

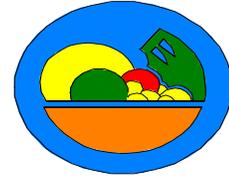


**GREATER TZANEEN MUNICIPALITY
GROTER TZANEEN MUNISIPALITEIT
MASIPALA WA TZANEEN
MASEPALA WA TZANEEN**

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Tropical Paradise

**MINUTES OF THE 3RD SPECIAL COUNCIL MEETING FOR 2023/2024
FINANCIAL YEAR OF THE GREATER TZANEEN MUNICIPALITY
HELD AT OLD FIRE HALL, ON THURSDAY, THE 30TH OF NOVEMBER
2023 AT 12H00.**

PRESENT

The Speaker

Councillor S Tiba

COUNCILLORS

As per attached attendance register (Annexure "X")

OFFICIALS

**The Municipal Manager
The Acting Director PED
The Director Electrical Engineering
The Director Engineering Services
The Director Community Services
The Acting Chief Financial Officer
The Acting CEO GTEDA
The Manager Communication
The Manager Council Support
The Safety and Security Officer
The Committee Clerk
The MPAC Research
The MPAC Secretary
The PA Mayor's Office
The Communication Assistant
The Communication Student
The Communication Assistant**

**Mr D Mhangwana
Mr NH Phakula
Mr F Mthetwa
Mrs HO Tshisevhe
Ms C Ntimbani
Ms M Sono
Mr V Mulaudzi
Mr NN Ndlala
Ms MW Baloyi
Mr MK Makhubela
Mrs FS Makhubela
Mrs MM Sekopana
Ms K Modjadji
Ms B Kgatle
Ms L Rabothata
Mr S Ramabela
Mr T Manyama**

TRADITIONAL AUTHORITIES

**The Maake Traditional Authority Representative
The Muhlava Traditional Authority Representative
The Bathlabine Traditional Authority Representative**

**Mr M Maake
Mr NW Mushwana
None**

The Mmamabolo Traditional Authority Representative	Mr RA Sehlapelo
The Modjadji Roya Council Representative	Mrs MS Modjadji
The Valoyi Traditional Authority Representative	None
The Nyavana Traditional Authority Representative	None
The Sebela Traditional Authority Representative	None

1. OPENING AND WELCOME

Councillor MD Sejaphala opened the meeting with prayer and the Speaker, Councillor MS Tiba welcomed everyone present in the meeting.

NOTE: The meeting started at 12h25 due to councillors not forming a quorum.

2. APPLICATIONS FOR LEAVE OF ABSENCE AND THE SIGNING OF THE ATTENDANCE REGISTER

The applications for leave of absence were received from the following:

- The Mayor, Councillor GP Molapisane
- Councillor R Shai
- Councillor D Malemela
- Councillor CM Ramathoka
- Councillor SS Malatji
- Councillor ES Mathole
- Councillor MM Makwala
- Councillor SM Matiane
- Councillor A Moss
- Councillor PG Mametja
- Councillor MM Mmola
- The Director Planning and Economic Development, Mr BM Mathebula
- The Sebela Tribal Authority Representatives, Mr MC Sebela

RESOLVED

That the applications for leave of absence received be granted as follows:

- The Mayor, Councillor GP Molapisane
- Councillor R Shai
- Councillor D Malemela
- Councillor CM Ramathoka
- Councillor SS Malatji
- Councillor ES Mathole
- Councillor MM Makwala
- Councillor SM Matiane

- Councillor A Moss
- Councillor PG Mametja
- Councillor MM Mmola
- The Director Planning and Economic Development, Mr BM Mathebula
- The Sebela Tribal Authority Representatives, Mr MC Sebela

Note: The Whip of Council, Councillor GM Malatji raised a concern on non-attendance and late coming of Councillors, and he further indicated that in the previous meeting it was resolved that Councillors who are absent or late should be deducted immediately in accordance with the section 47 of the Rules of Order.

3. PRESENTATION (IF ANY)

None.

4. OFFICIAL NOTICES

- (i) The Municipal Manager, Mr D Mhangwana announced that Councillors are requested to fill in the SASRIA forms at Budget and Treasury Department since the current contract is lapsing by 31st of December 2023.
- (ii) The Municipal Manager, Mr D Mhangwana announced that on the 4 – 6 December 2023, there will be an IDP Strategic Session at Blyde River Canyon, and check-in is on Sunday, the 3rd of December 2023 at 15h00.
- (iii) The Municipal Manager, Mr D Mhangwana announced that there will be a Mayor's Cup on the 9th of December 2023 at Nkowankowa Stadium, and Councillors were requested to donate two (2) pairs of school shoes for school children.

