

MINUTES OF THE 7TH COUNCIL MEETING WHICH WAS HELD ON THE 30TH AUGUST 2022 AT 10H00 IN THE BPM COUNCIL CHAMBER

ATTENDANCE

A. COUNCILLORS

Cllr NO Mabunda	-	Speaker
Cllr MM Malatji	-	Mayor
Cllr DM Rapatsa	-	Chief Whip
Cllr R. Makasela		
Cllr T. Nkuna		
Cllr DR Bayana		
Cllr VM Rapatsa		
Cllr SR de Beer		
Cllr NJ Mampuru		
Cllr MM Malesa		
Cllr LM Matlala		
Cllr MA Mononela		
Cllr MP Mailula		
Cllr MF Sekoele		
Cllr J. Sindane		
Cllr JC Mokungwe		
Cllr SL Mohlala		
Cllr R. Rakoma		
Cllr TC Malobane		
Cllr B. Ramothwala		
Cllr MH Sekatane		
Cllr SM Shayi		
Cllr NL Rihlampfu		
Cllr EA Mokoena-Mashele		
Cllr ME Mokgalaka		
Cllr TC Malatji		
Cllr EF Nyathi		
Cllr MP Mukhari		
Cllr MMA Mathebula		
Cllr NP Ntimane		
Cllr HS Booysen		
Cllr GM Van Niekerk		
Cllr SS Mathebula		

OTHERS

Chief Selwana

B. OFFICIALS

Dr KKL Pilusa	-	Acting Municipal Manager
Mr MP Baloyi	-	Senior Manager: Technical Services
Ms L Shayi	-	Senior Manager: Community & Social Services
Mr D Maake	-	Senior Manager: Planning & Development

N.O.M

Mr A. Ndzimande	—	Acting Chief Financial Officer.
Ms MM Makhongela	—	Chief Audit Executive
Mr MC Mashale	-	Acting Snr. Manager Planning & Development
Ms L. Turbridge	—	Manager: Admin & Council Support
Mr TS Mashale	—	Manager: Legal
Ms ND Nkwane	—	Manager: Office of the MM
Mr TMT Sekwari	—	Manager: Risk Management
Mr SE Mthombeni	—	Snr. Admin Officer (Committees)
Ms MV Mohlala	-	Scribe
Ms MM Mahlo	-	Scribe

1. OPENING AND WELCOME

The Honourable Speaker Cllr NO Mabunda requested Cllr T. Nkuna to open the meeting with a prayer.

2. SIGNING OF THE ATTENDANCE REGISTER

All members present signed the attendance register

3. APPLICATIONS FOR LEAVE OF ABSENCE

Councillors

Cllr SP Mashumu
Cllr MM Thuke
Cllr TB Shai

Officials

Mr MJ Kanwendo
Ms JJ Visser

4. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER.

“Our honorable mayor CLLR Merium Malatji
The chief whip of council CLLR Didodo Rapatsa
All Executive committee members
Chairperson of MPAC CLLR Tatana Mkhathi
Chairperson of the Audit committee Mr. Modipane
Both ward and PR councilors present
To the house of traditional leaders
Ba-Phalaborwa ba Makhushane
Banakome ba Maseke
Ba-Phalaborwa ba Selwane
Mfumo wa xivongo wa Majeje-va N’wanati
Acting Municipal manager, senior managers, and all municipal Officials present
Ladies and gentlemen
Avuxeni
Dumelang
Goer more

N.O.M

Good morning

We are meeting here today almost at the last day of the woman's month, the month that seeks to lionize the great strength of our women...on the 9th of August 1956 took to the street against pass law / protest against the proposed amendments to the urban areas act and caring them around and faced the system head on with more than 20 000 women gathered led by Hellen Joseph and Bertha Mashaba that where they have told the then prime minister that "Strijdom, you have tempered with a woman, you have tempered with the rock."

The struggle of woman is a societal pandemic, and it must be treated a such no undertone no sugar coat, but the story line must be told as raw as it is. the protection of woman, youth and children is fundamental because this stratum of our community becomes a serious corner stone towards the total liberation of our people. a happy joyous woman is equal to a happy family. Woman must be celebrated not because we do them a favor but because they deserve it. they equally participated in the frontline of the trenches of our struggle.

