



STEVE TSHWETE LOCAL MUNICIPALITY

MINUTES

OF THE

SPECIAL COUNCIL MEETING

MEETING HELD ON

23 November 2021

11:05 am



MINUTES OF THE FIRST MEETING OF THE NEWLY ELECTED
COUNCIL HELD IN THE COUNCIL CHAMBER, MUNICIPAL
BUILDINGS, MIDDELBURG, MPUMALANGA ON
TUESDAY 23 NOVEMBER 2021 AT 11:05

PRESENT

Cllr PM Masilela (Executive Mayor)

Cllr TR Mpye

Cllr CS Mashiloane

Cllr BC Shabangu

Cllr MJ Sekgwele

Cllr GNB Mathibela

Cllr MG Maseko

Cllr MC Mphego

Cllr LE Nkwana

Cllr H F Niemann

Cllr MG Amigo

Cllr I Mahlangu

Cllr PV Malinga

Cllr ME Nyambi

Cllr W MM Phetla

Cllr LN Sibanda

Cllr JF Sithole

Cllr ML Shabangu

Cllr JM Shongwe

Cllr J Skosana

Cllr PE Williams

Cllr SW Zulu

Cllr L J N Zondo

Cllr E M Bruiners

Cllr HG de Klerk

Cllr J Dyason

Cllr AS Grobler

Cllr DD Klopper

Cllr P Mobango

Cllr SM Mogola

Ald JP Pretorius

Cllr LS Qoka

Cllr GHE Romijn

Cllr A Struwig

Cllr DA Stuurman

Cllr AO Thabatha

Cllr D J Van der Merwe

Cllr S Wait

Cllr N Bottoman

Cllr A Chego

Cllr OA Cossa

Cllr EP Mahlangu

Cllr P Malinga

Cllr MJ Mapheto

Cllr JN Mthombeni

Cllr ZJ Ngubeni

Cllr NT Tshoane

Cllr BC Mashabela

Cllr ST Mathunyane

Cllr MP Mogola

Cllr BH Mokoena

Cllr NZO Motla

Cllr H Polodia

Cllr J Segage

Cllr JC Haarhoff

Cllr J Mentz

Cllr CJ Wolmarans

JR

Officials

Mr B Khenisa	(Municipal Manager)
Mr M Mogofe	(Executive Director: Financial Services)
Mr M Khumalo	(Executive Director: Corporate Services)
Ms R Makgata	(Executive Director: Infrastructure Services)
Ms T Zulu	(Executive Director: Community Services)
Mr M Masilela	(Director: Governance & Council Support)
Mr J Zulu	(Chief Administrative Officer)
Ms N Silinda	(Administrative Officer Grade 2)
Ms P Stuurman	(Clerk Grade 1)
Ms D Phillip	(Clerk Grade 2)

1. **OPENING**

- 1.1 The Municipal Manager welcomed the newly elected Councillors, Media, IEC, SALGA Representatives, COGTA Representatives and all present.

2. **INTRODUCTION OF NEWLY ELECTED COUNCILLORS AND SENIOR STAFF**

- 2.1 The Municipal Manager informed the meeting that newly elected Councillors will be introduced with the taking of the Oath/Affirmation under point 4.

3. **APPLICATION FOR LEAVE OF ABSENCE**

- 3.1 ~~THAT~~ note be taken that a letter of resignation by Cllr B Grobler from the PR List of the DA in Steve Tshwete Local Municipality has been received.

4. **OATH OR SOLEMN AFFIRMATION OF MEMBERS OF COUNCIL**

- 4.1 The Municipal Manager introduced the newly elected Councillors whereafter the Chief Magistrate, S Gololo read the Oath and Solemn Affirmation as contained in the Agenda, Councillors sworn/affirm verbally their faithfulness to the Republic and obedience to the Constitution.

