



NOTICE OF MEETING

URGENT COUNCIL MEETING

FRIDAY 03 DECEMBER 2021 AT 14H00

ENKULULEKWENI COUNCIL CHAMBERS , MTHATHA

Notice is hereby given that in terms of Municipal Structures Act No. Act 117 of 1998 Section 29 (2) that an Urgent meeting of the King Sabata Dalindyebo Municipal Council will be held at Enkululekweni Council Chambers, Mthatha, on Friday 03 December 2021 at 14h00.

AGENDA

1. **OPENING AND WELCOME**
2. **NOTICE OF MEETING**
3. **APPLICATION FOR LEAVE OF ABSENCE**
4. **ACCEPTANCE OF THE AGENDA**
5. **DECLARATION OF INTEREST**
6. **SUBMISSION FOR RATIFICATION OF EXTENSION OF TERM OF OFFICE FOR WARD COMMITTEES AS 2016 TERM ENDED**

Report by the Honourable Speaker, Councillor N. Siyo-Sokutu, dated 02 December 2021, with annexures.

BATCH 1

7. **SUBMISSION OF THE APPOINTMENT OF COUNCIL COMMITTEE MEMBERS TO SERVE IN THE SECTION 80 COMMITTEES**


Report by the Honourable Speaker, Councillor N. Siyo-Sokutu, dated 02 December 2021.

BATCH 2

8. **SUBMISSION OF THE APPOINTMENT OF SECTION 79 COUNCIL COMMITTEE MEMBERS AND ITS CHAIRPERSONS**

Report by the Honourable Speaker, Councillor N. Siyo-Sokutu, dated 02 December 2021.

BATCH 3


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**HONOURABLE SPEAKER
COUNCILLOR N. SIYO- SOKUTU**

02 December 2021

DISTRIBUTION

COUNCILLORS TO ATTEND

1. Honourable Speaker, Council N. Siyo-Sokutu
2. His Worship the Executive Mayor, Councillor G.N. Nelani
3. Councillor T. Badli
4. Councillor M. Bango
5. Councillor M. Bunzana
6. Councillor U. Daniso
7. Councillor S. Dalasile
8. Councillor M.S. Dudumayo
9. Councillor Z. Gana
10. Councillor N. Gwebani
11. Councillor Y.R. Gwadiso
12. Councillor T.M. Gqiba
13. Councillor B.B. Gqwetha
14. Councillor K.L. Jozana
15. Councillor N. Jubeni
16. Councillor A. Ketse
17. Councillor Y.N. Kekezwa
18. Councillor R. Knock
19. Councillor L. Luwaca
20. Councillor Z. Madyibi

21. Councillor M. Majeke
22. Councillor N. Matiso
23. Councillor N. Matyeba
24. Councillor S.N. Majikija
25. Councillor N. Matubatuba
26. Councillor L. Makhenke
27. Councillor C.N. Makhubalo
28. Councillor T. Malefane
29. Councillor M. Makaba
30. Councillor M. Marasha
31. Councillor N. Mayi
32. Councillor S. Mhlaba
33. Councillor B. Mlanjeni
34. Councillor B. Mbiyo
35. Councillor M.G. Mbutye
36. Councillor S. Mdunyelwa
37. Councillor S.E. Mngeni
38. Councillor A. Mgquba
39. Councillor M. Mpangele
40. Councillor S.W. Mrawu
41. Councillor T.T. Mtshakazana
42. Councillor S. C. Mshunqane
43. Councillor A. Msuthu
44. Councillor S.A. Mthayi
45. Councillor L.C. Molakalaka
46. Councillor F.N. Mzimane
47. Councillor M.J. Msakeni
48. Councillor B. Ndlobongela
49. Councillor Z. Nokayi
50. Councillor M. F. Nokwali
51. Councillor N. Nkathu
52. Councillor S. Ngomfela
53. Councillor S. Nyengane
54. Councillor M. S. Ngudle
55. Councillor M. H. Ngxekana
56. Councillor B. Nxeve
57. Councillor S.G. Rapiya
58. Councillor R.H. Ratshalala
59. Councillor N.V. Roji
60. Councillor R. Roeber
61. Councillor A.L. Sekese
62. Councillor S. Semente
63. Councillor N.G. Sidlova
64. Councillor N. Sibeko
65. Councillor Z.L. Siziba
66. Councillor B. Silinga
67. Councillor D.M. Teti
68. Councillor C.S. Tokwana
69. Councillor N.G. Tshaya