Addressing the women march Dora Tamana delivering a fiery speech said "we, women, will never carry these passes. This is something that touches my heart. I appeal to you young Africans to come forward and fight. These passes make the road even narrower for us. We have seen unemployment, lack of accommodation and families broken because of passes. Who will look after our children when we go to jail for a small technical offense-not having a pass"

Those woman have paved a way for us to be able to deliver quick services but we do the opposite. our turnaround time must be condemned with spirit its deserves. all councillors must come to the front in defending our people against a system that is not progressive but repressive, against reasons not to deliver services rather than reasons to deliver.

It must be in our lifetime where manifesto of the ANC to deliver both water and many other services is achieved. we the council of BPM must be ready to go to the ground get dirty to assist the institution. we have been downgraded of recent BTO must no longer speak about strategies but implement on how this institution will be financially viable rather than grant dependent institution. we must normalise improved Audit opinion by answering and implementing issues raised by the Audit committee on how we should curb AFS,

We are the last hope towards uplifting this institution. yes we can we are the Sweswi council.

In conclusion the trip of the Twinning agreement between Hwange local board and the RDC opened a new way of understanding on what is meant when you have and they have not. Cllrs there on the other side have serious commitment though they are volunteers paid at the rate of ward committees on our side. why are we not like then. currency there in zim is a chaos a people still have commitment toward the total liberation of the people, why not us.

This town in and must remain the cornerstone and the beacon of hope those that are given responsibility to execute tusk must do unless they are on the way opposite to where we are heading. Our people no longer need reasons but action as all municipal employees from MM to the last general assistant must deliver.

Thankyou"

N.O.M

**371/22 SWEARING IN OF COUNCILLOR (SYLVESTER SOLLY MATHEBULA)
BY MAGISTRATE SISKHWHWHIVHILI OFFICE HEAD OF
PHALABORWA ADVOCATE.**

(3/5/2&3/6) (30TH AUGUST 2022)

RESOLUTION

1. That the confirmation of the candidate nominated by the National Independent Party from their party list by the Independent Electoral Commission **BE NOTED**.
2. That Council **NOTES** the nomination of Sylvester Solly Mathebula, ID No 770203 5568 082 as PR Councillor representing the National Independent Party.
3. That Council **SWEARS IN** Sylvester Solly Mathebula, ID No 770203 5568 082 as PR Councillor of Ba-Phalaborwa Municipality.

5. STATEMENTS AND COMMUNICATIONS BY OTHER COUNCILLORS

None

6. CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETINGS:

- 6.1 That the Minutes of the Council meeting held on the 27st July 2022 **BE APPROVED AND CONFIRMED** with the following corrections:

(370) – EXPIRY OF FIX TERM CONTRACT “date for 30th November 2022 **BE CORRECTED** as 31st October 2022

7. DEPUTATION

**372/22 PRESENTATION BY THE CHAIRPERSON OF MPAC.
(4/9/24) (30TH AUGUST 2022)**

RESOLUTION

1. Council **NOTE** the Investigation made by MPAC on unauthorised expenditure.
2. That Council **NOTE** that the root causes for unauthorized expenditure was due to overspending on municipal budget and under budgeting on non-cash items.
3. Council **APPROVE** write-off of unauthorised expenditure of R 82 984 375
4. Council **NOTE** the Investigation made by MPAC on fruitless and wasteful expenditure.
5. That Council **NOTE** that the expenditure was due to late payment of SARS by service provider

A/O.M

6. Council **APPROVE** that the expenditure be recovered from the service provider to the value of **R28 293.26 and R1649.50**
7. That Council **APPROVE** write-off of **Telkom** interest of **R21.04**
8. Council **NOTE** the Investigation made by MPAC on Irregular Expenditure
9. That irregular expenditure to the value of **R 1 493 916. 92** for Infra project and Uranus cannot be written off as the matter is still investigated by the Hawks.
10. That the Accounting Officer institute process to recover money from officials where there is transgression of the law;
11. The municipality to adhere to the SCM policy, regulations and processes;
12. That consequence management be implemented on non-compliance
13. That monitoring and evaluation be strengthened;
14. That contract management be strengthened.
15. That Council **APPROVE** the write-off of the following irregular expenditure to the value of **R41 161 310.75**

