

## UMZIMVUBU LOCAL MUNICIPALITY

**MINUTES** of the **Special Council Meeting** of Umzimvubu Local Municipality held on **Tuesday, 29<sup>th</sup> of August 2017** at the **Municipal Town Hall** in **EmaXesibeni** at **14h47**.

### COUNCILLORS PRESENT

1. Cllr. S.K. Mnukwa : Speaker
2. Cllr. B.P. Mabhengu : Mayor
3. Cllr. F.N. Ngonyolo : Portfolio Head: SP and Communication
4. Cllr. M. Mataka : Portfolio Head: Corporate Services
5. Cllr. A.N. Garane : Portfolio Head: LED
6. Cllr. N. Sonyabashi : Portfolio Head: Citizens and Community Services
7. Cllr. P.K. Thingathinga : EXCO Member
8. Cllr. T.A. Mambi : EXCO Member
9. Cllr. N.H.Dandala : Member
10. Cllr. S. Dangisa : Member
11. Cllr. N.N.Gcadinja : Member
12. Cllr. S. Gqiza : Member
13. Cllr. M. Hlanekele : Member
14. Cllr. M. Joloba : Member
15. Cllr. X. Jona : Member
16. Cllr. N.H. Kolweni : Member
17. Cllr. G.V. Lugongolo : Member
18. Cllr. S.O. Madlanga : Member
19. Cllr. B. Majalamba : Member
20. Cllr. P. Makhinzi : Member
21. Cllr. S. Mankanku : Member
22. Cllr. N.A. Mantshongo : Member
23. Cllr. A. Mgangatho : Member
24. Cllr. A.P. Mkhonto : Member
25. Cllr. M. Mqulwane : Member
26. Cllr. C.N. Mnyayiza : Member
27. Cllr. S.P. Myingwa : Member
28. Cllr. T. Ndara : Member
29. Cllr. N.E. Ngalonkulu : Member
30. Cllr. N.V. Nomaqaqa : Member
31. Cllr. T. Nomkuca : Member
32. Cllr. C.L. Noqhakala : Member
33. Cllr. L.L. Nqatsha : Member
34. Cllr. M. Ntsevu : Member
35. Cllr. N. Ntshayisa : Member
36. Cllr. M. Ramabina : Member

37. Cllr. S. Sifolo : Member
38. Cllr. T. Sokhanyile : Member
39. Cllr. N.S. Soldat : Member
40. Cllr. F.P. Sontsi : Member
41. Cllr. N.C. Tshayisa : Member
42. Cllr. M. Tuku : Member
43. Cllr. A.N. Zongwana : Member

#### **ABSENT COUNCILLORS**

1. Cllr. N.G Mdzinwa : Chief Whip (*Apology*)
2. Cllr. U.G. Makanda : Portfolio Head: Infrastructure and Planning (*Apology*)
3. Cllr. H.M. Ngqasa : Portfolio Head: Budget and Treasury (*Apology*)
4. Cllr. S.A.N. Cekeshe : Member
5. Cllr. N. Gogela : Member
6. Cllr. F.J. Hem : Member
7. Cllr. T.V. Hlazo : Member
8. Cllr. M. Maliwa : Member
9. Cllr. L.S. Maqhashalala : Member
10. Cllr. T. Ntsalaze : Member

#### **PRESENT TRADITIONAL LEADERS**

1. Cllr N.G. Ncapai : Member
2. Cllr. N. Fikeni : Member
3. Cllr. M. Nota : Member
4. Cllr. M. Mduyana : Member
5. Cllr. M. Sogoni : Member
6. Cllr. M Mpakumpaku : Member
7. Cllr. J.B. Makaula : Member

#### **ABSENT TRADITIONAL LEADERS**

1. Cllr. D. Makaula : Member
2. Cllr. N. Rolobile : Member
3. Cllr. T. Makaula : Member
4. Cllr N. Makaula : Member

#### **PRESENT OFFICIALS**

11. Mr. G.P.T. Nota : Municipal Manager
12. Mrs. N. Kubone : Manager: Corporate Services
13. Mr. S. Ntonga : Manager: Infrastructure and Planning
14. Ms. S.L. Batyi : Manager: LED and Environmental Management
15. Mrs. X. Venn : CFO

- 16. Mr. N.M. Sineke : Manager: Citizens and Community Services
- 17. Mrs. N. Zembe : Manager: Special Programmes and Communications
- 18. Ms. P. Nkake : Assistant Manager: Sound Governance
- 19. Mr. Z.M. Manqumakazi : Senior Administrator: Secretariat Services
- 20. Ms. N. Boyce : Admin Assistant: Secretariat Services

### **ABSENT OFFICIALS**

- None.

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## **MINUTES**

### **1. OPENING/ WELCOME**

The meeting was declared open by the Speaker; Councillor S.K. Mnukwa after a Council has observed a moment of silence at 14h47.