- 70. Councillor N.S. Tukayi
- 71. Councillor W.C. Tukwayo
- 72. Councillor B. Vuma

OFFICIALS TO ATTEND

Mr N. Pakade - Municipal Manager
Mr S.M. Nodo - Director Corporate Services
Mr L.P. Maka - Director Community Services
Mr D. Kettledas - Director Public Safety
Mr U. Mnqokoyi - Director Infrastructure
Mr O.A. Pantshwa - Director PSED
Mr E.F. Jiholo - Chief Financial Officer
Mr G.R. Tobia - Director Human Settlements
Mr P. Madliki
Ms L. Mdingi
Dr V.S. Letuka
Mr M.M.C. Ngoma
Mr B. Ndlobeni
Mr L.H. Kwetana
Mr S. Sitoyile
Mr B.C. Vice
Ms C.C. Njozela
Ms Z. Dumalisile
Mr M. Ndyaluvane
Mr S. Mampoza
Ms T. Motaung
Mr F. Guleni

FOR FILING

Archives and Registry

TO OFFICIATE

Council and Committee Services



TO : COUNCIL

FROM : SPEAKER OF COUNCIL

DATE : 01 DECEMBER 2021

SUBJECT : **SUBMISSION FOR RATIFICATION OF THE EXTENSION OF
TERM OF OFFICE FOR WARD COMMITTEES AS 2016 TERM
ENDED**

1. PURPOSE

This report is to submit to the Council for ratification, the two (2) months extension for Ward Committees as was approved by the Municipal Manager as part of transitional plan for Ward Committees as 2016 Term has ended on the 09 December 2021.

2. LEGAL REQUIREMENTS

- Local Government Municipal Structures Act No. 117 of 1998
- Standard Ward Committee Guidelines and Strategy as amended 2021
- Standing Rules of Council and its Committees as amended 2020

3. SUMMARY

The 2016 Term of Office of Ward Committees ended with the term of office of Council as prescribed in the Standard Ward Committee Guidelines and Strategy as amended 2021 item 6(a), which prescribes that *“The Term of Office of the Ward Committee shall be equivalent to*

the term of office of Council. This means that the term of a Ward Committee shall not overlap to the next term of office of the Council”.

Furthermore Section 73 (1) of the Municipal Structures Act No. 117 of 1998 as amended prescribes that A Local Council must establish a Ward Committee for each Ward in the Municipality within of 120s after the Elections. In anticipation of the transitional period a proposal was submitted to the Municipal Manager for consideration and approval was granted for a period of two months of term of Office Ward the 2016 Ward Committees (**See Attached: Memo for Proposal for Transitional Plan for Ward Committees as 2016 Term Ended Annexure A**).

To this Council the extension of Two (2) months and the expenditure incurred thereof, as in terms of the Standard Ward Committee Guidelines and Strategy the term of office must have ended on the 09 November 2021 on the issuing of Gazette for the 2021 Elections, is sought for **ratification**.

A consideration was then may as the Ward Committees assist in servicing communities and this abrupt end of Term may create a turmoil and frustration to the communities that are being serviced by the Ward Committees.