Service Provider	Amount	Reasons	Recommendations
Baatshuma	R11 809 877.71	✓ Service was rendered by the service provider ✓ No financial loss	✓ Non-compliance by relevant official be referred to the Financial Misconduct Board for Consequence management
Charlim Consulting	R740 500.00	✓ Service was rendered by the service provider ✓ No financial loss	✓ Non-compliance by relevant official be referred to the Financial Misconduct Board for Consequence management
A-Team Security	R17 546 210.27	✓ Service was rendered by the service provider ✓ No financial loss	✓ Council procure vetting system
Phalaborwa Herald	R623 280.38	✓ Service was rendered by the service provider ✓ No financial loss	✓ Non-compliance by relevant official be referred to the Financial Misconduct Board for Consequence management
Media 24	R20 488.40	✓ Service was rendered by the service provider ✓ No financial loss	✓ Non-compliance by relevant official be referred to the Financial Misconduct Board for Consequence management
Gumela	R1 985 187.50	✓ Service was rendered by the service provider ✓ No financial loss	✓ Non-compliance by relevant official be referred to the Financial Misconduct Board for Consequence management
Zevofusion	R1 573 499.72	✓ Service was rendered by the service provider ✓ No financial loss	✓ Non-compliance by relevant official be referred to the Financial Misconduct Board for Consequence management
Jusben	R2 590 525.96	✓ Service was rendered by the service provider	✓ Non-compliance by relevant official be referred to the Financial Misconduct Board for Consequence management

N.O.M

		✓ No financial loss	
Morcar	R193 546.00	✓ Service was rendered by the service provider ✓ No financial loss	✓ Non-compliance by the Councillor be referred to the Ethics Committee in the Speakers Office
MLO Investments	R3 733 154.81	✓ Service was rendered by the service provider ✓ No financial loss	✓ Non-compliance by relevant official be referred to the Financial Misconduct Board for Consequence management
Motopiwa	R147 990.00	✓ Service was rendered by the service provider ✓ No financial loss	✓ Non-compliance by relevant official be referred to the Financial Misconduct Board for Consequence management
Hlapi	R197 050.00	✓ Service was rendered by the service provider ✓ No financial loss	✓ Non-compliance by relevant official be referred to the Financial Misconduct Board for Consequence management
	R41 161 310.75		

8. QUESTIONS AND ANSWERS OF WHICH NOTICE HAS BEEN GIVEN

None.

9. MOTIONS OR PROPOSALS REFERRED FROM THE PREVIOUS MEETING

None.

10. COMMENTS OF THE ACTING MUNICIPAL MANAGER

None

11. IMPLEMENTATION OF PREVIOUS COUNCIL RESOLUTIONS

RESOLUTION

That the implementation of previous Council resolutions **BE NOTED**.

12. REPORT OF THE EXECUTIVE COMMITTEE

373/22 FINANCIAL REPORT FOR JULY 2022 (CFO)

(10/2/1) (30TH AUGUST 2022)

RESOLUTION

N.O.M

a. That the following be noted:

1. The financial report for the period ended 30 JULY 2022 **excluding water and waste water management**
2. The summary of monthly budget statement report for the month ended 30 JULY 2022
3. The financial performance for the month ended 30 JULY 2022
4. The financial position as at 30 JULY 2022
5. The total operating revenue (as per GRAP) for the month ended 30 JULY 2022 is R29.9 million
6. Capital transfers recognised in the month of JULY 2022 is R 10.3 million
7. Operational expenditure on financial performance is R 33.8 million
8. Capital expenditure incurred during the month of JULY is R 10.7 million
9. Consolidated call deposit accounts held at STD Bank and ABSA closed with a balance of R 29.8 Million on 30 JULY 2022
10. That councillors and staff benefits for JULY 2022 amount to R16 million be approved
11. Municipal primary bank reconciliation closed with a positive balance of R 424 Thousand.

374/22 BUDGET STATEMENTS (CFO)

(6/1/1) (10/2/2) (30TH AUGUST 2022)

RESOLUTION

1. That cognisance be taken:
 - 1.1 of the contents of the report;
2. That the Mayor considers the report and deals with it in terms of Section 54 of the Municipal Finance Management Act

375/22 GRANT RECONCILIATION REPORT (CFO)

(10/2/2) (6/1/3) (30TH AUGUST 2022)

RESOLUTION

That the Grant Reconciliation report for JULY 2022 **BE NOTED.**

N.O.M

376/22 INVESTMENT REGISTER (CFO)
(6/9/1) (30TH AUGUST 2022)
RESOLUTION

That the Investment Register for JULY 2022 **BE NOTED.**

377/22 RETENTION REGISTER REPORT (CFO)
(9/3/1) (30TH AUGUST 2022)
RESOLUTION

That the Retention Register report for JULY 2022 **BE NOTED.**

378/22 BILLING VS. COLLECTION REPORT FOR JULY 2022 (CFO)
(6/13/6) (30TH AUGUST 2022)
RESOLUTION

That the Billings vs. Collection Report for JULY 2022 **BE NOTED.**

379/22 COUNCILLORS ACCOUNTS (CFO)
(6/13/6) (30TH AUGUST 2022)
RESOLUTION

That the Councillors Accounts Report for the month of JULY 2022 **BE NOTED.**

380/22 CREDIT CONTROL AND DEBT MANAGEMENT REPORT (CFO)
(6/13/6) (30TH AUGUST 2022)
RESOLUTION

That the report for Credit Control and Debt Management for the month of JULY 2022 **BE NOTED.**

