



THE PROVINCE OF MPUMALANGA  
DIE PROVINSIE MPUMALANGA

## Provincial Gazette Provinsiale Koerant

*(Registered as a newspaper) • (As 'n nuusblad geregistreer)*

Vol. 25

NELSPRUIT  
2 MARCH 2018  
2 MAART 2018

No. 2903

### PART 1 OF 2

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**Prevention is the cure**

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# Closing times for **ORDINARY WEEKLY** 2018

## MPUMALANGA PROVINCIAL GAZETTE

*The closing time is **15:00** sharp on the following days:*

- **28 December 2017**, Thursday for the issue of Friday **05 January 2018**
- **05 January**, Friday for the issue of Friday **12 January 2018**
- **12 January**, Friday for the issue of Friday **19 January 2018**
- **19 January**, Friday for the issue of Friday **26 January 2018**
- **26 January**, Friday for the issue of Friday **02 February 2018**
- **02 February**, Friday for the issue of Friday **09 February 2018**
- **09 February**, Friday for the issue of Friday **16 February 2018**
- **16 February**, Friday for the issue of Friday **23 February 2018**
- **23 February**, Friday for the issue of Friday **02 March 2018**
- **02 March**, Friday for the issue of Friday **09 March 2018**
- **09 March**, Friday for the issue of Friday **16 March 2018**
- **15 March**, Thursday for the issue of Friday **23 March 2018**
- **23 March**, Friday for the issue of Friday **30 March 2018**
- **28 March**, Wednesday for the issue of Friday **06 April 2018**
- **06 April**, Friday for the issue of Friday **13 April 2018**
- **13 April**, Friday for the issue of Friday **20 April 2018**
- **20 April**, Friday for the issue of Friday **27 April 2018**
- **25 April**, Wednesday for the issue of Friday **04 May 2018**
- **04 May**, Friday for the issue of Friday **11 May 2018**
- **11 May**, Friday for the issue of Friday **18 May 2018**
- **18 May**, Friday for the issue of Friday **25 May 2018**
- **25 May**, Friday for the issue of Friday **01 June 2018**
- **01 June**, Friday for the issue of Friday **08 June 2018**
- **08 June**, Friday for the issue of Friday **15 June 2018**
- **15 June**, Thursday for the issue of Friday **22 June 2018**
- **22 June**, Friday for the issue of Friday **29 June 2018**
- **29 June**, Friday for the issue of Friday **06 July 2018**
- **06 July**, Friday for the issue of Friday **13 July 2018**
- **13 July**, Friday for the issue of Friday **20 July 2018**
- **20 July**, Friday for the issue of Friday **27 July 2018**
- **27 July**, Friday for the issue of Friday **03 August 2018**
- **02 August**, Thursday, for the issue of Friday **10 August 2018**
- **10 August**, Friday for the issue of Friday **17 August 2018**
- **17 August**, Friday for the issue of Friday **24 August 2018**
- **24 August**, Friday for the issue of Friday **31 August 2018**
- **31 August**, Friday for the issue of Friday **07 September 2018**
- **07 September**, Friday for the issue of Friday **14 September 2018**
- **14 September**, Friday for the issue of Friday **21 September 2018**
- **20 September**, Thursday for the issue of Friday **28 September 2018**
- **28 September**, Friday for the issue of Friday **05 October 2018**
- **05 October**, Friday for the issue of Friday **12 October 2018**
- **12 October**, Friday for the issue of Friday **19 October 2018**
- **19 October**, Friday for the issue of Friday **26 October 2018**
- **26 October**, Friday for the issue of Friday **02 November 2018**
- **02 November**, Friday for the issue of Friday **09 November 2018**
- **09 November**, Friday for the issue of Friday **16 November 2018**
- **16 November**, Friday for the issue of Friday **23 November 2018**
- **23 November**, Friday for the issue of Friday **30 November 2018**
- **30 November**, Friday for the issue of Friday **07 December 2018**
- **07 December**, Friday for the issue of Friday **14 December 2018**
- **13 December**, Thursday, for the issue of Friday **21 December 2018**
- **19 December**, Wednesday for the issue of Friday **28 December 2018**

## LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

**COMMENCEMENT: 1 APRIL 2016**

### NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1000 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	250.00
Ordinary National, Provincial	2/4 - Half Page	500.00
Ordinary National, Provincial	3/4 - Three Quarter Page	750.00
Ordinary National, Provincial	4/4 - Full Page	1000.00

### EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3000** per page.

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works (GPW)** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe Forms*. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

### CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.
2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website [www.gpwonline.co.za](http://www.gpwonline.co.za)

All re-submissions will be subject to the standard cut-off times.

**All notices received after the closing time will be rejected.**

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 15h00 - 3 days prior to publication
Petrol Price Gazette	As required	First Wednesday of the month	One week before publication	3 days prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00, to be published the following Friday	3 days prior to publication
Unclaimed Monies (justice, labour or lawyers)	January / As required 2 per year	Any	15 January / As required	3 days prior to publication
Parliament (acts, white paper, green paper)	As required	Any		3 days prior to publication
Manuals	As required	Any	None	None
State of Budget (National Treasury)	Monthly	Any	7 days prior to publication	3 days prior to publication
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 days prior to publication
North West	Weekly	Tuesday	One week before publication	3 days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 days prior to publication
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
Mpumalanga Liquor License Gazette	2 per month	Second & Fourth Friday	One week before	3 days prior to publication

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

### EXTRAORDINARY GAZETTES

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

### NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za).
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
  - 8.1. Each of the following documents must be attached to the email as a separate attachment:
    - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
      - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
      - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
    - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice .  
(Please see *Quotation* section below for further details)
    - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
    - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (Please see the *Copy Section* below, for the specifications).
    - 8.1.5. Any additional notice information if applicable.
9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****QUOTATIONS**

13. Quotations are valid until the next tariff change.
  - 13.1. **Take note:** GPW's annual tariff increase takes place on **1 April** therefore any quotations issued, accepted and submitted for publication up to **31 March** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.
14. Each quotation has a unique number.
15. Form Content notices must be emailed to the *eGazette* Contact Centre for a quotation.
  - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
  - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.
16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:**
  - 16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.
  - 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
    - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).
17. **APPLICABLE ONLY TO CASH CUSTOMERS:**
  - 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.
  - 19.1. This means that **the quotation number can only be used once to make a payment.**

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03

- 20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

The content document should contain only one notice. (You may include the different translations of the same notice in the same document).

- 20.2. The notice should be set on an A4 page, with margins and fonts set as follows:

Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

**CANCELLATIONS**

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
22. Requests for cancellation must be sent by the original sender of the notice and must be accompanied by the relevant notice reference number (N-) in the email body.

**AMENDMENTS TO NOTICES**

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

**REJECTIONS**

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)). Reasons for rejections include the following:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.



**GOVERNMENT PRINTING WORKS - BUSINESS RULES****APPROVAL OF NOTICES**

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.
26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

**GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY**

27. The Government Printer will assume no liability in respect of—
  - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
  - 27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
  - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

**LIABILITY OF ADVERTISER**

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

**CUSTOMER INQUIRIES**

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

**GPW** has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

### PAYMENT OF COST

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za) before publication.
35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.
37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

### PROOF OF PUBLICATION

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za) free of charge, should a proof of publication be required.
39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette(s)*.

## GOVERNMENT PRINTING WORKS CONTACT INFORMATION

#### Physical Address:

**Government Printing Works**  
149 Bosman Street  
Pretoria

#### Postal Address:

Private Bag X85  
Pretoria  
0001

#### GPW Banking Details:

**Bank:** ABSA Bosman Street  
**Account No.:** 405 7114 016  
**Branch Code:** 632-005

**For Gazette and Notice submissions:** Gazette Submissions:

**For queries and quotations, contact:** Gazette Contact Centre:

**E-mail:** [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za)

**E-mail:** [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)

**Tel:** 012-748 6200

**Contact person for subscribers:** Mrs M. Toka:

**E-mail:** [subscriptions@gpw.gov.za](mailto:subscriptions@gpw.gov.za)

**Tel:** 012-748-6066 / 6060 / 6058

**Fax:** 012-323-9574

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**PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS**

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**PROVINCIAL NOTICE 17 OF 2018****VICTOR KHANYE LOCAL MUNICIPALITY****NOTICE OF A REZONING APPLICATION IN TERMS OF SECTION 66, 68 AND 101 OF THE  
VICTOR KHANYE LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE BY-LAW 2015**

We, Teb Mod Consulting, being the authorised agent of Mr & Mrs Kote, hereby give notice in terms of Section 66, 68 And 101 of the Victor Khanye Local Municipality Spatial Planning And Land Use By-Law 2015 that we have applied to the Victor Khanye Local Municipality, for the Rezoning for purposes of "Guest House with 07 guestrooms and Ancillary uses". The property is situated at Erf 1022 Delmas Extension 04. The current zoning of the property is "Residential 01" and the intention of the applicant is to rezone from "Residential 01" to "Special Use" for a "Guest House with 07 guestrooms and Ancillary uses".

Any objection and/or comments including the grounds for such objection(s) and/or comments with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comments, shall be lodged with, or made in writing to: The, Municipal Manager, PO Box 06, Delmas, 2210 or to [jans@victorkhanyelm.gov.za](mailto:jans@victorkhanyelm.gov.za) . Publication dates 02 March 2018 and 09 March 2018.

Full particulars and application may be inspected during normal office hours at the Municipal Offices as set out below, for a period of 30 days from the date of first publication of the notice in the Provincial Gazette. The physical address of Municipal offices: Victor Khanye Local Municipality, Room 02, c/o Samuel Road and Van Der Walt Street, Delmas, Mpumalanga.

Closing date for any objections and/or comments (03 April 2018). Address of authorized agent 161 Tuscan Village, Masada, Bronkhorstspuit, 1020. Cell: 072 641 3878  
Email: [Tebmodconseng@webmail.co.za](mailto:Tebmodconseng@webmail.co.za)

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**PROVINSIALE KENNISGEWING 17 VAN 2018**

Stad van Victor Khanye Plaaslike Munisipaliteit: Kennisgewing van 'n hersonering aansoek in terme van artikel 66, 68 en 101 van Victor Khanye Plaaslike Munisipaliteit ruimtelike beplanning en grondgebruiksbestuur bywet, 2015

Hiermee gee ons kennis Teb Mod Konsultante, die gemagtigde agent van Meneer & Mev Kote, dat ons aansoek doen by die Stad van Victor Khanye Plaaslike Munisipaliteit vir 'n toestemming gebruik aansoek in terme van artikel 66, 68 en 101 van Victor Khanye Plaaslike Munisipaliteit ruimtelike beplanning en grondgebruiksbestuur bywet van 'n "Gastehuis met sewe (07) gastekamers en aanvullende gebruik". Die Erf is 1022 Delmas Uitbreiding 04. Die huidige sonering van die erf is "residensiële een" in terme van die Delmas Stadsbeplannings skema, 2007. Die doel van die applicant is om vergunnings reg te verkry om rede die erf te gebruik vir 'n "Gastehuis met sewe (07) gastekamers en aanvullende gebruik".

Besware en/of kommentare, indien enige, teen die voorstel moet skriftelik tesame met redes daarvoor by die: Die, Munisipale Bestuurder, Posbus 06, Delmas, 2210 or na [jans@victorkhanyelm.gov.za](mailto:jans@victorkhanyelm.gov.za) . Publikasie datums 02 Maart 2018 and 09 Maart 2018.

Besonderhede aangaande hierdie aansoek is gedurende kantoor ure verkrygbaar by die Munisipale kantore vir 'n tydperk van 30 dae vanaf die datum van eerste publikasie van die kennisgewing in die provinsiale koerant). Adres van munisipale kantoor: Die, Munisipale Bestuurder, Posbus 06, Delmas, 2210.

Sluitingsdatum vir enige besware of kommentare (03 April 2018). Adres van die agent is 161 Tuscan Village, Masada, Bronkhorstspuit, 1020. Cell: 072 641 3878  
Email: [Tebmodconseng@webmail.co.za](mailto:Tebmodconseng@webmail.co.za)

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PROVINCIAL NOTICE 18 OF 2018



co-operative governance  
& traditional affairs  
MPUMALANGA PROVINCE  
REPUBLIC OF SOUTH AFRICA

# MPUMALANGA SECTION 47 REPORT

**Consolidated Annual Municipal Performance**  
**2015/16**





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**ABBREVIATIONS**

5YLGSA	Five-year Local Government Strategic Agenda
AFS	Annual Financial Statements
CDW	Community Development Worker
CMIP	Consolidated Municipal Infrastructure Programme
DBSA	Development Bank of Southern Africa
DIF	District Mayors Intergovernmental Forum
DIM	District information management system
DM	District municipality
DORA	Division of Revenue Act
COGTA	Department of Cooperative Governance and Traditional Affairs
DWAF	Department of Water Affairs and Forestry
FBE	Free Basic Electricity
FBS	Free Basic Sanitation
FBW	Free Basic Water
IDP	Integrated Development Plan
IGR	Intergovernmental Relations
IGRFA	Intergovernmental Relations Framework Act
INP	Information Not Provided
ISRDP	Integrated Sustainable Rural Development Programme
KPA	Key Performance Area
KPI	Key performance indicator
LLF	Local Labour Forum
LED	Local Economic Development
LGSETA	Local Government Sector Education and Training Authority
MEC	Member of Executive Council
MFMA	Municipal Finance Management Act
MIG	Municipal Infrastructure grant
MIIP	Municipal Infrastructure Investment Plans
MIIU	Municipal Infrastructure Investment Unit
MSA	Municipal Systems Act
MSIG	Municipal Systems Improvement Grant
NCBF	National Capacity Building Framework
NSDP	National Spatial Development Perspective
PDIs	Previously Disadvantaged Individuals
PGDS	Provincial Growth and Development strategy
PMS	Performance Management Systems
PMU	Project Management Unit
PPP	Public Private Partnerships
SALGA	South African Local Government Association
SAPI	South African Planning Institute
SDF	Spatial Development Framework
SEDA	Small Entrepreneurship Development Agencies
SMME	Small, Medium and Micro-enterprises
SSP	Sector Skills Plan
SPLUMA	Spatial Planning and Land Use Management Act 16 of 2013
URP	Urban Renewal Programme

## 1. MEC'S EXECUTIVE SUMMARY

The Section 47 of the Municipal Systems Act, 32 of 2000 gives an account of a consolidated performance of the municipalities in the 2015/16 financial year. The report is presented as a high level summary of the accomplishments and challenges by the municipalities. The overall performance was measured on five (5) Key Performance Areas (KPA) as follows:

### (a) Public Participation and Good Governance

TROIKAs were functional and meeting on a regular basis in all municipalities with the exception of Dr. Pixley Ka Isaka Seme. There was misunderstanding of the roles and responsibilities of TROIKA members in Dr. Pixley Ka Isaka Seme, however the department intervened and the roles and responsibilities clarified to solve the matter. The Department developed guidelines and a schedule of meetings to support the functionality of TROIKA and the frequency of their meetings. The intervention bore good results in all municipalities in the three Districts of the province. However, the fact that the TROIKAs are not a legislated structure, municipalities are hampered to enforce the implementation of decisions in as far as their operations are concerned.

Notwithstanding the establishment of Oversight Committees (MPACs, S79&80 and Audit Committees) to perform their duties, however, it was observed that not all resolutions adopted by the municipalities were all implemented. Lack of relevant skills owing to insufficient budgets to train the relevant staff, is one of the contributing factors. In addition their functionality was crippled by the lack of crucial support staff, mainly researchers and secretaries. This was exacerbated by the status of Chairpersons who work on a part time basis.

The role of Community Development Workers (CDWs) as catalysts of change was observed. They continued to bring services to the doorsteps of those whose access to government services is restricted.

### (b) Service Delivery and Infrastructure Development

A significant increase of the number of households with access to potable water in the province was observed. Statistically, the number of households rose from 1 075 488 to 1 238 860 households. In 2015/16 financial year a total of 1 123 038 households were receiving electricity in province. There has been an overall increase in most areas of service delivery. This is attributed to the influx of people who were not taken into consideration during the planning processes of the affected municipalities.

### (c) Financial Performance Management

A slight improvement of the municipal audit outcomes was recorded in the 2015/16 financial year. Two (2) districts and one (1) local municipality achieved clean audits. Eight (8) municipalities obtained unqualified audit outcomes with findings whilst eight (8) achieved qualified outcomes with findings. Two (2) out of four (4) municipalities with disclaimers have improved their audit outcomes by obtaining qualified audits with findings. The non-achievement of clean audits remains a cause for concern for the Department, despite efforts to turn around the poor audit outcomes. The achievement of clean audits by three municipalities only in the 2015/16 financial year indicates the need to do more in pursuit of this target.

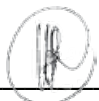
### (d) Local Economic Development

In the 2015/16 financial year a further 8 842 jobs were created in addition to the 16 138 totalling to 24 980 jobs created altogether. Significantly, 2.5% of these jobs were occupied by women and 61% by the youth. The institutional capacity to lead and manage LED is crucial element and fundamental imperative in the success of municipal LED programme. In the 2015/16 financial year 30 posts in various municipalities in the province were filled. All municipalities reviewed their LED strategies except in four local municipalities, namely Mkhondo, Dr Pixley Ka Isaka Seme and Thembisile Hani. Three of the local municipalities, namely Umjindi, Msukaligwa and Lekwa, did not implement their LED strategies.

### (e) Institutional Development

Municipalities continued with their efforts to fill vacant Senior Management posts. Notwithstanding the delay in the filling of posts for Municipal Managers, however 18 posts were filled by the end of the municipal financial year. The Department coordinated the training of 3 871 councillors and municipal officials as part of capacity building.

The Department remains committed to improve the poor audit outcomes, with the support of SALGA, the Provincial Treasury, Office of the Premier and the Districts.



MS RM MTSHWENI

MEC: CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

DATE: 21/12/2017

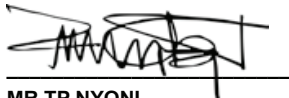
## 2. HOD'S EXECUTIVE SUMMARY OF PERFORMANCE

Provision of basic services in a sustainable manner to communities is not only a Constitutional requirement but is a core business of municipalities. Notably, the number of people with access to basic services has increased during the period under review, however, not enough revenue is collected by the municipalities. This constitutes an adverse effect in the delivery of basic services in a sustainable manner. To make matters worse, the majority of municipalities are grant-dependent and are operating under serious budgetary constraints with a high number of people who must be provided with services for free as indigents.

Most municipalities did not budget for Local Economic Development (LED) and those having budgeted recorded a poor spending in the Local Economic Development (LED) sector over the past three (3) financial years. This is a cause for concern as the budget worth millions of rands could have contributed towards the development of the local economy. This poor spending can also be attributed to the growing number of indigents.

Municipalities are faced with backlogs and ageing infrastructure. Proper spending of the Municipal Infrastructure Grant (MIG) is a solution to address this challenge. However, poor spending as a result of poor planning by municipalities contributes to the ageing infrastructure.

Despite the identified challenges in the 2015/16 financial year, the department remains committed to provide support to all our municipalities in an attempt to make local government responsive, effective efficient and accountable.



**MR TP NYONI**

**HEAD: CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

**DATE: 21/12/17**

# PART A

### 3. INTRODUCTION

#### 3.1 Legislative Background

##### ***RSA Constitution, Act 108 of 1996***

The Constitution of South Africa in S152(1) sets out five central objects for Local Government as outlined in subsections (a)-(e) below:

- a) To provide democratic and accountable government for local communities;
- b) To ensure the provision of services to communities in a sustainable manner;
- c) To promote social and economic development;
- d) To promote a safe and healthy environment; and
- e) To encourage the involvement of communities and community organisations in the matters of Local Government.

Section 152, subsection (2) enjoins a municipality to strive, within its financial and administrative capacity, to achieve the objects set out in subsection (1). A municipality has thus, a constitutional duty to among others, generate revenues, build institutional and administrative capability to deploy its revenues to provide services to communities, deliver good governance, effective financial management, promote local economic development, and strengthen public participation. National and Provincial government is enjoined by the Constitution in S154 (1) by legislative or other measures, to support and strengthen the capacity of municipalities to manage their affairs, to exercise their powers and to perform their functions.

##### ***Municipal Systems Act, 2000 (Act 32 of 2000)***

The Municipal Systems Act in terms of S11 (3) (i) empowers a municipality in exercising its legislative or executive authority to impose and recover rates, taxes, levies, duties, service fees and surcharges on fees, including setting and implementing tariff, rates and tax and debt collection policies. The importance of this executive authority and legislated function is to ensure a municipality generate necessary revenues for among others providing sustainable services to local communities.

In executing its functions to achieve the local objects outlined in the Constitution, a municipality is mandated in terms of Section 46 (1) to prepare for each financial year a performance report reflecting-

- (a) the performance of the municipality and of each external service provider during that financial year;
- (b) a comparison of the performances referred to in paragraph (a) with targets set for and performances in the previous financial year; and
- (c) Measures taken to improve performance.

On the basis of the Annual Performance Report required in S46 (1), the MEC for local government must annually compile and submit to the provincial legislature and the Minister a consolidated report on the performance of municipalities in the province as mandated in S47(1) of the MSA, 2000 (Act 32 of 2000). Subsection (2) of S47 directs that the consolidated report by the MEC must-

- a) identify municipalities that under performed during the year;
- b) propose remedial action to be taken; and
- c) be published in the Provincial Gazette

##### ***Municipal Finance Management Act, 2003 (Act 56 of 2003)***

Section 121 (1) of the Municipal Finance Management Act (MFMA), 2003 mandates every municipality and municipal entity must for each year prepare an annual report in accordance with this chapter. S46(2) of the Municipal Systems Act, 2000 (Act 32 of 2000) states that the annual performance report of a municipality must form part of the Annual Report prepared in terms of S121(1) of the MFMA, 2003.

Informed and empowered by the legislative provisions summarised above, the MEC for local government in Mpumalanga has prepared the consolidated S47 report on municipal performance for the 2015/16 Municipal Financial Year.

#### 3.2 Limitations of the Report

- Late submission of annual reports with information gaps making it difficult to conduct the analysis timeously affecting the ability of the department to compile the section 47 report as required by the Municipal Systems Act, 32 of 2000.
- The quality and accuracy of statistical data on demographics and socio-economic profile in the various municipalities is suspect often inconsistent with the previous reports and Stats SA making it difficult to accurately measure and compare performance on service delivery, municipal ability to generate revenues, and evaluate the impact of local economic development strategies.
- The unavailability of all primary data required to evaluate, contrast and compare municipal performance for the current and previous financial years on certain targets and key performance areas.

#### 4. OVERVIEW OF THE DEMOGRAPHIC AND SOCIO-ECONOMIC PROFILES

##### 4.1 DEMOGRAPHIC PROFILE

Based on Statistics SA, 2011, the total population in Mpumalanga is 4,04 million residing in just over a million households accounting for an estimated 7,8% of the country's population. Of the above population in the province, Ehlanzeni District Municipality accounts for 41, 8% at 1, 69 million people, followed by Nkangala District Municipality at 34, 4% for an estimate 1, 31 million people and lastly, the Gert Sibande District Municipality accounting for the remainder of 25, 8% of the population at 1, 04 million people. Table 1 below provides a summary of the population in the province per district including the household breakdown. Sub-sections 2.1.1 to 2.1.3 provide a local level population breakdown per district area.

**Table1: Demographic Profile for Mpumalanga as per National Census, 2011 & Statistics SA 2016**

NAME	POPULATION	%	HOUSEHOLDS AS PER STATS SA 2011	%	HOUSEHOLDS 2016 GENERAL HOUSEHOLD SURVEY 2016	%
Ehlanzeni District Municipality	1 688 614	41.8	445 087	41.4	483 902	39
Nkangala District Municipality	1 308 129	32.4	356 911	33.2	421 143	33.9
Gert Sibande District Municipality	1 043 094	25.8	273 490	25.4	333 815	26.9
Mpumalanga	4 039 837	100	1 075 488	100	1 238 860	100

(Source: SERO 2015)

##### 4.1.1 Ehlanzeni District Municipal Demographic Profile

Ehlanzeni District Municipality comprises five local municipalities namely, Mbombela, Umjindi, Nkomazi, Bushbuckridge and Thaba Chweu local municipalities. Mbombela Local Municipality accounts for the largest population estimate at 588 794 or 35% closely followed by Bushbuckridge Local Municipality with a population estimate of 541 248 or 32%, Nkomazi Local Municipality at 393 030 or 23%, Thaba Chweu Local Municipality at 98 387 or 5.8% and Umjindi Local Municipality at 67 156 or 4.1% are the two smallest municipalities within the District. Table 2 below provides a summary of the population estimates in the Ehlanzeni District Municipality as per the National Census by Stats SA, 2011.

**Table 2: Ehlanzeni District Demographic Profile**

NAME	POPULATION	%	HOUSEHOLDS AS PER STATS SA 2011	%	HOUSEHOLDS 2016 GENERAL HOUSEHOLD SURVEY 2016	%
Mbombela Municipality	588 794	35	161 773	36	181 794	37.5
Bushbuckridge Municipality	541 248	32	134 197	30	137 419	28
Nkomazi Municipality	393 030	23	96 202	22	103 965	21
Thaba Chweu Municipality	98 387	5.8	33 352	7.5	37 022	8
Umjindi Municipality	67 156	4.1	19 563	5	23 702	5

(Source: SERO 2015)

##### 4.1.2 Nkangala District Demographic Profile

Nkangala District Municipality comprises six local municipalities namely, Emakhazeni, Steve Tshwete, Emalahleni, Victor Khanye, Thembisile Hani and Dr JS Moroka local municipalities. Emalahleni Local Municipality accounts for the largest population estimate at 395 466 or 30% followed by Thembisile Hani Local Municipality with a population estimate of 310 458 or 23.7%, Dr JS Moroka Local Municipality at 249 705 or 19%, Steve Tshwete Municipality at 229 831 or 18%. Victor Khanye Local Municipality at 75 452 or 5.8% and Emakhazeni Local Municipality at 47 216 or 3.6% are the two smallest municipalities within the District. Table 3 below provides a summary of the population estimates in the Nkangala District Municipality as per the National Census by Stats SA, 2011.

**Table 3: Nkangala District Demographic Profile**

NAME	POPULATION	%	HOUSEHOLDS AS PER STATS SA 2011	%	HOUSEHOLDS 2016 GENERAL HOUSEHOLD SURVEY 2016	%
Emalahleni Municipality	395 466	30	119 874	34	150 420	36
Thembisile Hani Municipality	310 458	23.7	75 634	21	82 740	20
Dr JS Moroka Municipality	249 705	19	62 162	17	62 367	15
Steve Tshwete Municipality	229 831	18	64 971	18	86 713	21
Victor Khanye Municipality	75 452	5.8	20 548	6	24 270	6
Emakhazeni	47 216	3.6	13 722	4	14 633	3

(Source: SERO 2015)

#### 4.1.3 Gert Sibande District Demographic Profile

Gert Sibande District Municipality comprises seven local municipalities namely, Chief Albert Luthuli, Msukaligwa, Mkhondo, Lekwa, Dr. Pixley Ka Isaka Seme, Dipaleseng and Govan Mbeki local municipalities. Govan Mbeki Local Municipality accounts for the largest population estimate at 294 538 or 28% followed by Chief Albert Luthuli Local Municipality with a population estimate of 186 010 or 18%, Mkhondo Local Municipality at 171 982 or 17%, Msukaligwa Local Municipality at 149 377 or 14 %, Lekwa Local Municipality at 115 662 or 11%. Dr. Pixley Ka Isaka Seme Local Municipality at 83 235 or 8% and Dipaleseng Local Municipality at 42 390 or 4% are the two smallest municipalities within the District. Table 4 below provides a summary of the population estimates in the Gert Sibande District Municipality as per the National Census by Stats SA, 2011.

**Table 4: Gert Sibande District Demographic Profile**

NAME	POPULATION	%	HOUSEHOLDS AS PER STATS SA 2011	%	HOUSEHOLDS 2016 GENERAL HOUSEHOLD SURVEY 2016	%
Govan Mbeki Municipality	294 538	28	83 874	31	108 894	33
Chief Albert Luthuli	186 010	18	47 705	18	53 480	16
Mkhondo Municipality	171 982	17	37 433	14	45 595	14
Msukaligwa Municipality	149 377	14	40 932	15	51 089	15
Lekwa Municipality	115 662	11	31 071	11	37 334	11
Dr Pixley Ka Isaka Seme	83 235	8	19 838	7	22 546	7
Dipaleseng	42 390	4	12 637	5	14 877	4

(Source: SERO Report 2015)

## 4.2 SOCIO-ECONOMIC PROFILE

### 4.2.1 Household Income

Table 5 below provides a summary of the average household income in the province broken down per local municipality as adapted from the Statistics SA figures of 2011 National Census. Steve Tshwete Local Municipality has the highest average household income in the province at R134 026, with Bushbuckridge Local Municipality the having lowest average household income of R36 569.

**Table 5: Average Household Income Per Municipality**

MUNICIPALITY	Stats SA Census(2001)	Stats SA Census(2011)	Rank
Steve Tshwete	R55 369	R134 026	1
Govan Mbeki	R47 983	R125 480	2
Emalahleni	R51 130	R120 492	3
Mbombela	R37 779	R92 663	4
Lekwa	R38 113	R88 440	5
Thaba Chweu	R35 795	R82 534	6
Msukaligwa	R31 461	R82 167	7
Umgindi	R35 244	R81 864	8
Victor Khanye	R35 281	R80 239	9
Emakhazeni	R36 170	R72 310	10
Dr. Pixley Ka Isaka Seme	R23 399	R64 990	11
Dipaleseng	R19 454	R61 492	12
Mkhondo	R26 935	R53 398	13
Chief Albert Luthuli	R22 832	R48 790	14
Thembisile Hani	R18 229	R45 864	15
Nkomazi	R19 195	R45 731	16
Dr. JS Moroka	R17 328	R40 421	17



Bushbuckridge	R17 041	R36 569	18
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#### 4.2.2 Unemployment and Socio-economic challenges

Ehlanzeni District's household income of R64 403 is the lowest among the districts as well as the provincial average of R77 597 per annum. Average household income in Gert Sibande District improved from R33 662 in 2001 to R84 177 in 2011. The Gert Sibande District household income of R84 177 in 2011 was the second highest among the 3 districts and better than the provincial average of R77 597 per annum. The average household income for Nkangala District improved from R35 177 in 2001 to R89 006 in 2011 and was ranked first of the 3 districts also the highest and better than the provincial average of R77 597 per annum.

The rate of female headed households in Ehlanzeni District was at 44.1% and child headed (10-17 years) households was at 1.2% in 2011. In Gert Sibande District the rate of female headed households was at 38.8% while child headed (10-17 years) households rate was at 0.7 % in 2011. Female headed households in Nkangala District was at 36.2% and child headed (10-17 years) households was at 0.3% in 2011.

Unemployment rate for females in Ehlanzeni District was recorded at 41.0% and males 28.1%, youth unemployment rate high at 44.2%. The leading industries in terms of employment in the Ehlanzeni District are - trade (23.5%), community service (21.3%) and agriculture (13.7%). Unemployment rate for females in Nkangala District was recorded at 37.7% and males 24%, youth unemployment rate high at 39.6%. The leading industries in terms of employment in the Nkangala District are - trade (20.7%), mining (18.7%) and community service (16.8%). Unemployment rate for females in Gert Sibande District was recorded at 38.4% and males 22.91%, youth unemployment rate high at 38.4%. The leading industries in terms of employment in the Gert Sibande District are - trade (18.8%), community service (17%), mining (14.5%) and agriculture (13.9%).

Ehlanzeni District has the highest poverty rate 41.3% - 705 103 poor people. The Gert Sibande District has the second highest poverty rate 37.9% - 402 278 poor people though an improving trend has been recorded since 2001 and Nkangala District has the lowest poverty rate among the 3 districts of 30.6% - 412 259 poor people.

The district's contribution to Mpumalanga economy was 31.0% in 2012 providing the second highest of the 3 districts, with leading industries in terms of percentage contribution to Gert Sibande's economy being manufacturing (37.3%), mining (12.9%) and community services (11.9%). The leading industries in terms of percentage contribution to Ehlanzeni District's economy are finance (21.8%), community services (24.9%) and trade (17.3%). The leading industries in terms of percentage contribution to Nkangala's economy are mining (29.5%), finance (14.4%), community services (13.6%) and manufacturing (12.5%).

## PART B

## 5. ANALYSIS OF MUNICIPAL KEY PERFORMANCE AREAS

In line with the Constitutional objects of local government this S47 report focuses on the analysis of municipal performance with respect to each object in order to assess areas of strength in each municipality as well as areas of weaknesses. The Departmental support programmes outlined in the Integrated Municipal Support Plan will then be focused on each municipality using the differentiated approach principle.

### 5.1 GOOD GOVERNANCE

Municipalities have a duty in terms of S152 (1) (a) of the Constitution to provide a democratic and accountable government for local communities. The hallmark of a democratic and accountable government is good governance characterised by political and administrative stability; functional governance and oversight committees; effective systems of internal control, such as internal audit committees, risk management and audit committees, IT governance, anti-corruption measures and functional Intergovernmental relations forums amongst others. This section provides a summary of the analysis of our municipalities in terms of good governance focusing on the characteristics of good governance outlined above.

#### *Political Stability*

Political stability and reduced protests through effective community feedback, service delivery and law enforcement is a key feature of the criteria for good governance demonstrated.

