

MAKHADO LOCAL MUNICIPALITY
OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE ONE HUNDRED AND SEVENTY SECOND (172nd) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD AT THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, MAKHADO ON TUESDAY, 28 FEBRUARY 2023 AT 14:00.

PRESENT

Councillors

BALOYI, R	MASHAMBA, L
BALOYI, R S	MASHAU, T C
BALOYI, S E	MASIPA, P N
CHILILO, N F	MASUKA, S
DZHIVHUHO, A S	MATHALISE, L M
FURUMELE, M G	MATUMBA, N J
GABARA, M J	MOKGOADI, M R
HALGREEN, C D	MPASHE, M J
HLANGWANI, B	MUDUNUNGU, N A
HLONGWANI, B F	MUKHELI, K
JONES, N B	MUKHUBA, R
KUTAMA, N	MUKHUDWANA, R
KUTAMA, T	MUKOSI, M
MABASA, W	MUKOSI, M R
MABUDU, H G	MULAUDZI, M E
MADAVHA, A	MULEFU, M E
MADZHIGA, F N	MUNYAI, N
MAGADA, M R	MUSHANDANA, T T
MAHOSI, N S	NDOU, M D
MAINGO, R T	NEMUDZIVHADI, N S
MAKAMU, T T	NGOBENI, T T
MAKHUBELE, F P	PHANGAMI, M L
MAKWALA, M R	PHULUWA, M I
MALANGE, M C	RALIPHADA, R
MALANGE, T M	RAMALIVHANA, M
MALIVHA, N V	RAMALWA, M W
MALULEKE, H G	SEBOLA, D J
MAMAFHA, T J	SIMANGWE, N J
MANGANYE, K N	SITHI, E T
MAPHAHLA, A Z	SWASLIVHA, M
MAPHAKELA, K P	TSHIDAVHU, I A
MAPHUBU, K	TSHILAMBYANA, M S
MARAGA, M	

Officials

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

Guest

MR MABU MAMADI (DIRECTOR OF MAMADI AND COMPANY SA)

Traditional Leaders

None

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1. OPENING

The Municipal Manager, Mr K M Nemaname read the application for leave of absence from the Speaker, Cllr M D Mboyi. Council took note of the Rules of Order, 2016, clause 18.1 which determines as follows: “At every meeting of the Council, the Speaker, or if he/she is not present, an Acting Speaker shall be the Chairperson. An Acting Speaker may be elected by the majority of councillors present at any meeting of the Council where the Speaker is not present.”

The Municipal Manager proceeded with the process to elect an acting Speaker for the duration of the Council meeting. Cllr E T Sithi proposed, duly seconded by Cllr M L Phangami that Cllr T M Malange be appointed as acting Speaker. The proposal was accepted in general and Cllr T M Malange took over as the acting Speaker.

The acting Speaker, Cllr T M Malange ruled that a moment of silence be observed for meditation and prayer, whereafter she declared the meeting officially opened.

2. NOTICE OF THE MEETING

The Speaker 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 by sms, e-mail and hard copy.

3. OFFICIAL ANNOUNCEMENTS

- 3.1 The Acting Speaker, Cllr T M Malange welcomed the newly appointed Economic Freedom Fighter member, Cllr Kanelani Norah Manganye who was sworn in on Monday, 20 February 2023 by Magistrate Molokomme at the Makhado Magistrate’s Office. This was her first meeting as member of Makhado Municipality Council in session.
- 3.2 The Acting Speaker, Cllr T M Malange welcomed Mr Mabu Mamadi of Mamadi and Company SA in the meeting who was going to present on Revenue Enhancement Strategy Project Implementation Plan.
- 3.3 The Acting Speaker, Cllr T M Malange invited all Executive Committee members, Chairpersons of Section 79 Oversight Committees, Women Caucus members and members of Section 79 Oversight Committee: Special Programmes to attend a Gender Mainstreaming in Local Government and Localising UN Sustainable Development Goals Programme scheduled for Thursday, 2 March 2023 at the Executive Committee Chamber at 10:00.
- 3.4 The Acting Speaker, Cllr T M Malange invited all Councillors from Nzhelele region to accompany the Deputy Minister of Social Development to Mamvuka Community Care Centre on Wednesday, 1 March 2023 at 10:00.
- 3.5 The Acting Speaker, Cllr T M Malange requested all Councillors to take laptops for verification on or before Friday, 10 March 2023 to the Office of Mr Elvis Tharini.