381/22 EMPLOYEE'S ACCOUNTS FOR JULY 2022 (CFO)
(6/13/6) (30TH AUGUST 2022)
RESOLUTION

1. That the Employee Accounts Report for the month of JULY 2022 **BE NOTED.**

N.O.M

2. That the Council make the employees **AWARE** of their accounts.
3. That the Municipal employees **BE MADE AWARE** of the Credit Control Policy & Debt Management, Code of Conduct & Municipal Systems Act.

382/22 GOVERNMENT DEBT REPORT (CFO)
(6/13/6) (30TH AUGUST 2022)
RESOLUTION

That the Government Debt Report for JULY 2022 **BE NOTED.**

383/22 KEY ACCOUNTS REPORT (CFO)
(6/13/6) (30TH AUGUST 2022)
RESOLUTION

That the Key Accounts report for JULY 2022 **BE NOTED.**

384/22 METER READING PROGRESS REPORT (CFO)
(6/13/6) (30TH AUGUST 2022)
RESOLUTION

That the meter reading progress report for JULY 2022 **BE NOTED.**

385/22 WATER & SANITATION REPORT (CFO)
(17/1/1/1) (6/5/2/6) (30TH AUGUST 2022)
RESOLUTION

1. That the report for water and sanitation for the month of JULY 2022 **BE NOTED.**

386/22 ASSET MANAGEMENT REPORT FOR JULY 2022 (CFO)
(7/2/1/30) (30TH AUGUST 2022)
RESOLUTION

1. That Council **NOTE** Asset depreciation of **R 6 175 144.08** for the month of July 2022.

N.O.M

2. That Council **NOTE** Asset Amortization of **R 7 751.99** for the month of July 2022.
3. That Council **NOTE** Work-In- Progress of **R 934 189.57** for the month of July 2022.

387/22 FLEET MANAGEMENT REPORT FOR JULY 2022 (CFO)
(8/1/2/9) (30TH AUGUST 2022)
RESOLUTION

That the fleet report for JULY 2022 **BE NOTED**.

388/22 REVENUE MANAGEMENT REPORT (CFO)
(10/2/2) (30TH AUGUST 2022)
RESOLUTION

1. That the Billing vs Collection report for the month of JULY 2022 **BE NOTED**
2. That the credit control and debt collection progress report of JULY 2022 **BE NOTED**
3. That the government debt schedule of outstanding debt for the month of JULY 2022 **BE NOTED**
4. That the property rates charges for the month of JULY 2022 **BE NOTED**
5. That the prepaid electricity report for the month of JULY 2022 **BE NOTED**

389/22 SCM REPORT (CFO)
(6/1/1) (10/2/2) (30TH AUGUST 2022)
RESOLUTION

- 1 That council **NOTE** the Supply Chain Management Report for JULY 2022.
- 2 That council **NOTE** that the municipality did not advertise tenders in the month of JULY 2022.
- 3 That council **NOTE** tenders on evaluation stage during the month of JULY 2022.
- 4 That **NOTE** tenders on adjudication stage during the month of JULY 2022.
- 5 That council **NOTE** that no tenders awarded during the month of JULY 2022.

N.O.M

- 6 That council **NOTE** business awarded to small business micro enterprise in the month of JULY 2022.
- 7 That council **NOTE** Inventory report for JULY 2022.
- 8 That council **NOTE** the deviation report in the month of JULY 2022.

390/22

WRITE OFFS WITHOUT COUNCIL APPROVAL (CFO)

(6/17/1) (30TH AUGUST 2022)

RESOLUTION

1. That Council **NOTE** the reversal of the balance amounting to R 62 748.00 that was done before approval
2. That Council **NOTE** that the employee concerned was charged for misconduct and further dismissed

391/22

SECTION 118 CLEARANCE CERTIFICATE

(6/13/3) (30TH AUGUST 2022)

RESOLUTION

1. That Council **NOTE AND GRANT APPROVAL** of the settlement offer amounting to **R750 245.25** which is in line with Section 118 (of the Municipal Systems Act) and reverse the remaining balance amounting to **R 5 081 904.31**
2. That the objection of Cllr De Beer **BE NOTED**.

