



STEVE TSHWETE LOCAL MUNICIPALITY

MINUTES

OF THE

SPECIAL COUNCIL

MEETING HELD ON

04 July 2024

09:12 am

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**MINUTES OF THE SPECIAL COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER ON THURSDAY,
04 JULY 2024 AT 09:12**

PRESENT

Cllr PM Masilela (Executive Mayor)	Ald P Mobango
Cllr ST Mathunyane	Cllr LS Qoka
Cllr CS Mashiloane	Cllr CM Soko
Cllr BC Shabangu	Cllr DA Stuurman
Ald MJ Sekgwele	Cllr AO Thabatha
Cllr GNB Mathibela	Cllr DJ van der Merwe
Cllr MC Mphogo	Cllr EW Vermooten
Cllr LE Nkwana	Cllr N Bottoman
Cllr MG Amigo	Cllr A Chego
Cllr I Mahlangu	Cllr OA Cossa
Cllr PV Malinga	Cllr MJ Mapheto
Cllr ME Nyambi	Cllr JN Mthombeni
Cllr WMM Phetla	Cllr ZJ Ngubeni
Cllr LN Sibanda	Cllr NT Tshoane
Cllr ML Shabangu	Cllr BC Mashabela
Cllr JM Shongwe	Cllr MP Mogola
Ald J Skosana	Cllr NZO Motla
Cllr PE Williams	Cllr H Pilodia
Cllr LJN Zondo	Cllr JC Haarhoff
Cllr SW Zulu	Cllr J Mentz
Cllr E M Bruiners	Cllr CJ Wolmarans
Cllr HG de Klerk	Cllr TR Mpye
Ald J Dyason	

ABSENT

Cllr JF Sithole

S.T

OFFICIALS

Mr SM Mnguni	(Municipal Manager)
Ms E Tshabalala	(Executive Director: Community Services)
Mr S Mahlangu	(Acting Executive Director: Financial Services)
Ms L Silolo	(Acting Executive Director: Infrastructure Services)
Mr T Mokoena	(Acting Director: Governance & Council Support)
Ms D Philip	(Acting Chief Administrative Officer)
Ms B Mabena	(Administrative Officer Grade 2)
Ms P Stuurman	(Clerk Grade 1)
Ms P Japal	(Clerk Grade 2)

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

Name of Cllr	1		
	From	To	Item
Cllr CS Mashiloane	09:33	09:36	SC08/06/2024
Cllr GNB Mathibela	09:35	09:37	SC08/06/2024
Cllr LE Nkwana	09:39	09:41	SC09/06/2024
Cllr MG Amigo	10:01	10:03	SC09/06/2024
Cllr PV Malinga	09:53	09:54	SC09/06/2024
Cllr WMM Phetla	10:01	10:03	SC09/06/2024
Cllr E M Bruiners	09:49	09:51	SC09/06/2024
Ald J Dyason	09:51	09:58	SC09/06/2024
Ald P Mobango	09:52	09:56	SC09/06/2024
Cllr DA Stuurman	09:42	09:44	SC09/06/2024
Cllr AO Thabatha	10:01	10:07	SC09/06/2024
Cllr DJ van der Merwe	09:25	09:26	Opening
Cllr A Chego	09:44	09:46	SC09/06/2024
Cllr OA Cossa	09:52	09:54	SC09/06/2024

1 OPENING

The Speaker welcomed everyone and declared the meeting open.

The Chief Whip of Council, Cllr CS Mashiloane raised a point in *limine* that although the notice of the meeting is not in terms of the Rules of Order, they will continue to participate in the meeting.

The Municipal Manager informed Council of 2 (two) vacancies in Council due to the passing of Cllr MG Maseko from the ANC and the resignation of Cllr DD Klopper from the DA.

He furthermore informed Council on the date given by IEC for the by-elections to be held on 28 August 2024.

ST

2. **APPLICATIONS FOR LEAVE OF ABSENCE**

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

2.1.1 **THAT** note be taken that Ald GHE Romijn, Ald HF Niemann, Ald AS Grobler, Cllr J Segage and Ald S Wait has applied for leave of absence due to other obligations and their applications were approved.