### **2. READING OF THE OFFICIAL NOTICE**

The Municipal Manager: Mr. G.P.T. Nota read the official notice.

### **3. LEAVE OF ABSENCE**

There were no applications for leave of absence.

### **4. APOLOGIES**

An apology was tendered by Councillor N. Makaula who was not going to be part of the Council Meeting.

An apology was tendered for Councillor S.A.N. Cekeshe who was not going to be part of the Council Meeting.

An apology was tendered for Councillor N.G. Mdzinwa who was not going to attend the Council Meeting.

An apology was tendered for Councillor U.G. Makanda who was attending a crisis in his Ward.

An apology was tendered for Councillor M.H. Ngqasa who was not going to attend the Council Meeting.

An apology was tendered by Councillor N. Rolobile who was not going to be part of the Council Meeting.

***It was thereafter with Councillor P.K. Thingathinga and Councillor T.A. Mambi proposing and seconding respectively;***

**RESOLVED**

1. That an apology tendered for Councillor N. Makaula is accepted.
2. That an apology tendered for Councillor S.A.N. Cekeshe is accepted.
3. That an apology tendered for Councillor N.G. Mdzinwa is accepted.
4. That an apology tendered for Councillor U.G. Makanda is accepted.
5. That an apology tendered for Councillor M.H. Ngqasa is accepted.
6. That an apology tendered for Councillor N. Rolobile is accepted.

***This was carried unanimously.***

**5. PECUNIARY INTERESTS**

There were no pecuniary interest declared.

**6. COMMUNICATION STATEMENT**

***Her Majesty the Honourable Mayor***

***Chief Whip***

***Mayoral Committee***

***Councillors***

***Esteemed Traditional Leaders***

***Management and Officials***

***Distinguished Guests***

Let me take this opportunity to greet you all whom have attended this Special Council Meeting today. Your presence in this event is highly appreciated.

Leaders of society, we are coming to an end of the Women's month, a month that was declared as a commemorating month for the struggle of women in 1956.

This month has been extremely eventful as the entire nation has been convening programs that spoke on developing these Mothers of the Nation, even us as Umzimvubu on the 23<sup>rd</sup> August 2017, we had a very well-organised event that was held in Kwa-Bhaca. A program that was organised for women with a common goal and

that goal being developmental in nature, women of our locality were given an opportunity to share their experiences as women and how they can overcome their struggles.

It is only over the last three or four decades that women's role in the history of South Africa has belatedly, been given some recognition. Previously the history of women's political organization, their struggle for freedom from oppression, for community rights and, importantly, for gender equality, was largely ignored in history.

Even though the month of August is known to be the women's month, our women and children have been continuously abused and assaulted.

We will remember in the past few weeks there has been a trending video in the social media of The Deputy Minister of Higher Education and Training, Mr Mduduzi Manana brutally assaulting two women in a club.

Comrades, a leader cannot be found behaving in such a manner, what picture will we be exhibiting to our constituency.

As this council we must unite and put an end to violence against the women and children of this country.

Comrades, we are gathered here today in this Special Council Meeting to get an actual Demarcation report as guided by Circular: 1/2017. All the relevant processes have been adhered to, and consultation was convened with all stakeholders.

Leaders, again today we will go through the Memorandum of Understanding as proposed by the Provincial Speaker's Office so that we can be at par as this council of what is expected of us and actual agree on it.

A Memorandum of Understanding is a formal agreement between two or more parties. As this council we should use the MOUs to establish official partnerships. MOUs are not legally binding but they carry a degree of seriousness and mutual respect, stronger than a gentlemen's agreement, and further outline the terms and details of an understanding.

Again, the Skills Development Act no. 85 of 1998 encourages the employer to provide skills development opportunities to employees and communities. It is of that reason that the Councillor's training report will be tabled here today.

With those few words, I thank you and declare this Special Council Meeting opened.

## **7. DEPUTATIONS**

There were no deputations.

## **8. OFFICIAL ANNOUNCEMENTS**

8.1 There were no announcements.

**9. CONFIRMATION OF MINUTES**

- 9.1 It was announced that Councillors are requested to sign and return disclosure forms before Friday; 31<sup>st</sup> of August 2017.

**10. BUSINESS OF THE DAY**

**ULMC: 12**

**10.1 OFFICE OF THE MUNICIPAL MANAGER – INTERNAL AUDIT: REPORT ON REVIEW OF AUDIT AND PERFORMANCE COMMITTEE CHARTER**

**PURPOSE**

To table the Audit & Performance Committee Charter to the Council to for adoption.

*It was thereafter with Councillor M. Joloba and Councillor N. Mantshongo proposing and seconding respectively;*

**RESOLVED**

1. That the Audit and Performance Committee Charter is adopted by the Council.

**COUNCIL/12/2017/2018**

*This was carried unanimously.*

**ULMC: 13**

**10.2 OFFICE OF THE MUNICIPAL MANAGER – INTERNAL AUDIT: REPORT ON REVIEW OF INTERNAL AUDIT CHARTER**

**PURPOSE**

To table the Internal Audit Charter to the Council to for adoption.