392/22

**ITEM REPORT ON SECTION 118 – CLEARANCE CERTIFICATE
FIGURES FOR ACCOUNT 000000001700**

(6/13/3) (30TH AUGUST 2022)

RESOLUTION

That Council **NOTE AND GRANT APPROVAL** of reversing the balance amounting to R 174 350.52

N.O.M

393/22

IRREGULAR EXPENDITURE FOR THE 4TH QUARTER

(6/17/1) (30TH AUGUST 2022)

RESOLUTION

1. That the Council **NOTE** the irregular expenditure of **R 4 458 266.39** incurred due to contravention of regulations.
2. That Council **APPROVE** the amount of **R 4 458 266.39** and write off the irregular expenditure as irrecoverable after an investigation by council committee.
3. That the report be sent to the MEC responsible for Cooperative Governance Human Settlement and Traditional Affairs and the Auditor General of South Africa.
4. That the objection of Cllr De Beer BE NOTED.

394/22

AUDIT REPORT (CFO)

(4/9/9) (30TH AUGUST 2022)

RESOLUTION

1. That Council **NOTES** Audit Report for the Budget and Treasury Department
2. That Council **NOTES** 43% implementation and 57% in-progress on the AG Action Plan
3. That Council **NOTES** 80% implementation and 20% not implemented Internal Audit **RESOLUTIONS**
4. That Council **NOTES** 81% implemented and 19% not implemented AC resolutions

395/22

MONTHLY REPORT FOR JULY 2022 (MM)

(10/2/1) (30TH AUGUST 2022)

RESOLUTION

1. That Council **NOTE** the Monthly Report for the Office of the MM for **JULY 2022.**
2. That Council **NOTE** the progress on the compliance checklist
3. That Council **NOTE** the Expenditure Report.
4. That Council **NOTE** the progress on the Strategic Risk

N.O.M

396/22 SECURITY REPORT (RISK)
(8/2/4) (30TH AUGUST 2022)
RESOLUTION

That the Security report for JULY 2022 **BE NOTED.**

397/22 SERVICE PROVIDER ASSESSMENT REPORT (RISK)
(10/2/1) (30TH AUGUST 2022)
RESOLUTION

That the report **BE NOTED.**

398/22 BATHO PELE REPORT FOR JUNE 2022 (MM)
(13/2/1/47) (30TH AUGUST 2022)
RESOLUTION

That the Batho Pele Report for MAY 2022 **BE NOTED.**

399/22 AUDIT REPORT FOR JULY 2022 (MM)
(4/9/9) (30TH AUGUST 2022)
RESOLUTION

1. That Council **NOTES** the progress on Audit Report for the Office of the MM.
2. That Council **NOTES 25%** AG action plan is implemented and **75%** in progress.
3. That Council **NOTES 64%** IA RESOLUTIONs implemented and **36%** IA RESOLUTIONs not implemented.
4. That Council **NOTES 91%** AC Resolutions implemented and **9%** not implemented.

N.O.M

400/22

MONTHLY REPORT FOR JULY 2022 (CORPS)
(10/2/1) (30TH AUGUST 2022)
RESOLUTION

1. That the Monthly Report for Directorate Corporate Services for the month of JULY 2022 **BE NOTED.**
2. That the Progress on Strategic Risk Management Implementation for JULY 2022 **BE NOTED.**
3. That the Corporate Services Civil & Labour Cases Register for JULY 2022 **BE NOTED.**
4. That the Occupational Health & Safety Report for JULY 2022 **BE NOTED.**
5. That the Appointments for JULY 2022 **BE NOTED.**
6. That the Vacancy Rate for JULY 2022 **BE NOTED.**
7. That the Leave Report for JULY 2022 **BE NOTED.**
8. That the Overtime report for JULY 2022 **BE NOTED.**
9. That the IT Progress Report for JULY 2022 **BE NOTED.**
10. That the ICT Strategic Risk Register for JULY 2022 **BE NOTED.**
11. That the IT Risk Register for JULY 2022 **BE NOTED.**
12. That the AG Action Plan for JULY 2022 **BE NOTED.**
13. That the MSCOA Risk Register for JULY 2022 **BE NOTED.**
14. That the Expenditure Report for JULY 2022 **BE NOTED.**
15. That the Compliance Checklist for JULY 2022 **BE NOTED.**
16. That the Worksheet for implementation of Council Resolutions for JULY 2022 **BE NOTED.**

401/22

STANDARD OPERATING PROCEDURES LEGAL SERVICES
LITIGATION POLICY
(1/2/5/140) (30TH AUGUST 2022)
RESOLUTION

That the matter **BE REFFERED** back for more clarity.