**Table 6: Analysis of Municipal Performance on Good Governance: Political Stability**

Districts	Municipality	Political Stability		
		Troika Relations	Council sittings	Protest Action
EHLANZENI	Bushbuckridge	Frequently meeting with good relations. 18 Meetings held.	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 10 Meetings held.	21 Protest Actions
	Mbombela	Frequently meeting with good relations. 32 Meetings held.	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 14 Meetings held.	21 Protest Actions
	Nkomazi	Frequently meeting with good relations. 22 Meetings held.	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 16 Meetings held.	02 Protest action
	Thaba Chweu	Frequently meeting with good relations. 15 Meetings held.	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 13 Meetings held.	07 Protest Actions
	Umjindi	Frequently meeting with good relations. 15 Meetings held.	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 14 Meetings held.	01 Protest Actions
	Ehlanzeni	Frequently meeting with good relations. 21 Meetings held.	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 10 Meetings held.	Not Applicable
	<b>District Totals</b>	<b>123</b>	<b>77</b>	<b>52</b>

Districts	Municipality	Political Stability		
		Troika Relations	Council sittings	Protest Action
GERT SIBANDE	Chief Albert Luthuli	Frequently meeting with good relations. 15 Meetings held.	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 8 Meetings held.	05 Protest Actions
	Dipaleseng	Frequently meeting with good relations. 14 Meetings held	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 4 Meetings held.	01 Protest Action
	Govan Mbeki	Frequently meeting with good relations. 19 Meetings held.	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 8 Meetings held.	01 Protest Action
	Lekwa	Frequently meeting with good relations. 16 Meetings held.	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 10 Meetings held.	0
	Mkhondo	Frequently meeting with good relations. 15 Meetings held.	Council meetings were held as per the legislative requirements. Special Sittings of Council were convened as per the need. 12 Meeting held.	02 Protest Actions
	Msukaligwa	Frequently meeting with good relations. 15 Meetings held.	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 8 Meetings held.	04 Protest Actions
	Dr. Pixley Ka Isaka Seme	Not Functional	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 13 Meetings held.	02 Protest Actions
	<b>Gert Sibande</b>	Frequently meeting with good relations. 15 Meetings held.	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 8 Meetings held.	Not Applicable
	<b>District Totals</b>	<b>109</b>	<b>71</b>	<b>15</b>
	Dr. JS Moroka	Frequently meeting with good relations. 17 Meeting held.	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 12 Meetings held.	03 Protest Actions
NKANGALA	Emakhazeni	Frequently meeting with good relations. 20 Meetings held.	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 10 Meetings held.	01 Protest Action
	Emalahleni	Frequently meeting with good relations. 9 Meetings held.	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 7 Meetings held.	02 Protest Actions
	Steve Tshwete	Frequently meeting with good relations. 15 Meetings held.	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 15 Meetings held.	03 Protest Actions
	Thembisile Hani	Frequently meeting with good relations. 19 Meetings held.	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 11 Meetings held.	02 Protest Actions
	Victor Khanye	Frequently meeting with good relations. 15 Meetings held.	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 21 Meetings held.	01 Protest Actions
	<b>Nkangala District</b>	Frequently meets with good relations	Council meetings were held as per the legislative requirements. Special sittings of Council were convened as per the need. 13 meetings held.	Not Applicable
	<b>District Totals</b>	<b>95</b>	<b>89</b>	<b>12</b>

(Source: Section 46 reports from municipalities)

#### Analysis of Municipal Performance on Good Governance: Political Stability

##### Findings

- Functionality of TROIKA, municipal Councils and protests per district is detailed below as follows:

**Ehlanzeni District**

The findings that were made at Ehlanzeni District are that all municipal TROIKAs were functional and altogether had a total of 123 (on average each municipality held 6 meetings) meetings. In as far as the sitting of municipal Councils is concerned, all municipalities held a total of 72 normal as well as special sittings as and when required amongst them. All municipalities in this district also experienced about 74 service delivery protests, Bushbuckridge and Mbombela municipalities had the highest number of protests, each had 21 protests and Umjindi being the lowest with only one (1).

**Gert Sibande District**

The findings that were made at Gert Sibande District are that all municipal TROIKAs were functional except for one at Dr Pixley Ka Isaka Seme. In total municipalities in this district held 109 TROIKA meetings amongst them. In as far as the sitting of municipal Councils is concerned, all municipalities held their meetings accordingly totalling 76 normal sittings as well as special sittings amongst them as and when required. Municipalities in this district also experienced fifteen (15) service delivery protests Chief Albert Luthuli had five (5) protests which is the highest and four in Msukaligwa, Lekwa had no protest recorded on the year under review.

**Nkangala District**

The findings that were made at Nkangala District are that all municipal TROIKAs were functional; in total they held 109 meetings amongst themselves. However, Nkangala District Municipality did not specify as to how many meetings were held except to say that the TROIKA was meeting regularly. In as far as the sitting of municipal Council is concerned, all seven (7) municipalities as required by law held their sittings accordingly totalling eighty (80) normal as well as special sittings amongst themselves. However, Nkangala District Municipality did not specify as to how many Council sittings were held except to say that the meetings were held as required by law. Municipalities in this district also experienced twelve (12) service delivery protests, Dr JS Moroka and Steve Tshwete had the highest incidents three (3) each and Emakhazeni and Victor Khanye having had only one (1) each.

**5.1.1 Municipal performance on Good Governance**

In analysing the functionality of the Governance Structures in the municipalities, special attention on the municipal annual reports was paid on their existence, in terms of members forming the committee and attendance registers, this enabled confirmation that meetings did indeed take place and if they meet regularly.

**Table 7: Analysis of Municipal performance on Good Governance: Functional Oversight Committees**

DISTRICTS	Municipality	Functionality of Oversight Committees		
		Municipal Public Accounts Committee (MPAC)	S79 and S80 Committees	Audit Committee
EHLANZENI	Bushbuckridge	<input type="checkbox"/> Functional	<input type="checkbox"/> All section 79 & 80 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional.
	Mbombela	<input type="checkbox"/> Functional	<input type="checkbox"/> Only section 79 committee is functional	<input type="checkbox"/> The Audit Committee existed and was functional
	Nkomazi	<input type="checkbox"/> Functional	<input type="checkbox"/> All section 79 & 80 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional.
	Thaba Chweu	<input type="checkbox"/> Functional	<input type="checkbox"/> All section 79 & 80 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional.
	Umjindi	<input type="checkbox"/> Functional	<input type="checkbox"/> All section 79 & 80 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional
	Ehlanzeni	<input type="checkbox"/> Functional	<input type="checkbox"/> All section 79 & 80 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional
GERT SIBANDE	Chief Albert Luthuli	<input type="checkbox"/> Functional	<input type="checkbox"/> All section 79 & 80 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional
	Dipaleseng	<input type="checkbox"/> Functional	<input type="checkbox"/> All section 79 & 80 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional
	Govan Mbeki	<input type="checkbox"/> Functional	<input type="checkbox"/> All section 79 & 80 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional
	Lekwa	<input type="checkbox"/> Functional	<input type="checkbox"/> Only section 79 committee is functional	<input type="checkbox"/> The Audit Committee existed and was functional.
	Mkhondo	<input type="checkbox"/> Functional	<input type="checkbox"/> All section 79 and 80 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional
	Msukaligwa	<input type="checkbox"/> Functional	<input type="checkbox"/> All section 79 & 80 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional.
	Dr. Pixley Ka Isaka Seme	<input type="checkbox"/> Functional	<input type="checkbox"/> All section 79 and 80 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional.
	Gert Sibande	<input type="checkbox"/> Functional	<input type="checkbox"/> All section 79 and 80 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional.
NKANGALA	Emalahleni	<input type="checkbox"/> Functional	<input type="checkbox"/> Only section 79 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional.
	Emakhazeni	<input type="checkbox"/> Functional	<input type="checkbox"/> All section 79 & 80 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional.
	Steve Tshwete	<input type="checkbox"/> Functional	<input type="checkbox"/> All section 79 & 80 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional.
	Victor Khanye	<input type="checkbox"/> Functional	<input type="checkbox"/> Only section 79 & 80 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional
	Dr. JS Moroka	<input type="checkbox"/> Functional	<input type="checkbox"/> All section 79 and 80 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional.
	Thembe Hani	<input type="checkbox"/> Functional	<input type="checkbox"/> All section 79 and 80 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional
	Nkangala	<input type="checkbox"/> Functional	<input type="checkbox"/> All section 79 and 80 committees are functional	<input type="checkbox"/> The Audit Committee existed and was functional.

(Source: Section 46 reports from municipalities)

**5.1.2 Functionality of Oversight Committees****Findings**

All municipalities across the three districts have established oversight committees e.g. Municipal Public Accounts Committees (MPACs), Section 79 & 80 committees. The following local municipalities only established Section 79 committees without Section 80 Committees; Lekwa, Emalahleni and Mbombela local municipalities. Mbombela local municipality uses a different model called a cluster approach. However, there are challenges affecting the optimal functionality of the oversight committees as follows:

**Challenges****TROIKA**

The following challenges were noted with the functionality of the TROIKA in the province

- TROIKA is not a legislated structure;
- TROIKA did not have a schedule of meetings resulting in unplanned meetings;
- Service delivery was not a standing item on their agenda

**MPACs**

The following challenges were noted with oversight structures MPACs, Section 79 & 80 committees, Internal Audit Units and Audit Committees:

- MPAC reporting lines are not clearly defined ( some are reporting to the Executive Mayor)
- No dedicated staff members ( Secretary & Researcher) to assist MPACs with administrative issues

**Internal Audit Committees**

The following challenges were noted with internal audits:

- Poor implementation of Internal Audit and Audit Committee resolutions,
- Insufficient budget for training of oversight committees,

**Section 79 & 80 Committees**

- Mbombela municipality is not using a standard model of S79 & 80 committees instead they are using a cluster approach
- Lekwa and Emalahlani local municipalities' Section 80 committees were not established at the time of conducting the assessment for functionality of oversight committees, but were later established.

**Support Interventions by National and Provincial government**

- The department developed guidelines to be followed when dealing with TROIKA issues,
- Supported TROIKA to develop schedule of meetings in order to improve on their functionality
- TROIKA's were advised to have service delivery as a standing item in their agenda so they could be able to provide sound advice to council
- SALGA is busy developing the Governance Model for the Province which will enable all municipalities to use a uniform model.
- All MPACs were trained on their roles and responsibilities

**Recommendations**

Municipalities need to do the following:

- Increase budget allocation for training of internal auditors,
- Create posts of MPAC researchers and secretaries during organogram reviewal

**5.1.3 Anti-corruption Measures & Policies****Table 8: Anti-Corruption prevention plans implemented**

District	Municipality	2013/14		2014/15		2015/16	
		Has council adopted the Anti-corruption Plan	Anti-Corruption Plan Compiled	Has council adopted the Anti-corruption Plan	Anti-Corruption Plan Compiled	Has council adopted the Anti-corruption Plan	Anti-Corruption Plan Compiled
EHLANZENI	Bushbuckridge	Yes	Yes	Yes	Yes	Yes	Yes
	Mbombela	Yes	Yes	Yes	Yes	No	No
	Nkomazi	Yes	Yes	Yes	Yes	Yes	Yes
	Thaba Chweu	Yes	Yes	Yes	Yes	Yes	Yes
	Umgindi	Yes	No	Yes	Yes	Yes	Yes
	<b>Ehlanzeni</b>	Yes	Yes	Yes	Yes	Yes	Yes
GERT SIBANDE	Chief Albert Luthuli	Yes	Yes	Yes	Yes	Yes	Yes
	Dipaleseng	Yes	Yes	Yes	Yes	Yes	Yes
	Govan Mbeki	Yes	Yes	Yes	Yes	Yes	Yes
	Lekwa	Yes	Yes	Yes	Yes	Yes	Yes
	Mkhondo	Yes	Yes	Yes	Yes	Yes	Yes
	Msukaligwa	Yes	Yes	Yes	Yes	Yes	Yes
	Dr. Pixley Ka Isaka Seme	Yes	Yes	Yes	Yes	Yes	Yes
	<b>Gert Sibande</b>	Yes	Yes	Yes	Yes	Yes	Yes
NKANGALA	Emalahlani	Yes	Yes	Yes	Yes	Yes	Yes
	Emakhazeni	Yes	Yes	Yes	Yes	Yes	Yes
	Steve Tshwete	Yes	Yes	Yes	Yes	Yes	Yes
	Victor Khanye	Yes	Yes	Yes	Yes	Yes	Yes
	Dr. JS Moroka	No	No	Yes	Yes	Yes	Yes
	Thembisile Hani	Yes	Yes	Yes	Yes	Yes	Yes
	Nkangala	Yes	Yes	Yes	Yes	Yes	Yes

(Source: Section 46 reports from municipalities)

**Findings**

The following findings were made after the analysis of the municipal annual reports on the development of Anti-corruption Measures and Policies, all municipalities in the Province have Anti-corruption Measures, Policies developed and adopted by council except for Mbombela municipality.

**Challenges**

- ☐ Mbombela Local Municipality did not develop and adopt the Anti-corruption plan, and no reasons put forth why this did not happen,
- ☐ Late approval of Risk Management related policies by council even though submission were made on time

**Support Interventions by National and Provincial government**

A provincial Anti-Corruption Working Group was established to coordinate anti-corruption activities including cases reported and concluded in municipalities and provided workshop on Local Government Anti-Corruption Strategy assisted by DcOG to all municipalities.

**Recommendations**

The following is therefore recommended:

- ☐ That Mbombela local municipality should immediately develop and adopt this strategy (Anti-corruption plan and policy);
- ☐ That council consider the reports as and when they are submitted and take resolutions accordingly.

***Intergovernmental Relations Forum*****5.1.4 Existence of an effective IGR strategy**

Intergovernmental Relations Framework Act was promulgated in 2005 to provide a framework for National, Provincial and Local Government to promote and facilitate intergovernmental relations in order to achieve a coherent government, effective service delivery, and monitoring implementation of legislation, policies and realization of national priorities and provide for dispute resolution mechanism amongst all spheres of government. It also provides for the facilitation, integration and alignment of planning, budgeting, implementation and reporting across the three spheres of government. In this regard, the province has established IGR structures, PCF, Technical MuniMEC and MuniMEC to facilitate coordination and monitoring of programmes between local, district and provincial government.

The District IGR structures both technical and political, where the District Municipal Manager meets all local Municipal Managers and the District Executive Mayor meets all Executive Mayors on quarterly basis to share best practices as well as service delivery.

The Department (COGTA) has entered into Memorandum of Understanding with Provincial Treasury, to promote coordination of activities and optimal utilisation of resources particularly with the implementation of MFMA where the two departments (COGTA and Provincial Treasury) have distinct roles and responsibilities.

There are Provincial structures, both technical and political, where the Head of Department for (COGTA) and Provincial Treasury meet all Municipal Managers, Chief Financial Officers, The MEC for COGTA as well as the MEC for Provincial Treasury meet all Executive Mayors and Members of the Mayoral Committee on quarterly basis to discuss performance in the provision of services and financial management in municipalities in order to detect failures and initiate corrective action where necessary, and consider reports from District IGR forums on matters affecting provincial interest including other reports dealing with performance of District and local municipalities, and escalate to Premier's Coordinating Forum (PCF).

The Premier's Coordinating Forum meets quarterly and is chaired by the Honourable Premier. It is a forum where the Premier interacts directly with Local Government to receive progress on municipal performance. It is also a platform where provincial government and municipalities discuss service delivery issues.



## 5.1.5 Effectiveness of Council Committees

Table 9: Indicate effectiveness of Council Committees (2013/14)

DISTRICT	Municipality	2013/14													
		All admin delegations adopted	S59 MSA delegations adopted	Roles of Committees and Political Office Bearers	Meetings convened					No. of meet-ings where quorum was not achieved		Code of conduct adopted (council and staff)	Code communicated to commu-nity	Interest of councillors and staff declared	Councillors and Staff members in areas with municipalities
					Council	Executive Mayoral committee	Portfolio committee	Municipal Management	IDP representative forum	Council	Executive Mayoral committee				
EHLANZENI	Bushbuckridge	No	No	Yes	8	8	7	3	2	None	None	Yes	No	Yes	None
	Mbombela	No	No	Yes	3	4	1	6	1	None	None	Yes	No	Yes	None
	Nkomazi	Yes	Yes	Yes	11	9	6	None	None	Yes	No	Yes	None	Yes	Yes
	Thaba Chweu	Yes	Yes	Yes	13	12	9	None	None	Yes	No	Yes	None	Yes	Yes
	Umgjindi	Yes	Yes	Yes	12	12	13	None	None	Yes	Yes	Yes	None	Yes	Yes
	Ehlanzeni District	No	No	Yes	9	8	4	None	None	Yes	No	Yes	None	No	No
GERT SIBANDE	Chief Albert Luthuli	Yes	Yes	Yes	14	11	12	None	None	Yes	No	Yes	None	Yes	Yes
	Dipaleseng	No	No	Yes	13	12	12	None	None	Yes	No	Yes	None	No	No
	Govan Mbeki	Yes	Yes	Yes	12	12	13	None	None	Yes	Yes	Yes	None	Yes	Yes
	Lekwa	No	No	Yes	9	7	0	None	None	Yes	No	Yes	None	No	No
	Mkhondo	No	No	Yes	12	8	6	None	None	Yes	No	Yes	None	No	No
	Msukaligwa	No	No	Yes	8	8	0	None	None	Yes	No	Yes	None	No	No
	Dr Pixley Ka Isaka Seme	Yes	Yes	Yes	11	8	0	None	None	Yes	No	Yes	None	Yes	Yes
	Gert Sibande	Yes	Yes	Yes	8	12	7	None	None	Yes	No	Yes	None	Yes	Yes
NKANGALA	Emalahleni	Yes	Yes	Yes	7	11	8	None	None	Yes	No	Yes	None	Yes	Yes
	Emakhazeni	No	No	Yes	10	10	9	None	None	Yes	No	Yes	None	No	No
	Steve Tshwete	Yes	Yes	Yes	9	0	0	None	None	Yes	No	Yes	None	Yes	Yes
	Victor Khanye	Yes	Yes	Yes	16	10	10	None	None	Yes	No	Yes	None	Yes	Yes
	Dr JS Moroka	Yes	Yes	Yes	10	12	9	None	None	Yes	No	Yes	None	Yes	Yes
	Thembisile Hani	Yes	Yes	Yes	12	7	7	None	None	Yes	No	Yes	None	Yes	Yes
	Nkangala District	Yes	Yes	Yes	13	12	10	None	None	Yes	No	Yes	None	Yes	Yes

(Source: Section 46 reports from municipalities)

Table 10: Indicate effectiveness of Council Committees (2014/15)

DISTRICT	Municipality	2014/15											
		All admin delegations adopted	S59 MSA delegations adopted	Roles of Committees and Political Office Bearers	Meetings convened			No. of meetings where quorum was not achieved		Code of conduct adopted (council and staff)	Code communicated to community	Interest of councillors and staff declared	Councillors and Staff members in areas with municipalities
					Council	Executive Mayoral committee	Portfolio committee	Council	Executive Mayoral Committee				
EHLANZENI	Bushbuckridge	Yes	Yes	Yes	Yes	Yes	Yes	None	None	Yes	No	Yes	None
	Mbombela	Yes	Yes	Yes	Yes	Yes	Yes	None	None	Yes	Yes	Yes	Yes
	Nkomazi	Yes	Yes	Yes	Yes	Yes	Yes	None	None	Yes	Yes	Yes	Yes
	Thaba Chweu	INP	INP	INP	INP	INP	INP	INP	INP	INP	INP	INP	INP
	Umgindi	Yes	Yes	Yes	Yes	Yes	Yes	None	None	Yes	Yes	Yes	Yes
GERT SIBANDE	Ehlanzeni District	Yes	Yes	Yes	Yes	Yes	Yes	None	None	Yes	Yes	Yes	Yes
	Chief Albert Luthuli	Yes	Yes	Yes	Yes	Yes	Yes	None	None	Yes	Yes	Yes	Yes
	Dipaleseng	Yes	Yes	Yes	Yes	Yes	Yes	None	None	Yes	Yes	Yes	Yes
	Govan Mbeki	Yes	Yes	Yes	Yes	Yes	Yes	None	None	Yes	Yes	Yes	Yes
	Lekwa	Yes	Yes	Yes	Yes	Yes	Yes	None	None	Yes	Yes	Yes	Yes
	Mkhondo	Yes	Yes	Yes	Yes	Yes	Yes	None	None	No	Yes	Yes	Yes
	Msukaligwa		Yes	Yes	Yes	Yes	Yes	None	None	Yes	Yes	Yes	Yes
	Dr Pixley Ka Isaka Seme	Yes	Yes	Yes	Yes	Yes	Yes	None	None	Yes	Yes	Yes	Yes
NKANGALA	Gert Sibande	Yes	Yes	Yes	Yes	Yes	Yes	None	None	Yes	Yes	Yes	Yes
	Emalahleni	Yes	Yes	Yes	Yes	Yes	Yes	None	None	Yes	Yes	Yes	None
	Emakhazeni	Yes	Yes	Yes	Yes	Yes	Yes	None	None	Yes	Yes	Yes	Yes
	Steve Tshwete	Yes	Yes	Yes	Yes	Yes	Yes	None	None	Yes	Yes	Yes	Yes
	Victor Khanye	Yes	Yes	Yes	Yes	Yes	Yes	None	None	Yes	No	Yes	None
	Dr JS Moroka	Yes	Yes	Yes	Yes	Yes	Yes	None	None	No	No	No	Yes
	Thembisile Hani	Yes	Yes	Yes	Yes	Yes	Yes	None	None	Yes	Yes	Yes	Yes
	Nkangala District	Yes	Yes	Yes	Yes	Yes	Yes	None	None	Yes	Yes	Yes	Yes

(Source: Municipal section 46 reports)

Table 11: Indicate effectiveness of council committees (2015/16)

DISTRICT	Municipality	2015/16											
		All admin delegations adopted	S59 MSA delegations adopted	Roles of Committees and Political Office Bearers	Meetings convened			No. of meetings where quorum was not achieved		Code of conduct adopted (council and staff)	Code communicated to community	Interest of councillors and staff declared	Councillors and Staff members in areas with municipalities
					Council	Executive Mayoral committee	Portfolio committee	Council	Executive Mayoral Committee				
EHLANZENI	Bushbuckridge	Yes	Yes	Yes	10	8	19	None	None	Yes	Yes	Yes	None
	Mbombela	Yes	Yes	Yes	14	4	10	None	None	Yes	Yes	Yes	None
	Nkomazi	Yes	Yes	Yes	16	16	13	None	None	Yes	Yes	Yes	Yes
	Thaba Chweu	No	No	Yes	13	12	9	None	None	Yes	Yes	Yes	Yes
	Umgindi	Yes	Yes	Yes	14	12	13	None	None	Yes	Yes	Yes	None
	Ehlanzeni	Yes	Yes	Yes	10	10	11	None	None	Yes	Yes	Yes	None
GERT SIBANDE	Chief Albert Luthuli	Yes	Yes	Yes	8	9	2	None	None	Yes	Yes	Yes	None
	Dipaleseng	Yes	Yes	Yes	4	11	9	None	None	Yes	Yes	Yes	None
	Govan Mbeki	Yes	Yes	Yes	8	11	23	None	None	Yes	Yes	Yes	None
	Lekwa	No	Yes	Yes	10	8	33	None	None	Yes	Yes	No register	As per Audited AFS
	Mkhondo	Yes	Yes	Yes	12	8	6	None	None	Yes	Yes	Yes	None
	Msukaligwa	Yes	Yes	Yes	8	9	2	None	None	Yes	Yes	Yes	None
	Dr Pixley Ka Isaka Seme	Yes	Yes	Yes	13	12	46	None	None	Yes	Yes	Yes	Yes
	Gert Sibande	Yes	Yes	Yes	8	9	2	None	None	Yes	Yes	Yes	None
NKANGALA	Emalahleni	Yes	Yes	Yes	7	11	8	None	None	Yes	Yes	Yes	Yes
	Emakhazeni	Yes	Yes	Yes	10	10	9	None	None	Yes	Yes	Yes	None
	Steve Tshwete	Yes	Yes	Yes	15	26	52	None	None	Yes	Yes	Yes	None
	Victor Khanye	Yes	Yes	Yes	21	16	37	None	None	Yes	Yes	Yes	Yes
	Dr. JS Moroka	Yes	Yes	Yes	12	14	14	None	None	Yes	Yes	Yes	Yes
	Thembisile Hani	Yes	Yes	Yes	11	13	2	None	None	Yes	Yes	Yes	None
	Nkangala	Yes	Yes	Yes	13	12	10	None	None	Yes	Yes	Yes	Yes

(Source: Section 46 reports from municipalities)

**Findings (2015/16 Financial year)****Delegations adoption**

In the 2015/16 and 2014/15 financial years 19 municipalities out of 21 adopted their delegations which indicates an improvement as compared to 2013/14 financial year wherein only 13 municipalities adopted their delegations

**Roles of committees and political office bearers**

In the 2015/16 and 2013/14 financial years all 21 municipalities had roles of political office bearers and committees defined which indicates an improvement as compared to 2014/15 financial year wherein only 20 municipalities had roles of councillors defined.

**Code of conduct adopted for staff and conduct adopted**

In the 2015/16 financial year all 21 municipalities had adopted the code of conduct for councillors and staff which indicate an improvement as compared to 2014/15 financial year in which only 18 municipalities had adopted the code of conduct for staff and councillors. The code of conduct for councillors and staff members was communicated to the community.

**Declaration of Councillors and Staff interest**

In the 2015/16 financial year 20 municipalities out of 21 had their councillors and staff who declared their interest which indicates an improvement as compared to 19 in the 2014/15 financial year and 15 in the 2013/14 financial year. Lekwa did not register/declare interest of the councillors and staff.

**Councillors and Staff in arrears with municipal accounts**

In the 2015/16 financial year 7 out of 21 municipalities had their councillors and staff who were in areas with municipal accounts which is a huge improvement as compared 17 in the 2014/15 financial year which was also lower than in 2013/14 financial year.

**5.1.6 Analysis on Performance of Council Committees**

The performance of Council Committees in the province, as well as the challenges that were noted in some on their performance can be summarised as follows:

**Findings**

The following findings were made with regards to the performance of municipal committees that:

- There are councillors and staff members who were in arrears with the payment of municipal accounts this was found to be the case in the following municipalities: Nkomazi, Thaba Chweu, Dr Pixley Ka Isaka Seme, Victor Khanye, Dr JS Moroka and Nkangala District Municipality.
- There is no indication if any action has been taken to correct the situation.

**Challenges:**

- No challenges were specified on why the municipalities did not comply with S70 of the Municipal Systems Act 32 of 2000;
- Municipalities are not enforcing or fully implementing financial policies especially with regards to councillors and officials.

**Support Interventions by National and Provincial government**

Municipalities were conscientized to be mindful of S70 (2) (b) of the Municipal Systems Act, 32 of 2000 in order to ensure that the communities are aware on how councillors should conduct themselves when dealing with them.

**Recommendations:**

- Municipalities to be reminded to enforce their policies with regard to debt collection in particular to defaulting councillors and staff members

**5.2 BASIC SERVICES****5.2.1 Service Delivery and Infrastructure Development**

The KPA entails the assessment of the ability of municipalities to deliver infrastructure and basic services. The KPA also assesses the role played by different sector departments both National and Provincial. Municipalities are at the forefront of service delivery. This chapter will provide an indication of the performance of municipalities in provision of basic services.

The focal areas of this KPA are the following:

- Access to basic services; Access to portable water, Access to adequate sanitation, and Access to electricity
- Free basis services (FBS) and indigent policy implementation; Free basic water, Free basic sanitation, Free refuse removal and Access to free basic electricity

## Performance of municipalities on Service Delivery and Infrastructure Development.

## 5.2.1.1 Households with access to Potable Water and Sanitation: Ehlanzeni District

Table 12: Number of households with access to potable water in Ehlanzeni.

Municipality	2014/15						2015/16					
	Total No of Households	Water		To date	Sanitation		Total No of Households	Water		To date	Sanitation	
Mbombela	161 773	156 567	96.78%	96.78%	75 877	46.90%	181 794	140 782	77.44%	77.44%	174 715	96.11%
Bushbuckridge	134 197	115 289	85.91%	85.91%	100 320	74.76%	137 419	122 202	88.93%	88.93%	130 240	94.78%
Nkomazi	96 202	90 829	94.41%	94.41%	80 777	83.97%	103 965	88 675	85.29%	85.29%	97 504	93.78%
Umgjini	19 563	19 316	98.74%	98.74%	13 839	70.74%	23 702	21 141	89.20%	89.20%	22 520	95.05%
Thaba Chweu	33 352	32 181	96.49%	96.49%	31 684	94.99%	37 022	32 940	88.97%	88.97%	36 696	99%
<b>EHLANZENI</b>	<b>445 087</b>	<b>414 182</b>	<b>93.06%</b>	<b>93.06%</b>	<b>302 497</b>	<b>67.96%</b>	<b>483 902</b>	<b>405 740</b>	<b>83.85%</b>	<b>83.85%</b>	<b>461 675</b>	<b>95.41%</b>

(Source: Stats SA, general household survey 2016)

## Findings

In 2015/16 financial year, Ehlanzeni District had 483 902 households compared to 445 087 in 2014/15 financial year. In 2015/16 financial year, households in Ehlanzeni District increased by 38 815. Out of the 483 902 households in Ehlanzeni District in 2015/16 financial year, 405 740 had access to potable water which indicates a decrease by 8 442. A total of 461 675 households had access to sanitation in 2015/16 from 302 497 in 2014/15 financial year which shows an increase by 159 178 households as at June 2016.

## Gert Sibande District

Table 13: Number of households with access to potable water in Gert Sibande

Municipality	2014/15						2015/16					
	Total No of Households	Water		To date	Sanitation		Total No of Households	Water		To date	Sanitation	
Govan Mbeki	83 874	83 874	100%	100%	82,355	98.19%	108 894	107 191	98.44%	98.44%	108 168	99.33%
Chief Albert Luthuli	47 705	46 858	98.22%	98.22%	47,705	100%	53 480	43 656	81.63%	81.63%	51 679	96.63%
Msukaligwa	40 932	38 884	95.00%	95.00%	38 000	92.84%	51 089	46 846	91.70%	91.70%	49 794	97.47%
Lekwa	31 071	30 198	97.19%	97.19%	29 570	95.17%	37 334	34 987	93.71%	93.71%	36 220	97.01%
Mkhondo	37 433	36 617	97.82%	97.82%	34 248	91.49%	45 595	38 789	85.10%	85.10%	43 630	95.69%
Dipaleseng	12 637	12 007	95%	95%	9 946	78.70%	14 877	13 479	90.60%	90.60%	13 976	93.94%
Dr Pixley Ka Isaka Seme	19 838	19 838	100%	100%	19 838	100%	22 546	20 334	90.19%	90.19%	21 587	95.75%
<b>GERT SIBANDE</b>	<b>273 490</b>	<b>268 276</b>	<b>98.09%</b>	<b>98.09%</b>	<b>261 662</b>	<b>95.68%</b>	<b>333 815</b>	<b>305 282</b>	<b>91.45%</b>	<b>91.45%</b>	<b>325 054</b>	<b>97.38%</b>

(Source: Stats SA, general household survey 2016)

## Findings

In 2015/16 financial year, Gert Sibande District had 333 815 households as compared to 273 490 in 2014/15 financial year. In the 2015/16 financial year in Gert Sibande households increased by 60 325. Out of the 333 815 households in Gert Sibande District in 2015/16 financial year 305 282 had access to potable water as compared to 268 276 in 2014/15, this indicates an increase by 37 006. In 2015/16 financial year out of a total of 333 815 households 325 054 had access to sanitation, as compared to 261 662 in 2014/15, which indicates an increase of 63 392 more households being served.

**Nkangala District****Table 14: Number of households with access to potable water in Nkangala**

Municipality	2014/15							2015/16						
	Total No of Households	Water		To date	Sanitation		To date	Total No of Households	Water		To date	Sanitation		To date
Emalahleni	119 874	118 202	98.61%	96.61%	116 498	97.18%	97.18%	150 420	136 628	90.83%	90.83%	148 234	98.55%	98.5%
Thembisile Hani	75 634	75 634	100%	100%	75 090	99.28%	99.28%	82 740	77 972	94.24%	94.24%	80 623	97.44%	97.44%
Dr JS Moroka	62 162	55 946	90%	90%	54 273	87.31%	87.31%	62 367	48 599	77.92%	77.92%	61 599	98.77%	98.77%
Steve Tshwete	64 971	64 971	100%	100%	64 971	100%	100%	86 713	82 631	95.29%	95.29%	85 671	98.80%	98.80%
Emakhazeni	13 722	13 620	99.26%	99.26%	13 721	99.99%	99.99%	14 633	12 947	88.48%	88.48%	13 877	94.83%	94.83%
Victor Khanye	20 548	20 548	100%	100%	20 548	100%	100%	24 270	21 093	86.91%	86.91%	23 952	98.69%	98.69%
<b>NKANGALA</b>	<b>356 911</b>	<b>348 921</b>	<b>97.76%</b>	<b>97.76%</b>	<b>345 101</b>	<b>96.69%</b>	<b>96.69%</b>	<b>421 143</b>	<b>379 870</b>	<b>90.20%</b>	<b>90.20%</b>	<b>413 956</b>	<b>98.29%</b>	<b>98.29%</b>
<b>PROVINCIAL TOTAL</b>	<b>1 075 488</b>	<b>1 031 379</b>	<b>95.90%</b>	<b>95.90%</b>	<b>909 260</b>	<b>84.54%</b>	<b>84.54%</b>	<b>1 238 860</b>	<b>1 090 892</b>	<b>88.06%</b>	<b>88.06%</b>	<b>1 200 693</b>	<b>96.92%</b>	<b>96.92%</b>

(Source: Stats SA, general household survey 2016)

**Findings**

In 2015/16 financial year, Nkangala District had 421 143 households as compared to 356 911 in 2014/15 financial year. In 2015/16 financial year households in Nkangala District increased by 64 232. Out of the 421 143 households in Nkangala District 379 870 had access to potable water as at June 2016. This shows that there has been an increase of 30 949 households that were receiving water. In 2015/16 financial year a total of 413 956 households had access to sanitation as compared to 345 101 in 2014/15 which indicates an increase of 68 855 households as at June 2016.

