges and scientifically proven solutions for all the issues faced with their institutions.*

**Proposer : Cllr M W Ramalwa**  
**Seconder: Cllr K Manganye**  
**Signed : 19 June 2023**

The Speaker, Cllr M D Mboyi requested whether the proposer, Cllr M W Ramalwa and seconder, Cllr K Manganye were present in the meeting.

Hereupon the seconder confirmed his presence and that he had seconded the motion. Cllr M W Ramalwa was also present and confirmed Motion 245.

The Speaker ruled that the technical input by the Municipal Manager on Motion no. 245 be noted, as follows:

The Mayor presented the input as follows:

**Technical input of the Municipal Manager in terms of sub-rule 28.10 of the Standing Rules of Order, 2016:**

**THE REHABILITATION OF THE D4 ROAD THAT CONNECT N1 TO THE VUWANI PARTS OF MAKHADO LOCAL MUNICIPALITY**

Kindly note that the Rehabilitation of D4 (District) Road that connects N1 (National) Road to Vuwani area is not the competency of Makhado Local Municipality but the competency of Road Agency Limpopo (RAL). However, it will be prudent if you refer this matter to the relevant Department, which is Limpopo Department of Public Works, Roads and Infrastructure.

Therefore, the proposed motion must not be approved because District Roads rehabilitation does not fall within the powers and functions of Makhado Local Municipality.

**NOTICE OF THE MOTION IN TERMS OF CLAUSE 28 OF THE STANDING RULES OF ORDER: PROMOTION OF A HEALTHY ENVIRONMENT**

Kindly note that any matter related to health is the competency of the Department of Health and does not fall within the powers and function of Makhado Local Municipality. However, it will be prudent if you refer this matter to the relevant Department, which is Limpopo Department of Health.

Therefore, the proposed motion must not be approved because health matters does not fall within the powers and functions of Makhado Local Municipality.

RESOLVED –

THAT the technical input of the Municipal Manager as presented to Council by the Mayor be noted and Motion No. 245 received on 10 July 2023 therefore be declined. (DCS)

\* \* \* \* \*

The meeting was closed and adjourned at 15:45.

Approved and confirmed in terms of the provisions of section 27 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) by a resolution of the Council passed at the meeting held on the following Council meeting of 30 October 2023.