N.O.M

402/22

FILLING OF PROPORTIONAL REPRESENTATIVE VACANCY

(3/5/2 & 3/6) (30TH AUGUST 2022)

RESOLUTION

4. That the confirmation of the candidate nominated by the National Independent Party from their party list by the Independent Electoral Commission **BE NOTED.**
5. That Council **NOTES** the nomination of Sylvester Solly Mathebula, ID No 770203 5568 082 as PR Councillor representing the National Independent Party.
6. That Council **SWEARS IN** Sylvester Solly Mathebula, ID No 770203 5568 082 as PR Councillor of Ba-Phalaborwa Municipality.

403/22

EXTENSION OF ACTING THE POSITION OF A CHIEF FINANCIAL OFFICER

5/5/2/7 (30TH AUGUST 2022)

RESOLUTIONS

1. That Council **NOTES** that the position of the Chief Financial Officer is vacant from the 1st November 2020.
2. That Council **NOTES** the responsibilities that lies with the position and the lengthy recruitment process which is in progress.
3. That Council **NOTES** the decision taken as per Council Resolution no. **46/22, of the 24th February 2022 & 213/22 of the 26th May 2022 respectively** to extend acting appointment in respect of Mr. Ndzimande AT as the Acting Chief Financial Officer.
4. That Council **NOTES** that the acting appointment in respect of Mr. Ndzimande is coming to an end on the **31st August 2022.**
5. That Council **NOTES** the need to extend the acting appointment in respect of Ndzimande AT as the Chief Financial Officer or appoint any person on acting capacity for a period not exceeding three months.
6. That Council **NOTES** that the extension appointment in respect of Ndzimande AT or appointment of a person should be effective from the 1st September 2022 until the 30th November 2022 or pending the appointment of the Chief Financial Officer (whichever comes first)

N. O. M.

7. That Council **APPROVE** the extension of acting appointment in respect of Ndzimande AT as the Chief Financial Officer or appoint a person on acting capacity as the Chief Financial Officer for a period not exceeding three months effective from the 1st September 2022 until the 30th November 2022 **or** pending the finalization of the recruitment process (whichever comes first)

404/22

AUDIT REPORT FOR JULY 2022 (CORPS)

(4/9/9) (30TH AUGUST 2022)

RESOLUTION

1. That Council **NOTES** the AG, Internal Audit Follow-up and Audit Committee Resolution reports for Corporate Services
2. That Council **NOTES** 12% implemented, 59% in-progress and 29% not implemented for AG Action Plan
3. That Council **NOTES** 40% implemented and 60% not implemented on Internal Audit Follow-up
4. That Council **NOTES** 54% implemented and 46% not implemented Audit Committee Resolution Register

405/22

MONTHLY REPORT FOR JULY 2022 (P&D)

(10/2/1) (30TH AUGUST 2022)

RESOLUTION

1. That Council **NOTES** the Department of Planning and Development JULY 2022 monthly report.
2. That Council **NOTES** the Planning and Development Compliance Checklist for JULY 2022.

406/22

REQUEST FOR APPROVAL TO GIVE CONSENT FOR PHALABORWA COPPER (PMC) TO CONSTRUCT A HELIPAD FOR MARULA MED IN PARKS STREETS (P&D)

(16/4/1/8) (30TH AUGUST 2022)

RESOLUTION

It is recommended that –

N.O.M

1. Council **NOTES** this report.
2. Council **APPROVES** that Phalaborwa Copper (Ilanda Water Services cc) be permitted to construct a helipad on apportion of park 315 site Park Street next to Marula Med subject to the following conditions:
 - Park closure and Rezoning **BE DONE** to the suitable zoning (costs to be incurred by PMC)
 - Comply with any other applicable legislations
3. Council **PERMITS** the Accounting officer to give consent to Ilanda Water Services cc as instructed by Phalaborwa Copper to construct Marula Med Helipad as shown on the attached map.
4. Council **NOTES** that the portion of the park is not sold but only granting PMC the consent to construct the Helipad, the facility will remain the assets of the Municipality.
5. Ba-Phalaborwa Municipality and Phalaborwa Copper enter into Memorandum of understanding to outline the agreement both parties might have reached.