5. GIFTS AND FAVORS

None.

6. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

- 6.1 The Speaker, Councillor MS Tiba requested Councillors to be on time for the Council meeting and further indicated that members should be in the hall 15 minutes before the start of the meeting. She further stated that Councillors should be disciplined and respect time.
- 6.2 The Speaker, Councillor MS Tiba further requested Councillors to collect forms for capacity building by SALGA in the Speaker's office.

7. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

None.

8. MOTIONS OR PROPOSALS DEFERRED FROM THE PREVIOUS MEETINGS

None.

9. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE CHAIRPERSON

None.

10. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY OTHER MEMBERS

None.

11. OUTSTANDING MATTERS

None.

12. PETITIONS

None.

13. MOTIONS

None.

14. REPORT FROM AUDIT COMMITTEE

None.

15. REPORT FROM GTEDA

None.

16. REPORT FROM MPAC

None.

17. REPORT FROM RULES AND ETHICS COMMITTEE (A 42)

18. INPUTS BY THE TRADITIONAL LEADER

None.

19. REPORT FROM WARD COMMITTEES

None.

20. REPORTS IN COMMITTEES

(Item A13 and A25 were approved by Council)

21. URGENT REPORT – ALLOWED ONLY WITH THE CONSENSUS OF THE CHAIRPERSON

None.

22. RECOMMENDATIONS OF THE EXECUTIVE COMMITTEE MEETING FOR THE PERIOD NOVEMBER 2023.

(All items were approved as mentioned below)

A 38 REPORT ON UNAUTHORISED, IRREGULAR, FRUITLESS AND WASTEFUL EXPENDITURE REDUCTION STRATEGY REPORT FOR THE YEAR 2023/2024 Q1

(E/C 2023 11 21; C 2023 11 30)

(5/1/3)

RESOLVED

That Council takes note of Q1 2023/24 UIF Reduction Strategy attached as “**Annexure A**” to be submitted to Provincial Treasury in terms of **MFMA Circular 68**

Note: (i) Councillor R Pohl indicated that the Unauthorized, Irregular, Fruitless and Wasteful expenditure Reduction Strategy for the financial year 2023/2024 remains a serious concern.

(i) The Economic Freedom Fighters (EFF) indicated that the report is not providing a true reflection of what is happening in the institution, therefore, the report is not supported by EFF.

Signed by the Speaker
Councillor MS Tiba.....

A 39 REPORT ON Q1 (JULY-SEPT 2023) UNAUTHORISED, IRREGULAR, FRUITLESS AND WASTEFUL EXPENDITURE FOR THE YEAR 2023/2024

(E/C 2023 11 21; C 2023 11 30)

(5/1/3)

RESOLVED

- a) That Council takes note of the Q1 **identified** Fruitless and Wasteful Expenditure (**Cumulative**) for 2023/2024 Financial Year. Fruitless and Wasteful Expenditure amounted to (**R0**) attached as "**Annexure A**"

Name of Municipality: Greater Tzaneen Municipality						
Fruitless & Wasteful Expenditure 2023/2024						
No	Transaction details			Person Liable (Official or Political Office Bearer)	Type of Prohibited Expenditure	
	Vendor name	Payment Number	Total Amount YTD June 2023			Description of Incident
1	ESKOM HOLDINGS SOC LTD	15/19385	20.19	Interest on late payment	All Departments	Fruitless and Wasteful
2	ESKOM HOLDINGS SOC LTD	N/A	-20.19	Interest on late payment reversed	All Departments	Fruitless and Wasteful
	TOTAL		R0			

- b) That Council takes note of the **identified** Irregular Register Expenditure (**Cumulative**) Q1 (Jul-Sep 2023), 2023/2024 financial year. Irregular Expenditure amounted to (**R11'144'335.61**) attached as "**Annexure B**"
- c) That Council takes note that some of the irregular expenditures listed below were identified by the Auditor General during the audit of 2021/2022 financial year.