**5.2.1.2 Households with access to Free Basic Water****Table 15: Status Quo on Free Basic Water in Ehlanzeni District**

Local Municipality	2014/15				2015/16			
	Total No. Households	Number of Indigents	Served with FBW	% Served with FBW	Total No. Households	Number Indigents of	Served FBW With	% Served with FBW
Mbombela	161 773	38 268	38 268	100%	181 794	12 037	12 037	100%
Bushbuckridge	134 197	5 919	5 919	100%	137 419	45 132	45 132	100%
Nkomazi	96 202	12 937	12 937	100%	103 965	20 952	20 952	100%
Umgindi	19 563	2 242	1 206	53.79%	23 702	2 225	2 225	100%
Thaba Chweu	33 352	3 750	3 750	100%	37 022	4 935	4 935	100%
<b>TOTAL</b>	<b>445 087</b>	<b>63 116</b>	<b>62 080</b>	<b>98.36</b>	<b>483 902</b>	<b>85 281</b>	<b>85 281</b>	<b>100%</b>

(Source: Stats SA, general household survey 2016)

**Findings**

In 2015/16 financial year, a total of **85 281** indigent households in Ehlanzeni District were served with free basic water as compared to **62 080** in 2014/15 financial year. This shows an increase of 23 201 more households that were served with free basic sanitation.

**Table 16: Status Quo on Free Basic Water in Gert Sibande District**

Local Municipality	2014/15				2015/16			
	Total No. Households	Number of Indigents	Served with FBW	% Served with FBW	Total No. Households	Number Indigents of	Served with FBW	% Served with FBW
Govan Mbeki	83 874	8 489	7 566	89.13%	108 894	8 970	8 970	100%
Chief Albert Luthuli	47 705	17 182	17 182	100%	53 480	7 525	7 525	100%
Msukaligwa	40 932	10 830	10 830	100%	51 089	10 916	10 916	100%
Lekwa	31 071	2 242	2 242	100%	37 334	3 937	3 937	100%
Mkhondo	37 433	263	263	100%	45 595	442	442	100%
Dipaleseng	12 637	1000	1000	100%	14 877	1 859	1 859	100%
Dr Pixley Ka Isaka Seme	19 838	2 184	2 184	100%	22 546	6 577	6 577	100%
<b>TOTAL</b>	<b>273 490</b>	<b>42 190</b>	<b>41 267</b>	<b>97.81%</b>	<b>333 815</b>	<b>40 226</b>	<b>40 226</b>	<b>100%</b>

(Source: Stats SA, general household survey 2016)

### Findings

In 2015/16 financial year, a total of **40 226** indigent households in Gert Sibande District were served with free basic water as compared to **41 267** in 2014/15 financial year, indicating a decrease of 1 041

**Table 17: Status Quo on Free Basic Water in Nkangala District**

Local Municipality	2014/15				2015/16			
	Total No. Households	Number of Indigents	Served with FBW	% Served with FBW	Total No. Households	Number Indigents of	Served with FBW	% Served with FBW
Emalahleni	119 874	12 893	12 893	100%	150 420	11 000	11 000	100%
Thembisile Hani	75 634	0	0	0%	82 740	5 529	5 529	100%
Dr JS Moroka	62 162	4 500	2 310	51.33%	62 367	1 368	759	55.48%
Steve Tshwete	64 971	18 200	14 388	79.05%	86 713	18 107	14 326	79.11%
Emakhazeni	13 722	1064	1 064	100%	14 633	1 473	1 473	100%
Victor Khanye	20 548	2 720	2 720	100%	24 270	2 571	2 571	100%
<b>Total</b>	<b>356 911</b>	<b>39 377</b>	<b>33 375</b>	<b>84.76%</b>	<b>421 143</b>	<b>40 048</b>	<b>35 658</b>	<b>89.04%</b>
<b>Provincial Total</b>	<b>1 075 488</b>	<b>144 683</b>	<b>136 722</b>	<b>94.50%</b>	<b>1 238 860</b>	<b>165 555</b>	<b>161 165</b>	<b>97.35%</b>

(Source: Stats SA, general household survey 2016)

### Findings

In 2015/16 financial year, a total of **35 658** indigent households were served with free basic water in Nkangala District as compared to **33 375** in 2014/15 financial year. An additional 2 283 indigents were served with water which indicates an increase from 84.76% to 89.04% by 4.28%.

#### 5.2.1.3 Households with access to Sanitation

**Table 18: Households with access to sanitation**

Municipality	2014/15			2015/16		
	Total No of Households	Sanitation	%	Total No of Households	Sanitation	%
Mbombela	161 773	75 877	46.90%	181 794	174 715	96.11%
Bushbuckridge	134 197	100 320	74.76%	137 419	130 240	94.78%
Nkomazi	96 202	80 777	83.97%	103 965	97 504	93.78%
Umgindi	19 563	13 839	70.74%	23 702	22 520	95.05%
Thaba Chweu	33 352	31 684	94.99%	37 022	36 696	99%
<b>EHLANZENI</b>	<b>445 087</b>	<b>302 497</b>	<b>67.96%</b>	<b>483 902</b>	<b>461 675</b>	<b>95.41%</b>
Emalahleni	119 874	116 498	97.18%	150 420	148 234	98.55%
Thembisile Hani	75 634	75 090	99.28%	82 740	80 623	97.44%
Dr JS Moroka	62 162	54 273	87.31%	62 367	61 599	98.77%
Steve Tshwete	64 971	64 971	100%	86 713	85 671	98.80%
Emakhazeni	13 722	13 721	100%	14 633	13 877	94.83%
Victor Khanye	20 548	20 548	100%	24 270	23 952	98.69%
<b>NKANGALA</b>	<b>356 911</b>	<b>345 101</b>	<b>96.69%</b>	<b>421 143</b>	<b>413 956</b>	<b>98%</b>
Govan Mbeki	83 874	82,355	98.19%	108 894	108 168	99.33%
Chief Albert Luthuli	47 705	47 705	100%	53 480	51 679	96.63%
Msukaligwa	40 932	38 000	92.84%	51 089	49 794	97.47%
Lekwa	31 071	29 570	95.17%	37 334	36 220	97.01%
Mkhondo	37 433	34 248	91.49%	45 595	43 630	95.69%
Dipaleseng	12 637	9 946	78.71%	14 877	13 976	93.94%
Dr Pixley Ka Isaka Seme	19 838	19 838	100%	22 546	21 587	95.75%
<b>GERT SIBANDE</b>	<b>273 490</b>	<b>261 662</b>	<b>95.68%</b>	<b>333 815</b>	<b>325 054</b>	<b>97.38%</b>
<b>PROVINCIAL TOTAL</b>	<b>1 075 488</b>	<b>909 260</b>	<b>84.54%</b>	<b>1 238 860</b>	<b>1 200 685</b>	<b>96.92%</b>

(Source: Stats SA, general household survey 2016)

**Table 19: Status Quo on Free Basic Sanitation in Ehlanzeni**

Local Municipality	2014/15				2015/16			
	Total No. Households	Number of Indigents	Served with FBS	% Served with FBS	Total No. Households	Number of Indigents	Served with FBS	% Served with FBS
Mbombela	161 773	38 268	2 670	7%	181 794	12 037	12 037	100%
Bushbuckridge	134 197	5 919	5 919	100%	137 419	45 132	45 132	100%
Nkomazi	96 202	12 937	0	0%	103 965	20 952	0	0%
Umgindi	19 563	2 242	1 598	71.28%	23 702	2 225	1 494	67.15%
Thaba Chweu	33 352	3 750	3 750	100%	37 022	4 935	4 935	100%
<b>TOTAL</b>	<b>445 087</b>	<b>63 116</b>	<b>13 937</b>	<b>22.08%</b>	<b>483 902</b>	<b>85 281</b>	<b>63 598</b>	<b>74.57 %</b>

(Source: Stats SA, general household survey 2016)

**Table 20: Status Quo on Free Basic Sanitation in Gert Sibande**

Local Municipality	2014/15				2015/16			
	Total No. Households	Number of Indigents	Served with FBS	% Served with FBS	Total no Households	Number of Indigents	Served with FBS	% Served with FBS
Govan Mbeki	83 874	8 489	7 566	89.13%	108 894	8 970	8 970	100%
Chief Albert Luthuli	47 705	17 182	17 182	100%	53 480	7 525	7 525	100%
Msukaligwa	40 932	10 830	8 996	83.07%	51 089	10 916	10 916	100%
Lekwa	31 071	2 242	1 598	71.28%	37 334	3 937	3 937	100%
Mkhondo	37 433	263	0	0%	45 595	442	442	100%
Dipaleseng	12 637	1 000	1 000	100%	14 877	1 859	1 859	100%
Dr Pixley Ka Isaka	19 838	2 184	2 184	100%	22 546	6 577	6 577	100%
<b>GERT SIBANDE</b>	<b>273 490</b>	<b>42 190</b>	<b>38 526</b>	<b>91.32%</b>	<b>333 815</b>	<b>40 226</b>	<b>40 226</b>	<b>100%</b>

(Source: Stats SA, general household survey 2016)

**Table 21: Status Quo on Free Basic Sanitation at Nkangala**

Local Municipality	2014/15				2015/16			
	Total No. Households	Number of Indigents	Served with FBS	% Served with FBS	Total No. Households	Number of Indigents	Served with FBS	% Served with FBS
Emalahleni	119 874	12 893	12 893	100%	150 420	11 000	11 000	100%
Thembisile	75 634	0	0	0%	82 740	5 529	5 529	100%
Dr JS Moroka	62 162	4 500	2 310	51.33%	62 367	1 368	759	55.48%
Steve Tshwete	64 971	18 200	18 199	99.99%	86 713	18 107	18 107	100%
Emakhazeni	13 722	1 064	1 064	100%	14 633	1 473	1 473	100%
Victor Khanye	20 548	2 720	2 720	100%	24 270	2 571	2 571	100%
<b>Total</b>	<b>356 911</b>	<b>39 377</b>	<b>37 186</b>	<b>94.44%</b>	<b>421 143</b>	<b>40 048</b>	<b>39 439</b>	<b>98.52%</b>
<b>Provincial Total</b>	<b>1 075 488</b>	<b>144 683</b>	<b>89 649</b>	<b>61.96%</b>	<b>1 238 860</b>	<b>165 555</b>	<b>143 263</b>	<b>86.53%</b>

(Source: Stats SA, general household survey 2016)

**A Provincial Summary Status Quo on Free Basic Sanitation****Findings**

In 2015/16 financial year there was a total of **165 555** indigents of which **143 263** were served with free basic sanitation as compared to **89 649** that were served in 2014/15 financial year which is an increase of **53 614**.

**5.2.1.4 Bucket System Eradication****Table 22: Indicate Bucket System**

Municipality	2014/15				2015/16			
	Village/Town	Number of Buckets	Project Value	Comments	Village/Town	Number of Buckets	Project Value	Comments
Victor Khanye	None	0	0	Bucket system-eradicated	Mandela Informal Settlement	51	R3 Million	Provided chemical toilets

(Source: Stats SA, general household survey)

The bucket system at Victor Khanye municipality was eradicated in 2014/15 financial year, however, emerged again in 2015/16 due to an illegal land invasion which resulted in 51 bucket toilets.



## 5.2.1.5 Households with access to Electricity Services

Table 23: Households with access to electricity at Ehlanzeni

Municipality	2014/15				2015/16			
	Total No of Households	Electricity		To date	Total No of Households	Electricity		To date
Mbombela	161 773	148 948	92.09%	92.09%	181 794	175 378	96.47%	96.47%
Bushbuckridge	134 197	130 568	97.30%	97.30%	137 419	133 892	97.43%	97.43%
Nkomazi	96 202	92 892	96.56%	96.56%	103 965	99 678	95.88%	95.88%
Umgindi	19 563	19 563	100%	100%	23 702	21 102	89.03%	89.03%
Thaba Chweu	33 352	31 301	93.85%	93.85%	37 022	33 261	89.84%	89.84%
<b>EHLANZENI</b>	<b>445 087</b>	<b>423 272</b>	<b>95.10%</b>	<b>95.10%</b>	<b>483 903</b>	<b>463 311</b>	<b>95.74%</b>	<b>95.74%</b>

(Source: Stats SA, general household survey)

## Findings

Out of the **483 903** households in Ehlanzeni District in 2015/16 financial year **463 311** had access to electricity as compared to **423 272** in 2014/15, this indicates an increase by **40 039**.

Table 24: Households with access to electricity at Nkangala

Municipality	2014/15				2015/16			
	Total No of Households	Electricity		To date	Total No of Households	Electricity		To date
Emalahleni	119 874	91 272	76.14%	76.14%	150 420	106 306	70.67%	70.67%
Thembelesile Hani	75 634	72 691	96.11%	96.11%	82 740	80 839	97.70%	97.70%
Dr JS Moroka	62 162	61 362	99.71%	99.71%	62 367	61 362	98.39%	98.39%
Steve Tshwete	64 971	64 375	99.08%	99.08%	86 713	78 147	90.12%	90.12%
Emakhazeni	13 722	12 472	90.89%	90.89%	14 633	12 288	83.97%	83.97%
Victor Khanye	20 548	20 184	98.23%	98.23%	24 270	22 324	91.98%	91.98%
<b>Nkangala</b>	<b>356 911</b>	<b>322 356</b>	<b>90.32%</b>	<b>90.32%</b>	<b>421 143</b>	<b>361 266</b>	<b>85.80%</b>	<b>85.80%</b>

(Source: Stats SA, general household survey)

## Findings

Out of the **421 143** households in Nkangala District in 2015/16 financial year **361 266** had access to electricity as compared to **322 356** in 2014/15, this indicates an increase by **38 910**.

Table 25: Households with access to electricity in Gert Sibande

Municipality	2014/15				2015/16			
	Total No of Households	Electricity		To date	Total No of Households	Electricity		To date
Govan Mbeki	83 874	77 472	92.37%	92.37%	108 894	102 752	94.36%	94.36%
Chief Albert Luthuli	47 705	44 621	93.54%	93.54%	53 480	51 383	96.08%	96.08%
Lekwa	31 071	30 111	96.91%	96.91%	37 334	33 991	91.05%	91.08%
Mkhondo	37 433	27 886	74.50%	74.50%	45 595	36 163	79.31%	79.31%
Dipaleseng	12 637	10 427	82.51%	82.51%	14 877	12 126	81.51%	81.51%
Dr Pixley Ka Isaka Seme	19 838	19 623	98.92%	98.92%	22 546	19 824	87.93%	87.93%
Msukaligwa	40 932	34 341	83.90%	83.90%	51 089	42 222	82.64%	82.64%
<b>Gert Sibande</b>	<b>273 490</b>	<b>244 481</b>	<b>89.39%</b>	<b>89.39%</b>	<b>333 815</b>	<b>298 461</b>	<b>89.41%</b>	<b>89.41%</b>
<b>PROVINCIAL TOTAL</b>	<b>1 075 488</b>	<b>990 109</b>	<b>92.06%</b>	<b>92.06%</b>	<b>1 238 860</b>	<b>1 123 038</b>	<b>90.65%</b>	<b>90.65%</b>

(Source: Stats SA, general household survey)

## Findings

Out of the **333 815** households in Ehlanzeni District in 2015/16 financial year **298 461** had access to electricity as compared to **244 481** in 2014/15, this indicates an increase by **53 980**.

## 5.2.1.6 Households with access to Free Basic Electricity

Table 26: Households with access to Free Basic Electricity

HOUSEHOLDS WITH ACCESS TO FREE BASIC ELECTRICITY								
Municipality	2014/15				2015/16			
	Total H/H	Total indigents	Total served energy	%	Total H/H	Total indigents	Total served energy	%
Govan Mbeki	83 874	8 489	7 566	89.13%	108 894	8 970	8 970	100%
Chief Albert Luthuli	47 705	17 182	17 182	100%	53 480	7 525	7 525	100%
Lekwa	31 071	2 242	1 273	56.78%	37 334	3 937	3 937	100%
Mkhondo	37 433	263	263	100%	45 595	442	442	100%
Dipaleseng	12 637	1 000	1 000	100%	14 877	1 859	1 859	100%
Dr Pixley Ka Isaka Seme	19 838	2 184	2 184	100%	22 546	6 577	6 577	100%
Msukaligwa	40 932	10 830	5 794	53.50%	51 089	10 916	10 916	100%
<b>Gert Sibande District</b>	<b>273 490</b>	<b>42 190</b>	<b>35 262</b>	<b>83.57%</b>	<b>333 815</b>	<b>40 226</b>	<b>40 226</b>	<b>100%</b>
Emalahleni	119 874	12 893	12 893	100%	150 420	11 000	11 000	100%
Thembisile Hani	75 634	0	0	0%	82 740	5 529	5 529	100%
Dr JS Moroka	62 162	4 500	2 310	51.33%	62 367	1 368	759	55.48%
Steve Tshwete	64 971	18 200	18 199	99.99%	86 713	18 107	4 058	22.41%
Emakhazeni	13 722	1 064	1 064	100%	14 633	1 473	1 473	100%
Victor Khanye	20 548	2 720	2 720	100%	24 270	2 571	2 571	100%
<b>Nkangala District</b>	<b>356 911</b>	<b>39 377</b>	<b>37 186</b>	<b>94.44%</b>	<b>421 143</b>	<b>40 048</b>	<b>25 390</b>	<b>63.40%</b>
Mbombela	161 773	38 268	2 670	6%	181 794	12 037	12 037	100%
Bushbuckridge	134 197	5 919	5 919	100%	137 419	45 132	45 132	100%
Nkomazi	96 202	12 937	12 937	95%	103 965	20 952	20 952	100%
Umgindi	19 563	2 242	1 273	56%	23 702	2 225	1 223	55%
Thaba Chweu	33 352	3 750	3 750	100%	37 022	4 935	4 935	100%
<b>Ehlanzeni District</b>	<b>445 087</b>	<b>63 116</b>	<b>26 549</b>	<b>42.06%</b>	<b>483 902</b>	<b>85 281</b>	<b>84 279</b>	<b>98.82%</b>
<b>Provincial total</b>	<b>1 075 488</b>	<b>144 683</b>	<b>98 997</b>	<b>68.42%</b>	<b>1 238 860</b>	<b>165 555</b>	<b>149 895</b>	<b>90.54%</b>

(Source: Stats SA, general household survey)

## A Provincial Summary Status Quo on Free Basic Electricity

## Findings

In 2015/16 financial year there was a total of **165 555** indigents of which **149 895** were served with free basic electricity as compared to **98 997** that were served in 2014/15 financial year which is a 22.12% increase in the province.

## 5.2.1.7 Households with access to Roads

## Ehlanzeni District

Table 27: Total KM of tarred and gravel roads in Ehlanzeni

Municipality	2014/15			2015/16		
	Total municipal Roads and Km	Total Roads and Km (Tarred, concrete and paved)	Total Road and Km Gravelled	Total municipal Roads and Km	Total Roads and Km (Tarred, concrete and paved)	Total Road and Km Gravelled
Mbombela	3199	650	2549	3 529,1	588,2	2 940,9
Bushbuckridge	4650	973	3713	4 650	345	4 305
Nkomazi	1702	4 road	121	2 265	266	1 999
Umgindi	0	0	0	310	120	190
Thaba Chweu	INP	INP	INP	INP	INP	INP

(Source: Stats SA, general household survey)

## Finding

In 2015/16 financial year there was a total of 10 754.1 Kilometres of roads at Ehlanzeni district as a whole, 1 319.2 was either tarred or paved and, 9 434.9 kilometres remained gravelled.

**Gert Sibande District****Table 28: Total KM of tarred and gravel roads in Gert Sibande**

Municipality	2014/15			2015/16		
	Total municipal Roads and Km	Total Roads and Km (Tarred, concrete and paved)	Total Road and Km Gravelled	Total municipal Roads and Km	Total Roads and Km (Tarred, concrete and paved)	Total Road and Km Gravelled
Govan Mbeki	904	19	241	903	505	398
Chief Albert Luthuli	1580	82	1498	649	559	90
Msukaligwa	446.96	229.31	217.65	599.5	249.4	350.1
Lekwa	INP	INP	INP	423	175.1	247.8
Mkhondo	951	461.3	496	980	392	588
Dipaleseng	238	97	50	147	97.3	49.7
Dr. Pixley Ka Isaka Seme	278	85	193	278	85	193

(Source: Stats SA, general household survey)

**Finding**

In 2015/16 financial year there was a total of 3 979.5 Kilometres of roads at Gert Sibande district as a whole, 2 062.8 was either tarred or paved and, 1 916.6 kilometres remained gravelled.

**Nkangala District****Table 29: Total KM of tarred and gravel roads in Nkangala**

Municipality	2014/15			2015/16		
	Total municipal Roads and Km	Total Roads and Km (Tarred, concrete and paved)	Total Road and Km Gravelled	Total municipal Roads and Km	Total Roads and Km (Tarred, concrete and paved)	Total Road and Km Gravelled
Emalahleni	0	0	0	1400	843	557
Thembisile Hani	967.37	0	13.1	946.38	77.6	868.78
Dr JS Moroka	0	0	0	2 720	85	2 635
Steve Tshwete	0	0	0	819	661	158
Emakhazeni	2 617.3	24.6	2 592.76	2 617.3	24.6	2 592.76
Victor Khanye	678	300	400	340	127	213

(Source: Stats SA, general household survey)

**Finding**

In 2015/16 financial year there was a total of 8 842.68 Kilometres of roads at Nkangala district as a whole, 1 818.2 was either tarred or paved and, 7 024.54 kilometres remained gravelled.

**Analysis of performance on Service Delivery and Infrastructure Development**

- In 2015/16 financial year there was a total of 165 555 indigents in the province, of which 149 895 were served with free basic electricity as compared to 98 997 that were served in 2014/15 financial year which is a 22.12% increase.
- In 2015/16 financial year, Ehlanzeni District had 483 902 households compared to 445 087 in 2014/15 financial year. In 2015/16 financial year, households in Ehlanzeni District increased by 38 815. Out of the 483 902 households in Ehlanzeni District in 2015/16 financial year, 405 740 had access to potable water which indicates a decrease by 8 442. A total of 461 675 households had access to sanitation in 2015/16 from 302 497 in 2014/15 financial year which shows an increase by 159 178 households as at June 2016.
- In 2015/16 financial year, Gert Sibande District had 333 815 households as compared to 273 490 in 2014/15 financial year. In the 2015/16 financial year in Gert Sibande households increased by 60 325. Out of the 333 815 households in Gert Sibande District in 2015/16 financial year 305 282 had access to potable water as compared to 268 276 in 2014/15, this indicates an increase by 37 006. In 2015/16 financial year out of a total of 333 815 households 325 054 had access to sanitation, as compared 261 662 in 2014/15, which indicates an increase of 63 392 more households being served.
- In 2015/16 financial year, Nkangala District had 421 143 households as compared to 356 911 in 2014/15 financial year. In 2015/16 financial year households in Nkangala District increased by 64 232. Out of the 421 143 households in Nkangala District 379 870 had access to potable water as at June 2016. This shows that there has been an increase of 30 949 households that are receiving water. In 2015/16 financial year a total of 413 956 households had access to sanitation as compared to 345 101 in 2014/15 which indicates an increase of 68 855 households as at June 2016.

- In 2015/16 financial year there was a total of **165 555** indigents in the province, of which **143 263** were served with free basic sanitation as compared to **89 649** that were served in 2014/15 financial year which reflects an increase by **53 614**.
- In 2015/16 financial year there was a total of **40 048** indigents in Nkangala District of which **39 439** were served with free basic sanitation as compared to **37 186** that were served in 2014/15 financial year which is a slight increase.
- In 2015/16 financial year there was a total of **40 226** indigents in Gert Sibande District of which **40 226** were served with free basic sanitation as compared to **38 526** that were served in 2014/15 financial year which reflects a slight increase by **1 700**.
- In 2015/16 financial year there was a total of **85 281** indigents in Ehlanzeni District of which **63 598** were served with free basic sanitation as compared to **13 937** that were served in 2014/15 financial year which reflects an increase by **49 661**.

#### **Challenges on access to water**

- Illegal connections in the bulk Municipal Infrastructure resulting in water losses
- Poor planning and budgeting for implementation of the infrastructure development plans that encompass the maintenance of the entire water distribution chain
- Inadequate budget to maintain and repair the assets as required by Treasury (8% of total assets be utilised for repairs and maintenance)
- Ageing infrastructure
- Increase in distribution loss
- Mushrooming of informal settlements result in increases in the water demand
- Poor maintenance of bulk water infrastructure
- Thembisile Hani Municipality does not have an own revenue source of water supply and is dependent on the supply from three external suppliers of which the supply is also inconsistent/ unreliable. Of the three suppliers; being Rand Water, Dr JS Moroka and City of Tshwane, Rand water is the Major supplier and most challenges emanate from City of Tshwane.

#### **Challenges on access to Sanitation**

- Inadequate bulk water source for the implementation of waterborne sanitation especially in rural areas
- Poor planning and budgeting for implementation of the infrastructure development plans that encompass the maintenance of the entire sanitation facilities including wastewater treatment works
- Huge backlog on sanitation.

#### **Challenges on access to Electricity**

- Infrastructure in local municipalities is operated above the designed capacity and this had also contributed on the current Eskom debt account due to penalties that are imposed by Eskom on the Notified Maximum Demand (NMD).
- Some municipalities do not have any electricity licenses.

#### **Support interventions by National and Provincial government**

##### **Sanitation**

The department provided support to Chief Albert Luthuli and Thembisile Hani Local municipalities as follows:

##### **Chief Albert Luthuli Local Municipality**

- ☐ Was assisted on the planning of a twenty (20) year plan to address sanitation backlogs, project design have been completed.

##### **Thembisile Hani Local Municipality**

- ☐ The department assisted the municipality in the planning and designing of the Tweefontein waste water treatment works, and designs are in progress for a 10 year plan to address sanitation backlog.

##### **ESKOM DEBT**

- The department played a reconciliatory role between ESKOM and the municipalities owing the parastatal to agree on payment arrangements of the overdue/outstanding payments which could have resulted in bulk electricity disconnection of the concerned municipalities which are: Thaba Chweu, Emalahleni, Lekwa, Msukaligwa, Mkhondo, Victor Khanye, Dr JS Moroka and Emakhazeni.

### 5.3 SPATIAL RATIONALE

Progress in municipal performance in this KPA has been assessed in the following focus areas:

- Spatial Development Framework (SDF);
- Municipal readiness on SPLUMA implementation
- Effective Integrated Development Planning process for the period under review;
- District Municipalities with developed Disaster management Policies.

#### 5.3.1 Performance of municipalities on Spatial Development Frameworks

The disintegrated nature of development planning confronted the government during its first term into democracy. The situation was compounded by a lack of clear guiding planning principles that support strategic interventions to address the country's skewed spatial settlement patterns. In 2003 government published the guiding principles in the National Spatial Development Perspective (NSDP). As part of the implementation of the NSDP principles, Cabinet approved the intergovernmental planning framework which crystallized the harmonization and alignment of the NSDP, Provincial Growth and Development Strategies and IDP's.

As provided in the Municipal Systems Act, the IDP's of municipalities must include Spatial Development Frameworks (SDF's). The intergovernmental planning framework thus sets the tone for spatial frameworks of all three spheres to be aligned and be guided by the NSDP principles. Failure by some municipalities to adopt Spatial Development Frameworks had resulted in continuous misdirected public and private sector investment. The development outcome of creating sustainable human settlements cannot be achieved if municipalities fail to create a development environment that is well planned.

**Table 30: Indicate municipalities with approved SDFs**

DISTRICT	Municipality	2013/14			2014/15			2015/16			Reasons
		SDF's approved	SDF's submitted	SDF's implemented	SDF's approved	SDF's submitted	SDF's implemented	SDF's approved	SDF's submitted	SDF's implemented	
EHLANZENI	Bushbuckridge	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Mbombela	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Nkomazi	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Thaba Chweu	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Umgindi	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Ehlanzeni District	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
GERT SIBANDE	Chief Albert Luthuli	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Dipaleseng	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Govan Mbeki	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Lekwa	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Mkhondo	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Msukaligwa	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Dr. Pixley Ka Isaka Seme	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Gert Sibande	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
NKANGALA	Emalahleni	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Emakhazeni	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Steve Tshwete	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Victor Khanye	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Dr. JS Moroka	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Thembisile Hani	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Nkangala District	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None

(Source: Section 46 reports from municipalities)

#### Findings on Spatial Development Framework

##### Findings

All municipalities in the Province have maintained a good record with regard to having approved Spatial Development Frameworks for the past three financial years. However, a number of challenges were observed in all municipalities.

### Challenges

The challenges on spatial rationale are as follows:

- Lack of a land invasion strategy to deal with illegal occupation of land in the province and within municipalities is leading to further informal settlements land invasions,
- housing backlog and lack of sufficient serviced land for human settlements
- More informal settlements are established in various parts of the municipal areas
- Misalignment of IDP projects with SDF proposals
- Municipal services infrastructure is limited to formal areas
- Water infrastructure and electricity network has been recently installed in new informal settlements
- Targeted human settlement areas are not properly planned by the municipality, and the residents end up occupying them on the influence of unknown individuals or traditional authorities
- No budget allocations are made by the council to respond to the targets as set out in the Spatial Development Framework (SDF)
- Misalignment of plans/strategies by municipalities, private business and sector departments across the province.

The Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) came into effect on the 01 July 2015; therefore, making its implementation compulsory to all municipalities. The table below highlights the performance of municipalities on their readiness regarding SPLUMA implementation during the period of reporting. The National Department of Rural Development and Land Reform, SALGA, and COGTA collectively worked in supporting municipalities to be ready for SPLUMA implementation.

**Table 31: Municipal readiness on SPLUMA implementation**

District	Municipality	2015/16							Reasons
		Municipal Co-op- eration on SPLU- MA preparation	Planning Tribunal Delegation	Appeal Mecha- nism	Preparation of By-Laws	Urban Renewal Programme	Budget Allocation		
EHLANZENI	Bushbuckridge	Y	Y	Y	Y	Y	Y	Y	None
	Mbombela	Y	Y	Y	Y	Y	Y	Y	None
	Nkomazi	Y	N	Y	Y	Y	Y	N	Municipal delay and unavailability of budget
	Thaba Chweu	Y	N	Y	Y	Y	Y	N	Municipal delay and unavailability of budget
	Umgindi	Y	N	N	Y	Y	Y	N	Municipal delay and unavailability of budget
GERT SIBANDE	Chief Albert Luthuli	Y	Y	N	Y	Y	Y	N	Municipal delay and unavailability of budget
	Dipaleseng	Y	Y	N	Y	Y	Y	N	Municipal delay and unavailability of budget
	Govan Mbeki	Y	N	N	Y	Y	Y	Y	Municipal delay
	Lekwa	Y	Y	N	Y	Y	Y	N	Municipal delay and unavailability of budget
	Mkhondo	Y	Y	N	Y	Y	Y	N	Municipal delay and unavailability of budget
	Msukaligwa	Y	Y	N	Y	Y	Y	N	Municipal delay and unavailability of budget
	Dr Pixley Ka Isaka Seme	Y	Y	N	Y	Y	Y	N	Municipal delay and unavailability of budget
NKANGALA	Emalahleni	Y	N	Y	Y	Y	Y	Y	Municipal delay
	Emakhazeni	Y	Y	Y	Y	Y	Y	Y	None
	Steve Tshwete	Y	N	Y	Y	Y	Y	Y	Municipal delay
	Victor Khanye	Y	Y	Y	Y	Y	Y	N	Unavailability of budget
	Dr. JS Moroka	Y	Y	Y	Y	Y	Y	Y	None
	Thembisile Hani	Y	Y	Y	Y	Y	Y	N	Unavailability of budget

(Source: COGTA / State of SPLUMA Readiness report)

### 5.3.2 Analysis of municipal performance on SPLUMA

#### Findings

The above table shows that all municipalities were cooperative in the process of preparing for SPLUMA implementation. Further, the results illustrate that six municipalities (Nkomazi, Thaba Chweu, Umjindi, Govan Mbeki, Emalaheni and Steve Tshwete) did not have municipal planning tribunal (MPT). The failure to establish these MPTs was a non-compliance with SPLUMA and failure to put in place a planning governance structure that is crucial for decision making.