407/22

RE: REQUEST FOR THE APPROVAL OF THE DRAFT BENEFICIARY LIST OF 2022/23 FINANCIAL YEAR (P&D)

(6/2/3) (30TH AUGUST 2022)

RESOLUTION

It is recommended that Council:

1. **Notes** this report.
2. **APPROVES** the draft Beneficiary list for **2022/23 FY** which currently stands at **6100**.

408/22

2022 TOURISM MONTH ACTIVITIES (P&D)

(12/4/2/1) (30TH AUGUST 2022)

RESOLUTION

1. That Council **NOTE** the proposed activities for the 2022 Tourism month.
2. That Council **NOTE** the importance and benefits of the proposed Tourism month activities.

X-O-M

**409/22 ANNUAL PERFORMANCE REPORT FOR THE FINANCIAL YEAR 2021/22
(P&D)
(5/8/1)(30TH AUGUST 2022)
RESOLUTION**

That Council **NOTES** the Annual Performance Report of the Municipality for financial year 2021/22.

**410/22 FOURTH QUARTER PERFORMANCE ASSESSMENT REPORT FOR THE
PERIOD 1ST APRIL TO 30TH JUNE 2022. (P&D)
(5/8/1)(30TH AUGUST 2022)
RESOLUTION**

That Council **NOTE** the Fourth Quarter Performance Assessment Report for the period 1st April to 30th June 2022.

**411/22 AUDIT REPORT FOR JULY 2022 (P&D)
(4/9/9) (30TH AUGUST 2022)
RESOLUTION**

1. That Council **NOTES** the AG, Internal Audit Follow-up and Audit Committee Resolution reports for Planning and Development.
2. That Council **NOTES 83%** implementation of AC resolutions and **17%** not implemented.
3. That Council **NOTES 67%** internal audit **RESOLUTIONS** implemented and **33%** not implemented.
4. That Council **NOTES 25%** implemented AG **RESOLUTIONS** and **75%** not yet started.

**412/22 MONTHLY PERFORMANCE REPORT FOR JULY 2022 (CSS)
(10/2/1) (30TH AUGUST 2022)
RESOLUTION**

1. That the Monthly Report for Community and Social Services for JULY 2022 **BE NOTED.**

N.O.M

2. That the Monthly Report for the Testing Section (Licensing) for JULY 2022 **BE NOTED.**
3. That the Monthly Report for the Registration Authority **BE NOTED JULY 2022.**
4. That the Statistics for Traffic fines for JULY 2022 **BE NOTED.**
5. That the Joint Operational Plan for Ba-Phalaborwa Traffic (restricted) for July 2022 **BE NOTED.**
6. That the Road marking reports for JULY 2022 and the Road marking plan for July 2022 **BE NOTED.**
7. That the Waste Management report for JULY 2022, Maintenance of phalaborwa landfill site 4th quarter report and the Waste Management plan for July 2022 **BE NOTED.**
8. That the Ba-Phalaborwa Local Municipality Landfill Site Monthly and Operational report for JULY 2022 **BE NOTED.**
9. That the Consolidated Parks and Cemeteries monthly report for JULY 2022 and the plan for July 2022 **BE NOTED.**
10. That the inspection report for developed parks for JULY 2022 and the maintenance plan for developed parks for July 2022 **BE NOTED.**
11. That the Cemeteries inspection report for JULY 2022 and the Cemeteries maintenance plan for July 2022 **BE NOTED.**
12. That the Consolidated Library Services report for JULY 2022 and the Library Services plan for July 2022 **BE NOTED.**
13. That the Legislative Compliance Checklists for Community and Social Services for JULY 2022 **BE NOTED.**

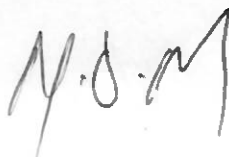
413/22

AUDIT REPORT FOR JULY 2022 (CSS)

(4/9/9) (30TH AUGUST 2022)

RESOLUTION

1. That Council **NOTES** the AG, Internal Audit Follow-up and Audit Committee Resolution reports for Planning and Development.
2. That Council **NOTES** 83% implementation of AC resolutions and 17% not implemented.
3. That Council **NOTES** 67% internal audit **RESOLUTIONS** implemented and 33% not implemented.