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

2.2.1 **THAT** note be taken that Ald SM Mogola, Cllr P Malinga, Cllr MC Skosana, Cllr EP Mahlangu and Ald A Struwig has applied for leave of absence due to other obligations and their applications were approved.

3. **DISCLOSURE OF INTEREST**

None

4. **REPORT OF THE EXECUTIVE MAYOR**

S.T

**EXTRACT OF THE REPORT OF THE 12TH MAYORAL COMMITTEE
MEETING WHICH WAS HELD VIA VIRTUAL CONNECTION ON
THURSDAY, 20 JUNE 2024**

NON DELEGATED POWERS

With the consideration of this report, the Executive Mayor informed the meeting that item SC38/06/2024 be withdrawn.

Upon request by the Executive Mayor, it was

RESOLVED BY COUNCIL

THAT the report by the Executive Mayor in respect of items SC03; SC06; SC08; SC09; SC12; SC22; SC36; SC38 and SC40/06/2024, be considered.

SC03/06/2024

**FINANCE: SUPPLY CHAIN MANAGEMENT: MONTHLY REPORT SECTION 36
DEVIATION REPORT FOR MAY 2024**

9/2/2 (R)

RESOLVED BY COUNCIL

1. **THAT** Council take note of the Section 36 Deviation Report for May 2024 as submitted by the Acting Executive Director: Financial Services.
2. **THAT** Council take note that no Section 36 Deviations incurred during the month of May 2024.

SC06/06/2024

AMENDMENT OF CONTRACT MANAGEMENT POLICY: PROCUREMENT CONTRACTS

8/1/P (T)

RESOLVED BY COUNCIL

1. **THAT** the draft Contract Management Policy: Procurement Contracts attached as **ANNEXURE B**, to the Agenda be approved and adopted by Council.
2. **THAT** Resolution C03/01/2022 be rescinded.

S.T

SC08/06/2024

PROGRESS REPORT AND POSSIBLE IMPACT ON THE IMPLEMENTATION OF THE ADMINISTRATIVE ADJUDICATION OF ROAD TRAFFIC OFFENCES ACT 46 OF 1998 (AARTO ACT 46 of 1998) FOR STEVE TSHWETE LOCAL MUNICIPALITY

1/1/1/5/56(C)/mm

RESOLVED BY COUNCIL

1. **THAT** Council take note of the progress report on the possible impact of the implementation of the Administrative Adjudication of Road Traffic Offences Act 46 of 1998 (AARTO) on Steve Tshwete Local Municipality, expected to take effect on 1 July 2024.
2. **THAT** the Road Traffic Infringement Agency (RTIA) make a presentation to Council on the AARTO Amendment Act of 2019.
3. **THAT** training of the current personnel be done before the implementation of the AARTO.

SC09/06/2024

RISK: REPORT OF THE SPECIAL RISK MANAGEMENT COMMITTEE MEETING HELD VIRTUALLY ON 18 APRIL 2024

9/2/6 (Q)

With the consideration of this matter Cllr NT Tshoane submitted the following proposal which was seconded by Cllr ZJ Ngubeni:

" That the Risk Management Committee be tasked to submit a detailed report from the Newtown Task Team in terms of Rule 82(a) and (b) of the standing Rules of Order, be submitted in the next Council meeting."

After deliberations on this matter, Ald P Mobango requested a caucus period in terms of Section 43 (1) of the Rules of Order. The Speaker allowed a caucus period from 10:07 to 10:17.

In view of the fact that no other counter proposals were received, the proposal by Cllr NT Tshoane was therefore accepted.

RESOLVED BY COUNCIL

1. **THAT** Council take note of the report by the Municipal Manager on the third quarter Risk Management Committee meeting held virtually on 18 April 2024.
2. **THAT** Council consider the recommendations by the Risk Management Committee.