Notably, all municipalities in Gert Sibande and the Umjindi Local Municipality failed to adopt delegations on SPLUMA functions. The failure of Umjindi Local Municipality to adopt delegations may be associated with the uncertainty that existed during the amalgamation process. The failure to adopt these delegations meant that no clear roles and responsibilities on SPLUMA functions existed in these municipalities. On the contrary, all municipalities in the Nkangala District and four municipalities in the Ehlanzeni District adopted these delegations.

On appeal mechanisms, all municipalities performed very well because by default in terms of SPLUMA the executive authority of the municipality is the appeal authority. In this regard, the appeal mechanisms were readily available.

It is apparent in the above table that all municipalities had prepared by-laws and tariffs for the processing of SPLUMA related applications and other matters. However, during the period of reporting, only seven municipalities were able to allocate budget for the implementation of SPLUMA. The failure of the other municipalities to allocate sufficient budget to implement SPLUMA is a cause for concern. It is important to note that SPLUMA underscores and espouses the municipal function enshrined in the Constitution of the Republic. In this context, municipalities have a constitutional exclusive obligation on municipal planning in this case governed by SPLUMA and other related legislations to perform municipal planning.

#### Challenges

The above findings emanates from the following challenges:

Slow pace of municipalities to perform administrative tasks.

- Failure by municipal councils to resolve on tasks related to SPLUMA implementation such as delegations, municipal planning tribunal etc.
- Lack of budget allocating for the implementation of SPLUMA

#### Support Interventions by National and Provincial government

- Continuous support and monitoring of municipalities on SPLUMA implementation.

#### Recommendation

- The Department continue to support and monitor Municipalities on land use management in line with SPLUMA

### 5.4 INTEGRATED DEVELOPMENT PLANNING PROCESS

The Constitution of the Republic of South Africa 1996, Section 154 and 155 obligates national and provincial governments by legislation or other measures to provide for monitoring, support and strengthen the capacity of municipalities to perform their functions and manage their own affairs. The Department of Cooperative Governance and Traditional Affairs in particular has a mandate as per the Municipal Systems Act No. 32 of 2000, Section 31 (a-c) and Section 105 (a-c):

#### Section 31 (a-c)

- a) Monitor municipalities in the process of the development or review of Integrated Development Plans (IDPs);
- b) Assist them with the planning, drafting, adoption and review of its IDPs; and
- c) Facilitate the co-ordination and alignment of IDPs of different municipalities, districts and its local municipalities within its areas and with the plans, strategies and programme of national and provincial organs of state; and

#### Section 105 1 (d)

- d) Establish mechanisms processes and procedures to monitor and assess the support needed by municipalities to manage their own affairs, exercise their powers and perform their functions.

The Municipal Systems Act 32 of 2000 provides the legislative framework within which the preparation and review of Integrated Development Plan (IDP) is regulated. In addition the former National Department of Provincial and Local Government (DPLG) now Department of Cooperative Governance and Traditional Affairs (DCoG) in accordance with their legislative mandate supported by the then Germany Agency for Technical Cooperation (GTZ) produced an IDP Guide-pack to assist municipalities with the Integrated Development Planning process to produce IDPs.



Subsequent to the IDP Guide-pack a supplementary guide namely Integrated Development Planning: A Practical Guide to Municipalities was produced with the aim of providing practical methodological guidance to all role-players involved and to build capacity of those local government bodies which do not possess the skills and know-how to undertake the process independently, as well as to provide some ideas and practical guidance to those who are already engaged in the IDP process.

The state of local government report 2009, indicated that several municipalities were in distress and these municipalities had difficulties primarily in delivering expected services to communities. In response to the challenge DCoG in 2011 was mandated through Outcome 9, to develop and implement a differentiated approach to municipal financing, planning and support. Out of this process the Revised IDP Framework 2012 was developed to guide municipalities outside metro and secondary cities to develop IDPs that integrate and coordinate all government efforts towards achieving a floor of critical services in the three spheres of government.

Despite all these framework guides municipalities are still experiencing difficulties in producing IDPs that are legally sound, conform to the strategic planning standards for local government and that enable the municipalities to implement strategies and projects responsive to the issues affecting the municipal area. Therefore IDPs are not adequately achieving their strategic planning objectives of:

- Ensuring effective use of scarce resources;
- Speeding up service delivery by identifying and directing resources to least serviced areas within municipalities;
- Attracting additional funds by producing a clear municipal development plan;
- Strengthening democracy through active participation of all its stakeholders
- Overcoming the legacy of apartheid by directing resources to service rural areas and integrate urban and rural areas; and
- Promoting intergovernmental coordination of the three spheres of government.

**Table 32: Indicate municipalities with reviewed IDPs**

DISTRICTS	Municipality	2013/14		2014/15		2015/16	
		No of Municipalities that reviewed their IDP's	No of stakeholder who participated	No of Municipalities that reviewed their IDP's	No of stakeholder who participated	No of Municipalities that reviewed their IDP's	No of stakeholder who participated
EHLANZENI	Bushbuckridge	Reviewed	1458	Reviewed	34	Reviewed	2200
	Mbombela	Reviewed		Reviewed	INP	Reviewed	30
	Nkomazi	Reviewed		Reviewed	INP	Reviewed	8
	Thaba Chweu	Reviewed		Reviewed	INP	Reviewed	14
	Umgindi	Reviewed		Reviewed	874	Reviewed	20
	Ehlanzeni District	Reviewed	14	Reviewed	INP	Reviewed	INP
GERT SIBANDE	Chief Albert Luthuli	Reviewed		Reviewed	325	Reviewed	INP
	Dipaleseng	Reviewed		Reviewed	INP	Reviewed	13
	Govan Mbeki	Reviewed		Reviewed	28	Reviewed	32
	Lekwa	Reviewed		Reviewed	INP	Reviewed	78
	Mkhondo	Reviewed		Reviewed	60	Reviewed	INP
	Msukaligwa	Reviewed		Reviewed	11	Reviewed	INP
	Dr. Pixley Ka Isaka Seme	Reviewed		Reviewed	1 940	Reviewed	2180
	Gert Sibande	Reviewed		Reviewed	23	Reviewed	27
NKANGALA	Emalahleni	Reviewed		Reviewed	All the 34 wards participated during the IDP Moyoral Izimbizo. IDP Representative forum were also held.	Reviewed	INP
	Emakhazeni	Reviewed		Reviewed	INP	Reviewed	INP
	Steve Tshwete	Reviewed		Reviewed	13	Reviewed	13
	Victor Khanye	Reviewed		Reviewed	20	Reviewed	21
	Dr. JS Moroka	Reviewed		Reviewed	9	Reviewed	INP
	Thembisile Hani	Reviewed		Reviewed	144	Reviewed	38
	Nkangala District	Reviewed		Reviewed	INP	Reviewed	INP

(Source: Section 46 reports from municipalities)

Table 32 above provides an indication of the reviewed Integrated Development Plans in the Province.



Table 33: Status on the adoption of reviewed IDPs

District	Municipality	Tabling to Council	Council Resolution	Submission to MEC	Ranking after Assessment
<b>Nkangala District</b>	Nkangala	25 March 2015	DM 347/03/2015	02 April 2015	Medium
	Steve Tshwete	31 March 2015	SC30/03/2015	10 April 2015	High
	Dr JS Moroka	24 March 2015	R424.03.2015MB	02 April 2015	Low
	Emalahleni	19 March 2015	A.002/15	26 March 2015	Medium
	Victor Khanye	24 March 2015	S03/03/2015	31 March 2015	Low
	Emakhazeni	24 March 2015	21/03/2015	10 April 2015	Medium
<b>Gert Sibande District</b>	Thembisile Hani	28 May 2015	TH-NDC185/05 /2015	09 June 2015	Medium
	Gert Sibande	30 March 2015	C24/032015	21 April 2015	Medium
	Mkhondo	26 March 2015	15/03/341A	08 April 2015	Medium
	Govan Mbeki	31 March 2015	A23/03/2015	07 April 2015	Medium
	Chief Albert Luthuli	31 March 2015	C01/03/15/R	09 April 2015	Medium
	Dr Pixley Ka Isaka Seme	31 March 2015	C31/03/2015A	09 April 2015	Medium
	Msukaligwa	28 May 2015	LM 67/05/2015\ (A/151)	05 June 2015	Medium
	Lekwa	03 June 2015	A48	03 June 2015	Medium
<b>Ehlanzeni District</b>	Dipaleseng	29 May 2015	C49/05/2015	24 June 2015	Low
	Ehlanzeni	28 May 2015	A167/2015	07 June 2015	Medium
	Umjindi	29 May 2015	FA.42/2014	05 June 2015	Medium
	Bushbuckridge	29 May 2015	BLM/137/28/05/15 /2014/15	08 June 2015	Low
	Mbombela	28 May 2015	A1	05 June 2015	High
	Thaba Chweu	29 May 2015	A50/2015	03 June 2015	Low
	Nkomazi	08 June 2015	NKM:A062/2015	15 June 2015	Medium

(Source: Mpumalanga CoGTA IDP Directorate)

#### 5.4.1 Analysis on compliance with the IDP development process

##### Findings

All 21 municipalities have successfully reviewed their IDPs with the support from sector departments, i.e. CoGTA, Provincial Treasury and Office of the Premier to ensure the alignment of IDP and budget.

Despite challenges, municipalities were able to review their IDPs as required in terms of the law.

However, some challenges were experienced with some municipalities.

##### Nkangala District

In Nkangala only the district municipality did not fully comply with the IDP process particularly on consultation on its draft IDP. The MEC advised the municipality to consult on the IDP before the IDP was adopted. The municipality did respond to the MEC's advice for compliance purposes. Victor Khanye and Dr JS Moroka were ranked low because their IDPs had too many projects considered to be wish list due to lack of funding for implementation.

##### Gert Sibande District

All municipalities in the Gert Sibande with the exception of the district municipality did comply with the process during the reviews for the 2015/16 financial year. A letter of compliance was issued by the MEC for the district municipality to comply on consulting its local municipalities on their priorities and projects and also on the inclusion of projects in draft IDP for consultation before adoption of IDP by Council. The IDP was amended and compliance was realized. Dipaleseng IDP fared badly in project planning to address priorities hence it is ranked low.

##### Ehlanzeni District

All the municipalities followed the prescribed process and complied with legal requirements in the Ehlanzeni district. Bushbuckridge and Thaba Chweu IDPs were ranked low due to a lot of unfunded mandates in their IDPs which do not directly respond to the needs of communities.

##### Challenges

Despite support provided by the department to municipalities in the development and review of IDPs, there are still challenges experienced in the IDP process. These challenges lead to inadequacies in the development and/or implementation of municipal IDPs and includes amongst others:

- In most cases IDP reviews and development are merely for compliance purposes;
- Lack of framework for practical application of the IDP;
- Poor 5 year IDPs without proper 5 year performance plans ;
- Lack of separation of methodologies for IDP development and review;
- Poor sector planning and alignment within the municipalities and also with other spheres of government;
- Poor stakeholder mobilization and participation;
- Complex IDP format guide;
- Failure by some municipalities to implement the advices on how to align the IDP, budget and SDBIP, and
- Insufficient budget to address competing priorities such as roads infrastructure and waste removal.

#### Support Interventions by National and Provincial government

- The department conducted IDP analysis sessions to assist municipalities in ensuring that they produce credible IDPs which;
- Co-ordinated sector departments to participate in IDP representative forums to ensure alignment between provincial plans and municipal plans.

#### Recommendations

The following is recommended to municipalities:

- That they budget for the reviewal of outdated/ or development of sector plans in their medium term expenditure framework during the development of next generation IDPs;
- Limit the use of private service providers to facilitate municipal strategic planning sessions, municipalities should rather use sector departments such as CoGTA, Office of the Premier and Provincial Treasury to provide the required support in this regard;

#### 5.4.2 Developed Disaster Management Policy Frameworks and Plans

**Table 34: Indicate municipalities with Disaster Management Policy Framework and Plans**

District	Municipality	2014/15			2015/16		
		Disaster Management Centre established and fully functional	Disaster Management framework	Disaster Management Plans finalised	Disaster Management Centre established and fully functional	Disaster Management framework	Disaster Management Plans finalised
EHLANZENI	Bushbuckridge	Yes	Not a statutory obligation	Yes	Not a statutory obligation	Not a statutory obligation	Yes
	Mbombela	Yes	Not a statutory obligation	Yes	Not a statutory obligation	Not a statutory obligation	Yes
	Nkomazi	Yes	Not a statutory obligation	Yes	Not a statutory obligation	Not a statutory obligation	Yes
	Thaba Chweu	Yes- shared with fire services	Not a statutory obligation	Yes	Not a statutory obligation	Not a statutory obligation	Yes
	Umgindi	Yes	Not a statutory obligation	Yes	Not a statutory obligation	Not a statutory obligation	Yes
	Ehlanzeni District	Yes	Yes	Yes	Yes	Yes	Yes

District	Municipality	2014/15			2015/16		
		Disaster Management Centre established and fully functional	Disaster Management framework	Disaster Management Plans finalised	Disaster Management Centre established and fully functional	Disaster Management framework	Disaster Management Plans finalised
GERT SIBANDE	Chief Albert Luthuli	Yes	Yes (adopted by council)	Yes	Not a statutory obligation	Not a statutory obligation	Yes
	Dipaleseng	Yes	Not a statutory obligation	Yes	Not a statutory obligation	Not a statutory obligation	Yes
	Govan Mbeki	Yes- shared with fire services	Not a statutory obligation	Yes	Not a statutory obligation	Not a statutory obligation	Yes
	Lekwa	Yes- shared with fire services	Not a statutory obligation	Yes	Not a statutory obligation	Not a statutory obligation	Yes
	Mkhondo	Yes	Not a statutory obligation	Yes	Not a statutory obligation	Not a statutory obligation	Yes
	Msukaligwa	Yes- shared with fire services	Not a statutory obligation	Yes	Not a statutory obligation	Not a statutory obligation	Yes
	Dr. Pixley Ka Isaka Seme	Construction underway	Not a statutory obligation	Yes	Not a statutory obligation	Not a statutory obligation	Yes
	Gert Sibande	Established satellite centres in the local municipalities	Yes	Yes	Established satellite centres in its local municipalities	Yes	Yes
NKANGALA	Emalahleni	Yes located at district level	Yes	Yes	Not a statutory obligation	Not a statutory obligation	Yes
	Emakhazeni	Yes	No framework	Yes (Level one plan)	Not a statutory obligation	Not a statutory obligation	Yes
	Steve Tshwete	No, it is a competency of the District Municipality as stipulated in the Disaster management Act 56 of 2002 Chapter 5 section 43 2b may operate such centre in partnership with those local municipalities.	Yes, Approved by Council, Resolution no: m18/8/2011	Yes, Level 1 plan Approved by Council resolution no: M18/8/2011. Level 2 & 3 plan will serve before Council financial year.	Not a statutory obligation	Not a statutory obligation	Yes
	Victor Khanye	Yes	Yes	Yes	Not a statutory obligation	Not a statutory obligation	Yes
	Dr. JS Moroka	No	Not a statutory obligation	Yes	No	Not a statutory obligation	Yes
	Thembisile Hani	No	Yes	Yes	No	No	Yes
	Nkangala District	Yes	Yes	Yes	Yes	Yes	Yes
	<b>Total</b>	<b>17/21</b>	<b>17/21</b>	<b>8/21</b>	<b>2/3</b>	<b>3/3</b>	<b>21/21</b>

(Source: Section 46 reports from municipalities)

#### 5.4.3 Analysis of municipalities' performance on readiness to mitigate disasters

##### Disaster Management Centres

- ☐ Of the three District Municipalities in the 2015/16 financial year, only 2 district municipalities (Ehlanzeni & Nkangala) had established Disaster Management Centres. However, Gert Sibande District Municipality did not establish a Disaster Management Centre, instead they established satellite Disaster Management Centres through their local municipalities.

##### Disaster Management Frameworks

- ☐ In as far as Disaster Management Frameworks are concerned all district municipalities had the Disaster Management frameworks.

**Disaster Management Plans**

- In as far as Disaster Management Plans are concerned all three districts municipalities had frameworks developed. All 21 local municipalities had disaster management plans in place.

**Challenges**

- Inadequate funding,
- shortage of staff,
- Lack of relief materials; and Old fire-fighting equipment.

**Support Interventions by National and Provincial government**

- The province provided real time information and alerts to municipalities on a regular basis on weather conditions that could lead to a disasters;
- The province coordinated teams to municipalities where disasters were experienced; and the province also provided relief materials where there was a need

**Recommendations**

- All districts to provide necessary support to local municipalities on disaster management
- Municipalities to budget for fire-fighting equipment

**5.5 LOCAL ECONOMIC DEVELOPMENT**

Local Economic Development has been recognized as a critical approach to pursue within the context of empowered municipalities, pro-active actions by local communities, and the need to ensure that development is pro-poor in its focus and outcomes. However, even though LED has been encouraged in South Africa for over twenty years, it is apparent that it also has encountered its fair share of challenges.

LED strategies are at the centre of efforts by municipalities to create economic growth and development. It is a vital strategy at the disposal of all municipalities to increase the potential to radically improve the lives of all municipal constituents by enabling growth and reducing poverty. However, the strategies associated with LED are not to be viewed as a quick-fix solution to the social economic challenges. There are a myriad of potential challenges and obstacles that need to be overcome in implementing such a comprehensive strategy – from local political conditions to the impact of globalization. In essence, the aim of an effective LED strategy is to reduce the impact of factors that adversely affect local economic growth – such as the rapid increase in urbanisation (which affects all municipalities in some way), as well as global economic ruptures, such as the financial crisis which had a significant impact during the year under review. In order to mitigate these risks, LED requires absolute and buy-in from the various stakeholders, especially the private sector, in development and implementation.

An LED strategy is a critical sector plan forming an integrated part of the Integrated Development Plan guiding the economy of each municipality.

**5.5.1. Performance of municipalities on Local Economic Development****5.5.1.1 Capacity for planning and implementing LED functions in municipalities through an effective LED Unit**

The institutional capacity to lead and manage LED is a crucial element that is fundamental to the success of different municipalities in this KPI. Municipalities are building this capacity in a variety of ways including establishing dedicated LED units and appointing LED managers, and in some municipalities they set up Local Economic Development Agencies as special purpose vehicles established outside the municipal offices to unlock economic development potential of a municipality.

Table 35: % Capacity of planning and implementing LED functions in municipalities through effective LED Unit

Districts	Municipality	2013/14		2014/15		2015/16	
		No of posts approved	No of filled posts	No of posts approved	No of filled posts	No of posts approved	No of filled posts
<b>EHLANZENI</b>	Bushbuckridge	7	4	9	3	9	3
	Mbombela	41	11	20	14	41	11
	Nkomazi	5	5	5	5	10	6
	Thaba Chweu	1	1	2	2	2	1
	Umjindi	3	3	2	1	3	2
	<b>TOTAL</b>	<b>57</b>	<b>24</b>	<b>38</b>	<b>25</b>	<b>65</b>	<b>23</b>
<b>GERT SIBANDE</b>	Chief Albert Luthuli	8	3	8	3	8	3
	Dipaleseng	7	2	7	2	7	2
	Govan Mbeki	3	3	3	3	4	2
	Lekwa	2	2	2	2	2	2
	Mkhondo	3	3	3	3	4	3
	Msukaligwa	3	3	3	3	3	2
	Dr. Pixley Ka Isaka Seme	3	2	2	2	2	2
	<b>TOTAL</b>	<b>29</b>	<b>18</b>	<b>28</b>	<b>18</b>	<b>30</b>	<b>16</b>
<b>NKANGALA</b>	Emalahleni	4	4	4	4	5	5
	Emakhazeni	2	2	2	2	2	2
	Steve Tshwete	3	3	3	3	2	2
	Victor Khanye	2	1	1	1	2	1
	Dr. JS Moroka	2	2	2	2	1	1
	Thembisile Hani	2	2	3	3	3	3
	<b>TOTAL</b>	<b>15</b>	<b>14</b>	<b>15</b>	<b>15</b>	<b>15</b>	<b>14</b>

(Source: Section 46 reports from municipalities)

## 5.5.1.1.1 Analysis of Capacity of planning and implementing LED functions in Municipalities

## Findings

In as far as the capacity of municipalities to implement LED the following findings were made across all three districts in the province that; in 2013/14 financial year there were 101 LED posts that were approved and only 56 were filled. In the 2014/15 financial year there were 81 approved posts and 58 were filled and in 2015/16 financial year 110 posts were approved and only 53 were filled.

### 5.5.2 Budget spent on LED related activities

Table 36: % of budget spent on LED related activities

Districts	Municipality	2013/14			2014/15			2015/16		
		budget	amount spent	percentage %	budget	amount spent	percentage %	budget	amount spent	percentage %
EHLANZENI	Bushbuck-ridge	R1 305 000	R290 478	22.25 %	R7 966	R3 210	40%	R4 471 000	R844 000	18%
	Mbombela	R12 100 000	R1 331 000	11%	R6 070 000	R4 257 656	70%	R2 257 370	R1 257 800	56%
	Nkomazi	-	-	-	R8 418 100	R5 548 315	65%	R2 350 000	R1 350 00	57%
	Thaba Chweu	-	-	-	-	-	-	R736 899	R736 899	100%
	Umgindi	R1 465 256	R709 189	49%	R2 181 737	R 652 474	30%	R1200 000	R1200,000	100%
	Ehlanzeni	R13 464 347 (LED, Tourism and Rural Development, including operational budget)	R11 499 54 1.00 (LED, Tourism and Rural Development, including operational budget)	85%	R7 382 317 (LED, Tourism and Rural Development, including operational budget)	R6 606 801 (LED, Tourism and rural Development, including operational budget)	89%	R15,072,188 (LED and Tourism operational Budget)	R 14,410,008	95.61 %
GERT SIBANDE	Chief Albert Luthuli	0	0	0%	0	0	0%	R800 000	R800 000	100%
	Dipaleseng	0	0	0%	R77 000	R77 000	100%	0	0	0%
	Govan Mbeki	0	0	0%	R375 000	R375 000	100%	R 7 500 000	R 7 500 000	100%
	Lekwa	0	0	0%	INP	INP	INP	0	0	0%
	Mkhondo	R1 000 000	R600 000	60%	R1000 000	R552 764	55%	R732 679.00	R88 200.00	120%
	Msukaligwa	0	0	0%	0	0	0%	0	0	0%
	Dr. Pixley Ka Isaka Seme	0	0	0%	R1 369 850	R802 924.37	59%	R 2 220 000	R 1 586 000	71%
	Gert Sibande	0	0	0%	R1 000 000	R789 000	79%	R12 767 759	R10 724 609	84%
NKAMALA	Emalahleni	0	0	0%	0	0	0%	0	0	0%
	Emakhazeni	0	0	0%	0	0	0%	0	0	0%
	Steve Tsh-wete	0	0	0%	R1 225 687	R784 500	64%	R 323 400	R 270 425	83.61 %
	Victor Khanye	R3 624 726	R3 198 348	88%	0	0	0%	R 1 530 300	R 1 295 457	84.6%
	Dr. JS Moroka	0	0	0%	0	0	0%	0	0	0%
	Thembisile Hani	R2 700 000	R2 595 205	96%	0	0	0%	0	0	0%
	Nkangala	0	0	0%	R31 617 977 .02	R25 206 966.94	70%	R20 117 648.78	R13 049 745.63	65%

#### 5.5.2.1 Analysis of budget spent on LED related activities

##### Findings

The following findings have been made on LED budgets and actual spending. In 2013/14 financial year municipalities across the three districts in the province had a total budget of **R 35 662 329** and, municipalities only spent **R 10 405 347** that means a total of **R 25 256 982** was not spent. In 2014/15 year municipalities across the three districts in the province had a total budget of **R 60 725 634** and, municipalities only spent **R 45 656 610** that means a total of **R 15 069 024** was not spent. In 2015/16 financial year municipalities across the three districts in the province had a total budget of **R 72 079 243** and, municipalities only spent **R 55 113 143** that means a total of **R 16 966 100** was not spent.

### 5.5.3 Existence of LED strategies and plans

Table 37: Indicate municipalities with LED strategies and plans

DISTRICT	Municipality	2013/14			2014/15			2015/16			Reason for no strategy in place
		LED strategy re-viewed /developed	LED strategy approved	LED strategy implemented	LED strategy re-viewed /developed	LED strategy approved	LED strategy implemented	LED strategy re-viewed /developed	LED strategy approved	LED strategy implemented	
EHLANZENI	Bushbuckridge	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Mbombela	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Nkomazi	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Thaba Chweu	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Umgindi	Yes	Yes	No	Yes	Yes	No	No	No	No	Municipality in the process of merging with Mbombela
	Ehlanzeni	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Not applicable
GERT SIBANDE	Chief Albert Luthuli	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Dipaleseng	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Govan Mbeki	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Lekwa	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Updated and revised LED strategy submitted by council by the end July
	Mkhondo	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Partially implemented
	Msukaligwa	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	In a process of developing the growth and development strategy
	Dr. Pixley Ka Isaka Seme	Yes	No	No	Yes	Yes	Yes	Yes	Yes	No	Not implemented due to lack of funds.
	Gert Sibande	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
NKANGALA	Emalahleni	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Emakhazeni	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	None
	Steve Tshwete	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Victor Khanye	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Dr. JS Moroka	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
	Thembisile Hani	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	None
	Nkangala	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None

(Source: Section 46 reports from municipalities)

#### 5.5.3.1 Analysis of the existence and implementation of Local Economic Development (LED) strategies

##### Findings

With regard to the development or reviewal of LED during the 2013/14 financial year all municipalities had either reviewed or developed their LED strategies. However, LED strategies of Mkhondo and Thembisile Hani municipalities were not approved therefore not implemented. In the 2014/15 financial year all municipalities had either reviewed or developed their LED strategies. However, Umgindi and Emakhazeni local municipalities did not implement their LED strategies. In 2015/16 financial year all municipalities had either reviewed or developed their LED strategies except for Umgindi local municipality due to the amalgamation with Mbombela local municipality. Msukaligwa, Emakhazeni, and Dr.JS Moroka did not implement their LED strategies.

#### 5.5.4 Functionality of LED stakeholder forum

Table 38: Municipalities with functional LED stakeholder forum

Districts	Municipality	2013/14	2014/15	2015/16
<b>EHLANZENI</b>	Bushbuckridge	Yes	Yes	No
	Mbombela	Yes	Yes	Yes
	Nkomazi	Yes	Yes	Yes
	Thaba Chweu	Yes	Yes	Yes
	Umgindi	Yes	No	No
	Ehlanzeni	Yes	Yes	Yes
<b>GERT SIBANDE</b>	Chief Albert Luthuli	Yes	Yes	Yes
	Dipaleseng	Yes	Yes	Yes
	Govan Mbeki	Yes	Yes	Yes
	Lekwa	Yes	Yes	Yes
	Mkhondo	Yes	Yes	Yes
	Msukaligwa	No	No	No
	Dr. Pixley Ka Isaka Seme	Yes	Yes	Yes
	Gert Sibande	Yes	Yes	Yes
<b>NKANGALA DISTRICT</b>	Emalahleni	Yes	Yes	Yes
	Emakhazeni	Yes	Yes	Yes
	Steve Tshwete	Yes	Yes	Yes
	Victor Khanye	Yes	Yes	Yes
	Dr. JS Moroka	No	No	Yes
	Thembisile Hani	No	Yes	Yes
	Nkangala	Yes	Yes	Yes

(Section 46 reports from municipalities)

##### 5.5.4.1 Analysis on the existence Local Economic Development Forums in municipalities

#### Finding

Regarding the functionality of LED Stakeholders Forums in the 2013/14 financial year all municipalities had LED stakeholder forums except Msukaligwa, Dr.JS Moroka and Thembisile Hani local municipalities. In the 2014/15 financial year all municipalities had LED stakeholder forums except for Umgindi, Msukaligwa and Dr.JS Moroka. In the 2015/16 financial year all municipalities had LED stakeholder forums except for Bushbuckridge, Umgindi and Msukaligwa.



### 5.5.5 Plans to stimulate second economy

#### SMMEs supported

The following activities were undertaken to create opportunities for Small, Medium and Micro Enterprise by the unit in the 2015/2016 financial year:

**Table 39: Indicate activities in support of SMME**

Districts	Municipality	Activity	Outcome
<b>GERT SIBANDE</b>	Chief Albert Luthuli	<input type="checkbox"/> SMMEs and cooperative trained and assisted to register in the Central Database to comply with the National Treasury requirements.	<input type="checkbox"/> 10 Cooperatives appointed by the Municipality for Catering Service <input type="checkbox"/> 5 Cooperatives appointed by the Municipality for Transport Service
	Msukaligwa	<input type="checkbox"/> Through the municipal engagement with Eskom, 11 local companies and SMMEs benefited from the project. In terms of skills development and the following skills (outcomes) were transferred to locals.	<input type="checkbox"/> Artisan assistants <input type="checkbox"/> Environmental officer <input type="checkbox"/> Laboratory technicians <input type="checkbox"/> Operators and Quality
	Lekwa	<input type="checkbox"/> Four training interventions coordinated for SMMEs and Co-operatives annually	<input type="checkbox"/> Two training interventions were coordinated <input type="checkbox"/> SMMEs exhibition not held
	Govan Mbeki	<input type="checkbox"/> Job creation through LED <input type="checkbox"/> Training of SMME's and co-operatives <input type="checkbox"/> Issue business licenses <input type="checkbox"/> Two High Impact Projects	<input type="checkbox"/> 131 Jobs were created through LED Initiatives <input type="checkbox"/> 141 SMME's/ Co-operatives were trained <input type="checkbox"/> 97 business licenses concluded and issued <input type="checkbox"/> Fly-Ash Projects Implemented <input type="checkbox"/> Industrial Park Feasibility study underway
	Dipaleseng	<input type="checkbox"/> None	<input type="checkbox"/> None
	Mkhondo	<input type="checkbox"/> Support 9 co-operatives with tools and materials	<input type="checkbox"/> Create more jobs
<b>NKANGALA</b>	Pixley ka Isaka Seme	<input type="checkbox"/> Co-operatives/SMMEs: day for register on the stakeholder data, i.e. <input type="checkbox"/> DARDLEA, DPWRT, DOE and the municipality <input type="checkbox"/> Tendering skills training skills: in partnership with SEDA <input type="checkbox"/> Financial Management Workshop: Municipality in partnership with MTPA and GSDM <input type="checkbox"/> Municipality in partnership with SARS, CAPITEC and ABSA Bank and SEDA SMMEs were supported by being given training on how to open a business bank account, applying for funding, and how to register their business with SARS- by the municipality in partnership with ABSA, Capitec bank, SARS and SEDA	<input type="checkbox"/> Co-operative and SMMEs were assisted to register on the CSD database <input type="checkbox"/> How to tender and fill tender documents and documents required to tender <input type="checkbox"/> How to manage their finances and being accountable for it and to gain insight on how sustain their business.
	Victor Khanye	<input type="checkbox"/> Funding workshop by Small Enterprise Finance Agency (SEFA) <input type="checkbox"/> Workshop with Street vendors <input type="checkbox"/> Hosted Incubation Day <input type="checkbox"/> Registration to Centralized Database <input type="checkbox"/> Tendering and Procurement processes workshop	<input type="checkbox"/> Access to funding <input type="checkbox"/> Facilitated the formation of the Street Vendors Committee <input type="checkbox"/> Information sharing session on available economic opportunities <input type="checkbox"/> To be eligible to get Government economic opportunities <input type="checkbox"/> Understanding of procurement processes
	Emakhazeni	<input type="checkbox"/> The main aim of the programme is to ensure that these SMMEs are developed, they assist in creating employment.	<input type="checkbox"/> To ensure a coordinated approach to SMME and co-operatives, the municipality played a role in the development of the draft –wide NDM cooperative policy.