4. APPLICATION FOR LEAVE OF ABSENCE

RESOLVED –

THAT leave of absence be granted in terms of the provisions of Rule 21 of the Council's Rules of Order, 2016 published under Provincial Gazette Notice no. 2736 dated 29 July 2016 in respect of the Special Council meeting held on 28 February 2023 to Cllrs P Smalle, N S Munyai, M D Mboyi, T R Ravele, P Mashau, M D Singo and N D Davhana.

REMARK:

The following councillors were absent from the Special Council meeting held on 28 February 2023: Cllrs G T Mukwevho, T C Mamafha and M A Selapyana.

5. REPORT OF THE EXECUTIVE COMMITTEE

(a) Report of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): February 2023

575th Executive Committee meeting: 20 February 2023

576th Executive Committee meeting: 28 February 2023 (only approval of minutes)

(b) Recommendations of the Section 79 Oversight Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): December 2022

102nd Section 79 Oversight Committee: Corporate Services meeting: 21 February 2023

74th Section 79 Oversight Committee: Finance meeting: 21 February 2023

64th Section 79 Oversight Committee: Development Planning: 21 February 2023

40th Section 79 Oversight Committee: Community Services: 21 February 2023

44th Section 79 Oversight Committee: Technical Services: 22 February 2023

REMARK:

Before the reports of Council were presented, the Acting Speaker, Cllr T M Malange afforded that Mr Mabu Mamadi of Mamadi and Company SA to do a brief presentation to Council about Revenue Enhancement Strategy Project Implementation Plan. After delivering the presentation upon conclusion the Speaker requested him to leave the meeting.

ITEM A.18.28.02.23

COUNCIL COMMITTEES: DISCIPLINARY BOARD FOR FINANCIAL MISCONDUCTS, 2023

(4/42/2)

RESOLVED A.18.28.02.23 (COUNCIL)

1. THAT in terms of the provisions of the Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, promulgated under Notice No 425 on 30 May 2014 in Government Gazette No 36782 the following designations be appointed as members of the Disciplinary Board for Financial Misconducts -

1.1 Manager Internal Audit, Office of the Municipal Manager

1.2 Member of the Audit Performance and Audit Committee

1.3 The Director Corporate Services

1.4 Legal Manager, Office of the Municipal Manager – provide legal expertise and secretariat services.

1.5 One Provincial or National Treasury representative (as may be appointed per each occasion)

1.6 One Attorney from Council's appointed panel of legal services on rotation basis (as and when need arise, per each occasion). (MM/DCS/CFO)

2. THAT the Terms of Reference for such Disciplinary Board for Financial Misconduct be as embodied in the Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, promulgated under Notice No 425 on 30 May 2014 in Government Gazette No 36782 read with each individual instruction that may be served on it. (MM/DCS/CFO)

3. THAT the term of office of the Disciplinary Board for Financial Misconduct be thirty six (36) months commencing on the date of appointment of the Board. (DCS)

FinanMisconductDiscCommittee(DCS)2023_itm

ITEM A.19.28.02.23

**REPORT: INTERNAL AUDIT: SECOND QUARTER AND MID-YEAR PERFORMANCE
INTERNAL AUDIT REPORT: 2022/2023 FINANCIAL YEAR
(4/11/1)**

REMARK

The report was withdrawn from the agenda.