Furthermore in the Induction Workshop held on the 24 November 2021, a gap was also identified on the current Standard Ward Committee Strategy and Guidelines as is prescribes in Item 6(a) on the Term of Office for Ward Committee that “ *The Term of Office of the Ward Committee shall be equivalent to the term of office of Council. This means that the term of a Ward Committee shall not overlap to the next term of office of the Council”.*

This Council directs the Committee responsible to ensure that an amendment is made on this Item to accommodate the Prescripts of the Section 73 (1) of the Municipal Structures Act No. 117 of 1998 as amended “*which stipulates that that A Local Council must establish a Ward Committee for each Ward in the Municipality within of 120s after the Elections”* This is meant to assist this Council at the elapsing of this Two months of extension, the Policy be implemented.

4. FINANCIAL IMPLICATIONS

2021/2022 Budget will cover the R1 625 000 for two (2) months and after.

3. RECOMMENDATION

It is recommended that

- a) That the Council **NOTES** the Report.
- b) That the Council **RACTIFY** the Extension of Two (2) Months Ward Committees.
- c) That the Council **RACTIFY** the expenditure of R812 500.00 for November Month and the expenditure to be incurred for December of R812 500.00 for 352 Ward Committee members.
- d) That the Council **DIRECTS** the Public Participation and Petitions Committee amend the Standard Ward Committee Guidelines and Strategy.
- e) That the Council further **DIRECTS** the development of a Procedure Manual for Ward Committee Establishment and a Roll Out Activity Plan and be presented in the next ensuing Ordinary Council.

Submitted by;

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COUNCILLOR N. SIYO - SOKUTU
SPEAKER OF COUNCIL



TO : MUNICIPAL MANAGER

FROM : DIRECTOR CORPORATE SERVICES

DATE : 12 NOVEMBER 2021

SUBJECT : PROPOSAL FOR TRANSITIONAL PLAN FOR WARD
COMMITTEES AS 2016 TERM ENDED

1. PURPOSE

This report is to submit to the Municipal Manager for approval in the proposal for transitional plan for Ward Committees as 2016 Term has ended.

2. LEGAL REQUIREMENTS

- Local Government Municipal Structures Act No. 117
- Standard Ward Committee Guidelines and Strategy as amended 2021
- Standing Rules of Council and its Committees as amended 2020

3. SUMMARY

The 2016 Term of Office of Ward Committees ended with the term of office of Council as prescribed in Section of the Municipal Structures Act.

With the delays in the establishment of Council and the anticipated Two months of establishment of Ward Committees this may create a turmoil and frustration to the communities that are being serviced by the Ward Committees.

A proposal of two months of extension for Ward Committees is made as a transition, so as not to leave a void in the Communities whom we are require to service. Currently we have 352 Ward Committees as there are vacancies in some Wards.

4. FINANCIAL IMPLICATIONS

Budget R1 625 000 for two (2) months

3. RECOMMENDATION

It is recommended that

- a) That the Municipal Manager approve the two months extension for Ward Committees.
- b) That the Municipal Manager approve the expenditure of R1 625 000.00 to be incurred for the period of two months to 352 Ward Committee members.

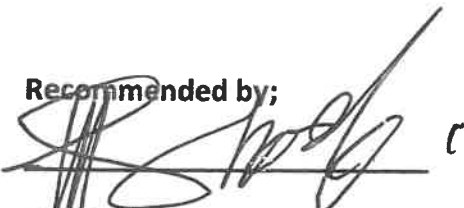
Prepared by;



MMC Ngema

General Manager Speaker


Recommended by;



SM Nodo

Director Community Services


Confirmation of Budget; CONFIRMED / NOT CONFIRMED


E.F. Jiholo 2021/11/16

Chief Financial Officer

Approved/~~Not Approved~~;

The above area should have reflected Budget Availability
Confirmed/Not Confirmed the CFO delete where applicable



N. Pakade

Municipal Manager



TO : COUNCIL

FROM : SPEAKER OF COUNCIL

DATE : 01 DECEMBER 2021

SUBJECT : SUBMISSION FOR THE APPOINTMENT OF COUNCIL COMMITTEE MEMBERS TO SERVE IN THE SECTION 80 COMMITTEES

1. PURPOSE

This report is to submit to Council the appointment of Section 80 Committees among Members of this Council to assist the Executive Mayor, appointed in terms of Section 79 Local Government Municipal Structures Act 117 of 1998 as amended.