Districts	Municipality	Activity	Outcome
	Dr JS Moroka	<input type="checkbox"/> Training of cooperative <input type="checkbox"/> SMME training	<input type="checkbox"/> Training of cooperatives conducted on the 27/07/2015 <input type="checkbox"/> SMME trained from 08/04/2017 to 10/04/2015 <input type="checkbox"/> SMME Nedbank training 26-30 January 2015
	Thembisile Hani	<input type="checkbox"/> Business show <input type="checkbox"/> Market Stores <input type="checkbox"/> Training of SMME	<input type="checkbox"/> Business owners became aware of business opportunity by interacting with other business <input type="checkbox"/> SMME's are able to sell their products <input type="checkbox"/> 20 SMME and Cooperatives
	Emalahleni	<input type="checkbox"/> Promotion of SMMEs and co-operative development	<input type="checkbox"/> Inadequate support of SMMEs leading to ineffective growth and sustainability.
	Nkangala	<input type="checkbox"/> skill development program coordinated by June 2016	Three skills development programmes co-ordinated; <input type="checkbox"/> Nedbank SMMEs training 28 September to 1 October 2015 <input type="checkbox"/> Nedbank Training 5 to 9 October <input type="checkbox"/> Community Works program training
	Steve Tshwete	4 LED related summit held <input type="checkbox"/> Udiwonondlebe -31 July 2015 <input type="checkbox"/> Franchise Expo- 22- 23 October 2015 <input type="checkbox"/> Township economy and Industries 25 February <input type="checkbox"/> Job Summit 23 June 2016	<input type="checkbox"/> SMMEs were exposed to business opportunities and information.
EHLANZENI	Thaba Chweu	<input type="checkbox"/> Ehlanzeni District municipality identified SMMEs development as a key aspect of economic growth and development.	<input type="checkbox"/> The SMMEs mentorship programme focuses on a mentorship initiative that sets out to support SMMEs in their endeavour to create jobs for communities
	Bushbuckridge	<input type="checkbox"/> Capacity building of SMME and Cooperatives	<input type="checkbox"/> Assist SMMEs and Co-ops to develop own business profile, business plans and to sustain their businesses. <input type="checkbox"/> Assist local farmers to grow their Agriculture activities, to move towards being commercial farmers. And support by procuring agricultural inputs.
	Umgindi	<input type="checkbox"/> Capacity building of SMMEs and Cooperatives	<input type="checkbox"/> Assist SMMEs and Coops to develop own business profile and business plans. <input type="checkbox"/> Assist local farmers to grow their Agriculture activities, to move towards being commercial farmers.
	Nkomazi	<input type="checkbox"/> LED outreach programme was held for the 2015/16 financial year, where SMME's, Cooperatives, sector departments and Business met to engage on LED issues. <input type="checkbox"/> Hawkers' stalls have been built which benefits 16 hawkers. (6 at the Tonga Hawkers stalls and 10 at the Mzinti hawkers' stalls.)	<input type="checkbox"/> SMMEs' owners acquired entrepreneurial skills.
	Mbombela	<input type="checkbox"/> Organizing and registration of Cooperatives	<input type="checkbox"/> 22 Cooperatives were formalized and registered
	Ehlanzeni district	<input type="checkbox"/> A training and mentorship programme was offered to cooperatives	<input type="checkbox"/> A total of Nineteen co-operatives benefitted from training and mentorship programmes in the FY2015/16

(Source: Section 46 reports from municipalities)

#### 5.5.5.1 Analysis on the municipal plans to stimulate second economy

##### Findings

The following findings were made that Gert Sibande District municipality in the 2015/16 financial year did not implement any activities to stimulate the second economy. Dipaleseng local municipality in the 2014/15 and 2015/16 financial year did not have any plans/ activities to stimulate the second economy.

### 5.5.6 No. of employment opportunities created through Extended Public Works Programmes (EPWP) and Public Private Partnerships (PPP).

Table 40: Indicate No of employment opportunities created through EPWP and PPP

District	Municipality	2014/15						2015/16					
		Person years of work including training	Person Years of training	Gross number of work opportunities created	% of youth	% of women	% of people with disabilities	Person years of work including training	Person Years of training	Gross number of work opportunities created	% of youth	% of women	% of people with disabilities
EHLANZENI	Bushbuckridge	259	0	1 061	60%	70%	0%	604	0	1,167	65.72%	41.73%	4.20%
	Mbombela	475	0	1 808	63%	41%	0%	388	0	509	54.42%	51.28%	8.45%
	Nkomazi	791	9.83	1 781	65%	44%	0.005 %	351	0	708	60.17%	45.06%	1.69%
	Thaba Chweu	154	0	342	61%	48%	0%	121	0	246	53.25%	51.63%	0.00%
	Umgindi	94	1.64	432	54%	71%	0%	89	0	184	66.85%	54.35%	2.17%
	Ehlanzeni	185	1.51	194	51%	42%	0.026%	230	0	297	53.87%	51.51%	1.68%
GERT SIBANDE	Chief Albert Luthuli	424	0	1 185	71%	52%	0%	52	0	108	64.81%	58.33%	0.00%
	Dipaleseng	121	0	361	64%	53%	0%	105	0	203	65.52%	54.19%	0.00%
	Govan Mbeki	396	0	1 051	65%	52%	0.001%	334	0	443	61.85%	66.82%	1.35%
	Lekwa	47	0	209	72%	48%	0%	38	0	55	58.18%	41.82%	1.82%
	Mkhondo	271	0	752	74%	42%	0%	159	0	227	74.01%	46.70%	0.44%
	Msukaligwa	106	0	250	68%	49%	0%	15	0	52	71.15%	44.23%	1.92%
	Dr. Pixley Ka Isaka Seme	158	0.59	592	76%	62%	0%	113	0	238	81.93%	59.24%	1.26%
	Gert Sibande	398	0	880	67%	63%	0.005 %	343	0	375	58.93%	70.40%	0.53%
NKANGALA	Emalahleni	371	0	730	62%	36%	0%	90	0	282	56.03%	42.20%	0.00%
	Thembisile Hani	179	0	478	69%	56%	0%	132	0	285	79.30%	63.16%	0.35%
	Emakhazeni	57	0	117	80%	44%	0%	51	0	103	66.99%	36.89%	0.00%
	Steve Tshwete	241	0	1 275	68%	31%	0%	658	0	2 076	48.64%	62.19%	0.43%
	Victor Khanye	219	0	549	63%	39%	0.004%	168	0	260	58.08%	50.77%	8.08%
	Dr. JS Moroka	498	22.34	1 629	47%	65%	0.001%	174	0	560	41.43%	64.82	1.25%
	Nkangala	146	0	462	61%	33%	0%	302	0	464	63.7%	38.58%	1.29%

(Source: 2015/16 Audited EPWP Annual Performance Report from Public Works)

#### 5.5.6.1 Analysis of municipalities' performance on number of employment opportunities created through Extended Public Works Programmes (EPWP) and Public Private Partnerships (PPP).

#### Findings

The following findings were made that in the 2014/15 financial year a total of **16 138 jobs were created** through the Extended Public Works Programme, across municipalities on the three districts in the province, of which 38% were occupied by the designated groups (**65% were held by the youth, 50.1% by women and 0.002% by people with disabilities**). In the 2015/16 a total of **8 842 jobs were created** across municipalities in the three districts in the province of which 39% were occupied by the designated groups (**61% were held by the youth, 52.2% by women and 2.5% by people with disabilities**). This totals to **24 980 jobs created** in the 2015/16 financial year. There has been a decrease in job opportunities created by almost half in the 2015/16 financial year overall. In the youth category there has been a **4% decrease**, an increase by **1.1%** for women and **2.5%** for the disabled.

**Challenges in LED Strategy implementation**

- Capacity constraints are a major challenge as to why the municipalities are not implementing their LED strategies.
- Poor budgeting and resource allocations to implement LED;
- Where LED budget is available it is not spent,
- Insufficient staff compliment in municipal LED units
- There are no reasons put forth by both municipalities as to why they did not have LED stakeholder forums in particular Msukaligwa local municipality, which for the past three years did not have one.
- Msukaligwa local municipality for the past three financial years did not have an LED forum and that Bushbuckridge municipality did not have an LED forum in 2015/16 financial year.

**Support Interventions by National and Provincial government**

- Municipalities were workshopped on environmental projects in conjunction with the Department of Environmental Affairs, and those that applied for funding and met the criteria received funding. A total of R 345 000 000 was spent in funding the successful projects in the following municipalities (Chief Albert Luthuli, Bushbuckridge, Nkomazi, Mbombela, Umjindi, Steve Tshwete and Thembisile Hani).
- Three municipalities were supported in the process of reviewing their LED strategies that is: Bushbuckridge, Steve Tshwete and Msukaligwa local municipalities
- Municipalities were also assisted by encouraging the private sector to participate in the municipal LED Forums and foster good working relationship.
- The department coordinated workshops by the DTI on Red Tape reduction.
- The Department through the Public Works Incentive Grant created 93 work opportunities implemented through the Youth Waste Management
- The Implementation of Community Works Programme created 23 178 work opportunities
- The Department has also been supporting the implementation of Catalytic LED Projects like the Amajuba Rail Project between Dr. Pixley Ka Isaka Seme and Msukaligwa Municipalities and the Soya Bean Crusher Plant and 2500 jobs created

**Recommendations**

It hereby recommended that municipalities:

- Treat LED like other Key Performance Areas (KPA's) of the municipality by ensuring that suitably qualified LED practitioners are appointed in the LED posts and ensuring that LED budget is spent just on LED programmes and projects,
- Comply with the EPWP incentive grant reporting conditions to maximise resources of intensifying job creation and poverty alleviation,
- The municipalities to have twinning relations with other well performing municipalities on LED implementation.

**5.6 FINANCIAL MANAGEMENT****5.6.1 Municipal Financial viability and Management**

Profound fiscal efficacy, discipline, prudence and monitoring all provide a sound basis for the delivery of all the key and fundamental municipal objectives. It is therefore imperative that municipalities not only purport to portray but embrace an intrinsic and frugal duty to maximize revenue potential while transparently managing public finances as set out in the Municipal Finance Management Act 2003, and the Municipal Property Rates Act 2004 following the proper International Accounting Standards as prescribed in policy and regulation. The guidelines set therein provide for effective accountability, evident financial sustainability and a financial viability conducive to infrastructure investment and service delivery.

**5.6.2 Performance of municipalities on financial viability and management**

This is the main prescribed key performance indicator. It is therefore compulsory for all municipalities to submit annual reports on achievements or challenges encountered in achieving according to ratios set in the 2001 Regulations.

The financial viability of Local Government is measured using three key performance indicators:

- a) Debt coverage** which denotes the rate at which a municipality is able to meet its debt service payments with the financial year from its own sources of revenue. A municipality should have 20% debt coverage.
- b) Outstanding service debts to revenue** refer to the ability of a municipality to service its debts dependent on the rate at which the municipality collects amounts owed to it. In other words it represents the ratio of outstanding debtors to total revenue.
- c) Cash flow** measures the rate at which municipalities can cover their costs, that is the debtor collection rates which result in sufficient cash to enable the municipalities to meet their day to day operational costs. It is mandatory for municipalities to determine cash flow requirements to maintain operations and also have adequate measures to foresee the need to alter operations as required.

## 5.6.2.1 Status of the audit outcome

Table 41: Indicate municipalities audit outcomes

Districts	Municipality	Audit Opinion 2013/14				Audit Opinion 2014/15				Audit Opinion 2015/16			
		Unqualified	Qualified	Disclaimer	Adverse	Unqualified	Qualified	Disclaimer	Adverse	Unqualified	Qualified	Disclaimer	Adverse
EHLANZENI	Bushbuckridge		Yes				Yes			Yes			
	Mbombela	Yes				Yes				Yes			
	Nkomazi		Yes			Yes				Yes			
	Thaba Chweu			Yes				Yes				Yes	
	Umjindi		Yes			Yes				Yes			
	Ehlanzeni district	Yes (Clean)				Yes (Clean)				Yes (Clean)			
GERT SIBANDE	Chief Albert Luthuli		Yes			Yes					Yes		
	Dipaleseng	Yes				Yes				Yes			
	Govan Mbeki	Yes				Yes				Yes			
	Lekwa	Yes				Yes				Yes			
	Mkhondo			Yes			Yes				Yes		
	Msukaligwa			Yes				Yes			Yes		
	Dr. Pixley Ka Isaka Seme		Yes			Yes				Yes			
	Gert Sibande		Yes			Yes					Yes		
NKANGALA	Emalahleni			Yes				Yes				Yes	
	Emakhazeni			Yes				Yes			Yes		
	Steve Tshwete	Yes (Clean)				Yes				Yes (Clean)			
	Victor Khanye		Yes				Yes				Yes		
	Dr. JS Moroka		Yes				Yes				Yes		
	Thembisile Hani		Yes			Yes					Yes		
	Nkangala district	Yes				Yes (Clean)				Yes (Clean)			

(Source: Section 46 reports from municipalities)

	2014/15				2015/16			
	Unqualified with no findings	Unqualified with findings	Qualified with findings	Adverse or disclaimer with findings	Unqualified with no findings	Unqualified with findings	Qualified with findings	Adverse or disclaimer with findings
<b>Improved</b>	Nkangala District	Chief Albert Luthuli, Thembisile Hani, Dr Pixley Ka Isaka Seme and Gert Sibande	Bushbuckridge, Mkhondo,		Steve Tshwete	Bushbuckridge	Msukaligwa, Emakhazeni	
<b>Unchanged</b>	Ehlanzeni	Mbombela, Nkomazi, Umjindi, Dipaliseng, Govan Mbeki, Lekwa,	Victor Khanye and Dr JS Moroka	Emalahleni, Emakhazeni, Thaba Chweu, Msukaligwa	Ehlanzeni and Nkangala	Lekwa, Nkomazi, Dr Pixley Isaka Seme, Govan Mbeki, Mbombela, Umjindi, Dipaleseng	Thembisile Hani, Dr JS Moroka, Mkhondo, Victor Khanye	Thaba Chweu, Emalahleni,
<b>Regressed</b>		Steve Tshwete					Gert Sibande, Chief Albert Luthuli	
<b>Total</b>	<b>2</b>	<b>11</b>	<b>4</b>	<b>4</b>	<b>3</b>	<b>8</b>	<b>8</b>	<b>2</b>

(Source Auditor General Report 2015/16)

#### 5.6.2.2 Analyses of the Audit Outcomes

##### Findings

- In respect of district municipalities: 2 Clean Audits and 1 qualified opinion with findings
- In respect of local municipalities: 1 Clean Audit, 8 Unqualified, 8 qualified and 2 disclaimer opinions

##### The breakdown of the audit outcomes per municipalities is as follows:

- Four municipalities (Steve Tshwete, Bushbuckridge, Msukaligwa and Emakhazeni) improved from the prior year; fourteen municipalities remained unchanged from the previous year namely: Nkangala, Ehlanzeni, Lekwa, Nkomazi, Dr Pixley ka Isaka Seme, Govan Mbeki, Mbombela, Umjindi, Dipaleseng, Dr JS Moroka, Mkhondo, Victor Khanye, Emalahleni and Thaba Chweu.
- Three municipalities regressed namely Gert Sibande, Thembisile Hani and Chief Albert Luthuli.

##### Status of compliance with legislation over the past three years

- In 2013/14 financial year 19 out of 21 (90%) municipalities were with findings and only 2 were without findings;
- In 2014/15 financial year 19 (90%) out of 21 municipalities were with findings and only 2 were without findings.
- In 2015/16 financial year 18 municipalities were with findings and only 3 were without findings;

##### Most common areas of qualifications

- Continued reliance on consultants with or no transfer of skills
- Weak internal control and poor financial management
- Poor revenue management
- Late payment of creditors (Including ESKOM)
- Fruitless and wasteful expenditure
- Unauthorised and irregular expenditure
- Poor internal audit units and audit committees

**Risk areas requiring attention from municipalities**

- Quality of submitted financial statements- 81% of auditees needed intervention and 19% were without findings;
- Governance - 66% of auditees were concerning, 5% needed intervention and 29% were without findings;
- Leadership management- 62% of auditees were concerning, 24% needed intervention and 14% were without findings;
- Financial performance - 71% of auditees were concerning, 19% needed intervention and 10% were without findings;
- Human resource management- 62% of auditees were concerning, 19% needed intervention and 19% were without findings;
- **Internal controls**- 62% of auditees were concerning, 19% needed intervention and 22% were without findings;

**Assurance provided by key role players**

- First level of assurance (Management/ Leadership)
- 5% of Senior Management provided quality assurance, 67% provided some assurance and 29% provided limited or no assurance.
- 10% of Accounting Officers provided quality assurance, 67% provided some assurance, and 23% provided limited or no assurance.
- 23% of Executive Mayors provided quality assurance, 67% provided some assurance, and 10% provided limited or no assurance.

**Second level of assurance (internal independent assurance and oversight)**

- 19% Internal Audit units provided assurance, 71% provided some assurance, 10% provided limited or no assurance
- 19% of Audit Committees provided assurance, 76% provided some assurance, and 5% provided limited or no assurance.
- 100% of Coordinating or monitoring departments provided some assurance.

**Third level of assurance (External independent assurance and oversight)**

- 24% of Municipal Councils provided assurance, 71% provided some assurance and 5% provided limited or no assurance.
- 19% of Municipal Public Accounts Committees (MPACs) provided assurance, 71% provided some assurance and 10% provided limited or no assurance.
- 100% of Portfolio Committee on local government provided some assurance.

**Overall audit outcomes of the past three years**

- Slight improvements in the overall audit outcomes;
- Decrease in the number of disclaimed municipalities from 24% to 10%;
- Significant increase in the levels of irregular, unauthorised as well as fruitless and wasteful expenditure;
- Material misstatements in the annual financial statements and annual performance reports for audit purpose remain high;

**Intervention**

- GAP analysis conducted in Msukaligwa and Emakhazeni Municipalities on root causes contributing to disclaimed audit outcomes to identified specific action and further support.
- Conducted assessment in disclaimed municipalities on record management and identified further support from PT through deployment of additional resources.
- Action plans are being monitored to check progress made.
- Provincial Treasury coordinated a training on Records Management and Disposal of documents for Municipalities.
- Department of Culture Sport and Recreation assisted the PT with training on archiving processes through partnership arrangement

**Recommendations**

- Political leadership and independent oversight by the Audit Committee to play an effective role in monitoring the implementation of audit action plans.
- Municipalities to request deployment of experts to support on improvement of audit outcomes
- Municipalities to appoint young professionals and engineers to assist with asset registers
- Establishment of committee at district level to ensure collaboration on asset related issues
- Provincial Treasury will follow-up and assist municipalities to conclude action plans for FMCMM and incorporate into audit action plans
- Constant monitoring of audit action plans by Provincial Government (PT & COGTA)

## 5.6.3 Percentage of Capital budget expenditure

Table 42: Indicate % of municipal Capital Budget Expenditure

District	Municipality	2013/14				2014/15				2015/16			
		R'000			%	R'000			%	R'000			%
		Original budget	Adjusted	Actuals YTD	%	Original budget	Adjusted	Actuals YTD	%	Original budget	Adjusted	Actuals YTD	%
EHLANZENI	Bushbuckridge	645 328	682 554	561 536	80,9%	434 655	517 828	351 771	68 %	460 915	574 843	416 237	72,41%
	Mbombela	1 849 620	1 777 472	1 749 244	98,4%	522 517	670 158	515 942	77 %	-	-	-	-
	Nkomazi	552 768	558 111	520 321	93,2	INP	INP	INP	INP	230 907	250 397	259 999	103,83%
	Thaba Chweu	308 733	515 440	355 096	68,9%	46 647	64 647	43 367	67 %	44 278	44 278	73 547	166,10%
	Unjindi	256 744	252 409	210 155	83,3	INP	INP	INP	INP	-	-	-	0,00%
	EHLANZENI	3 613 193	3 103 432	3 396 352	78%	1 003 819	1 252 633	911 080	71 %	-	-	-	0,00%
GERT SIBANDE	Chief Albert Luthuli	281 889	355 864	236 206	66,4%	402 344	402 344	402 344	0 %	109 886	116 120	114 048	98,22%
	Dipaleseng	207 832	221 763	117 744	53,1%	79 095	101 395	43 115	43 %	-	-	-	0,00%
	Govan Mbeki	1 445 002	1 711 781	1 120 648	65,5%	INP	INP	INP	INP	-	-	-	0,00%
	Lekwa	614 440	634 252	257 077	40,5%	INP	INP	INP	INP	14 400	14 380	14 353	99,81%
	Mkhondo	373 274	375 674	286 086	76,2%	65 623	97 223	93 629	96%	111 215	111 215	80 406	72,30%
	Msukaligwa	541 965	480 872	406 268	84,5%	51 572	51 572	51 059	98,8%	89 900	61 066	30 157	49,38%
	Dr. Pixley Ka Isaka Seme	238 949	344 534	169 051	49,1%	28 720	31 576	24 388	77%	-	-	-	0,00%
	GERT SIBANDE	3 703 351	4 124 740	2 593 080	77,6%	627 354	281 766	614 535	79%	-	-	-	0,00%
	Emalaheni	1 694 847	1 746 385	289 551	70,5%	159 916	214 087	193 765	90,51%	-	-	-	0,00%
	Emakhazeni	215 075	219 633	127 393	58%	17 232	17 232	17 232	100%	-	-	-	0,00%
	Steve Tshwete	1 210 473	1 242 801	1 121 711	96,7%	187 899	270 234	266 165	98%	236 369	323 87	274 433	84,73%
	Victor Khanye	292 001	277 051	289 694	104,6%	79 929	79 929	79 929	100%	-	-	-	0,00%
	Dr. JS Moroka	332 583	554 139	336 305	60,7%	116 875	146 875	140 254	95%	-	-	-	0,00%
	Thembiisile Hani	334 691	502 600	416 426	82,9%	110 820	111 340	75 392	67,7%	119 139	125 087	125 087	100%
	NKANGALA	4 079 670	4 542 609	2 581 080	10,9%	672 671	839 697	772 737	92%	-	-	-	0,00%
Provincial	TOTALS	11 770 781	11 396 214	8 570 521	55,5%	1 300 025	1 121 463	2 298 352	81%	1 417 009	1 621 264	1 388 267	85,63%

(Source: PT Treasury section 71 reports)



### 5.6.3.1 Provincial Analysis of Capital Budget Expenditure

#### Findings

The following findings were made on Capital Budget Expenditure:

- Poor spending of capital budget due to the inability to plan for projects;
- Utilisation of grant funding for operational expenditure due to cash flow challenges
- Some municipalities had unfunded budget.
- Some municipalities' Annual Reports do not reflect/report their Capital Budget Expenditure.

#### Intervention

- Provincial Treasury provided technical support on financial planning; COGTA provided support project management.
- COGTA in partnership with DWS, MISA and other stakeholders to assist Municipalities on Blue Drop requirements for compliance.
- PT to support municipality with revenue enhancement and reprioritisation of budget.
- All municipalities' to be supported in ensuring draft budgets developed, credible realistic and funded
- Sec 71 reports analysed for all municipalities and written feedback provided on a monthly basis
- All municipal budgets were analysed and support provided to ensure that all budgets are credible and funded
- Budget framework reviewed and provided to municipalities.
- All municipal midyear budget performance analysed and feedback provided to municipalities.
- Sec 71 reports analysed for all municipalities and feedback provided

#### Recommendations

- Municipalities to ring-fence MIG funding;
- Municipalities to plan in advance for projects to start with implementation as early as the commencement of the financial year;
- Provincial Treasury to continue providing technical support on financial planning

## 5.6.4 Total municipal own revenue as a percentage of the actual budget

Table 43: Indicate total municipal own revenue as % of actual budget

Districts	Municipality	2013-2014 R'000			2014-2015 R'000			2015-2016 R'000		
		Budget	Adjustment Budget	Actual Expenditure	%	Budget	Adjustment Budget	Actual Expenditure	%	Actual Expenditure
EHLANZENI	Bushbuckridge	671 741	694 023	561 536	80.9%	INP	INP	INP	1 319 476	1 414 656
	Mbombela	1611452	1 649 742	1 552 283	94.1%	1,746,441	1,751,251	100%	2 559 853	2 439 482
	Nkomazi	483916	484 564	470 416	97.1%	INP	INP	INP	1 056 261	1 024 250
	Thaba Chweu	294560	325 268	286 025	87.9	436 397	467 210	329 314	486 791	529 937
	Umtindi	214333	209 669	189837	90.5%	158 271	145 770	131 785	244 716	373 726
	Ehlanzeni DM	194 001	197 022	192 980	97.9%	INP	INP	INP	258 578	231 873
<b>Total</b>		<b>3 470 003</b>	<b>3 560 288</b>	<b>3 253 077</b>	<b>91.5%</b>	<b>2 341 109</b>	<b>2 359 421</b>	<b>2 212 350</b>	<b>5 925 475</b>	<b>6 013 924</b>
GERT SIBANDE	Chief Albert Luthuli	273 721	274 964	279 228	101.6%	296473	299590	453988	-	-
	Dipaleseng	144 145	141577	144 663	102.2%	149 066	156 853	192 351	166 812	200 065
	Govan Mbeki	1 369 466	-	1 269 722	89.9%	INP	INP	INP	1 657 010	1 617 472
	Lekwa	457 091	436 065	313 939	72.0%	INP	INP	INP	596 469	574 959
	Mkhondo	299 542	306 521	269 756	88.0%	299 541	306 521	302 182	444 005	636 256
	Msukaligwa	463 855	435 915	55 348	88.6%	INP	INP	INP	544 172	581 698
NKANGALA	Dr Pixley Ka Isaka Seme	196 481	187 462	199 047	106%	197 838	216 152	225 564	290 650	259 058
	Gert Sibande	359 503	328 127	285 328	87%	403 486	364 330	290 314	-	-
	<b>Total</b>	<b>3 293 533</b>	<b>3 234 945</b>	<b>3 372 025</b>	<b>104%</b>	<b>3 615 144</b>	<b>3 587 124</b>	<b>2 848 534</b>	<b>3 865 930</b>	<b>3 809 942</b>
	Emalahleni	1 595 762	1 595 762	1 433 631	90%	1 682 396	1 702 582	1 658 759	2 626 610	2 315 370
	Emakhazeni	157 720	184 013	160 664	98%	156 516	176 078	183 312	238 921	235 494
	Steve Tshwete	967 102	975 646	975 448	100%	1 141 136	1 160 440	1 121 711	1 471 793	1 507 999
TOTAL INCOME AGAINST BUDGET	Victor Khanye	260 114	266 098	249 621	94%	292 029	288 194	306 181	399 100	407 939
	Dr. JS Moroka	402 387	462 720	392 778	85%	371 055	335 840	301 508	524 443	551 921
	Thembisile Hani	325 552	389 169	276 970	71%	341 642	334 832	437 800	602 876	606 914
	Nkangala DM	328 204	324 963	346 338	107%	339 623	335 642	331 385	353 447	362 303
	<b>Total</b>	<b>4 036 841</b>	<b>417 8371</b>	<b>3 835 450</b>	<b>92%</b>	<b>4 324 397</b>	<b>2 631 026</b>	<b>4 340 656</b>	<b>6 217 190</b>	<b>5 972 347</b>
	<b>TOTAL INCOME AGAINST BUDGET</b>	<b>10 828 856</b>	<b>11 161 154</b>	<b>10 762 985</b>	<b>96%</b>	<b>11409 544</b>	<b>9 778 438</b>	<b>10 442 267</b>	<b>16 008 595</b>	<b>15 951 959</b>

(Source: Section 46 reports from municipalities)

#### 5.6.4.1 Provincial Analysis own revenue as a percentage of the actual budget

##### Findings

The following findings were made on municipal revenue as a percentage of the actual budget it amounted to **R 15 951 959** as at June 2016 constituting **96.12%** spent own revenue in the province. However, a number of challenges were noted with municipalities on revenue enhancement as follows:

- Failure of municipalities to implement revenue enhancement strategies and plans as developed
- Poor revenue collection.
- Incorrect billing
- Poor enforcement of credit control and debt collection policies
- Municipalities do not reconcile valuation rolls to billing systems
- High number Indigents
- Resistance by consumers to pay

##### Interventions

- The Department and Provincial Treasury provided support and monitoring of municipal performance on financial management.

##### Recommendations

- Municipalities expedite the finalisation and adoption of financial policies and by-laws
- Municipalities to continue to reconcile valuation rolls with billing systems
- Implementation of SOP for revenue management

## 5.6.5 Rate of municipal debt reduction

Table 44: Indicate % rate of municipal debt reduction

Districts	Municipality	2013-2014 R'000						2014-2015 R'000						2015-2016 R'000					
		Water & Electricity	Sewage & Refuse	Housing	Rates & Other	Total	Reduction or in-crease in debts	Water & Electricity	Sewage & Refuse	Housing	Rates & Other	Total	Reduction or in-crease in debts	Water & Electricity	Sewage & Refuse	Housing	Rates & Other	Total	Reduction or in-crease in debts
EHLANZENI	Bushbuckridge	141 099	-	-	779 785	958 109	-	165 213	52 343	INP	583 509	801 066	-16%	178 831	62 597	2 602	147 207	391 237	-51%
	Mbombela	20 630	61 834	-	122 737	346 662	-	106 982	10 044	INP	52 001	169 028	-51%	117 514	35 140	-	147 045	299 699	+77%
	Nkomazi	3 424	6 564	-	60 525	83 888	-	INP	INP	INP	INP	INP	INP	14 059	2 327	-	16 770	33 156	-
	Thaba Chweu	27 055	31 229	-	23 073	111 184	-	INP	INP	INP	INP	INP	INP	71 849	29 764	0	6 639	108 252	-
	Unjindi	18 081	7 966	-	21 634	84 179	-	14 904	12 286	INP	74 915	102 105	+21.7%	29 307	10 920	-	4 022	44 249	-56%
GERT SIBANDE	Ehlanzeni	-	-	-	-	-	-	INP	INP	INP	INP	INP	INP	-	-	-	-	-	0
	Sub Total	210 289	107 593	-	1 007 754	1 584 022	-	287 099	74 673	INP	710 425	1 072 199	-	411 560	140 748	2 602	321 683	876 593	-81.76%
	Chief Albert Luthuli	3 846	15 736	-	211 316	323 791	-	26 532	89 558	INP	257 593	373 683	+15.41%	21 698	68 301	-	16 944	106 943	-71%
	Dipaleseng	50 929	21 724	-	43 727	266 095	-	77 863	92 865	INP	91 441	261 969	+1.55%	78 041	89 240	-	107 716	274 997	+4.97%
	Govan Mbeki	256 068	98 501	-	68 872	773 734	-	INP	INP	INP	INP	INP	INP	478 277	291 431	-	238 523	1 008 231	-
NKANGALA	Lekwa	68 276	44 489	-	80 527	385 597	-	INP	INP	INP	INP	INP	INP	8 010 405	109 127	-	307 934	8 427 466	-
	Mkhondo	18 152	14 795	-	28 732	123 368	-	36 160	41 991	INP	81 681	159 832	-29%	56 641	52 032	-	88 057	196 730	+23.08 %
	Msukaligwa	47 395	54 248	-	44 999	302 631	-	110 712	72 519	INP	144 241	327 472	+8.21%	171 039	117 940	-	105 376	394 355	+20.42%
	Dr Pixley Ka Isaka Seme	43 644	19 216	-	21 832	188 482	-	INP	INP	INP	INP	INP	INP	93 965	54 347	-	163 526	311 838	-
	Gert Sibande	-	-	-	6 571	6 571	-	INP	INP	INP	INP	INP	INP	-	-	-	-	-	-
NKANGALA	Sub Total	488 310	268 789	-	508 576	2 380 269	-	251 267	296 733	INP	574 956	1 122 956	-52%	8 910 066	782 418	-	1 028 076	10 720 560	-
	Emalahleni	358 229	107 483	-	140 316	1 270 621	-	INP	INP	INP	INP	INP	INP	1 209 562	439 715	-	467 020	2 116 297	-
	Emakhazeni	19 666	9 744	-	67 395	139 022	-	0	0	0	0	0	0	57 525	16 714	-	-	74 239	-
	Steve Tshwete	4 981	16 979	-	21 111	74 358	-	22 739	8 474	0	29 321	60 534	30%	36 042	13 866	52 288	50 521	152 717	125%
	Victor Khanye	-	-	-	-	-	-	INP	INP	INP	INP	INP	INP	171 381	28 287	-	225 779	425 447	-
NKANGALA	Dr. JS Moroka	52 602	-	-	28 957	167 054	-	89 911	34 278	58 684	18 727	201 600	-	64 152	27 765	-	108 580	200 497	-82.86%
	Thembisile Hani	120 526	220	-	43 651	299 669	-	41 960	14 295	0	45 245	101 500	34%	311	117 437	-	150	117 898	16%
	Nkangala DM	-	-	-	18	23 068	-	154 610	57 047	58 684	93 293	363 634	-	-	-	-	-	-	-
	Sub Total	556 004	134 426	-	301 448	1 973 792	-	309 220	114 094	117 368	186 586	727 268	-63%	1 538 973	643 764	52 288	852 050	3 087 095	30%
	Total Debts	1254603	510 808	-	1 815 778	3 966 264	-	847 586	485 500	117 368	1 471 967	2 922 423	-26%	10 860 539	1 566 950	54 890	2 201 809	14 684 248	-

(Source: Section 46 reports from municipalities)

#### 5.6.5.1 Provincial Analysis on the rate of municipal debt reduction

##### Findings

The following findings was made that all municipalities were owed a total sum of **R 14 684 248 million** in the **2015/16** financial. The following are some of the causes for this problem:

- Municipalities are slow on data cleansing
- Incorrect indigent registers
- Illegal connections (Izinyokanyoka)
- Incorrect data and inaccurate billing
- Non-compliance with the law
- Customer affordability to pay municipal debts **National and Provincial Interventions**
- PT supported municipalities with completion of D-Forms for submission to NERSA with regard to electricity tariff increases.
- Standard Operating Procedures developed for municipalities on revenue management.
- PT continued to monitor municipalities to review and implement revenue enhancement strategies

##### Recommendations

- Municipalities to conduct physical inspection of properties where services are terminated
- Municipalities to establish special municipal inspection teams to monitor illegal connections
- Linkage of valuation roll with billing system
- Assessment of tariff structures
- Update property database
- Accurate billing
- Implementation of standard operating procedure for revenue management by municipalities