ITEM A.20.28.02.23

**PERSONNEL: TRANSLIMPOPO SPATIAL DEVELOPMENT INITIATIVE BETWEEN THE
MUNICIPALITY OF MAKHADO AND GWANDA LOCAL MUNICIPALITY
(12/2/1/54)**

RESOLVED A.20.28.02.23 (COUNCIL)

1. THAT Council note the visit of the Mayor, Town Clark of Gwanda Municipality and his entourage of not more than 15 people in number to Makhado Local Municipality. (DDP)
2. THAT Council note the Draft Action Plan the Trans-Limpopo Spatial Development initiative prepared by Makhado Local Municipality and Gwanda Local Municipality. (DDP)
3. THAT Council approves that the delegation be catered for food and accommodation by Makhado Local Municipality. (DDP)
4. THAT Council approves that the Office of the Limpopo Premier be informed for the purpose of international relation protocols. (MM/DDP)

5. THAT the word “shall” on Annexure A, page EC 2023/609 under column scope be replaced with the word “will” and the sentence will read as follows: “the action plan will cover the following areas of investment”.

(DCS)

GwandaVisit_itm

ITEM A.21.28.02.23

ELECTIONS: COUNCILLOR - FILLING OF VACANCY OF PROPORTIONAL REPRESENTATIVE OF THE ECONOMIC FREEDOM FIGHTERS (EFF), 2023 (3/2/5; 3/2/6)

RESOLVED A.21.28.02.23 (COUNCIL)

THAT Council take note of the vacancy that came about through the resignation of Cllr T A Maraga effective 1 February 2023, and that it further be noted that **Kanelani Norah Manganye**, Identity number **840518 063 6089** has been declared duly elected as Councillor of Makhado Municipality in terms of Clause 18, Schedule 1 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), by the Chief Electoral Officer **with effect of 14 February 2023** to fill the vacancy that came about due to the resignation of former Cllr T A Maraga.

(DCS)

CouncillorReplaceTAMaraga_itm

ITEM A.22.28.02.23**COUNCIL COMMITTEES: REPLACEMENT OF MEMBERS**

1. EXECUTIVE COMMITTEE
 2. SECTION 79 STANDING COMMITTEE: MPAC
 3. SECTION 80 COMMITTEE: GOVERNANCE AND FINANCIAL VIABILITY
- (4/1/B)

RESOLVED A.22.28.02.23 (COUNCIL)

1. THAT Cllr T A Maraga be removed from the Executive Committee and be replaced with Cllr M W Ramalwa. (DCS)
2. THAT Cllr T A Maraga be removed from Section 80 Committee: Governance and Financial Viability and be replaced by Cllr M W Ramalwa. (DCS)
3. THAT Cllr M W Ramalwa be removed from the Section 79 Standing Committee: MPAC. (DCS)
4. THAT the Executive Committee composed by Council Resolution A.128.23.11.21 be recomposed as follows forthwith:

	<i>Name</i>	<i>Party</i>	<i>Portfolio</i>
1	<i>Cllr N S Munyai</i>	<i>ANC</i>	
2	<i>Cllr M R Magada</i>	<i>ANC</i>	<i>Finance and Budget</i>
3	<i>Cllr G T Mukwevho</i>	<i>ANC</i>	<i>Technical Services</i>
4	<i>Cllr N Munyai</i>	<i>ANC</i>	<i>Development Planning</i>
5	<i>Cllr N J Matumba</i>	<i>ANC</i>	<i>Corporate Services</i>

6	<i>Cllr R Raliphada</i>	<i>ANC</i>	<i>Community Services</i>
7	<i>Cllr R Maingo</i>	<i>ANC</i>	<i>Youth & Special Programmes</i>
8	<i>Cllr K Maphubu</i>	<i>ANC</i>	<i>Disaster and Moral Regeneration</i>
9	<i>Cllr N B Jones</i>	<i>DA</i>	
10	<i>Cllr M W Ramalwa</i>	<i>EFF</i>	

(DCS)

5. THAT the Section 80 Committee: Governance and Financial Viability composed by Council Resolution A.146.20.12.21 be recomposed as follows:

NO	SECTION 80 COMMITTEE	PROPOSED MEMBERS
1.	<i>Governance and Financial Viability</i>	1. <i>M R Magada (Chairperson)</i> 2. <i>M W Ramalwa</i> 3. <i>N J Matumba</i>

(DCS)