2. BACKGROUND

On the 23 November 2021, in the Adjourned Council Meeting, the Executive Mayor presented the Members of the Mayoral Committee as required by Section 80 (3)(a) of the Local Government Municipal Structures Act 117 of 1998 as amended. These Members of the Mayoral Committee are also to be the Chairpersons of the Portfolio Committees referred to as Standing Committees as per Section 3 (a) of the same act.

Guided by Section 80 (1) & (2) read with Section 79 of the Local Government Municipal Structures Act 117 of 1998 as amended, presented to this Council are proposed Councillors to serve in the Nine (9) Portfolio/Standing Committees to ensure effective and efficient performance of functions of Council.

After the appointment of the Members of these Portfolio/Standing Committees and at their first sitting each Committee must develop the Committee Procedures/Term of Reference, for the Executive Mayor to present in the next ensuing Ordinary Sitting of Council for Council adoption.

3. FINANCIAL IMPLICATIONS

None

4. RECOMMENDATION

1. That Council **NOTES** the report.
2. That Council the Executive Mayor ensures the **DEVELOPMENT** of the Committee Procedure/Terms of Reference for each Standing Committee for effective functioning.
3. That the Council **APPROVES** the appointment of the following Councillors to serve in the Section 80 Committees viz-

3.1. INFRASTRUCTURE

Chairperson Cllr Ziyanda Nokayi

1. Cllr. A. Msuthu
2. Cllr. Zama Siziba
3. Cllr. M. Makhaba
4. Cllr. L. Makhenke - Committee Whip
5. Cllr. B. Nxeve
6. Cllr. N. Matiso

7. Cllr. M. Mpangela
8. Cllr. S. Mthayi

3.2. CORPORATE SERVICES

Chairperson Cllr Z. Madyibi

1. Cllr. N. Matiso
2. Cllr Y.N. Kekezwa
3. Cllr. N. Tukayi
4. Cllr. L.C. Molakalaka
5. Cllr. T. Badli
6. Cllr S. Dalasile - Committee Whip
7. Cllr. B. Nxeve
8. Cllr. M. Ngudle

3.3. COMMUNITY SERVICES

Chairperson Cllr S. Nyengane

1. Cllr. S. Mdunyelwa
2. Cllr. N. Mzimane
3. Cllr. L.M. Luwaca
4. Cllr. M.F. Nokwali
5. Cllr N. Gwebani - Committee Whip
6. Cllr. J. Roeber
7. Cllr. N. Matyeba
8. Cllr. N. Sidlova

3.4. LOCAL ECONOMIC DEVELOPMENT - (LED)

Chairperson Cllr M.S. Dudumayo

1. Cllr. L. Makhenke
2. Cllr. K. Jozana
3. Cllr. L.A. Sekese
4. Cllr. H. Tukwayo
5. Cllr. J. Roeber - Committee Whip
6. Cllr. B. Vuma
7. Cllr. A. Ketse
8. Cllr. L.C. Molakalaka

3.5. BUDGET AND TREASURY OFFICE – (BTO)

Chairperson Cllr Z. Gana

1. Cllr. R. Knock
2. Cllr. M.G. Mbutye
3. Cllr. L.M. Luwaca
4. Cllr. Z. Siziba
5. Cllr. S. Mdunyelwa
6. Cllr. A. Msuthu
7. Cllr. S. Dalasile
8. Cllr. B. Silinga - Committee Whip