#### 5.6.6 Coordinated payments made to Municipalities by sector departments as at July 2015- June 2016

##### NKANGALA DISTRICT

**Table 45: Co-ordinated payments made to Dr JS Moroka Local Municipality**

Vote Number	Name of the department	Opening balances as at 31 May 2016	Invoices for the month of June 2016	Payments for the month of June 2016 as per municipalities	Outstanding balance as per municipality payment
Vote 1	Office of the premier	-	-	-	-
Vote 2	Finance	-	-	-	-
Vote 3	Cooperative Governance and Traditional Affairs	-	-	-	-
Vote 4	Agriculture, Rural Development Land and Environmental Affairs	160 401.47	11 998.21	-3 296.47	169 103.21
Vote 5	Economic Development and Tourism	-	-	-	-
Vote 6	Education	11 540 474.34	288 244.89	-608.30	11 828 110.93
Vote 7	Public Works, Roads and Transport	29 159 886.11	1 349 995.17	-14 462.35	30 495 418.93
Vote 8	Community Safety Security and Liaison	-	-	-	-
Vote 9	Health	45 708.75	11034.85	NONE	56 743.60
Vote 10	Culture Sport and Recreation	-	-	-	-
Vote 11	Social Development	-	-	-	-
Vote 12	Human Settlement	-	-	-	-
	<b>SUB-TOTAL</b>	<b>40 906 470.67</b>	<b>1 661 273.12</b>	<b>-18 367.12</b>	<b>42 549 376.67</b>
	National Department of Public Works(S-ER)	81 378.47	1 824.24	NONE	83 202.71
	National Department of Rural Development and Land Reform (RATES)	5 153 798.37	102 823.96	NONE	5 256 622.33
	<b>SUB-TOTAL</b>	<b>5 235 176.84</b>	<b>104 648.20</b>	<b>NONE</b>	<b>5 339 825.04</b>
<b>TOTAL</b>		<b>46 141 647.51</b>	<b>1 765 921.32</b>	<b>-18 367.12</b>	<b>47 889 201.71</b>

**Table 46: Co-ordinated payments made to Emakhazeni Local Municipality**

Name of Department	Total amount outstanding	0-30 Days	30 Days and over	Payments received for the month
Office of Premier	-	-	-	-
Department of Labour	29 532.10	1 002.74	28 529.36	-
Cooperative Governance and Traditional Affairs	-	-	-	-
Agriculture, Rural Development Land and Environmental Affairs (DARDLA)	111 436.10	7 812.66	107 051.45	-500.00
Economic Development and Tourism	-	-	-	-
Education	1 114 138.76	1 839 056.95	3 661 849.27	-182 892.43
Public Works, Roads and Transport (PWRT)	964 432.34	270 223.32	756 104.83	-200.00
Community Safety Security and Liaison	12 155.09	6 487.73	5 667.36	-4 386.80
Health	961 556.55	180 222.86	781 912.33	-
Department of Police and Justice	375 529.10	289 560.89	525 950.88	-320 283.22
Social Service Development	1 615.91	824.01	1 583.80	-791.90
Human Settlements	-	-	-	-
<b>Sub Total</b>	<b>3 570 395.95</b>	<b>2 595 191.16</b>	<b>5 868 649.28</b>	<b>-509 054.35</b>
SANPARKS (Kruger National Park)	-	-	-	-
National Department of Public Works Province and National	1 669 814.59	478 911.84	1 579 513.26	-222 524.65
National Department of Rural Development and Land Reform	-	-	-	-
<b>Sub-Total</b>	<b>1 669 814.59</b>	<b>478 911.84</b>	<b>1 579 513.26</b>	<b>-222 524.65</b>
<b>Total</b>	<b>5 240 210.54</b>	<b>3 074 103.00</b>	<b>7 448 162.54</b>	<b>-731 579.00</b>

**Table 47: Co-ordinated payments made to Emalahleni Municipality**

Name of Department	Total amount outstanding	0-30 Days	30 - 60 Days	60 -90 Days	90 Days and over	Payments received for the month
Office of Premier	-	-	-	-	-	-
Finance	-	-	-	-	-	-
Cooperative Governance and Traditional Affairs	-	-	-	-	-	-
Agriculture, Rural Development Land and Environmental Affairs	-	-	-	-	-	-
Economic Development and Tourism	-	-	-	-	-	-
Education	12 557 528.63	1 456 645.40	886 949.55	620 666.82	9 593 266.86	-2 284 708.80
Public Works, Roads and Transport	5 034 764.48	170 057.19	167 578.71	151 934.94	4 545 193.64	-
Community Safety Security and Liaison	-	-	-	-	-	-
Health	1 052 418.21	59 841.19	43 079.08	42 823.73	906 674.21	-449 711.03
Culture Sport and Recreation	-	-	-	-	-	-
Social Development	-	-	-	-	-	-
Human Settlements	-	-	-	-	-	-
<b>Sub Total</b>	<b>18 644 711.32</b>	<b>1 686 543.78</b>	<b>1 097 607.34</b>	<b>815 425.49</b>	<b>15 045 134.71</b>	<b>-2 734 419.83</b>
SANPARKS(Kruger National Park)	-	-	-	-	-	-
National Department of Public Works	8 466 441.08	1 606 385.34	1 476 170.72	984 496.24	4 399 388.78	-
National Department of Rural Development and Land Reform	-	-	-	-	-	-
<b>Sub Total</b>	<b>8 466 441.08</b>	<b>1 606 385.34</b>	<b>1 476 170.72</b>	<b>984 496.24</b>	<b>4 399 388.78</b>	<b>-</b>
Piet Koornhof Building (SARS)	955 877.94	124 975.46	124 389.22	121 838.38	584 674.88	-147 468.84
<b>Total</b>	<b>28 067 030.34</b>	<b>3 417 904.58</b>	<b>2 698 167.28</b>	<b>1 921 760.11</b>	<b>20 029 198.37</b>	<b>-2 881 888.67</b>

Table 48: Co-ordinated payments made to Steve Tshwete Municipality

Vote Number	Name of the department	Opening balances as at 31 May 2016	Invoices for the month of June 2016	Payments for the month of June 2016 as per municipalities	Outstanding balance as per municipality payment
Vote 1	Office of the premier	-	-	-	-
Vote 2	Finance	-	-	-	-
Vote 3	Cooperative Governance and Traditional Affairs	-	-	-	-
Vote 4	Agriculture, Rural Development Land and Environmental Affairs	-	-	-	-
Vote 5	Economic Development and Tourism	-	-	-	-
Vote 6	Education	2 813 432.51	208 496.61	-106 798.19	2 915 130.93
Vote 7	Public Works, Roads and Transport	34 698.84	143 901.70	-7 424.35	171 176.19
Vote 9	Health	6 811 051.20	420 580.91	-34 623.14	7 197 008.97
Vote 10	Culture Sport and Recreation	-	-	-	-
Vote 11	Social Development	-	-	-	-
Vote 12	Human Settlement	-	-	-	-
	<b>SUB-TOTAL</b>	<b>9 659 182.55</b>	<b>772 979.22</b>	<b>-148 845.68</b>	<b>10 283 316.09</b>
	National Department of Public Works	3 002 065.66	165 512.83	-49 438.63	3,118,139.86
	National Department of Rural Development and Land Reform	709 238.49	18 828.73	0.00	728,067.22
	<b>SUB-TOTAL</b>	<b>3 711 304.15</b>	<b>184 341.56</b>	<b>-49 438.63</b>	<b>3 846 207.08</b>
<b>TOTAL</b>		<b>13,370,486.70</b>	<b>957320.78</b>	<b>-198 284.31</b>	<b>14 129 523.17</b>

Table 49: Co-ordinated payments made to Thembisile Hani Local Municipality

Vote Number	Name of the department	Opening balances as at 31 May 2016	Invoices for the month of June 2016	Payments for the month of June 2016 as per municipalities	Outstanding balance as per municipality payment
Vote 1	Office of the premier	-	55 891.58	-	62 468.22
Vote 2	Finance	620.83	-	-	-
Vote 3	Cooperative Governance and Traditional Affairs	-	-	-	-
Vote 4	Agriculture Rural Development Land and Environmental Affairs	2 955.71	11 328.40	-	18 288.92
Vote 5	Economic Development and Tourism	27 688.56	-	-	-
Vote 6	Education	1 561 501.74	2 851 250.54	-38 928.15	2 911 133.64
Vote 7	Public Works Roads and Transport	95 909.40	20 630.17	-	2 836.26
Vote 8	Community Safety Security and Liaison	193 701.64	639.81	-652.99	16 180.83
Vote 9	Health	71 053.38	57 732.03	-5 710.37	166 180.84
Vote 10	Culture Sport and Recreation	15635.52	7 009.37	-	16 180.83
Vote 11	Social Development	4208.94	816.60	-	229.97
Vote 12	Human Settlement	246.31	256.90	-254.33	273.86
	<b>SUB -TOTAL</b>	<b>1 973 522.03</b>	<b>3 005 555.40</b>	<b>-45 545.84</b>	<b>3 193 773.37</b>
	National Department of Public Works	246 911.30	443 052.08	-6 900 000	450 703.10
	National Department of Rural Development and Land Reform	9 779 149.70	10 317 831.69	-	3 159 423.51
	<b>SUB-TOTAL</b>	<b>10 026 061</b>	<b>10 760 883.77</b>	<b>-6 900 000</b>	<b>3 610 126.61</b>
	<b>TOTAL</b>	<b>11 999 583.03</b>	<b>13 766 439.17</b>	<b>-6 945 545.84</b>	<b>6 803 899.98</b>

Table 50: Co-ordinated payments made to Victor Khanye Local Municipality

Vote Number	Name of the department	Opening balances as at 31 May 2016	Invoices for the month of June 2016	Payments for the month of June 2016 as per municipalities	Outstanding balance as per municipality payment
Vote 1	Office of the premier	-	-	-	-
Vote 2	Finance	-	-	-	-
Vote 3	Cooperative Governance and Traditional Affairs	-	-	-	-
Vote 4	Agriculture Rural Development Land and Environmental Affairs	-	-	-	-
Vote 5	Economic Development and Tourism	-	-	-	-
Vote 6	Education	2 813 432.51	208 496.61	-106 798.19	2 915 130.93
Vote 7	Public Works Roads and Transport	34 698.84	143 901.70	-7 424.35	171 176.19
Vote 8	Community Safety Security and Liaison	-	-	-	-
Vote 9	Health	6 811 051.20	420 580.91	-34 623.14	7 197 008.97
Vote 10	Culture Sport and Recreation	-	-	-	-
Vote 11	Social Development	-	-	-	-
Vote 12	Human Settlement	-	-	-	-
	<b>SUB -TOTAL</b>	<b>9 659 182.55</b>	<b>772 979.22</b>	<b>-148 845.68</b>	<b>10 283 316.09</b>
	National Department of Public Works	3 002 065.66	165 512.83	-49 438.63	3 118 139.86
	National Department of Rural Development and Land Reform	709 238.49	18 828.73	0.00	728 067.22
	<b>SUB -TOTAL</b>	<b>3 711 304.15</b>	<b>184 341.56</b>	<b>-49 438.63</b>	<b>3 846 207.08</b>
<b>TOTAL</b>		<b>13 370 486.70</b>	<b>957 320.78</b>	<b>-198 284.31</b>	<b>14 129 523.17</b>



Table 51: CONSOLIDATED CO-ORDINATED PAYMENTS MADE TO MUNICIPALITIES AT NKANGALA DISTRICT

Vote Number	Department	Outstanding balances unpaid to municipalities						Overall Outstanding balances per Department Unpaid
		Emalahleni LM	Thembisile LM	Dr JS Moroka	Steve Tshwete	Emakhazeni LM	Victor Khanye LM	
Vote 1	Office of Premier	-	R62 468.22	-	-	-	-	R62 468.22
Vote 2	Finance	-	-	-	-	R29 532.10	-	R29 532.10
Vote 3	Cooperative Governance and Traditional Affairs	-	-	-	-	-	-	-
Vote 4	Agriculture Rural Development Land and Environmental Affairs	-	R18 288.92	R169 103.21	-	R111 436.10	-	R2 109 431.31
Vote 5	Economic Development and Tourism	-	-	-	-	-	-	-
Vote 6	Education	R12 557 528.63	R2 911 133.64	R 11 828 110.93	R2 915 130.93	R1 114 138.76	R2 915 130.93	R31 621 173.82
Vote 7	Public Works Roads and Transport	R5 034 764.48	R2 836.26	R 30 495 418.93	R171 176.19	R964 432.34	R171 176.19	R 53 786 247.20
Vote 8	Community Safety Security and Liaison	-	R16 180.83	-	-	-	-	R 28 335.92
Vote 9	Health	R1 052 418.21	R166 180.84	R 56 743.60	R7 197 008.97	R961 556.55	R7 197 008.97	R16 721 778.80
Vote 10	Culture Sport and Recreation	-	R16 180.83	-	-	R375 529.10	-	R391 709.93
Vote 11	Social Development	-	R229.97	-	-	R1 615.91	-	R1 845.88
Vote 12	Human Settlements	-	R273.86	-	-	-	-	R273.86
	<b>Sub Total</b>	<b>R18 644 711.32</b>	<b>R3 193 773.37</b>	<b>R 42 549 376.67</b>	<b>R10 283 316.09</b>	<b>R3 570 395.95</b>	<b>R10 283 316.09</b>	<b>R86 008 527.66 104 752 797.04</b>
	SANPARKS(Kruger National Park)	-	-	-	-	-	-	-
	National Department of Public Works	R8 466 441.08	R450 703.10	R 83 202.71	R3 118 139.86	R1 669 814.59	R3 118 139.86	R16 906 441.2
	National Department of Rural Development and Land Reform	-	R3 159 423.51	R 5 256 622.33	R728 067.22	-	-	-
	<b>Sub Total</b>	<b>R8 466 441.08</b>	<b>R3 610 126.61</b>	<b>R5 339 825.04</b>	<b>R3 846 207.08</b>	-	<b>R3 846 207.08</b>	<b>R 26 778 621.48</b>
	Piet Koonhof Building (SARS)	R955 877.94	-	-	-	-	-	R955 877.94
	<b>Total per local municipality</b>	<b>R28 067 030.34</b>	<b>R6 803 899.98</b>	<b>R47 889 201.71</b>	<b>R14 129 523.17</b>	<b>R5 240 210.54</b>	<b>R14 129 523.17</b>	<b>R116 259 388.91</b>
<b>Nkangala</b>	<b>Total outstanding balance to municipalities</b>							

**GERT SIBANDE DISTRICT****Table 52: Co-ordinated payments made to Dipaleseng Local Municipality**

Name of Department	Total amount outstanding	0 -30 Days	30 - 60 Days	60 -90 Days	90 Days and over	Payments received for the month
Office of Premier	-	-	-	-	-	-
Finance	-	-	-	-	-	-
Cooperative Governance and Traditional Affairs	-	-	-	-	-	-
Agriculture Rural Development Land and Environmental Affairs	-	-	-	-	-	-
Economic Development and Tourism	-	-	-	-	-	-
Education	705 696.7	63 267.52	47 654.16	102 955.84	491 819.18	-R10 314.69
Public Works Roads and Transport	363 631.89	6 487.48	10 030.26	9 088.41	338 025.74	-
Community Safety Security and Liaison	1 770 909.48	59 174.70	89 193.29	74 468.52	1 548 072.97	-
Health	21 126.29	7 403.69	7 519.20	4 512.47	1 690.93	-R17 693.72
Culture Sport and Recreation	-	-	-	-	-	-
Social Development	50 164.33	6 712.40	8 938.07	6 570.60	27 943.26	-
Human Settlements	-	-	-	-	-	-
<b>Sub Total</b>	<b>2 911 528.69</b>	<b>143 045.79</b>	<b>163 334.98</b>	<b>197 595.84</b>	<b>2 407 552.08</b>	<b>-R28 008.41</b>
SANPARKS(Kruger National Park)	-	-	-	-	-	-
National Department of Public Works	752 420.78	3 318.30	6 721.76	6 591.16	735 789.56	-
National Department of Rural Development and Land Reform	198 144.13	8 425.21	17 450.56	17 450.56	154 817.80	-R450.00
<b>Sub Total</b>	<b>950 564.91</b>	<b>11 743.51</b>	<b>24 172.32</b>	<b>24 041.72</b>	<b>890 607.36</b>	<b>-450.00</b>
<b>Total</b>	<b>3 862 093.60</b>	<b>154 789.30</b>	<b>187 507.30</b>	<b>221 637.56</b>	<b>3 298 159.44</b>	<b>-28 458.41</b>

**Table 53: Co-ordinated payments made to Pixley Ka Isaka Seme Municipality**

Vote number	Name of Department	Opening balance as at 31 May 2016	Invoices for the month of June 2016	Payment for the months of June 2016 as per municipalities	Outstanding balance per municipality payment
Vote 1	Office of Premier	-	-	-	-
Vote 2	Finance	-	-	-	-
Vote 3	Cooperative Governance and Traditional Affairs	-	-	-	-
Vote 4	Agriculture Rural Development Land and Environmental Affairs	-	-	-	-
Vote 5	Economic Development and Tourism	-	-	-	-
Vote 6	Education	-	-	-	-
Vote 7	Public Works Roads and Transport	9 932 151.40	885 115.47	-28 266.87	10 789 000
Vote 8	Community Safety Security and Liaison	-	-	-	-
Vote 9	Health	-	-	-	-
Vote 10	Culture Sport and Recreation	-	-	-	-
Vote 11	Social Development	-	-	-	-
Vote 12	Human Settlements	-	-	-	-
	<b>Sub Total</b>	<b>9 932 151.40</b>	<b>885 115.47</b>	<b>-28 266.87</b>	<b>10 789 000</b>
	SANPARKS(Kruger National Park)	-	-	-	-
	National Department of Public Works	-	-	-	-
	National Department of Rural Development and Land Reform	-	-	-	-
	<b>Total</b>	<b>9 932 151.40</b>	<b>885 115.47</b>	<b>-28 266.87</b>	<b>10 789 000</b>

Table 54: Co-ordinated payments made to Lekwa Local Municipality

Vote number	Name of Department	Opening balance as at 31 May 2016	Invoices for the month of June 2016	Payment for the months of June 2016 as per municipalities	Outstanding balance per municipality payment
Vote 1	Office of the Premier	-	-	-	-
Vote 2	Finance	-	-	-	-
Vote 3	Cooperative Governance and Traditional Affairs	-	-	-	-
Vote 4	Agriculture Rural Development Land and Environmental Affairs	783 834.29	3 899.72	-	787 734.01
Vote 5	Economic Development and Tourism	-	-	-	-
Vote 6	Education	519 568.40	92 563.57	-66 647.46	545 484.51
Vote 7	Public Works Roads and Transport	90 902.56	5 852.75	-3 583.12	93 172.19
Vote 8	Community Safety Security and Liaison	4 768.74	4 768.74	-4 591.60	4 945.88
Vote 9	Health	372 728.17	340 897.98	-321 879.06	391 747.09
Vote 10	Culture Sport and Recreation	-	-	-	-
Vote 11	Social Development	-	-	-	-
Vote 12	Human Settlements	16 613.82	9 580.09	-6 825.82	19 368.09
	<b>Sub Total</b>	<b>1 788 415.98</b>	<b>457 562.85</b>	<b>-403 527.06</b>	<b>1 842 451.77</b>
	SANPARKS(Kruger National Park)	-	-	-	-
	National Department of Public Works	17 358 055.85	234 047.50	-812.74	17 591 290.61
	National Department of Rural Development and Land Reform	-	-	-	-
	<b>Total</b>	<b>19 146 471.83</b>	<b>691 610.35</b>	<b>-404 339.80</b>	<b>19 433 742.38</b>

Table 55: Co-ordinated payments made to Chief Albert Municipality

Vote Number	Name of the department	Opening balances as at 31 May 2016	Invoices for the month of June 2016	Payments for the month of June 2016 as per municipalities	Outstanding balance as per municipality payment
Vote 1	Office of the premier	-	-	-	-
Vote 2	Finance	-	-	-	-
Vote 3	Cooperative Governance and Traditional Affairs	-	-	-	-
Vote 4	Agriculture Rural Development Land and Environmental Affairs	178 269.25	23 338.59	-29 356.43	172 251.41
Vote 5	Economic Development and Tourism	-	-	-	-
Vote 6	Education	4 581 159.77	250 286.76	-201 339.66	4 630 106.87
Vote 7	Public Works Roads and Transport	736 485.50	87 970.99	-124 102.00	700 354.49
Vote 8	Community Safety Security and Liaison	13 599.09	5 302.15	-1 061.01	17 840.23
Vote 9	Health	1 510 606.96	322 669.35	-112 498.58	1 720 777.73
Vote 10	Culture Sport and Recreation	-	-	-	-
Vote 11	Social Development	36 081.65	12 114.49	-4 594.86	43 601.28
Vote 12	Human Settlement	18 316.54	4 824.58	-3 894.99	19 246.13
	<b>SUB -TOTAL</b>	<b>7 074 518.76</b>	<b>706 506.91</b>	<b>-476 847.53</b>	<b>7 304 178.14</b>
	National Department of Public Works	9 902 554.97	502 336.12	-194 968.34	10 209 922.75
	National Department of Rural Development and Land Reform	4 142 303.87	223 702.49	-	4 366 006.36
	<b>SUB-TOTAL</b>	<b>21 119 377.60</b>	<b>1 432 545.52</b>	<b>-671 815.87</b>	<b>21 880 107.25</b>
	<b>TOTAL</b>	<b>21 119 377.60</b>	<b>1 432 545.52</b>	<b>-671 815.87</b>	<b>21 880 107.25</b>

**Table 56: Co-ordinated payments made to Mkhondo Local Municipality**

Vote Number	Name of the department	Opening balances as at 31 May 2016	Invoices for the month of June 2016 (Billed)	Payments for the month of June 2016 as per municipalities	Outstanding balance as per municipality payment
Vote 1	Office of the premier	-	-	-	-
Vote 2	Finance	-	-	-	-
Vote 3	Cooperative Governance and Traditional Affairs	-	-	-	-
Vote 4	Agriculture Rural Development Land and Environmental Affairs	R 13 756.09	R 13 756.09	-	R 13 756.09
Vote 5	Economic Development and Tourism	-	-	-	-
Vote 6	Education	R 489 826.41	R 489 826.41	-R 140 651.64	R 349 174.77
Vote 7	Public Works Roads and Transport	R 133 403.05	R 133 403.05	-	-
Vote 8	Community Safety Security and Liaison	-	-	-	-
Vote 9	Health	R 422 564.41	R 422 564.41	-R 9 2752.96	R 329 811.45
Vote 10	Culture Sport and Recreation	-	-	-	-
Vote 11	Social Development	R 11 708.81	R 11 708.81	-	R 1 1708.81
Vote 12	Human Settlement	-	-	-	-
	<b>SUB -TOTAL</b>	<b>R 1 071 258.77</b>	<b>R 1 071 258.77</b>	<b>-R 233 404.60</b>	<b>R 704 451.12</b>
	National Department of Public Works	R904 158.81	R904 158.81	-	R904 158.81
	National Department of Rural Development and Land Reform	R 1 547 659.39	R1 547 659.39	-R 3139.86	R 1 544 519.53
	<b>SUB -TOTAL</b>	<b>R 2 451 818.20</b>	<b>R 2 451 818.20</b>	<b>-R 3 139.86</b>	<b>R 2 448 678.34</b>
	<b>TOTAL</b>	<b>R 3 523 076.97</b>	<b>R 3 523 076.97</b>	<b>-R236 544.46</b>	<b>R3 153 129.46</b>

**Table 57: Co-ordinated payments made to Msukaligwa Local Municipality**

Name of Department	Opening balances as at 31 May 2015	Monthly Invoices until June 2016	Payments	Outstanding balances as per municipality
Cooperative Governance and Traditional Affairs	-	-	-	-
Agriculture Rural Development Land and Environmental Affairs	89 416.65	846 140.80	793 017.43	142 540.02
Economic Development and Tourism	-	-	-	-
Education	114 955.95	1 100 435.72	962 819.42	252 572.25
Public Works Roads and Transport	3 338 722.36	9 995 061.50	12 199 322.70	1 134 461.16
Health	886 206.30	6 861 135.27	5 459 976.91	2 287 364.66
Culture Sport and Recreation	10 008.17	200 655.42	188 118.81	22 544.78
Social Development	76 961.97	753 318.81	768 231.37	62 049.41
Human Settlements	-	-	-	-
Sub Total	<b>4 516 271.40</b>	<b>19 756 747.52</b>	<b>20 371 486.64</b>	<b>3 901 532.28</b>
National Department of Public Works	1 807 546.06	8 586 527.87	8 459 554.64	316 527.59
National Department of Rural Development and Land Reform	2 152 695.05	42 155 911.05	606 838.39	191 667.11
Sub Total	<b>3 960 241.11</b>	<b>50 742 438.92</b>	<b>9 066 393.03</b>	<b>508 194.70</b>
Total	<b>8 476 512.51</b>	<b>70 499 186.44</b>	<b>29 437 879.67</b>	<b>4 409 726.98</b>

Table 58: Co-ordinated payments made to Govan Mbeki Municipality

Vote Number	Name of the department	Opening balances as at 31 May 2016	Invoices for the month of June 2016	Payments for the month of June 2016 as per municipalities	Outstanding balance as per municipality payment
Vote 1	Office of the premier	-	-	-	-
Vote 2	Finance	-	-	-	-
Vote 3	Cooperative Governance and Traditional Affairs	-	-	-	-
Vote 4	Agriculture Rural Development Land and Environmental Affairs	-	-	-	-
Vote 5	Economic Development and Tourism	-	-	-	-
Vote 6	Education	2 079 915.43	Billing not done yet for June	-992 945.34	1 086 970.09
Vote 7	Public Works Roads and Transport	1 912 709.47	Billing not done yet for June	-1 909 442.22	3 267.25
Vote 8	Community Safety Security and Liaison	65 983.74	Billing not done yet for June	-17 008.18	48 975.56
Vote 9	Health	731 759.19	Billing not done yet for June	-274 598.81	457 160.38
Vote 10	Culture Sport and Recreation	-	-	-	-
Vote 11	Social Development	-	-	-	-
Vote 12	Human Settlement	-	-	-	-
	<b>SUB -TOTAL</b>	<b>4 790 367.83</b>	<b>N/A</b>	<b>-3 193 994.55</b>	<b>1 596 373.28</b>
	National Department of Public Works	-	-	-	-
	National Department of Rural Development and Land Reform	-	-	-	-
	<b>SUB -TOTAL</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>TOTAL</b>		<b>4 790 367.83</b>	<b>-</b>	<b>-3 193 994.55</b>	<b>1 596 373.28</b>

Table 59: CONSOLIDATED PAYMENTS MADE TO MUNICIPALITIES AT GERT SIBANDE DISTRICT BY SECTOR DEPARTMENTS

Vote Number	Department	Outstanding balances unpaid to municipalities							
		Chief Albert LM	Dipaleseng LM	Govan Mbeki LM	Lekwa LM	Mkhondo LM	Msukaligwa LM	Dr Pixley Ka Isaka Seme LM	Outstanding balance as per municipality unpaid
Vote 1	Office of Premier	-	-	-	-	-	-	-	-
Vote 2	Finance	-	-	-	-	-	-	-	-
Vote 3	Cooperative Governance and Traditional Affairs	-	-	-	-	-	-	-	-
Vote 4	Agriculture Rural Development Land and Environmental Affairs	R172 251.41	-	-	-	R13 756.09	R142 540.02	R787 734.01	R1 116 281.53
Vote 5	Economic Development and Tourism	-	-	-	-	-	-	-	-
Vote 6	Education	R4 630 106.87	R705 696.7	R1 086 970.09	-	R349174.77	R252 572.25	R545 484.51	R7 570 005.19
Vote 7	Public Works Roads and Transport	R700 354.49	R363 631.89	R3 267.25	R10 789 000	-	R1 134 461.16	R93 172.19	R13 083 886.98
Vote 8	Community Safety Security and Liaison	R17 840.23	R1770909.48	R48 975.56	-	-	-	R4 945.88	R1 842 671.15
Vote 9	Health	R1 720 777.73	R21 126.29	R457 160.38	-	R329 811.45	R2 287 364.66	R391 747.09	R5 207 987.6
Vote 10	Culture Sport and Recreation	-	-	-	-	-	R22 544.78	-	R22 544.78
Vote 11	Social Development	R43 601.28	R50 164.33	-	-	R11 708.81	R62 049.41	-	R167 523.83
Vote 12	Human Settlements	R19 246.13	-	-	-	-	-	R19 368.09	R38 614.22
	<b>Sub Total</b>	<b>R7 304 178.14</b>	<b>R2 911 528.69</b>	<b>R1 596 373.28</b>	<b>R10 789 000</b>	<b>R704 451.12</b>	<b>R3 901 532.28</b>	<b>R1 842 451.77</b>	<b>R29 049 515.28</b>
	National Department of Public Works	R10 209 922.75	R752 420.78	-	-	R904 158.81	R316 527.59	R17 591 290.61	R29 774 320.54
	National Department of Rural Development and Land Reform	R4 366 006.36	R198 144.13	-	-	R 1 544 519.53	R191 667.11	-	R6 300 337.13
	<b>Sub -Total</b>	<b>R14 575 929.11</b>	<b>R950 564.91</b>	<b>-</b>	<b>-</b>	<b>R2 448 678.34</b>	<b>R508 194.70</b>	<b>R17591290.61</b>	<b>R36 074 657.67</b>
	<b>Total per local municipality</b>	<b>R21 880 107.25</b>	<b>R3 862 093.60</b>	<b>R1 596 373.28</b>	<b>R10 789 000</b>	<b>R3 153 129.46</b>	<b>R 4 409 726.98</b>	<b>R19 433 742.38</b>	<b>R65 124 172.95</b>
<b>Gert Sibande</b>	<b>Total outstanding balance to municipalities</b>								<b>R65 124 172.95</b>

**Table 60: Co-ordinated payments made to Bushbuckridge Local Municipality**

Vote Number	Name of Department	Total amount outstanding	0 -30 Days	30 - 60 Days	60 -90 Days	90 Days and over	Payments received for the month
Vote 1	Office of Premier	-	-	-	-	-	-
Vote 2	Finance	-	-	-	-	-	-
Vote 3	Cooperative Governance and Traditional Affairs	-	-	-	-	-	-
Vote 4	Agriculture Rural Development Land and Environmental Affairs	10 920.00	742.00	742.00	742.00	8 694.00	-
Vote 5	Economic Development and Tourism	-	-	-	-	-	-
Vote 6	Education	3 14 311.81	81 808.81	54 000.00	1950 13	3008 552 87	227 423.57
Vote 7	Public Works Roads and Transport	216 015 626.00	-	-	-	216 015 626 00	5 241 456.00
Vote 8	Community Safety Security and Liaison	-	-	-	-	-	-
Vote 9	Health	5 201 156.18	500 500.90	343 598.45	368 287 50	3 988 769 33	777 969.13
Vote 10	Culture Sport and Recreation	-	-	-	-	-	-
Vote 11	Social Development	-	-	-	-	-	-
Vote 12	Human Settlements	-	-	-	-	-	-
	<b>Sub Total</b>	<b>25 265 883.18</b>	<b>583 051 .71</b>	<b>398 340.45</b>	<b>370 979.63</b>	<b>223 021 642.20</b>	<b>6 246 848.70</b>
	SANPARKS(Kruger National Park)	38 179 261.01	1 521 462.49	1521 462.49	1521 462.15	33 614 873.88	-
	National Department of Public Works	48 939 397.40	82 446.00	4 754.54	9 090.15	48 843 106.71	-
	National Department of Rural Development and Land Reform	138 195 060.00	-	-	-	138 195 060.00	-
	<b>Sub Total</b>	<b>225 3313 718.41</b>	<b>1 603 908.49</b>	<b>1 526 217.03</b>	<b>1 521462.15</b>	<b>220 653 040.59</b>	<b>-</b>
	<b>Total</b>	<b>2 505 972 601.59</b>	<b>2 186 960.20</b>	<b>1 924 557.48</b>	<b>1 892 441.78</b>	<b>443 674 682.79</b>	<b>6 246 848.70</b>

**Table 61: Co-ordinated payments made to Mbombela Local Municipality**

Vote Number	Opening balances as at 31 may 2016	Invoices for the month of June 2016	Payments for the month of June 2016 as per municipalities	Outstanding balance as per municipality payment
Vote 1	Office of the premier	-	-	-
Vote 2	Finance	-	-	-
Vote 3	Cooperative Governance and Traditional Affairs	-	-	-
Vote 4	Agriculture Rural Development Land and Environmental Affairs	-	-	-
Vote 5	Economic Development and Tourism	-	-	-
Vote 6	Education	R 14 270 996.16	-R 247 741.26	R 14 023 254.90
Vote 7	Public Works Roads and Transport	R 21 611 964.89	-R 4 164 618.71	R 17 447 346.18
Vote 8	Community Safety Security and Liaison	R 41 310.93	-	R 41 310.93
Vote 9	Health	R 4 658 437.26	-R 846 115.42	R 3 812 321.84
Vote 10	Culture Sport and Recreation	-	-	-
Vote 11	Social Development	-	-	-
Vote 12	Human Settlement	-	-	-
	<b>SUB -TOTAL</b>	<b>R 40 582 709.24</b>	<b>-R 5 258 475.39</b>	<b>R 35 324 233.85</b>
	National Department of Public Works	R 25 800 215.15	-R 6 905 801.64	R 18 894 413.51
	<b>National Department of Rural Development and Land Reform</b>	<b>R 3 268 464.56</b>	<b>-</b>	<b>R 3 268 464.56</b>
	<b>SUB -TOTAL</b>	<b>R 29 068 679.71</b>	<b>-R 6 905 801.64</b>	<b>R 22 162 878.07</b>
	<b>TOTAL</b>	<b>R 69 651 388.95</b>	<b>-R 12 164 277.03</b>	<b>R 57 487 111.92</b>