Greater Tzaneen Municipality
Register of Irregular Expenditure Q1 2023/2024

No	Transaction details			Person Liable (Official or Political Office Bearer)	Type of Prohibited Expenditure
	Vendor Name	Total YTD Amount June 2023	Description of Incident		
1	MOLEBOGENG TRADING ENTERPRISE	496,005.93	Bids not advertised for a minimum required number of days- no information supported the tender being advertised for a shorter period of time	Community Services	Irregular Expenditure
2	MOLEBOGENG TRADING ENTERPRISE	47,795.50	Bids not advertised for a minimum required number of days- no information supported the tender being advertised for a shorter period of time	Community Services	Irregular Expenditure
3	GEORGE SECURITY B	127,914.68	Non-compliance with SCM Regulation Sec 27(2)(a), Sec 112(1) MFMA, Paragraph 24(1) &(2) of the SCM policy, SCM Regulation 28(1) (a) (i)	Community Services	Irregular Expenditure
4	GEORGE SECURITY B	667,368.00	Non-compliance with SCM Regulation Sec 27(2)(a), Sec 112(1) MFMA, Paragraph 24(1) &(2) of the SCM policy, SCM Regulation 28(1) (a) (i)	Community Services	Irregular Expenditure
5	GEORGE SECURITY B	63,957.34	Non-compliance with SCM Regulation Sec 27(2)(a), Sec 112(1) MFMA, Paragraph 24(1) &(2) of the SCM policy, SCM Regulation 28(1) (a) (i)	Community Services	Irregular Expenditure
6	GEORGE SECURITY B	95,936.01	Non-compliance with SCM Regulation Sec 27(2)(a), Sec 112(1) MFMA, Paragraph 24(1) &(2) of the SCM policy, SCM Regulation 28(1) (a) (i)	Community Services	Irregular Expenditure
7	GEORGE SECURITY B	1,918,720.12	Non-compliance with SCM Regulation Sec 27(2)(a), Sec 112(1) MFMA, Paragraph 24(1) & (2) of the SCM policy, SCM Regulation 28(1) (a) (i)	Community Services	Irregular Expenditure
8	ANAKA GROUP	187,322.17	Bids not advertised for a minimum required number of days- no information supported the tender being	Corporate Services	Irregular Expenditure

			advertised for a shorter period of time		
9	ANAKA GROUP	95,600.60	Bids not advertised for a minimum required number of days- no information supported the tender being advertised for a shorter period of time	Corporate Services	Irregular Expenditure
10	ANAKA GROUP	187,322.17	Bids not advertised for a minimum required number of days- no information supported the tender being advertised for a shorter period of time	Corporate Services	Irregular Expenditure
11	ANAKA GROUP	105,097.70	Bids not advertised for a minimum required number of days- no information supported the tender being advertised for a shorter period of time	Corporate Services	Irregular Expenditure
12	Contour Technology	1,256.43	Procurement halted by NT to re-advertise in Aug 2022 after NT granted approval letter Advertise bids on PPF act	BTO-Finance Revenue	Irregular Expenditure
13	Contour Technology	60,872.41	Procurement halted by NT to re-advertise in Aug 2022 after NT granted approval letter Advertise bids on PPF act.	BTO-Finance Revenue	Irregular Expenditure
14	MOLEBOGENG TRADING ENTERPRISE	496,005.93	Bids not advertised for a minimum required number of days- no information supported the tender being advertised for a shorter period of time.	Community Services	Irregular Expenditure
15	MOLEBOGENG TRADING ENTERPRISE	52,105.18	Bids not advertised for a minimum required number of days- no information supported the tender being advertised for a shorter period of time.	Community Services	Irregular Expenditure
16	GEORGE SECURITY B	127,914.68	Non-compliance with SCM Regulation Sec 27(2)(a), Sec 112(1) MFMA, Paragraph 24(1) & (2) of the SCM policy, SCM Regulation 28(1) (a) (i).	Community Services	Irregular Expenditure
17	GEORGE SECURITY B	667,368.00	Non-compliance with SCM Regulation Sec 27(2)(a), Sec 112(1) MFMA, Paragraph 24(1) & (2) of the SCM policy, SCM Regulation 28(1) (a) (i)	Community Services	Irregular Expenditure