3.6. PUBLIC TRANSPORT, MANAGEMENT AND COMMUNITY SAFETY

Chairperson Cllr: M. Marasha

1. Cllr. T. Molefane
2. Cllr. H. Tukwayo

3. Cllr. N. Matiso
4. Cllr. B. Silinga
5. Cllr. T. Mtshakazana - Committee Whip
6. Cllr. S. Mngeni
7. Cllr. S. Ratshalala
8. Cllr. S. Dalasile

3.7. SOCIAL SERVICES AND SPECIAL PROGRAMMES UNIT- SPU

Chairperson Cllr N. Mayi

1. Cllr M. Makhaba
2. Cllr. K.L. Jozana
3. Cllr. S. Samete
4. Cllr. S. Mthayi
5. Cllr. N. Matyeba
6. Cllr. C. S. Tokwana
7. Cllr. A. Ketse Committee Whip
8. Cllr L.C. Molakalaka

3.8. HUMAN SETTLEMENT AND DESASTER

Chairperson- Cllr. N. Sibeko (No whip)

1. Cllr. B.B. Gqwetha
2. Cllr. M.F. Nokwali
3. Cllr. M. H. Ngxakane
4. Cllr. N. Tshaya
5. Cllr. S. Mhlaba
6. Cllr. B. Nxeve – Committee Whip
7. Cllr. S. Ratshalala

8. Cllr. T. Mtshakazana

3.9. PLANNING, INTER-GOVERMENTAL RELATIONS AND RESEACH

Chairperson – Cllr Y. Gwadiso

1. Cllr. T. Mtshakazana
2. Cllr. S. Majikija
3. Cllr. S. Mngeni Committee Whip
4. Cllr. H. Tukwayo
5. Cllr. A.L. Sekese
6. Cllr. N. Matiso
7. Cllr. S. Ratshalala
8. Cllr. L. Makhenke

Submitted by;

.....
CLLR N. SIYO - SOKUTU

SPEAKER OF COUNCIL



TO : COUNCIL

FROM : SPEAKER OF COUNCIL

DATE : 01 DECEMBER 2021

SUBJECT : SUBMISSION FOR THE APPOINTMENT OF SECTION 79 COUNCIL COMMITTEE MEMBERS AND ITS CHAIRPERSONS

1. PURPOSE

This report is to submit to Council the appointment of Chairpersons of the Sections 79 Committee in terms of Section 79(2)(b) of the Local Government Municipal Structures Act 117 of 1998 as amended and the Member Councillors serving in the Committees.

2. BACKGROUND

In terms of Section 79(2)(b) of the Local Government Municipal Structures Act 117 of 1998, a Municipal Council may establish committees necessary for the effective and efficient performance of any of its functions or the exercising of any of its powers and functions.

Hereunder are the Section 79 Committees proposed for the effective and efficient performance:-

- a) Rules Committee
- b) Local Geographic Names Committee (LGNC)
- c) Municipal Public Accounts Committee (MPAC)

- d) Women's Caucus Committee
- e) Ethics and Members' Interests Committee (EMIC)
- f) Public Participation and Petitions Committee (PPPC)

Council must take note that of the six (6) section 79 Committees, only Municipal Public Account Committee will have a Fulltime Chairperson, the three (3) Committees viz Women's Caucus, Ethics and Member's Interest Committee and the Public Participation and Petitions Committee shall have Part-time Committee Chairpersons as the Rules and Local Geographic Names Committees will be chaired by the Speaker of Council.

Furthermore, presented to this Council are the Councillors to serve in the Section 79 Committees, it should be noted that Members serving in the Municipal Public Accounts Committee should not be allowed to serve in other Committees for effective functioning and to minimize possible conflict of interest.

After the establishment of the Committee and at their first sitting each Committee must review the Term of Reference and present in the next ensuing Ordinary Sitting of Council for Council adoption.

3. FINANCIAL IMPLICATIONS

All the Chairpersons of the Committees are budgeted for with 1 Fulltime and 3 Part-time Chairpersons.