5. **MATTERS FOR CONSIDERATION**



SC01/11/2021**CONFIRMATION OF TYPE OF STEVE TSHWETE LOCAL MUNICIPALITY**

1/1/1/48(C)/mm

RESOLVED BY COUNCIL

1. THAT Council take note of the report .
2. THAT Council confirms Steve Tshwete Local Municipality as a Mayoral Executive system of Municipality combined with a Ward participatory system.

SC02/11/2021**COUNCIL'S ARRANGEMENTS: STANDING RULES OF ORDER**

3/2/1/5(C)/mm

RESOLVED BY COUNCIL

1. THAT the Steve Tshwete Local Municipality's Standing Rules of Order approved per Resolution C35/09/2019, be re-confirmed and adopted as the Council's Standing Rules of Order.
2. THAT the Standing Rules of Order mentioned above, be reviewed.

SC03/11/2021**COUNCIL ARRANGEMENTS: ELECTION OF THE SPEAKER**

3/1/3/2/1 (M)/dp

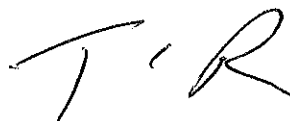
The Municipal Manager requested the meeting to submit nominations for the office of the Speaker. Cllr J Skosana nominated Cllr TR Mpye as Speaker. The nomination was seconded by Cllr LN Sibanda whereafter Cllr TR Mpye accepted the nomination.

Cllr BC Mashabela nominated Cllr BH Mokoena as Speaker. The nomination was seconded by Cllr NZO Motla whereafter Cllr BH Mokoena accepted the nomination.

The nominations were put to vote and the results were as follows:

Cllr TR Mpye	-	22 votes
Cllr BH Mokoena	-	16 votes
Abstain	-	19

Cllr TR Mpye was therefore elected to the Office of the Speaker.



RESOLVED BY COUNCIL

1. **THAT** note be taken that the election of the Speaker was conducted in terms of the procedure as set out in Schedule 3 of the Municipal Structures Act 117 of 1998.
2. **THAT** Cllr TR Mpye be elected as the Speaker of Council.

SC04/11/2021**COUNCIL ARRANGEMENTS: ELECTION OF THE EXECUTIVE MAYOR****3/1/3/2/1 (M)/dp**

The Speaker requested the meeting to submit nominations for the election of the Executive Mayor. Cllr LJV Zondo then nominated Cllr PM Masilela as Executive Mayor. The nomination was seconded by Cllr PV Malinga whereafter Cllr PM Masilela accepted the nomination.

Cllr ST Mathunyane nominated Cllr J-Segage as Executive Mayor. The nomination was seconded by Cllr H Pilodia whereafter Cllr J Segage accepted the nomination.

The nominations were put to vote and the results were as follows:

Cllr PM Masilela	-	22 votes
Cllr J Segage	-	16 votes
Abstain	-	19 votes

Cllr PM Masilela was therefore elected as Executive Mayor.

RESOLVED BY COUNCIL

1. **THAT** Council confirms that the Steve Tshwete Local Municipality have an Executive Mayor in terms of the Provincial Gazette No.2717 dated 02 August 2016.
2. **THAT** note be taken that the election of an Executive Mayor was dealt with in terms of Schedule 3 of the Act.
3. **THAT** Cllr PM Masilela be elected as the Executive Mayor of Steve Tshwete Local Municipality.



SC05/11/2021
ELECTION OF WHIP OF COUNCIL
3/1/3/2/2 (C)/em

The Speaker requested the meeting to submit nominations for the Whip of Council. Cllr GNB Mathibela nominated Cllr CS Mashiloane as the Whip of Council. The nomination was seconded by Cllr BC Shabangu whereafter Cllr CS Mashiloane accepted the nomination.

Cllr NZO Motla nominated Cllr BC Mashabela as the Whip of Council. The nomination was seconded by Cllr J Segage whereafter Cllr BC Mashabela accepted the nomination.

The nominations were put to vote and the results were as follows:

Cllr CS Mashiloane -	23 votes
Cllr BC Mashabela -	15 votes
Cancelled -	01
Abstain -	19

Cllr CS Mashiloane was therefore elected as the Whip of Council.