S-T

RMC01/04/2024	RISK: STRATEGIC RISK FOR THE 2024/2025 FINANCIAL YEAR	THAT the Strategic Risk Register for the 2024/2025 Financial Year, be considered
RMC02/04/2024	RISK: RISK MANAGEMENT IMPLEMENTATION PLAN FOR THE 2024/2025 FINANCIAL YEAR	THAT the Risk Management Implementation Plan be recommended for approval by Council
RMC03/04/2024	RISK: REVIEWED RISK MANAGEMENT POLICY	THAT the Risk Management Policy be recommended for approval by Council
RMC04/04/2024	RISK: REVIEWED RISK MANAGEMENT CHART FOR THE 2024/2025 FINANCIAL YEAR	THAT the Risk Management Chart be recommended for approval by Council
RMC05/04/2024	RISK: REVIEWED FRAUD PREVENTION PLAN FOR THE 2024 TO 2026 FINANCIAL YEAR	THAT the Fraud Prevention Plan be recommended for approval by Council
RMC06/04/2024	RISK: REVIEWED WHISTLE BLOWING POLICY FOR THE 2024 TO 2026 FINANCIAL YEAR	THAT the Whistle Blowing Policy be recommended for approval by Council

3. THAT the Risk Management Committee be tasked to submit a detailed report regarding the Newtown Task Team at the next Council meeting in terms of Rule 82(a) and (b) of the Standing Rules of Order.

S-T

SC12/06/2024

**FINANCIAL SERVICES: SUPPLY CHAIN MANAGEMENT: MONTHLY REPORT
SECTION 36 DEVIATION REPORT FOR APRIL 2024**

9/2/2 (Q)

RESOLVED BY COUNCIL

1. **THAT** the Section 36 Deviation Report for April 2024 as submitted by the Acting Executive Director: Financial Services, be noted.
2. **THAT** note be taken that no Section 36 Deviations occurred during April 2024.

SC22/06/2024

**THE SERVICE DELIVERY & BUDGET IMPLEMENTATION PLAN (SDBIP) 2024/2025
FINANCIAL YEAR AND THE DRAFT PERFORMANCE AGREEMENTS FOR SECTION
55(A) AND 56 MANAGERS**

3/5(C)

RESOLVED BY COUNCIL

1. **THAT** the SDBIP as contained in ANNEXURE A, be considered and noted.
2. **THAT** permission be granted to the Director: Development & Strategic Support to submit the SDBIP to all relevant organs of state including loading to the National Treasury's portal.
3. **THAT** permission be granted to the Director: Development & Strategic Support to publicize the SDBIP through the Municipal website.
4. **THAT** ANNEXURE B – ANNEXURE F, be noted and the 2024/2025 Draft Performance Agreements of the Section 54(a) and 56 managers.
5. **THAT** ANNEXURE G and ANNEXURE H, be noted and the 2023/2024 Final Performance Agreements of the Section 56 managers.
6. **THAT** the Annual Performance Agreements be concluded by the 31 July 2024 as indicated by the Municipal Systems Act, Section 57.

S.T

SC36/06/2024

RULES & ETHICS: LATE AND NON-SUBMISSION OF THE 2023/2024 ANNUAL DECLARATION OF INTEREST BY COUNCILLORS IN TERMS OF SECTION 8(2) OF THE COUNCILLORS' CODE OF CONDUCT

3/3/3 (G)

RESOLVED BY COUNCIL

1. THAT the following Councillors be given a fine of R500.00 for the late submission of the 2023/2024 Annual Declaration of Interest Forms:
 - 1.1 Ald M J Sekgwele
 - 1.2 Cllr C S Mashiloane
 - 1.3 Cllr S W Zulu
 - 1.4 Cllr H G De Klerk

2. THAT should Ald M J Sekgwele not submit a form within 14 days from this Resolution by Council, this matter be referred to the Rules and Ethics Committee for further consideration

SC38/06/2024

EXPRESSION OF INTEREST: RESIDENTIAL STANDS IN DENNESIG NORTH

7/3/2/3 (E)/iec

RESOLVED BY COUNCIL

1. THAT note be taken that the matter was withdrawn by the Executive Mayor.

SC40/06/2024

LEGISLATION: LOCAL GOVERNMENT: GENERAL LAWS AMENDMENT BILL, 2024, FOR COMMENTS

1/1/1/8(C)/mm

RESOLVED BY COUNCIL

1. THAT Council take note of the report by the Acting Executive Director: Corporate Services on the Local Government: General Law Amendment Bill, 2024.

2. THAT Council support the promulgation of the Local Government: General Laws Amendment Bill, 2024, into an Act.

S.T

5. **CLOSURE**

The meeting adjourned at 10:34

SIGNED AT MIDDELBURG ON

22/08/24


SPEAKER