4. RECOMMENDATION

1. That Council **NOTES** the report.
2. That Council **APPROVES** the establishment of the Section 79 Committees viz
 - a) Rules Committee
 - b) Local Geographic Names Committee
 - c) Municipal Public Accounts Committee
 - d) Women's Caucus Committee
 - e) Ethics and Members' Interests Committee

f) Public Participation and Petitions Committee

3. That the Council **APPROVES** the appointment of the following Councillors, as the Chairpersons of the Section 79 Committees viz

- a) Councillor N. Siyo – Sokutu – Speaker of Council as the Chairperson of Rules Committee.
- b) Councillor N. Siyo – Sokutu Speaker of Council as the Chairperson of Local Geographic Names Committee.
- c) Councillor M. Bhango as a Full-time Chairperson of the Municipal Public Accounts Committee.
- d) Councillor A. Msuthu as a Part-time Chairperson of the Women's Caucus Committee.
- e) Councillor B. Mbiyo as a Part-time Chairperson of the Ethics and Members Interest Committee.
- f) Councillor U. Daniso as a Part-time Chairperson of the Public Participation and Petitions Committee.

4. That the Council **APPROVES** the appointment of the abovenamed Councillors to serve in the Section 79 Committees.

4.1. RULES COMMITTEE

1. Cllr. S. Majikija
2. Cllr. Z. Siziba (Committee Whip)
3. Cllr. M. Teti
4. Cllr. L.M. Luwaca
5. Cllr. N. Matubatuba
6. Cllr M. Ngudle
7. Cllr M.G. Mbutye
8. Cllr L. Makhenke

4.2. LOCAL GEOGRAPHIC NAMES COMMITTEE

1. Cllr. C.S. Tokwana (Committee Whip)
2. Cllr. N. Nkathu
3. Cllr. J. Roeber
4. Cllr. S. Mngeni
5. Cllr. M. Ngudle
6. Cllr. N. F. Mzimane
7. Cllr. G. Rapiya
8. Cllr. M.H. Ngxekana

4.3. MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

1. Cllr. N Jubeni
2. Cllr. M. Majeke (Committee Whip)
3. Cllr. A. Mqguba
4. Cllr. S. Mshunqane
5. Cllr. A. Ketse
6. Cllr. J. Msakeni
7. Cllr. N. Matubatuba
8. Cllr. C.N. Makubalo
9. Cllr. B. Ndlobongela
10. Cllr. T. Gqiba
11. Cllr. T. Badli

4.4. WOMEN'S CAUCUS COMMITTEE

1. Cllr. N. Tukayi
2. Cllr. H. Tukwayo
3. Cllr. A.L. Sekese
4. Cllr. B. Nxeve
5. Cllr. L.C. Molakalaka
6. Cllr. N. Sidlova
7. Cllr. N. Roji (Committee Whip)
8. Cllr. N. Tshaya

4.5. ETHICS AND MEMBERS' INTEREST COMMITTEE

1. Cllr. K.L. Jozana
2. Cllr. M.H. Ngxekana
3. Cllr. N. Matyeba (Committee Whip)
4. Cllr. M.D. Teti
5. Cllr. N. Kekezwa
6. Cllr. N. Sidlova
7. Cllr. S. Mhlaba
8. Cllr. N. Nkathu

4.6. PUBLIC PARTICIPATION AND PETITIONS COMMITTEE

1. Cllr. M.D. Teti (Committee Whip)
2. Cllr. N.F. Mzimane
3. Cllr. M.G. Mbutye
4. Cllr. M.F. Nokwali

5. Cllr. N. Gwebani
6. Cllr. B. Vuma
7. Cllr. N. Tshaya
8. Cllr. S. Mhlaba

Submitted by;

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COUNCILLOR N. SIYO - SOKUTU
SPEAKER OF COUNCIL