**Table 62: Co-ordinated payments made to Umjindi Local Municipality**

<b>Vote Number</b>	<b>Opening balances as at 31 may 2016</b>	<b>Invoices for the month of June 2016</b>	<b>Payments for the month of June 2016 as per municipalities</b>	<b>Outstanding balance as per municipality payment</b>
Vote 1	<b>Office of the premier</b>	-	-	-
Vote 2	<b>Finance</b>	-	-	-
Vote 3	Cooperative Governance and Traditional Affairs	-	-	-
Vote 4	Agriculture Rural Development Land and Environmental Affairs	R19 898.51	-R16 615.83	R72 367.72
Vote 5	Economic Development and Tourism	-	-	-
Vote 6	Education	R104 184.75	-R325 432.40	R109 826.32
Vote 7	Public Works Roads and Transport	R774 168.18	-R 0.00	R4 745 955.54
Vote 8	Community Safety Security and Liaison	-	-	-
Vote 9	Health	R191 376.60	-R353 256.01	R394 811.88
Vote 10	Culture Sport and Recreation	R20 990.13	-R38 343.23	R43 434.95
Vote 11	Social Development	R6 753.00	-R1 752.04	R6 753.00
Vote 12	Human Settlement	-	-	-
	<b>SUB -TOTAL</b>	<b>R111 7371.17</b>	<b>-R735 399.51</b>	<b>R5 373 149.41</b>
	National Department of Public Works	-	-	-
	<b>National Department of Rural Development and Land Reform</b>	-	-	-
	<b>TOTAL</b>	<b>R1 117 371.17</b>	<b>-R735 399.51</b>	<b>R5 373 149.41</b>

**Table 63: Co-ordinated payments made to Nkomazi Local Municipality**

<b>Vote Number</b>	<b>Department</b>	<b>Opening balances as at 31 may 2016</b>	<b>Invoices for the month of June 2016</b>	<b>Payments for the month of June 2016 as per municipalities</b>	<b>Outstanding balance as per municipality payment</b>
Vote 1	<b>Office of the premier</b>	-	-	-	-
Vote 2	<b>Finance</b>	-	-	-	-
Vote 3	Cooperative Governance and Traditional Affairs	-	-	-	-
Vote 4	Agriculture Rural Development Land and Environmental Affairs	22 694 387.73	1 567 232.9	-326 152.41	23 935 468.22
Vote 5	Economic Development and Tourism	-	-	-	-
Vote 6	Education	2 043 369.8	180 846.66	-1 535.48	2 222 681.03
Vote 7	Public Works Roads and Transport	1 839 731.92	177 650.23	-857 072.94	1 160 309.21
Vote 8	Community Safety Security and Liaison	-	-	-	-
Vote 9	Health	121 751.16	250 784.75	-5 738.61	366 797.30
Vote 10	<b>Culture Sport and Recreation</b>	-	-	-	-
Vote 11	Social Development	-	-	-	-
Vote 12	Human Settlement	-	-	-	-
	<b>SUB -TOTAL</b>	<b>26 699 240.66</b>	<b>2 176 514.54</b>	<b>-1 190 499.44</b>	<b>27 685 255.70</b>
	National Department of Public Works	3 636 077.29	316 827.94	-317 167.14	3 635 738.09
	<b>National Department of Rural Development and Land Reform</b>	-	-	-	-
	<b>SUB -TOTAL</b>	<b>3 636 077.29</b>	<b>316 827.94</b>	<b>-317 167.14</b>	<b>3 635 738.09</b>
	<b>TOTAL</b>	<b>30 335 317.95</b>	<b>2 493 342.48</b>	<b>-1 507 666.58</b>	<b>31 320 993.85</b>



**Table 64: Co-ordinated payments made to Thaba Chweu Local Municipality**

Name of Department	Total amount outstanding	0 -30 Days	30 - 60 Days	60 -90 Days	90 Days and over	Payments received for the month
Office of Premier	-	-	-	-	-	-
Finance	-	-	-	-	-	-
Cooperative Governance and Traditional Affairs	-	-	-	-	-	-
Agriculture Rural Development Land and Environmental Affairs	868.24	868.24	-	-	-	-
Economic Development and Tourism	-	-	-	-	-	-
Education	1 592 215.95	441 272.11	135 300.14	121 309.58	894 334.12	-
Public Works Roads and Transport	81 637.18	32 115.14	49 084.46	437.58	-	-
Community Safety Security and Liaison	35 738.28	10 824.53	9 209.12	6 674.08	9 030.55	-
Health	769 190.64	292 058.44	208 902.86	90 006.66	178 222.68	-
Culture Sport and Recreation	-	-	-	-	-	-
Social Development	113 128.62	13 339.24	4 707.69	6 087.23	88 994.46	-
Human Settlements	-	-	-	-	-	-
<b>Sub Total</b>	<b>2 592 778.91</b>	<b>790 477.70</b>	<b>407 204.27</b>	<b>224 515.13</b>	<b>1 170 581.81</b>	<b>-</b>
SANPARKS(Kruger National Park)	-	-	-	-	-	-
National Department of Public Works	14 046 409.51	258 978.54	-	-	13 787 430.97	-
National Department of Rural Development and Land Reform	2 268 859.21	119 016.19	119 083.44	109 403.34	1 921 356.24	-199 000.00
<b>Sub Total</b>	<b>16 315 268.72</b>	<b>377 994.73</b>	<b>119 083.44</b>	<b>109 403.34</b>	<b>15 708 787.21</b>	<b>-199 000.00</b>
<b>Total</b>	<b>18 908 047.63</b>	<b>1 168 472.43</b>	<b>526 287.71</b>	<b>333 918.47</b>	<b>16 879 369.02</b>	<b>-199 000.00</b>

Table 65: CONSOLIDATED PAYMENTS TO MUNICIPALITIES AT EHLANZENI DISTRICT BY SECTOR DEPARTMENTS

Vote Number	Department	Outstanding balances unpaid to municipalities					Overall Outstanding balances per Department unpaid
		Bushbuckridge LM	Mbombela LM	Nkomazi LM	Thaba Chweu LM	Umjindi LM	
Vote 1	Office of Premier	-	-	-	-	-	-
Vote 2	Finance	-	-	-	-	-	-
Vote 3	Cooperative Governance and Traditional Affairs	-	-	-	-	-	-
Vote 4	Agriculture Rural Development Land and Environmental Affairs	R10 920.00	-	R23 935 468.22	R868.24	R72 367.72	R24 019 624.18
Vote 5	Economic Development and Tourism	-	-	-	-	-	-
Vote 6	Education	R314 311.81	R 14 023 254.90	R2 222 681.03	R1 592 215.95	R109 826.32	R18 262 290.01
Vote 7	Public Works Roads and Transport	R216 015 626.00	R17 447 346.18	R1 160 309.21	R81 637.18	R4 745 955.54	R239450874.11
Vote 8	Community Safety Security and Liaison	-	R 41 310.93	-	R35 738.28	-	R77049.21
Vote 9	Health	R5 201 156.18	R3 812 321.84	R366 797.30	R769 190.64	R394 811.88	R10 544 277.84
Vote 10	Culture Sport and Recreation	-	-	-	-	R43 434.95	R43 434.95
Vote 11	Social Development	-	-	-	R113 128.62	R6 753.00	R119 881.62
Vote 12	Human Settlements	-	-	-	-	-	-
	<b>Sub Total</b>	<b>R221542013.99</b>	<b>R35 324 233.85</b>	<b>R27 685 255.70</b>	<b>R2 592 778.91</b>	<b>R5 373 149.41</b>	<b>R292 517 431.86</b>
	SANPARKS(Kruger National Park)	R38 179 261.01	-	-	-	-	R38 179 261.01
	National Department of Public Works	R48 939 397.40	R18 894 413.51	R3 635 738.09	R14 046 409.51	-	R85 515 958.51
	National Department of Rural Development and Land Reform	R138 195 060.00	R 3 268 464.56	-	R2 268 859.21	-	R143 732 383.77
	<b>Sub -Total</b>	<b>R225 313 718.41</b>	<b>R22 162 878.07</b>	<b>R3 635 738.09</b>	<b>R16 315 268.72</b>	<b>-</b>	<b>R267 427 603.29</b>
	<b>Total per local municipality</b>	<b>R 446 855 732.4</b>	<b>R 57 487 111.92</b>	<b>R31 320 993.79</b>	<b>R18 908 047.63</b>	<b>R5 373 149.41</b>	<b>R 559 945 035.15</b>
<b>Ehlanzeni</b>	<b>Total outstanding balance to municipalities</b>						<b>R 559 945 035.15</b>

### 5.6.6.1 Provincial Analysis on payments made to municipalities by sector departments

#### Findings

The following findings were made that sector departments owed municipalities a total amount of R 741 328 597.01.

Generally municipalities are experiencing the following challenges with regards to payments:

- Sector departments are in arrears in honouring debt responsibilities due to budgetary constraints
- Municipalities are not allocating receipts on time due to late financial system closures
- Municipalities are failing to submit invoices on time to the correct departments
- Data on billing system not credible in certain instances
- Municipalities allocate funds incorrectly in certain instances hence credit balances on some accounts.

#### National and Provincial Interventions

- Provincial Treasury convened a monthly debt steering committee with sector departments to encourage departments to honour their debt commitments.

#### Recommendations

- That municipalities acknowledge their responsibility in terms of Section 135 of the Municipal Finance Management Act 56 of 2003 by ensuring that correct information is submitted to sector departments and monies are collected and correctly allocated in accordance with their Credit Control and Debt collection policy;
- Municipalities to report to the Provincial and National Treasury departments persistently failing to honour their debt commitments and request the deduction of a portion of their equitable share towards the payment of outstanding debt;
- That defaulting sector departments be reported to Provincial Management Committee (PMC)
- That each department must reconcile payments made and submit proof of payment per municipality on a monthly basis
- Departments follow up with municipalities to submit credible invoices in order to facilitate prompt payment;

### 5.6.7 % Municipal Infrastructure Grant budget approximately spent

Table 66: % of Municipal Infrastructure Grant budget approximately spent

District	Municipality	2013/14			2014/15			2015/16		
		Allocations R'000	Amount spent R'000	% spent	Allocations R'000	Amount spent R'000	% spent	Allocations R'000	Amount spent R'000	% spent
EHLANZENI	Bushbuckridge	317.79	317.79	100%	303.56	241.03	79 %	366.16	366.16	100%
	Mbombela	241.16	95.01	39%	286.04	258.64	90 %	298.26	260.67	87%
	Nkomazi	131.42	131.42	100%	245.29	228.81	93 %	219.38	219.38	100%
	Thaba Chweu	39.05	39.05	100%	57.00	44.85	79 %	64.65	64.65	100%
	Umjindi	28.05	26.84	96%	29.82	29.82	100%	40.65	40.65	100%
	<b>Ehlanzeni</b>	<b>757.48</b>	<b>610.11</b>	<b>81%</b>	<b>921.72</b>	<b>803.14</b>	<b>87 %</b>	<b>989.10</b>	<b>951.51</b>	<b>96%</b>
GERT SIBANDE	Chief Albert Luthuli	134.26	104.95	78%	105 407	119 612	88 %	94.09	94.09	100%
	Dipaleseng	20.59	15.87	77%	28.99	16.65	57 %	18.32	9.44	52%
	Govan Mbeki	102.03	102.03	100%	83.78	80.65	96 %	55.89	54.93	98%
	Lekwa	41.32	41.32	100%	33.99	33.75	99 %	27.97	27.97	100%
	Mkhondo	65.62	65.62	100%	82.77	82.77	100 %	81.67	81.67	100%
	Msukaligwa	38.48	38.48	100%	43.76	32.95	75 %	39.98	39.98	100%
	Dr. Pixley Ka Isaka Seme	30.61	30.61	100%	18.22	18.22	100 %	25.65	23.99	94%
	<b>Gert Sibande</b>	<b>432.91</b>	<b>398.87</b>	<b>92%</b>	<b>396.92</b>	<b>370.40</b>	<b>93 %</b>	<b>343.57</b>	<b>332.07</b>	<b>97%</b>
NKANGALA	Emalahleni	76.10	76.10	100%	111.48	109.31	98 %	115.80	115.80	100%
	Emakhazeni	13.32	13.32	100%	17.23	17.23	100 %	20.76	20.76	100%
	Steve Tshwete	41.76	38.36	92%	52.28	51.99	99 %	48.09	47.15	98%
	Victor Khanye	23.63	23.63	100%	23.57	21.48	91 %	24.19	24.19	100%
	Dr. JS Moroka	111.24	111.24	100%	146.88	141.82	97 %	124.75	119.05	95%
	Thembisile Hani	109.28	88.57	81%	47.44	47.44	100 %	89.14	89.14	100%
	<b>Nkangala</b>	<b>375.33</b>	<b>317.78</b>	<b>85%</b>	<b>398.88</b>	<b>389.28</b>	<b>98 %</b>	<b>422.73</b>	<b>416.09</b>	<b>98%</b>
		<b>1565.72</b>	<b>1326.76</b>	<b>85%</b>	<b>1708.52</b>	<b>1562.82</b>	<b>91%</b>	<b>1755.40</b>	<b>1699.67</b>	<b>97%</b>

(Source: Section 46 reports from municipalities)

### 5.6.7.1 Provincial Analysis on Municipal Infrastructure Grant (MIG) Spending

#### Findings

The following findings were made on the ability of municipalities to spend the MIG, which in the 2013/14 financial year municipalities across the province were allocated **R 1.5 billion** and were only able to spend **R 1.3 billion** the spending was at 85%. In the 2014/15 financial year municipalities were allocated **R 1.7 billion** and were only able to spend **R 1.5 billion** which is (91%). In the 2015/16 financial year municipalities were allocated **R 1.7 billion** and were only able to spend **R 1.6 billion**, which was (97%). A total of 6 municipalities were unable to spend 100% of their allocations by the end of their financial year. These include Mbombela, Dipaliseng, Govan Mbeki, Dr Pixley Ka Isaka Seme, Steve Tshwete and Dr JS Moroka.

### 5.6.8 % of Municipal Systems Improvement Grant spent as of total MSIG budget

The Municipal System Improvement Grant (MSIG) is a conditional grant directed to selected District and local municipalities. The purpose of the grant is to support municipalities' new systems as provided in the Municipal Systems Act, Municipal Structures Act and other related local government policy and legislation so that they can carry mandated functions effectively. The focus of MSIG varies year in and year out considering the strategic priorities of government with regards to the implementation of 5 Year Local

Government Strategic Agenda. The focus of MSIG is as follows;

- Development and implementation of municipal turnaround strategies;
- Strengthening administrative systems for effective implementation of ward participation systems;
- Support interventions for municipal viability management and improvement of a municipal audit outcomes; and
- Implementation of effective information systems enabling regular reporting on drinking and waste water quality.

**Table 67: Indicate % spent on total MSIG budget per municipality**

Name of municipality	2014/15				2015/16			
	Allocation 2014/15	Expenditure 2014/15	Balance	Percentage	Allocation 2015/16	Expenditure 2015/16	Balance	Percentage
Ehlanzeni district	R934 000	INP	INP	INP	R940 000	R940 000	-	100%
Bushbuckridge	R934 000	R934 000	0	100	R930 000	R930 000	-	100%
Mbombela	R934 000	R934 000	0	100	R930 000	R542 045	R387 955	58.28%
Nkomazi	R934 000	INP	INP	INP	R930 000	R930 000	-	100%
Thaba Chweu	R934 000	R934 000	0	100	R930 000	R930 000	-	100%
Umgindi	R934 000	R934 000	0	100	R930 000	R930 000	-	100%
Gert Sibande District	R934 000	R934 000	0	100	-	-	-	0
Chief Albert Luthuli	R934 000	R934 000	0	100	R930 000	R930 000	-	100%
Dipaleseng	R934 000	R934 000	0	100	R930 000	R930 000	-	100%
Govan Mbeki	R934 000	INP	INP	INP	R930 000	R895 584	R34 416	96%
Lekwa	R934 000	INP	INP	INP	R930 000	R738 739	R191 261	79%
Mkhondo	R934 000	R934 000	0	100	R930 000	R930 000	-	100%
Msukaligwa	R934 000	R934 000	0	100	R930 000	R177 650	R752 350	19.10%
Dr. Pixley Ka Isaka Seme	R934 000	R498 708	435 292	53	R930 000	R912 540	R17 460	98%
Nkangala district	R934 000	R934 000	0	100	R930 000	R930 000	-	100%
Emalahleni	R934 000	R934 000	934 000	100	-	-	-	0
Emakhazeni	R934 000	R934 000	934 000	100	R930 000	R495 811	R434 189	51%
Steve Tshwete	R934 000	R789 954	144 046	85	R940 000	R940 000	-	100%
Victor Khanye	R934 000	R934 000	934 000	100	R930 000	R930 000	-	100%
Dr. JS Moroka	R934 000	R890703	43 297	95	R930 000	R830776	R99 224	89.33%
Thembisile Hani	R934 000	R934 000	934 000	100	R930 000	R930 000	-	100%
<b>TOTAL</b>	<b>R19 614 000</b>	<b>R14 321 365</b>	<b>R4 358 635</b>	<b>73%</b>	<b>R17 690 000</b>	<b>R15 773 145</b>	<b>R1 916 855</b>	<b>89%</b>

(Source: Section 46 reports from municipalities)

### 5.6.8.1 Analysis of the Municipal Systems Improvement Grant spent as of total MSIG budget

#### Findings

The following findings were made on the ability of municipalities to spending the MSIG, that in the 2014/15 financial year municipalities across the province were allocated **R 19 614 000** and were only able to spend **R 14 321 365** for which the spending was at 73%. In the 2015/16 financial year municipalities were allocated **R 17 690 000** and were able to spent **R 15 773 145** which means an expenditure of 89% which means a 16% increase.

12 municipalities managed to spend 100% of their MISG allocation, while Emalahleni and Gert Sibande District did not receive the any allocation. Mbombela, Govan Mbeki, Lekwa, Msukaligwa, Dr Pixley Ka Isaka Seme, Emakhazeni and Dr JS Moroka municipalities could not spend their entire allocation and their spending ranged between 19% and 98% of their allocations.

### Challenges

The following challenges were noted with regards:

- Municipalities do not spend their budget in line with their business plans;
- Poor reporting by municipalities;
- Non -submission of detailed business plans to National DCoG by Municipalities;
- Municipalities don't utilise the funding for what it is intended for (System improvement)

### National and Provincial Interventions

- Municipalities were visited and assisted to complete business plans; and to report
- Municipalities were also advised not to spend the MSIG grant for operational activities

### Recommendations

- That the Department encourages municipalities to adequately report on their activities and submit business plans on time to National DCoG.
- That municipalities implement the planned projects in line with the business plan
- That the CFOs offices monitor the correct expenditure

### 5.6.9 Submission of Annual Financial Statements for 2015/16 Financial Year

Table 68: Submission of AFS for 2015/16 FY

Name of Municipality	2014/15			2015/16		
	Has the municipality concluded and submitted the AFS to the AG?		Date of AFS submission to AG by the municipality	Has the municipality concluded and submitted the AFS to the AG?		Date of AFS submission to AG by municipality
	Y	N		Y	N	
Chief Albert Luthuli	Yes		31/08/2015	Yes		31/08/2016
Msukaligwa	Yes		31/08/2015	Yes		31/08/2016
Mkhondo	Yes		31/08/2015	Yes		31/08/2016
Dr. Pixley Ka Isaka Seme	Yes		31/08/2015	Yes		31/08/2016
Lekwa	Yes		31/08/2015	Yes		31/08/2016
Dipaleseng	Yes		31/08/2015	Yes		31/08/2016
Govan Mbeki	Yes		31/08/2015	Yes		31/08/2016
Gert Sibande District	Yes		31/08/2015	Yes		31/08/2016
Victor Khanye	Yes		31/08/2015	Yes		31/08/2016
Emalahleni	Yes		31/08/2015	Yes		31/08/2016
Steve Tshwete	Yes		31/08/2015	Yes		31/08/2016
Emakhazeni	Yes		31/08/2015		No	INP
Thembisile Hani	Yes		31/08/2015	Yes		31/08/2016
Dr. JS Moroka	Yes		31/08/2015	Yes		31/08/2016
Nkangala District	Yes		31/08/2015	Yes		31/08/2016
Bushbuckridge	Yes		31/08/2015	Yes		31/08/2016
Thaba Chweu	Yes		31/08/2015	Yes		31/08/2016
Mbombela	Yes		31/08/2015	Yes		31/08/2016
Umgindi	Yes		31/08/2015	Yes		31/08/2016
Nkomazi	Yes		31/08/2015	Yes		31/08/2016
Ehlanzeni District	Yes		31/08/2015	Yes		31/08/2016
Total	21		31/08/2015	Yes		31/08/2016

(Source: AG 2015/16 Audit Outcomes)

### 5.6.9.1 Analysis on the preparation and submission of AFS

#### Findings

All 20 municipalities met the statutory deadline of 31 August 2016 to submit the annual financial statements to the Auditor General, except Emakhazeni LM.

### 5.6.10 Use of consultants to prepare AFS

**Table 69: Indicate municipalities that utilized consultants to prepare AFS**

Name of Municipality	2014/15				2015/16			
	Did the municipality use a consultant to compile AFS?		CFO appointed		Did the municipality use a consultant to compile AFS?		CFO appointed	
	Yes	No	Yes	Acting	Yes	No	Yes	Acting
Chief Albert Luthuli	Yes		Yes			No	Yes	
Msukaligwa	Yes			Yes	Yes			Yes
Mkhondo	Yes		Yes		Yes		Yes	
Dr. Pixley Ka Isaka Seme		No	Yes		Yes		Yes	
Lekwa	Yes		Yes		Yes		Yes	
Dipaleseng		No	Yes			No	Yes	
Govan Mbeki		No	Yes			No	Yes	
Gert Sibande District		No	Yes			No	Yes	
Victor Khanye		No	Yes		Yes			Yes
Emalahleni	Yes			Yes	Yes			Yes
Steve Tshwete		No	Yes			No	Yes	
Emakhazeni		No	Yes		Yes		Yes	
Thembisile Hani	Yes		Yes		Yes			Yes
Dr. JS Moroka		No	Yes		Yes			Yes
Nkangala District		No	Yes			No	Yes	
Bushbuckridge	Yes		Yes		Yes		Yes	
Thaba Chweu		No	Yes		Yes			Yes
Mbombela		No	Yes			No	Yes	
Umgindi		No	Yes			No	Yes	
Nkomazi		No		Yes		No		Yes
Ehlanzeni District		No	Yes			No	Yes	
<b>Total</b>	<b>7</b>	<b>14</b>	<b>18</b>	<b>3</b>	<b>11</b>	<b>10</b>	<b>14</b>	<b>7</b>

(PT Consolidated Municipal Report: 2015)

### 5.6.10.1 Analysis on the use of consultants when preparing AFS

#### Findings

11 out of 21 municipalities used consultants to prepare annual financial statements in the year under review: Msukaligwa, Mkhondo, Dr. Pixley Ka Isaka Seme, Lekwa, Victor Khanye, Emalahleni, Emakhazeni, Thembisile Hani, Dr JS Moroka, Bushbuckridge and Thaba Chweu. 7 out of 21 municipalities had acting chief financial officers during 2015/16 financial year namely; Msukaligwa, Victor Khanye, Emalahleni, Thembisile Hani, Dr JS Moroka, Thaba Chweu and Nkomazi.

### 5.6.11 Timely submission of the Annual Report for the 2015/16 Financial Year

MFMA Circular 63 requires municipalities to submit the draft Annual Report together with the Annual Financial Statements by the 31<sup>st</sup> of August for auditing purposes. It should be noted that the Auditor General also audits the performance information.

**Table 70: Submission of the 2015/16 Annual Report**

Name of Municipality	2014/15		2015/16	
	Did the municipality submit the draft Annual Report together with the AFS to the AG by 31 August 2015?		Did the municipality submit the draft Annual Report together with the AFS to the AG by 31 August 2016?	
	Y	N	Y	N
Chief Albert Luthuli	Yes		Yes	
Msukaligwa	Yes		Yes	
Mkhondo	Yes		Yes	
Dr. Pixley Ka Isaka Seme	Yes		Yes	
Lekwa	Yes		Yes	
Dipaleseng	Yes		Yes	
Govan Mbeki	Yes		Yes	
Gert Sibande District	Yes		Yes	
Victor Khanye	Yes		Yes	
Emalahleni	Yes		Yes	
Steve Tshwete	Yes		Yes	
Emakhazeni	Yes			No
Thembisile Hani	Yes		Yes	
Dr. JS Moroka	Yes		Yes	
Nkangala District	Yes		Yes	
Bushbuckridge	Yes		Yes	
Thaba Chweu	Yes		Yes	
Mbombela	Yes		Yes	
Umgindi	Yes		Yes	
Nkomazi	Yes		Yes	
Ehlanzeni District	Yes		Yes	
<b>Total</b>	<b>21</b>		<b>20</b>	<b>1</b>

(Source: AG 2015/16 Audit Outcomes)

**5.6.11.1 Provincial Analysis****Findings**

All 20 municipalities submitted the unaudited 2015/16 Annual Reports together with the Annual Financial Statements by the statutory deadline of 31 August 2016, only Emakhazeni Municipality did not submit on the prescribed deadline.

**Challenges**

- Capacity constraints in the municipality contributed to the late submission of the Annual Financial Statements

**Intervention**

- Provincial Treasury to assist municipalities where capacity challenges are experienced

**Recommendation**

- Municipalities to ensure that all critical vacancies in the Budget and Treasury offices are filled.

## 5.7 PUBLIC PARTICIPATION

Section 152(1) (e) of the Constitution enjoins municipalities to encourage the involvement of communities and community organisations in the matters of local government. In order to formalise the involvement of the communities and community organisations in matters of local government, the Municipal structures Act 1998 (Act 117 of 1998) in terms of section 73 provides for the establishment of Ward Committees, which must have members not more than ten representative of all the community sectors within the ward. Section 74 outlines the functions of the Ward Committee to include among others making recommendations on any matter affecting its ward to the ward councillor (as the chairperson of the ward committee) or through the ward councillor to the council.

The Executive Mayors of municipalities are expected to lead community engagement programmes to attend to matters of community service delivery. However the Speaker is expected to coordinate the functioning of all Ward Committees in each ward within the municipality in order to ensure full participation of communities in matters of governance. This section therefore analyse the performance of municipalities in putting people first through the assessment of the existence of and effectiveness of ward committees in processing community needs. Furthermore the Department has appointed Community Development Workers for each and every Ward in the province to assist the Ward Councillor in processing matters of service delivery in liaison with and interaction with the Ward Committees.

### 5.7.1 Functionality of Ward Committees

**Table 71: Indicate municipalities' with functional ward committees**

DISTRICT	Municipality	2013/14		2014/15		2015/16	
		No of functional ward committees	% of functional ward committees	No of functional ward committees	% of functional ward committees	No of functional ward committees	% of functional ward committees
EHLANZENI	Mbombela	36	98%	22	56%	18	46%
	Umjindi	09	100%	06	67%	09	0%
	Nkomazi	32	98%	11	33%	25	78%
	Bushbuckridge	37	100%	16	43%	37	100%
	Thaba Chweu	12	96%	11	79%	04	29%
NKANGALA	Emakhazeni	07	98%	04	50%	03	38%
	Steve Tshwete	26	96%	26	90%	25	86%
	Dr J S Moroka	26	94%	25	81%	29	94%
	Emalahleni	23	88%	33	97%	32	94%
	Thembisile Hani	27	93%	32	100%	32	100%
	Victor Khanye	04	48%	09	100%	05	56%
GERT SIBANDE	Chief Albert Luthuli	24	98%	23	92%	22	88%
	Msukaligwa	12	89%	17	89%	17	89%
	Lekwa	08	63%	12	80%	11	73%
	Govan Mbeki	02	03%	25	78%	13	41%
	Dipaleseng	05	98%	04	67%	06	100%
	Mkhondo	12	88%	17	84%	05	26%
	Dr Pixley Ka Isaka Seme	11	100%	11	100%	11	100%
<b>TOTAL</b>		<b>289</b>	<b>72%</b>	<b>304</b>	<b>76%</b>	<b>295</b>	<b>73%</b>

(Source: Section 46 reports from municipalities)

#### 5.7.1.1 Analysis on Functionality of Ward Committees

##### Findings

The following findings were made that in the 2013/14 financial year only 289 ward committees were functional out of 402. In the 2014/15 financial year there was an increase as 304 ward committees were functional. In 2015/16 financial year functionality of ward committees dropped again to only 295 operational ward committees.



**Challenges**

The drop in performance and functionality of ward committees were a result of the following reasons:

- Failure to convene meetings by Ward Councillors
- Non implementation of ward operational plans
- Poor working relationship between CDWs and Ward Committees

**Interventions**

- COGTA has held sessions to assist ward committees to develop ward operational plans
- COGTA held session with ward committees that were reported to be dysfunctional to improve their functionality;
- Role clarification workshops convened between CDWs and Ward Committees to strengthen working relationships

**Recommendations**

- Speakers offices in municipalities to ensure that all ward councillors convene community meetings as required.
- Municipalities to monitor and enforce the implementation of the Ward Operational Plans.

**5.7.1.2 Existence of an effective system of monitoring Community Development Workers (CDWs)**

The Community Development Workers (CDWs) programme is a Presidential project announced by President Mbeki in his State of the Nation Address in February 2003 and was launched in 2004. It involves the deployment of CDWs in wards within the municipalities to assist in strengthening the democratic social contract, advocating an organized voice for the poor and improvement of government community social networks.

Community Development Workers (CDW) serve as a channel for the provision of integrated information on government services and provide a channel for ensuring that community issues are taken forward at all levels of government. Community Development Workers (CDWs) play an important role in providing linkages between local communities and government services. These workers are defined as civil servants who are passionate about serving their local communities. As such, they have vast grass-roots knowledge about local conditions and serve as a valuable resource to make service delivery more effective. Communities, especially in impoverished areas, are often unaware of their basic minimum service rights related to grant applications, service cuts and school enrolments. CDWs play a crucial role in this regard, informing local communities about government services and assisting in the clearing of service delivery backlogs. This means that these workers form an important communication link between government and communities in order to mobilize their communities to become active participants in government programmes.

**5.7.1.2.1 Status on the availability and performance of CDWs****Analysis on Performance of CDWs****Findings**

All CDWs are performing their duties as expected, however in some wards CDWs have died and have not been replaced currently there are 342 CDWs and there are 60 vacant posts.

**Challenges**

- Shortage of CDWs due to death and/or resignations
- Poor working relationship between CDWs and Ward committees
- Shortage of tools of trade

**Support interventions by National and Provincial government**

- Programme 2 motivated for the filling of all vacant CDW posts because the appointment of the CDW has exceeded bench mark.

**Recommendations**

- Programme 2 to motivate for the filling of all vacant CDW posts

## 5.8 ADMINISTRATIVE & INSTITUTIONAL CAPACITY

### 5.8.1 Institutional Development and Transformation

The Department supports and monitors municipalities with respect to human resource issues with a particular focus on recruitment, selection performance and retention of suitably qualified personnel. The Department also monitors and supports municipalities in order to ensure adherence to employment equity targets for women, youth and people with disabilities. Municipalities are also expected to develop and approve organisational structures that are relevant to their service delivery projections, align them to their powers and functions and manage their performance on a regular basis.

#### Objectives of the KPA

The objectives of the KPA are to render HR support to municipalities on recruitment, capacity building, selection, retention, performance management and organisational designs.

### 5.8.2 Performance of Municipalities on Institutional Development

#### Vacancy Rate in Senior Management approved posts as of June 2016

Table 72: Vacancy Rate in Senior Management Posts as of June 2016 per District

District	2014/15						2015/16					
	Total no. Posts	Posts filled	Males	Females	Posts Vacant	% of Vacancy rate	Total no. Posts	Posts filled	Males	Females	Posts Vacant	% of Vacancy rate
Ehlanzeni	38	33	26	7	5	13%	39	33	26	7	6	15%
Gert Sibande	49	45	37	8	4	8%	49	46	36	10	3	6%
Nkangala	38	26	17	9	12	31%	38	32	19	13	6	15%
<b>Total</b>	<b>125</b>	<b>104</b>	<b>80</b>	<b>24</b>	<b>21</b>	<b>17%</b>	<b>126</b>	<b>111</b>	<b>81</b>	<b>30</b>	<b>15</b>	<b>12%</b>

(Source: Section 46 reports from municipalities)

#### 5.8.2.2 Vacancy rate and filling of Section 54/56 Managers posts per District

##### Ehlanzeni District

Table 73: Vacancy Rate and Filling of S54 and S56 Managers posts

Posts	2014/15			2015/16		
	No of posts approved	No of posts filled	No of vacancies	No of posts approved	No of posts filled	No of vacancies
Municipal Manager	6	5	1	6	4	2
Chief Financial Officer	6	5	1	6	4	2
Technical Services	6	4	3	6	4	2
Corporate Services	6	6	0	6	6	0
Community Services	6	6	0	6	6	0
Development and Planning	2	2	0	6	4	2
Chief Operations Officer	2	2	0	1	1	0
LED and Tourism	2	2	0	-	-	-
Manager Human Settlements	1	1	0	-	-	-
<b>Total</b>	<b>38</b>	<b>33</b>	<b>5</b>	<b>37</b>	<b>29</b>	<b>8</b>

(Source: Section 46 reports from municipalities)

At Ehlanzeni district in the 2015/16 financial year out of 37 approved section 56/57 posts, only 29 posts were filled and the vacancy rate stood at 22% as compared to 13% for 2014/15 financial year. The following posts remained vacant 2 Municipal Managers, 2 Chief Financial Officers 2 Technical Services Managers and 2 Development and Planning Senior Managers.