4. That Council **NOTES 25%** implemented AG RESOLUTIONs and **75%** not yet started.

414/22 MONTHLY REPORT FOR JULY 2022 (TS)
(10/2/1) (30TH AUGUST 2022)
RESOLUTION

1. That the DTS Monthly report the month of JULY 2022 **BE NOTED.**
2. That the DTS Summarised report for the month of JULY 2022 **BE NOTED.**
3. That the MIG Expenditure report the month of JULY 2022 **BE NOTED.**

415/22 ROADS INFRASTRUCTURE REPORT.
(10/2/1) (30TH AUGUST 2022)
RESOLUTION

That the report **BE NOTED.**

416/22 BPM AREAS WHERE THE JET SEWER WAS USED IN JULY 2022.
(10/2/1) (30TH AUGUST 2022)
RESOLUTION

That the report **BE NOTED.**

417/22 MEETING BETWEEN MDM, LNW, DWS AND BPM.
(4/8/2) (30TH AUGUST 2022)
RESOLUTION

That the Meeting between MDM, LNW, DWS AND BPM **BE NOTED.**

418/22 THAT THE CUSTOMER CARE REPORT THE MONTH OF JULY 2022
(10/2/1) (30TH AUGUST 2022)
RESOLUTION

That the Customer Care report the month of July 2022 **BE NOTED.**

N.O-M

419/22 AUDIT REPORT FOR JULY 2022 (TS)
(4/9/9) (30TH AUGUST 2022)
RESOLUTION

1. That Council **NOTES** the audit report for the Technical Services Department.
2. That Council **NOTES** **75%** implementation and **25%** not implemented AC Resolutions.
3. That Council **NOTES** **17%** IA RESOLUTIONs implemented and **83%** not implemented.
4. That Council **NOTES** **50%** implementation of AG Action Plan and **50%** In-progress.

ITEM HAS BEEN DISCUSSED IN COMMITTEE

420/22 REPORT ON THE APPOINTMENT IN THE POSITION OF THE
MUNICIPAL MANAGER'S POSITION
(5/3/5/1) (30TH AUGUST 2022)
RESOLUTIONS

1. That Council **NOTES** report on the recruitment process of the position of Municipal Manager.
2. That Council **NOTES** that the three recommended candidates meet the Minimum Competency requirements for the Municipal Manager in terms of Annexure B of the Regulations for the appointment of Municipal Manager Qualifications, 5 years of experience at senior management level as well as proven successful institutional transformation within public or private sector.
3. That Council **NOTES** that Dr. Pilusa KKL obtained the highest scores of 54 and Basic competency assessment outcome.
4. That Council **NOTES** Mr. Kanwendo MJ obtained second highest Scores of 48 with a competent outcome of the competency assessment and was implicated on the VBS but contract expired prior finalization of the misconduct.

N-D-M

5. That Council **NOTES** that Mr. Ramothwala RJ obtained third highest scores of 41 scores and obtained a competent outcome in terms of the Competency assessment.
6. That Council **APPROVES** the appointment of Dr. Pilusa KKL in the position of Municipal Manager.
7. That **COGHSTA** be notified of the decision by Council.
8. That Dr. KKL Pilusa be appointed as Municipal Manager effective from 1st September 2022.

421/22

REPORT ON THE APPOINTMENT IN THE POSITION OF THE CHIEF FINANCIAL OFFICER'S POSITION

(5/3/5/3) (30TH AUGUST 2022)

RESOLUTIONS

1. That Council **NOTES** report on the recruitment process of the position of Chief Financial Officer
2. That Council **NOTES** that the three recommended candidates meet the Minimum Competency requirements for the Chief Financial Officer in terms of Annexure B of the Regulations for the appointment of Chief Financial Qualifications, 5 years of experience at senior and middle Management level as well as proven successful institutional transformation within public or private sector.
3. That Council **NOTES** Mr. Ndzimande AT obtained the highest scores of 91 with a **BASIC** outcome of the competency assessment.
4. That Council **NOTES** Ms Mukoma JZ obtained second highest scores of 66 with a **BASIC** outcome of the competency assessment.
5. That Council **NOTES** Ms Maluleke NV obtained third highest scores of 65 with a **BASIC** outcome of the competency assessment.
6. That Council **APPROVES** the appointment of Mr. Ndzimande AT in the position of Chief Financial Officer.
7. That **GOGHSTA** be notified of the decision by Council.
8. That Mr AT Ndzimande be appointed as CFO effective from 1 September 2022

M.O.M

13. New Motions

None

14. Petitions


None

15. Items for the next Council meeting

None

16. Closure

The meeting closed at 11:45

A handwritten signature in black ink, appearing to read 'N. S. M. Mabunda', written over a horizontal line.

CLLR NO MABUNDA

CHAIRPERSON