*It was thereafter with Councillor M. Ntsevu and Councillor N.V. Nomaqaqa proposing and seconding respectively;*

**RESOLVED**

1. That the Internal Audit Charter is adopted by the Council.

**COUNCIL/13/2017/2018**

*This was carried unanimously.*

**ULMC: 14**

**10.3 BUDGET & TREASURY SERVICES: 2016 & 17 ROLL OVERS**

**PURPOSE**

To seek Council approval to roll-over the budget amounts for projects that were not completed during 2016/17 financial year. The funds that are being rolled over to 2017/18 financial year are all committed to specific projects that are outlined in Annexure A attached.

*It was thereafter with Councillor X. Jona and Councillor T. Nomkuca proposing and seconding respectively;*

**RESOLVED**

1. That the report on roll-over budget amounts for projects that were not completed during 2016/17 financial year is noted by the Council.
2. That in terms of section 28 of the Municipal Finance Management Act, 56 of 2003 read with Reg. 23 (5)(b), the roll over's budget of the municipality for the year **2016/17 be approved as tabled.**

**COUNCIL/14/2017/2018**

*This was carried unanimously.*

**ULMC: 15**

**10.4 PROGRESS REPORT ON THE DEVELOPMENT OF THE IDP PROCESS PLAN FOR 2018-2019 FY: OFFICE OF THE MUNICIPAL MANAGER**

**PURPOSE**

To table to the Council for approval the IDP and Budget Process Plan for the budget year 2018-2019.

*It was thereafter with Councillor N.C. Mnyayiza and Councillor A. Mgangato proposing and seconding respectively;*

**RESOLVED**

1. That the IDP and Budget Process Plan for 2018/2019 Financial Year is noted by the Council.
2. That the IDP and Budget Process Plan for 2018/2019 Financial Year is noted by the Council.

**COUNCIL/15/2017/2018**

*This was carried unanimously.*

**ULMC: 16**

**10.5 BUDGET AND TREASURY DEPARTMENT: DISPOSAL OF LAND AS PART OF VISION 2030 IMPLEMENTATION**

**PURPOSE**

To seek approval for the disposal of land in KwaBhaca and EmaXesibeni as part of Vision 2030 and the Municipal 5 Year Strategy.

*It was thereafter with Councillor C.L. Noqhakala and Councillor M. Hlanekela proposing and seconding respectively;*

**RESOLVED**

1. That the report on disposal of land report is noted by the Council.
2. That the council **approves** to disposal of sites as listed in the Annexure of this report through selling and leasing.
3. That section 33 of MFMA 56 of 2003 read with Municipal Asset Transfer regulation be complied with during the process.
4. That land be disposed at a market value and at no loss to increase the revenue of the Municipality.
5. That the areas to be disposed be prioritised for services by all stakeholders involved.
6. That an estate agent be used for disposal of individual sites with clear terms and conditions.
7. That properties that will be developed for commercial activities be leased through a lease-hold for a minimum period of 30 years.
8. That land be sold to developers intending to do residential accommodation.
9. That a due diligence team be appointed to ensure that the process is seamless and municipal conditions are met.

**COUNCIL/16/2017/2018**

*This was carried unanimously.*

**ULMC: 17**

**10.6 PROGRESS REPORT ON THE ANNUAL PERFORMANCE REPORT 2016/2017 FY: OFFICE OF THE MUNICIPAL MANAGER**

**PURPOSE**



To table to Council the Annual Performance Report for 2016/2017 Financial Year for noting.

*It was thereafter with Councillor N. Soldat and Councillor S.S. Dangisa proposing and seconding respectively;*

**RESOLVED**

1. That the development of the Annual Performance Report for 2016-2017 financial year is noted by the Council.
2. That the Council notes that the Annual Performance Report for 2016-2017 financial year shall be submitted to the Office of the Auditor General no later than the 31<sup>st</sup> August 2017 for audit.

**COUNCIL/17/2017/2018**

*This was carried unanimously.*

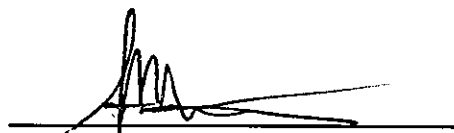
**12. DATE OF THE NEXT MEETING**

The date of the next Council Meeting is 28<sup>th</sup> of September 2017.

**13. CLOSURE**

**THERE BEING NO FURTHER BUSINESS TO BE DISCUSSED THE COUNCIL  
ADJOURNED AT 16H06.**

**CONFIRMED BY**



**CLLR. S.K. MNUKWA  
SPEAKER OF THE COUNCIL**

06/10/2017  
**DATE**