18	GEORGE SECURITY	B	63,957.34	Non-compliance with SCM Regulation Sec 27(2)(a), Sec 112(1) MFMA, Paragraph 24(1) & (2) of the SCM policy, SCM Regulation 28(1) (a) (i).	Community Services	Irregular Expenditure
19	GEORGE SECURITY	B	95,936.01	Non-compliance with SCM Regulation Sec 27(2)(a), Sec 112(1) MFMA, Paragraph 24(1) & (2) of the SCM policy, SCM Regulation 28(1) (a) (i).	Community Services	Irregular Expenditure
20	GEORGE SECURITY	B	1,918,720.12	Non-compliance with SCM Regulation Sec 27(2)(a), Sec 112(1) MFMA, Paragraph 24(1) & (2) of the SCM policy, SCM Regulation 28(1) (a) (i).	Community Services	Irregular Expenditure
21	ANAKA GROUP		187,322.17	Bids not advertised for a minimum required number of days- no information supported the tender being advertised for a shorter period of time.	Corporate Services	Irregular Expenditure
22	ANAKA GROUP		80,140.61	Bids not advertised for a minimum required number of days- no information supported the tender being advertised for a shorter period of time.	Corporate Services	Irregular Expenditure
23	MOLEBOGENG TRADING ENTERPRISE		496,005.93	Bids not advertised for a minimum required number of days- no information supported the tender being advertised for a shorter period of time.	Community Services	Irregular Expenditure
24	MOLEBOGENG TRADING ENTERPRISE		51,322.43	Bids not advertised for a minimum required number of days- no information supported the tender being advertised for a shorter period of time.	Community Services	Irregular Expenditure
25	GEORGE SECURITY	B	127,914.68	Non-compliance with SCM Regulation Sec 27(2)(a), Sec 112(1) MFMA, Paragraph 24(1) & (2) of the SCM policy, SCM Regulation 28(1) (a) (i).	Community Services	Irregular Expenditure
26	GEORGE SECURITY	B	645,840.00	Non-compliance with SCM Regulation Sec 27(2)(a), Sec 112(1) MFMA, Paragraph 24(1) & (2) of the SCM policy, SCM Regulation 28(1) (a) (i).	Community Services	Irregular Expenditure

27	GEORGE SECURITY	B	63,957.34	Non-compliance with SCM Regulation Sec 27(2)(a), Sec 112(1) MFMA, Paragraph 24(1) & (2) of the SCM policy, SCM Regulation 28(1) (a) (i).	Community Services	Irregular Expenditure
28	GEORGE SECURITY	B	95,936.01	Non-compliance with SCM Regulation Sec 27(2)(a), Sec 112(1) MFMA, Paragraph 24(1) & (2) of the SCM policy, SCM Regulation 28(1) (a) (i).	Community Services	Irregular Expenditure
29	GEORGE SECURITY	B	1,918,720.12	Non-compliance with SCM Regulation Sec 27(2)(a), Sec 112(1) MFMA, Paragraph 24(1) & (2) of the SCM policy, SCM Regulation 28(1) (a) (i).	Community Services	Irregular Expenditure
125						
	Total :		R 65'027'331.56			

d) That Council refer the items under Unauthorized, Irregular and Fruitless and Wasteful Expenditure for 2023/2024 to MPAC for oversight in terms of Circular 68 of the MFMA.

Note: (i) Councillor R Pohl indicated that the Unauthorised, Irregular, Fruitless and Wasteful expenditure for the financial year 2023/2024 remains a serious concern.

(ii) Councillor R Pohl further indicated that where necessary consequence management should apply.

Signed by the Speaker
Councillor MS Tiba.....

**A 40 MSCOA PROJECT OVERVIEW OVER LIFESPAN AND CURRENT STATUS AS
ON 30 JUNE 2023, 2023-2024 ROADMAP AND INZALO SLA AND WAY
FORWARD**

(EC 2023 11 21; C 2023 11 30)

(5/19/3)

RESOLVED:

That the item be referred-back for further consideration.

Signed by the Speaker
Councillor MS Tiba.....

A 41 DISESTABLISHMENT OF THE GREATER TZANEEN ECONOMIC DEVELOPMENT AGENCY (GTEDA) AS A MUNICIPAL ENTITY
(E/C 2023 10 26; C 2023 11 30) **(12/2/3/2/2)**

RESOLVED

- a) That council approves the report on the intentions to disestablish the Greater Tzaneen Economic Development Agency (GTEDA).
- b) That council approves the disestablishment of GTEDA and the dissolution of the Board of Directors for the Greater Tzaneen Development Agency with immediate effect.
- c) That all assets, liabilities, rights, and obligations of the entity vest in the Municipal Council of Greater Tzaneen.
- d) That all staff matters relating to the employees of GTEDA be handled in accordance to Section 197 of the Labour Relations Act;
- e) That the necessary consultations processes including the Transfer Process Plan be initiated by the Accounting Officer.
- f) That the Council approves the establishment of the municipal entity in line with the provisions of sections 76 (b) (i), 78 and 80 (1) (a) of the Local Government: Municipal Systems Act, 32 of 2000, as amended.
- g) That the Municipal Council must conduct an assessment of the financial implications in line with section 84 of the Local Government: Municipal Finance Management Act, 56, 2003.