RESOLVED BY COUNCIL

1. **THAT** note be taken that the election of the Council's Whip was done in terms of Schedule 3 of the Municipal Structures Act 117 of 1998.
2. **THAT** Cllr CS Mashiloane be elected as the Whip of Council.

SC06/11/2021
ELECTION OF CHAIRPERSON OF THE MUNICIPAL PUBLIC ACCOUNTS
COMMITTEE (MPAC)
3/2/4/1/21 (C)/em

The Speaker requested the meeting to submit nominations for the Chairperson of the Municipal Public Accounts Committee (MPAC). Cllr SM Mogola nominated Cllr HF Niemann as the Chairperson of MPAC. The nomination was seconded by Cllr DD Klopper whereafter Cllr HF Niemann accepted the nomination.

Cllr BH Mokoena nominated Cllr H Pilodia as the Chairperson of the MPAC. The nomination was seconded by Cllr MP Mogola whereafter Cllr H Pilodia accepted the nomination.

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The nominations were put to vote and the results were as follows:

Cllr HF Niemann	-	41 votes
Cllr H Pilodia	-	16 votes

Cllr HF Niemann was therefore elected as the Chairperson of the Municipal Public Accounts Committee (MPAC).

RESOLVED BY COUNCIL

1. **THAT** note be taken that the election of the Chairperson of the Municipal Public Accounts Committee (MPAC) was done in terms of Schedule 3 of the Municipal Structures Act 117 of 1998.
2. **THAT** Cllr HF Niemann be elected as the Chairperson of the Municipal Public Accounts Committee (MPAC).

SC07/11/2021

POLICY : REVIEW OF LANGUAGE POLICY FOR THE STEVE TSHWETE LOCAL MUNICIPALITY

4/6/P (B)/dp

RESOLVED BY COUNCIL

1. **THAT** the report by the Municipal Manager regarding the language policy for the Steve Tshwete Local Municipality, be noted.
2. **THAT** the language policy adopted per Resolutions M41/07/2004, M29/05/2008, CC07/06/2011 and SC07/08/2016 be re-confirmed and adopted as Council's Language Policy.

SC08/11/2021

DELEGATIONS: REVIEW OF DELEGATION OF AUTHORITIES

2/2/1/1 (C)/em

RESOLVED BY COUNCIL

1. **THAT** the matter be deferred to the next Council meeting for consideration.

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SC09/11/2021

**COUNCIL ARRANGEMENTS : ELECTION OF REPRESENTATIVES TO THE
NKANGALA DISTRICT MUNICIPALITY**

2/4/13 (C)/em

The Local Electoral Project Officer requested the meeting to submit the lists for representatives on the District Council. Cllr CS Mashiloane submitted a list for the African National Congress which contained the following names:

- 1) Cllr PM Masilela
- 2) Cllr L J N Zondo

Cllr H F Niemann then submitted a list for the Democratic Alliance which contained the following names:

- 1) Cllr S M Mogola
- 2) Cllr DD Klopper
- 3) Cllr J Dyason
- 4) Cllr AO Thabatha
- 5) Cllr DA Stuurman
- 6) Cllr A Struwig
- 7) Cllr HF Niemann
- 8) Cllr S Wait

Cllr JN Mthombeni also submitted a list for Economic Freedom Fighters which contained the following names:

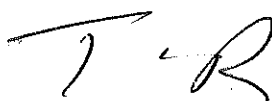
- 1) Cllr JN Mthombeni
- 2) Cllr ZJ Ngubeni

Cllr BH Mokoena also submitted a list for Middelburg and Hendrina Resident Front which contained the following names:

- 1) Cllr ST Mathunyane

Persuant to the above, it should be noted that no vote took place for the said lists, however the Local Electoral Project Officer indicated that the seats be divided in accordance with the determined formula for each list for the Representatives to District Council as follows:

List for ANC -	2 seats
List for DA -	2 seats
List for EFF -	1 seat
List for MHRF -	1 seat



RESOLVED BY COUNCIL

- 1 **THAT** note be taken that the election of representatives to the Nkangala District Municipality was done in terms of Schedule 2 of the Local Government : Municipal Structures Act 117 of 1998.
- 2 **THAT** the following Councillors be elected to serve on the Nkangala District Council:
 - 2.1 Cllr PM Masilela - ANC
 - 2.2 Cllr LJV Zondo - ANC
 - 2.3 Cllr SM Mogola - DA
 - 2.4 Cllr DD Klopper - DA
 - 2.5 Cllr JN Mthombeni - EFF
 - 2.6 Cllr ST Mathunyane- MHRF

SC10/11/2021**COUNCIL ARRANGEMENTS : CODE OF CONDUCT FOR COUNCILLORS**

1/11/29 (M)/dp

RESOLVED BY COUNCIL

1. **THAT** a copy of the Code of Conduct for Councillors, attached hereto as **ANNEXURE B**, to the Agenda, be noted and adhered to by all Councillors.
2. **THAT** each Councillor complete and submit the Declaration of Interest form with the Office of the Municipal Manager by 04 January 2022.

SC11/11/2021**FINANCES: ANNUAL BUDGET FOR THE 2021/2022 FINANCIAL YEAR**

5/11/14 (G)

RESOLVED BY COUNCIL

1. **THAT** the newly elected municipal Council take note of:
 - 1.1 Resolution C36/05/2021 approving the annual budget for the 2021/2022 financial year.



SC12/11/2021

FINANCES: INTEGRATED DEVELOPMENT PLAN (IDP) FOR THE 2021/2022 FINANCIAL YEAR

3/4 (G)

RESOLVED BY COUNCIL

1. **THAT** the newly elected Municipal Council take note of:
 - 1.1 Resolution SC30/03/2021 approving the reviewal of the Integrated Development Plan for the 2012/2022 financial year.
 - 1.2 Resolution C35/05/2021 approving the final adjustment of the Integrated Development Plan for the 2021/2022 financial year.

SC13/11/2021

FINANCES: DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS FOR DIFFERENT MEMBERS OF MUNICIPAL COUNCILS

12/2/21 (B)/dp

RESOLVED BY COUNCIL

1. **THAT** the matter be deferred to the next Council meeting for consideration.

SC14/11/2021

COUNCIL ARRANGEMENTS: DESIGNATION OF FULL TIME COUNCILLORS

3/1/3/22(C)/mm

RESOLVED BY COUNCIL

1. **THAT** the content of the report by the Municipal Manager about the designation and appointment of full time Councillors in terms of Provincial Gazette (Extraordinary) No. 3318 Vol28, be noted.
2. **THAT** Council approve the designations and election of the following as full time political office-bearers for its term of office:
 - 1 x Council Speaker
 - 1 x Executive Mayor
 - 6 x Members of the Mayoral Committee (MMC)
 - 1 x Council Whip
 - 1 x MPAC Chairperson

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3. **THAT** the elections of the above full time office bearers to be conducted in accordance to the provisions of Local Government: Municipal Structures Act 117 of 1998 ("the Act")
4. **THAT** note be taken that the Executive Mayor informed the meeting that the following Councillors will serve as Members of the Mayoral Committee:

Name of MMC	Name of Portfolio
1. Cllr LE Nkwana	Corporate and Support Services
2. Cllr MC Mphogo	Financial Services
3. Cllr MJ Sekgwele	Infrastructure Development Services
4. Cllr MG Maseko	Spatial Development and Human Settlement
5. Cllr BC Shabangu	Community Safety
6. Cllr GNB Mathibela	Arts, Cultural & Environmental Health

6. **CLOSURE**

The meeting adjourned at :14:41

SIGNED AT MIDDELBURG ON 31/01/2020



S P E A K E R

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