6. THAT the Section 79 Standing Committee: MPAC composed by Council Resolution A.146.20.12.21 be recomposed as follows:

STANDING COMMITTEES

NO.	SECTION 79 STANDING COMMITTEES	PROPOSED MEMBERS
1.	<i>MPAC (Section 79A)</i>	1. <i>N V Malivha (Chairperson)</i> 2. <i>M J Mpashe</i> 3. <i>F B Hlongwane</i> 4. <i>H G Mabudu</i> 5. <i>S E Baloyi</i> 6. <i>D J Sebola</i> 7. <i>K Mukheli</i> 8. <i>M E Mulaudzi</i> 9. <i>M Mukosi</i>

AmendCommittees(February2023)_itm

(DCS)

ITEM A.23.28.02.23

**FINANCES: REPORT OF ADJUSTMENT BUDGET (2022/23 FINANCIAL YEAR)
(6/1/1(2022/23))**

REMARK:

When this matter was considered, Cllr M L Phangami proposed, duly seconded by Cllr R Mukhudwana that the attached additional supporting tables for the adjustment budget must be inserted after page EC 2023/726 of the 1st Supplementary agenda of the 575th Executive Committee meeting.

RESOLVED A.23.28.02.23 (COUNCIL)

1. THAT the 2022/23 Annual Budget be adjusted in February 2023 in terms of Section 28 of the Municipal Finance Management Act, Act no. 56 of 2003. (CFO)
2. THAT the 2022/2023 Adjustment Budget be submitted to the National, Provincial Treasury and Coghsta. (CFO)

3. THAT the Council note the adjustment budget for the income and expenditure projections for the financial year ending 30 June 2023, as more fully explained in Annexure A and Annexure B (Capital Expenditure breakdown) attached to the report in this regard. (CFO)
4. THAT Council take note that depreciation and debt impairment provision was taken into consideration which are non-cash items amounting R 200 715 million. (CFO)

AdjustmentBudget2022-23_itm

ITEM A.24.28.02.23

**COUNCIL LAND: MAKHADO LOCAL MUNICIPALITY LAND LEASE INFORMATION
(15/3/9, 7/3/2/1 & 7/3/2/9)**

RESOLVED A.24.28.02.23 (COUNCIL)

THAT Council note the report on lease agreements or facility rental agreements as well as services rendered by the Makhado Local Municipality at such land or facility. (DDP)

LandLeaseInformation_itm

ITEM A.25.28.02.23

**TOWN-PLANNING AND CONTROL: HOUSING PRIORITY AREAS AND BENEFICIARY
LIST 2023/24 FINANCIAL YEAR
(17/20)**

RESOLVED A.25.28.02.23 (COUNCIL)

1. THAT Council note that the Municipality received a letter from COGHSTA requesting the submission of priority areas and beneficiary list for 2023/24 Financial Year from COGHSTA attached as Annexure A to the report in this regard. (DDP)
2. THAT Council note the list from COGHSTA of all villages that have Geo-Tech, attached as Annexure B to the report in this regard. (DDP)
3. THAT Council note the submission of beneficiary list of priority areas for 2023/24 Financial Year from Ward Councillors as per the letter attached as Annexure C to the report in this regard. (DDP)
4. THAT Council note that the list submitted by Ward Councillors in consultation with the Traditional Leaders and other ward structures during the reprioritization process. (DDP)

RDPHousing&BeneficiaryList_itm

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- (c) **Resolution of the Executive Committee in terms of section 59(1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): 575th Executive Committee Meeting: 20 February 2023**

ITEM B.3.20.02.23

FINANCES: SUBMISSION OF THE REVENUE ENHANCEMENT PROGRAMME AND PROJECT IMPLEMENTATION PLAN FOR NOTING (6/1/B)

RESOLVED B.3.20.02.23 (EXECUTIVE COMMITTEE)

THAT Council take note of the Revenue Enhancement Programme and Project Implementation Plan attached to the report in this regard. (CFO)

RevenueEnhancementPlan_itm

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The meeting was closed and adjourned at 15:20.

Approved and confirmed in terms of the provisions of Clause 22.1 of the Rules of Orders, 2016 promulgated in Provincial Gazette Notice No. 2736 of 29 July 2016 under Local Authority Notice 125, by a resolution of the Council passed at the meeting held on 26 April 2023.

CHAIRPERSON

MDM/lh/SpecialCouncilMinutes_172