- h) That GTEDA be extended for six months from October 2023 up to March 2024, and the Accounting Officer be given six months to finalize the disestablishment of GTEDA.

NOTE: That the Economic Freedom Fighters (EFF) supported the recommendations except recommendation (f). He further indicated that the municipality should allow the process of disestablishment to unfold and if it fits to establish the municipal entity, the municipality should consider the establishment of municipal entity.

Signed by the Speaker
Councillor MS Tiba.....

A 42 REPORT ON OUTCOME ON ATTENDANCE OF COUNCIL, EXECUTIVE COMMITTEE AND PORTFOLIO COMMITTEE MEETINGS FOR THE PERIOD OF JULY 2022 TO DECEMBER 2022 FINANCIAL YEAR BY RULES AND ETHICS COMMITTEE

(C 2023 11 30)

(3/P)

RESOLVED

- a) That Council adopts the outcome of the Rules and Ethics Committee on Councillors attendance report for the period of July to December 2022.
- b) That Council impose section 47 of the Rules of Order “**Sanctions for non-attendance of meetings and late arrivals as follows.**”
 - 47.1 *In the event that a Councillor fails to attend a meeting without any application for leave of absence, a member will forfeit:*
 - 47.1.1. *A day’s remuneration for the first non-attendance of meeting.*
 - 47.1.2. *A day’s remuneration for the second non-attendance of meeting.*
 - 47.1.3. *Two days’ remuneration for each subsequent meeting of non-attendance.*
- c) That Council takes note that the Committee recommended that the non-attendance of Portfolio Committee meetings by Councillor NG Mukansi be laid to rest as he was reprimanded.
- d) That Council takes note that Councillor NG Mukansi has improved on his attendance to meetings and communication channels as his duties requires communications.
- e) That Political Whips be requested to encourage their members to adhere to the Council’s Rules of Order.
- f) That Council takes note that the matter of Councillor MB Mashele was settled out of Court by Advocate Mabuza and the Legal Aid Board Attorney.
- g) That Council takes note that Councillor MB Mashele and Maranda Mine have a good relationship as the mine assists with community activities.

- h) That Council takes note that the allegations that Councillor MB Mashele was disruptive and acted unlawfully were immaterial according to his presentation on the 14th of April 2023.

Signed by the Speaker
Councillor MS Tiba.....

B 15 APPLICATION TO PURCHASE A PART OF PASSAGE ADJACENT TO PORTION 39 OF ERF 1005, NKOWANKOWA-B FOR Ms. E. NGOBENI TO CONSOLIDATE WITH HER PROPERTY

(E/C 2023 11 21; C 2023 11 30)

(ERF 1005/39-B)

RESOLVED

That the item be referred-back to the Planning and Economic Development Portfolio Committee for further investigation.

Signed by the Speaker
Councillor MS Tiba.....

B 16 (1ST QUARTER SDBIP REPORT FOR 2023/24)

(E/C 2023 11 21, C 2023 11 30)

(8/1/2/1)

RESOLVED

- a) That Council notes the 1st Quarter SDBIP report for 2023/24.
- b) That the 1st Quarter SDBIP report for 2023/24 be submitted to MPAC.
- c) That the 1st Quarter SDBIP report for 2023/24 be submitted to CoGHSTA.
- d) That the 1st Quarter SDBIP report for 2023/24 be uploaded onto the GTM website.

Signed by the Speaker
Councillor MS Tiba.....

B 17 2023/24 1ST QUARTER BACK TO BASICS REPORT

(E/C 2023 11 21, C 2023 11 30)

(8/1/2)

RESOLVED

- a) That Council adopts the 1st Quarter Back to Basics Report for 2023/24.
- b) That B2B 1st Quarter reports be submitted to CoGHSTA.

Signed by the Speaker
Councillor MS Tiba.....

23. CLOSURE

THE MEETING ADJOURNED AT 14H52.

APPROVED AND CONFIRMED

CHAIRPERSON