**Gert Sibande****Table 74: Filling of S54 and S56 Managers**

Posts	2014/15			2015/16		
	No of posts approved	No of posts filled	No of vacancies	No of posts approved	No of posts filled	No of vacancies
Municipal Manager	8	7	1	8	8	0
Chief Financial Officer	8	7	1	8	7	1
Technical	8	7	1	8	6	2
Corporate Services	8	8	0	8	8	0
Community Services	8	8	0	8	8	0
Development and Planning	6	6	0	8	6	2
Human Settlement	1	0	1	1	1	0
Public Safety	2	2	0	-	-	-
<b>TOTAL</b>	<b>49</b>	<b>45</b>	<b>4</b>	<b>49</b>	<b>44</b>	<b>5</b>

(Source: Section 46 reports from municipalities)

At Gert Sibande district out of 49 approved section 56/57 posts only 44 were filled in the 2015/16 financial year indicating a slight decline in the rate of filling of vacant posts by 10%(unfilled) as compared to 8% (unfilled) in 2014/15 financial year. The following posts were still vacant 1 CFO, 2 Technical Services and 2 Development and Planning.

**Nkangala District****Table 75: Filling of S54 and S56 Managers in Nkangala**

Posts	2014/15			2015/16		
	No of posts approved	No of posts filled	No of vacancies	No of posts approved	No of posts filled	No of vacancies
Municipal Manager	7	2	5	7	6	1
Chief Financial Officer	7	2	1	7	5	2
Technical	7	6	1	7	6	1
Corporate Services	7	5	2	7	6	1
Development Planning	2	2	0	2	2	0
Community Services	7	5	2	7	6	1
Environmental waste management	1	0	1	-	-	-
<b>TOTAL</b>	<b>38</b>	<b>26</b>	<b>12</b>	<b>37</b>	<b>31</b>	<b>6</b>

(Source: Section 46 reports from municipalities)

At Nkangala District in the 2014/15 financial year out of 38 approved S56/57 posts only 26 were filled which was 31.6% unfilled. 2015/16 financial year out of 37 approved S56/57 posts only 31 were filled which is an improvement of 16.2% vacancy rate. However the following posts were vacant 1 Municipal Manager, 2 CFOs, 1 Corporate Services, 1 Technical Services and 1 Community Services.

**5.8.2.3 Analysis of Performance on Institutional Development Findings**

In 2014/15 financial year out of 125 senior managers posts that were approved across all municipalities in the province and only 104 were filled of which 80 were held by male and 24 by female candidates and none were filled by the disabled individuals still 21 posts were never filled. In 2015/16 out of 126 approved posts only 111 were filled of which 81 were filled by male and 30 by female candidates and none were filled by the disabled individuals. The vacancy rate decreased from 17% in 2014/15 financial year to 12% in 2015/16 financial year.

The breakdown of vacant posts across all three districts in the province as at the end of June 2016 is as follows:

- At Steve Tshwete, Ehlanzeni District and Thaba Chweu Municipal managers post were vacant.
- At Dr Pixley Ka Isaka Seme, Victor Khanye, Dr JS Moroka, Umjindi and Nkomazi, CFOs posts were vacant.
- At Gert Sibande District, Dipaleseng, Dr Pixley Ka Isaka Seme, Steve Tshwete, Umjindi and Nkomazi Technical Services Directors were vacant.
- At Steve Tshwete Corporate Services Director post was vacant.

### Challenges in the filling of vacant posts

The following challenges were experienced by all municipalities:

- There is sometimes low turn up of applicants who meet the post requirements, making it difficult for the municipality to fill the posts within the stipulated timeframe.
- Delays by municipalities in advertising and filling vacant posts

### Support interventions by National and Provincial government

- The department conducted a workshop with all municipalities in the province on Municipal Systems Act: Regulations on the Appointment and Conditions of Services of Senior
- Managers in municipalities. The objectives of the workshop was to capacitate municipalities on the implementation of the Regulations and expedite the filling of vacant Senior Managers positions in municipalities.
- Letters were written to municipalities with vacant positions reminding them to comply with the legislations when filling vacant Senior Managers positions.
- The department also deployed officials to form part of the selection and interviews panels in various municipalities on a request basis.

### Recommendation

- That municipalities implement Government gazette No. 40593 on Regulations of Municipal Finance Management Act of 2003 which also exempt municipalities from Regulations 15 and 18 on minimum competency levels of 2007.

### 5.8.3 Municipalities meeting employment equity targets

This indicator is solely to determine the targets that the municipalities have either successfully achieved or partly achieved, as stipulated in their employment equity plans approved by the municipal councils. It incorporates the General Key Performance Indicator prescribed by the Minister in terms of Regulation 10 (e) of the Municipal Performance Management Regulations of 2001 which reads as follows:

*"Number of people employed from employment equity target groups employed in the three highest levels of management in compliance with the municipality's employment equity plan".*

Table 76: Filling of S54 and S56 Managers

Districts	Municipality	2013/14			2014/15			2015/16		
		No. of Section 57 Post Approved	Females appointed in Section 57 Posts	No. of vacancies for female Section 57 Managers	No. of Section 57 Post Approved	Females appointed in Section 57 Posts	No. of vacancies for female Section 57 Managers	No. of Section 57 Post Approved	Females appointed in Section 57 Posts	No. of vacancies for female Section 57 Managers
EHLANZENI	Bushbuckridge	6	2	0	7	2	0	7	2	0
	Mbombela	8	1	0	8	2	0	8	2	0
	Nkomazi	6	1	0	6	1	0	6	1	0
	Thaba Chweu	5	0	0	5	1	0	5	1	0
	Umjindi	7	0	0	7	0	0	7	0	0
	Ehlanzeni	7	1	0	7	1	0	7	1	0
	<b>TOTAL</b>	<b>39</b>	<b>05</b>	<b>0</b>	<b>40</b>	<b>07</b>	<b>0</b>	<b>39</b>	<b>7</b>	<b>0</b>
GERT SIBANDE	Chief Albert Luthuli	7	0	0	7	0	0	7	0	0
	Dipaleseng	6	2	0	6	2	0	6	2	0
	Govan Mbeki	6	2	0	6	2	0	6	2	0
	Lekwa	6	1	0	6	2	0	6	2	0
	Mkhondo	5	0	0	6	0	0	6	1	0
	Msukaligwa	6	0	0	6	0	0	6	1	0
	Dr. Pixley Ka Isaka Seme	5	1	0	5	1	0	5	1	0
	Gert Sibande	6	1	0	7	1	0	7	1	0
	<b>TOTAL</b>	<b>47</b>	<b>07</b>	<b>0</b>	<b>49</b>	<b>08</b>	<b>0</b>	<b>49</b>	<b>10</b>	<b>0</b>
NKANGALA	Emalahleni	6	1	0	7	1	1	7	3	0
	Emakhazeni	6	3	0	6	2	1	6	3	0
	Steve Tshwete	5	3	0	5	2	0	4	2	0
	Victor Khanye	5	3	0	5	1	0	4	1	0
	Dr. JS Moroka	5	1	0	5	0	0	5	2	0
	Thembisile Hani	5	0	0	5	1	0	5	1	0
	Nkangala	5	3	0	5	3	0	5	3	0
	<b>TOTAL</b>	<b>37</b>	<b>14</b>	<b>0</b>	<b>38</b>	<b>10</b>	<b>02</b>	<b>38</b>	<b>16</b>	<b>0</b>

(Source: Section 46 reports from municipalities)

### 5.8.3.1 Analysis of municipalities meeting employment equity targets

#### Findings

With regards to the compliance by municipalities with the Employment Equity Act. There has been a steady increase in the appointment of female section 57 (54A/56) from 26 (21.14%) in the 2013/14 financial year, 25 (16.69%) in the 2014/15 financial year it was slightly lower and 33 (26.19%) appointments in the 2015/16 financial year there was a slight increase again. Nkangala District had the highest female appointees at 42% at S54/56 level, followed by Gert Sibande District at 20.4 %, with Ehlanzeni District with the lowest at standing at 17.95%.

#### Challenges

Municipalities experienced the following challenges:

- Failure by municipalities to comply with the Employment Equity Act

#### Support interventions by National and Provincial government

Municipalities were advised on the implementation of the Employment Equity Act as part of the workshop on Systems Act: Regulations on the Appointment and Conditions of Services of Senior Managers in municipalities.

#### Recommendation

- Municipalities must comply with the Employment Equity Act.

### 5.8.4 Employment of people with disabilities

Table 77: Employment of People with Disabilities

DISTRICTS	Municipality	2013/14			2014/15			2015/16		
		Total no. of people with disabilities	no. of people with disabilities	% No of vacancies for people of disabilities	Total no. of people with disabilities	no. of people with disabilities	% No of vacancies for people of disabilities	Total no. of people with disabilities	no. of people with disabilities	% No of vacancies for people of disabilities
EHLANZENI	Bushbuck rid gee	3	3	0	4	4	0	12	12	0
	Mbombela	15	15	0	6	6	0	6	6	0
	Nkomazi	5	5	0	4	4	0	4	4	0
	Thaba Chweu	4	4	0	4	4	0	4	4	0
	Umgindi	3	3	0	3	3	0	3	3	0
	Ehlanzeni	0	0	0	0	0	0	0	0	0
	<b>TOTAL</b>	<b>30</b>	<b>30</b>	<b>0</b>	<b>21</b>	<b>21</b>	<b>0</b>	<b>29</b>	<b>29</b>	<b>0</b>
GERT SIBANDE	Chief Albert Luthuli	1	1	0	1	1	0	1	1	0
	Dipaleseng	2	2	0	5	5	0	5	5	0
	Govan Mbeki	13	13	0	13	13	0	18	18	0
	Lekwa	3	3	0	5	5	0	4	4	0
	Mkhondo	4	4	0	4	4	0	14	14	0
	Msukaligwa	7	7	0	6	6	0	4	4	0
	Dr. Pixley Ka Isaka Seme	4	4	0	4	4	0	4	4	0
	Gert Sibande	2	2	0	1	1	0	2	2	0
	<b>TOTAL</b>	<b>36</b>	<b>36</b>	<b>0</b>	<b>38</b>	<b>38</b>	<b>0</b>	<b>53</b>	<b>53</b>	<b>0</b>
NKANGALA	Emalahleni	20	20	0	21	21	0	21	21	0
	Emakhazeni	1	1	0	0	0	0	0	0	0
	Steve Tshwete	23	23	0	24	24	0	24	24	0
	Victor Khanye	5	5	0	7	7	0	7	7	0
	Dr. JS Moroka	2	2	0	2	2	0	1	1	0
	Thembisile Hani	7	7	0	5	5	0	9	9	0
	Nkangala	1	1	0	2	2	0	2	2	0
	<b>TOTAL</b>	<b>59</b>	<b>59</b>	<b>0</b>	<b>61</b>	<b>61</b>	<b>0</b>	<b>59</b>	<b>59</b>	<b>0</b>

Source: Section 46 reports from municipalities)

#### 5.8.4.1 Analysis on employment of people with disability

##### Findings

All municipalities across the three districts for the past three financial years have been able to fill all the posts of the people with disabilities as planned. Out of a total 375 approved posts across the three districts in the province a total of 141 posts were filled accounting for 38% of the entire staff compliment. The top four (4) municipalities with the highest number employees with disabilities are:

- Steve Tshwete at twenty four (24 ) followed by
- Emalahleni with 21
- Govan Mbeki with 18 and
- Bushbuckridge with 12 employees of disability.

Emakhazeni has performed dismally in this area with only one (1) post designated for this group.

##### Challenges

- Municipalities are finding it difficult to attract individuals with disabilities in all categories.

##### Intervention by the National and Provincial departments

Municipalities were also advised on the implementation of the Employment Equity Act as part of the workshop on Systems Act: Regulations on the Appointment and Conditions of Services of Senior Managers in municipalities.

##### Recommendations

- Municipalities to comply as per the Employment Equity Act.

#### 5.8.5 Employment of employees that are aged 35 or younger in the province

Table 78: Employees aged between 35 or younger

Districts	Municipality	2013/14			2014/15			2015/16		
		Total approved posts	No. of posts occupied by staff aged 35 & younger	% of posts occupied by staff aged 35 & younger	Total approved posts	No. of posts occupied by staff aged 35 & younger	% of posts occupied by staff aged 35 & younger	Total approved posts	No. of posts occupied by staff aged 35 & younger	% of posts occupied by staff aged 35 & younger
EHLANZENI	Bushbuckridge	1113	186	17%	1029	229	22%	1773	271	15%
	Mbombela	2063	444	22%	2210	479	22%	4743	449	9%
	Nkomazi	1500	379	25%	1500	385	27%	1500	385	26%
	Thaba Chweu	760	64	8%	541	100	18.5%	697	101	14%
	Umgindi	345	165	49%	405	77	19%	405	77	19%
	Ehlanzeni	135	39	29%	145	35	24%	152	35	23%
	<b>TOTAL</b>	<b>5916</b>	<b>1277</b>	<b>21%</b>	<b>5830</b>	<b>1305</b>	<b>22%</b>	<b>9270</b>	<b>1318</b>	<b>14%</b>
GERT SIBANDE	Chief Albert Luthuli	470	156	33%	454	0	0	490	0	0%
	Dipaleseng	424	34	8%	334	0	0	334	60	18%
	Govan Mbeki	894	321	40%	2005	271	14%	2005	271	14%
	Lekwa	692	105	14%	606	91	15%	606	99	16.34 %
	Mkhondo	662	171	26%	-	-	-	600	190	32%
	Msukaligwa	837	143	17%	854	123	14.40%	854	113	13%
	Dr. Pixley Ka Isaka Seme	375	75	20%	375	74	20%	375	75	20%
	Gert Sibande	322	12	4%	328	149	45.4%	297	98	33%
	<b>TOTAL</b>	<b>4676</b>	<b>1017</b>	<b>21.7%</b>	<b>4956</b>	<b>708</b>	<b>14.3%</b>	<b>5561</b>	<b>906</b>	<b>16%</b>
NKANGALA	Emalahleni	1625	307	19%	1 711	319	19%	3336	291	8.7%
	Emakhazeni	529	139	26%	507	144	28%	514	122	24%
	Steve Tshwete	1442	379	26%	1477	401	27%	1477	406	27%
	Victor Khanye	523	95	18%	459	124	27%	496	124	25%
	Dr. JS Moroka	903	136	15%	986	159	16%	981	159	16%
	Thembisile Hani	544	78	14%	587	141	24%	406	116	28.6%
	Nkangala	254	92	36%	287	87	30%	287	97	34%
	<b>TOTAL</b>	<b>5820</b>	<b>1226</b>	<b>21%</b>	<b>6014</b>	<b>1375</b>	<b>23%</b>	<b>7497</b>	<b>1315</b>	<b>17.54%</b>
<b>GRAND TOTAL</b>		<b>16412</b>	<b>3 520</b>	<b>21%</b>	<b>16 800</b>	<b>3 388</b>	<b>20.17%</b>	<b>20 328</b>	<b>3 539</b>	<b>17%</b>

(Source: Section 46 reports from municipalities)

**5.8.5.1 Analysis on employment of people aged 35 and younger in the province****Findings**

In the 2013/14 financial year there were 16 412 approved posts for people 35 and younger across all municipalities in the province only 3 520 were filled. In the 2014/15 financial year out of 16 800 approved posts only 3 388 were filled. In the 2015/16 financial year there were 20 328 approved posts for people 35 and younger across all municipalities in the province. Out of the 20 328 approved posts only 3 539 were filled accounting for 17% of the entire staff compliment of municipalities which was 4% decrease as compared to the 2013/14 financial year and 3.17% decrease when compared to the 2014/15 financial year.

**Challenges**

- Municipalities set targets to employ youth but fail to budget for those posts.
- Financial constraints (Moratorium) resulting in posts not advertised.

**Interventions by National and Provincial department**

Municipalities were also advised on the implementation of the Employment Equity Act to ensure that youth posts are also created in the municipal organograms.

**Recommendations**

- Municipalities to comply with employment equity act.
- Municipalities to budget for youth employment as per the act.

## 5.8.6 Integrated Capacity Building Plans Implementation

Table 79: % of Municipalities with Integrated Capacity Building Plan implemented

DISTRICT	Municipality	Management level	2013/14		2014/15		2015/16	
			Total No of staff approved	Total No of staff trained	Total No of staff approved	No. of staff trained	Total No of staff approved	No. of staff trained
EHLANZENI	Bushbuckridge	Councillors	28	28	130	48	74	24
		Senior Management level	4	4	33	41	44	42
		Lower level employees	853	111	154	123	660	166
		Technicians and professional	6	6	352	148	295	46
		<b>TOTAL</b>	<b>891</b>	<b>149</b>	<b>669</b>	<b>360</b>	<b>1073</b>	<b>278</b>
	Mbombela	Councillors	78	53	39	39	89	0
		Senior Management level	35	30	48	40	104	26
		Lower level employees	500	359	610	110	610	19
		Technicians and professional	59	50	131	118	131	6
		<b>TOTAL</b>	<b>672</b>	<b>492</b>	<b>828</b>	<b>307</b>	<b>934</b>	<b>51</b>
	Thaba Chweu	Councillors	28	10	INP	INP	27	27
		Senior Management level	6	3	INP	INP	4	4
		Lower level employees	349	75	INP	INP	56	56
		Technicians and professional	45	18	INP	INP	38	38
		<b>TOTAL</b>	<b>428</b>	<b>106</b>	<b>INP</b>	<b>INP</b>	<b>125</b>	<b>125</b>
	Umjindi	Councillors	12	12	18	16	18	4
		Senior Management level	10	9	7	0	06	03
		Lower level employees	222	118	222	5	323	211
		Technicians and professional	62	38	64	10	11	0
		<b>TOTAL</b>	<b>306</b>	<b>177</b>	<b>311</b>	<b>31</b>	<b>358</b>	<b>218</b>
	Nkomazi	Councillors	65	21	65	25	65	45
		Senior Management level	29	27	31	31	32	31
		Lower level employees	854	700	870	826	912	865
		Technicians and professional	37	37	49	49	51	51
		<b>TOTAL</b>	<b>985</b>	<b>785</b>	<b>1015</b>	<b>931</b>	<b>1060</b>	<b>992</b>
	Ehlanzeni District	Councillors	30	10	28	14	11	6
		Senior Management level	22	9	26	10	21	7
		Lower level employees	45	45	47	37	70	44
		Technicians and professional	60	8	55	25	59	65
		<b>TOTAL</b>	<b>157</b>	<b>72</b>	<b>156</b>	<b>86</b>	<b>161</b>	<b>129</b>
GERT SIBANDE	Chief Albert Luthuli	Councillors	50	32	49	3	6	6
		Senior Management level	18	10	28	10	20	20
		Lower level employees	348	68	342	20	348	23
		Technicians and professional	32	10	35	25	32	6
		<b>TOTAL</b>	<b>448</b>	<b>120</b>	<b>454</b>	<b>58</b>	<b>406</b>	<b>55</b>
	Dipaleseng	Councillors	12	12	12	1	12	7
		Senior Management level	16	16	13	13	15	15
		Lower level employees	89	65	20	10	152	88
		Technicians and professional	27	27	150	35	20	16
		<b>TOTAL</b>	<b>144</b>	<b>120</b>	<b>195</b>	<b>59</b>	<b>199</b>	<b>126</b>
	Govan Mbeki	Councillors	60	59	63	18	63	32
		Senior Management level	30	29	34	6	29	2
		Lower level employees	1015	989	1075	59	1003	74
		Technicians and professional	152	76	188	32	351	18
		<b>TOTAL</b>	<b>1257</b>	<b>1153</b>	<b>1360</b>	<b>115</b>	<b>1446</b>	<b>126</b>



DISTRICT	Municipality	Management level	2013/14		2014/15		2015/16	
			Total No of staff approved	Total No of staff trained	Total No of staff approved	No. of staff trained	Total No of staff approved	No. of staff trained
	Lekwa	Councillors	20	20	30	20	30	20
		Senior Management level	5	5	27	5	6	0
		Lower level employees	41	41	433	41	462	40
		Technicians and professional	12	12	57	12	108	20
		<b>TOTAL</b>	<b>78</b>	<b>78</b>	<b>547</b>	<b>78</b>	<b>606</b>	<b>80</b>
	Mkhondo	Councillors	25	25	25	25	38	08
		Senior Management level	3	3	3	3	27	19
		Lower level employees	320	312	320	312	258	108
		Technicians and professional	15	12	15	12	127	54
		<b>TOTAL</b>	<b>363</b>	<b>352</b>	<b>363</b>	<b>352</b>	<b>450</b>	<b>189</b>
	Msukaligwa	Councillors	14	10	INP	10	38	22
		Senior Management level	16	7	INP	4	6	2
		Lower level employees	71	41	INP	16	28	10
		Technicians and professional	46	15	INP	0	1	0
		<b>TOTAL</b>	<b>147</b>	<b>73</b>	<b>INP</b>	<b>30</b>	<b>73</b>	<b>34</b>
	Dr. Pixley Ka Isaka Seme	Councillors	65	65	21	11	21	01
		Senior Management level	21	19	21	21	21	17
		Lower level employees	66	66	328	88	248	178
		Technicians and professional	25	25	5	5	4	4
		<b>TOTAL</b>	<b>177</b>	<b>175</b>	<b>375</b>	<b>125</b>	<b>294</b>	<b>200</b>
	GERT SIBANDE DISTRICT	Councillors	18	18	19	8	19	13
		Senior Management level	12	6	5	5	5	3
		Lower level employees	134	134	179	55	77	52
		Technicians and professional	12	12	41	18	142	95
		<b>TOTAL</b>	<b>176</b>	<b>170</b>	<b>244</b>	<b>86</b>	<b>243</b>	<b>163</b>
NKANGA DISTRICT	Emalahleni	Councillors	4	4	67	23	68	15
		Senior Management level	7	7	69	37	69	51
		Lower level employees	538	389	1121	324	1176	244
		Technicians and professional	50	23	331	106	193	129
		<b>TOTAL</b>	<b>599</b>	<b>423</b>	<b>1588</b>	<b>490</b>	<b>1506</b>	<b>439</b>
	Emakhazeni	Councillors	-	-	15	6	15	3
		Senior Management level	4	4	6	5	20	19
		Lower level employees	31	31	28	19	154	26
		Technicians and professional	5	5	9	6	61	8
		<b>TOTAL</b>	<b>40</b>	<b>40</b>	<b>58</b>	<b>36</b>	<b>250</b>	<b>56</b>
	Steve Tshwete	Councillors	7	5	5	28	58	0
		Senior Management level	8	12	13	5	58	4
		Lower level employees	114	202	253	162	549	176
		Technicians and professional	54	48	80	102	857	7
		<b>TOTAL</b>	<b>183</b>	<b>267</b>	<b>351</b>	<b>297</b>	<b>1522</b>	<b>187</b>
	Victor Khanye	Councillors	15	10	17	4	17	8
		Senior Management level	22	6	42	8	5	3
		Lower level employees	260	113	169	60	318	50
		Technicians and professional	40	27	152	25	58	8
		<b>TOTAL</b>	<b>337</b>	<b>156</b>	<b>380</b>	<b>97</b>	<b>398</b>	<b>69</b>
	Dr. JS Moroka	Councillors	55	19	64	46	62	62
		Senior Management level	10	6	5	23	8	8
		Lower level employees	310	66	320	56	486	273

DISTRICT	Municipality	Management level	2013/14		2014/15		2015/16	
			Total No of staff approved	Total No of staff trained	Total No of staff approved	No. of staff trained	Total No of staff approved	No. of staff trained
	Thembelesile Hani	Technicians and professional	86	40	90	44	12	5
		<b>TOTAL</b>	<b>461</b>	<b>131</b>	<b>479</b>	<b>169</b>	<b>568</b>	<b>348</b>
		Councillors	69	59	<b>64</b>	<b>11</b>	64	16
		Senior Management level	14	14	<b>5</b>	<b>4</b>	4	1
		Lower level employees	122	122	<b>325</b>	<b>10</b>	350	32
		Technicians and professional	28	28	<b>75</b>	<b>18</b>	36	17
		<b>TOTAL</b>	<b>233</b>	<b>223</b>	<b>469</b>	<b>43</b>	<b>454</b>	<b>66</b>
	NKAN-GALA DISTRICT	Councillors	65	18	59	24	24	24
		Senior Management level	52	12	33	27	33	16
		Lower level employees	119	150	136	28	136	30
		Technicians and professional	117	101	57	25	57	20
		<b>TOTAL</b>	<b>353</b>	<b>281</b>	<b>285</b>	<b>104</b>	<b>250</b>	<b>90</b>

This focus area is in response to one of the prescribed key performance indicators in terms of the Municipal Performance Management Regulations of 2001. All municipalities are obliged to report on progress in building skills capacity to deliver according to their developmental mandate.

#### 5.8.6.1 Analysis of performance on Institutional Development and Transformation

##### Findings

In the 2013/14 financial year there was a total of **720** councillors and officials approved for training, but only **490** were actually trained. In the 2014/15 financial year there was a total of **790** councillors and officials approved for training, but only **380** were actually trained. In the 2015/16 financial year there was a total of **819** councillors and officials approved for training, but only **343** were actually trained.

- In Ehlanzeni District there was a total of 3711 staff compliment out of which 1793 were trained
- In Gert Sibande District there was a total of 3717 staff compliment out of which 973 were trained
- In Nkangala District there was a total of 4948 staff compliment out of which 1255 were trained
- Some Municipalities are completing the report for compliance purpose which lead to the incorrect information reported. Relevant KPAs leaders are not hands on in the completion of Section 46 report.

##### Challenges Experienced

- Poor attendance of the planned trainings.
- None submission of portfolio of committees by some trainees
- Municipalities not budgeting adequately for training

##### Interventions by National and Provincial department

- Local Government SETA provided funding for accredited trainings for both councillors and officials.

##### Recommendations:

The following recommendation is made that:

- Municipalities budget for the training of its workforce
- Municipalities should sign performance agreements with all staff members which will assist to identify skills gaps.
- That trainees must sign commitment agreements that should they abandon the training or fail to submit the portfolio of evidence they should repay the state for the costs incurred.

## 5.8.7 Implementation of Performance Management Systems Framework

## EHLANZENI

Table 80: Performance Management System Implementation in Ehlanzeni District

Names of Municipality	PMS Framework developed/ reviewed and adopted by council (state date of adoption)	Analysed IDP and engaged with community	Adopted IDP linked to SDBIP?	Section 57 Performance contract signed?	Section 57 managers with signed Performance Agreements?	PMS audited by an Internal Auditor for functionality and legal compliance?	Appointed Performance Audit Committee(PAC)	Submitted council oversight reports and made public	Submitted quarterly performance report	Cascaded PMS to lower level below section 56	State reasons for non-compliance on any of these components
Bushbuckridge	Yes	Yes	Yes	6	6	Yes	No	Yes	Yes	Yes	None
Mbombela	Yes	Yes	Yes	8	8	Yes	No	Yes	Yes	No	Financial
Nkomazi	Yes	Yes	Yes	4	4	Yes	Yes	Yes	Yes	No	Cascading of PMS to lower level employees planned for 2016/17
Thaba Chweu	Yes	Yes	Yes	4	4	Yes	No (Audit Committee does this function)	Yes	Yes	No	Insufficient staff in the PMS Unit.
Umjindi	Yes	Yes	Yes	5	5	Yes	No	Yes	No	No	Municipality submitted IPMS Policy item to LLF for consultation to cascade PMS to all employees
Ehlanzeni District	Yes	Yes	Yes	6	6	Yes	Yes	Yes	Yes	Yes	None
<b>Total</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>33</b>	<b>33</b>	<b>6</b>	<b>2</b>	<b>6</b>	<b>5</b>	<b>2</b>	

(Source: Section 46 reports from municipalities)

## GERT SIBANDE DISTRICT

Table 81: Performance Management System Implementation in Gert Sibande District

Names of Municipality	PMS Framework developed/ reviewed and adopted by council (state date of adoption)	Analysed IDP and engaged with community	Adopted IDP linked to SDBIP?	Section 57 Performance contract signed?	Section 57 managers with signed Performance Agreements?	PMS audited by an Internal Auditor for functionality and legal compliance?	Appointed Performance Audit Committee(PAC)	Submitted council oversight reports and made public	Submitted quarterly performance report	Cascaded PMS to lower level below section 56	State reasons for non-compliance on any of these components
Chief Albert Luthuli	Yes	Yes	Yes	7	7	Yes	Yes	Yes	Yes	No	None
Dipaleseng	Yes PMS Adopted	Yes	Yes	4	4	Yes	Yes	Yes	Yes	No	In a process of exhausting due all legislation
Govan Mbeki	Yes	Yes	Yes	6	6	No	No	Yes	Yes	No	Cascading PMS to lower levels will be roll-out in phases
Lekwa	Reviewed by 2016-04-30 but not adopted.	Yes	Yes	6	6	Yes	Audit Committee serves as Performance Audit Committee	Yes	Yes	No	Reviewed PMS Policy approved by Council. PMS not yet cascaded. Policy for its implementation to be developed in line with completed and updated job descriptions

Names of Municipality	PMS Framework developed/ reviewed and adopted by council (state date of adoption)	Analysed IDP and engaged with community	Adopted IDP linked to SDBIP?	Section 57 Performance contract signed?	Section 57 managers with signed Performance Agreements?	PMS audited by an Internal Auditor for functionality and legal compliance?	Appointed Performance Audit Committee (PAC)	Submitted council oversight reports and made public	Submitted quarterly performance report	Cascaded PMS to lower level below section 56	State reasons for non-compliance on any of these components
Mkhondo	Yes	Yes	No	6	6	Yes	Yes	Yes	Yes	Yes	Municipal Manager post vacant.
Msukaligwa	Yes	Yes	Yes	5	5	Yes	Yes	Yes	Yes	No	None
Dr. Pixley Ka Isaka Seme	PMS Framework	Communities were engaged	Yes	4	4	Yes	Yes	Yes	Yes	No. PMS only applicable to	PMS not cascaded down due to Insufficient staff in the PMS Unit.
	adopted in 2013	during and after the drafting of the IDP								S56 and S57 Managers. Meeting scheduled with SALGA for March 2017	
Gert Sibande District	Yes	Yes	Yes	5	5	Yes	Yes	Yes	Yes	No	None
<b>Total</b>	<b>8</b>	<b>8</b>	<b>7</b>	<b>43</b>	<b>43</b>	<b>7</b>	<b>7</b>	<b>8</b>	<b>8</b>	<b>0</b>	

(Source: Section 46 reports from municipalities)

**NKANGALA****Table 82: Performance Management System Implementation in Nkangala District**

Names of Municipality	PMS Framework developed/ reviewed and adopted by council (state date of adoption)	Analysed IDP and engaged with community	Adopted IDP linked to SDBIP?	Section 57 Performance contract signed?	Section 57 managers with signed Performance Agreements?	PMS audited by an Internal Auditor for functionality and legal compliance?	Appointed Performance Audit Committee (PAC)	Submitted council oversight reports and made public	Submitted quarterly performance report	Cascaded PMS to lower level below section 56	State reasons for non-compliance on any of these components
Emalahleni	Yes	Yes	Yes	6	6	Yes	Yes	Yes	Yes	No	None
Emakhazeni	Yes	Yes	Yes	5	5	Yes	Yes	Yes	Yes	No	None
Steve Tshwete	Yes	Yes	Yes	2	2	Yes	Yes	Yes	Yes	Level 1 -3	None
Victor Khanye	Yes	Yes	Yes	4	4	No	No	No	Yes	No	<input type="checkbox"/> The PMS is up for review and will be audited by the Internal Audit; <input type="checkbox"/> The Audit Committee is responsible for performance audit instead of PAC; <input type="checkbox"/> Oversight report was not made public due to late submission to Council for Adoption; and <input type="checkbox"/> The Monitoring and Evaluations Unit has requested assistance from the audit committee on the process of cascading the PMS..
Dr. JS Moroka	Yes	Yes	Yes	3	3	Yes	Yes	Yes	Yes	No	Insufficient staff in the PMS Unit.
Thembisile Hani	Yes 26 July 2016	Yes	Yes	4	4	Yes	Yes	Yes	Yes	No	Insufficient staff in the PMS Unit.
Nkangala District	Yes	Yes	Yes	5	5	Yes	Yes	Yes	Yes	Yes	None
<b>Total</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>29</b>	<b>29</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>2</b>	

(Source: Section 46 reports from municipalities)

#### 5.8.6.1 Analysis on the implementation of PMS in municipalities

##### Findings

The following findings have been made with regard to the implementation of the PMS in municipalities in the three (3) financial years there is steady increase in the cascading of PMS to staff lower than section 54 and 56 managers. In 2013/14 financial year only one (1) municipality (Bushbuckridge) had cascaded PMS to officials lower than section 54 and 56 managers. In 2014/15 financial year two (2) municipalities in the province (Bushbuckridge and Ehlanzeni District) were implementing the PMS to officials lower than section 54 and 56 managers. In 2015/16 financial year two more (2) municipalities in the province had started cascading PMS to officials lower than section 54 and 56 managers. That is Steve Tshwete and Nkangala District municipalities bringing the total number to four (4).

- PMS Framework policy has been developed/reviewed and adopted by Council
- Section 57 Managers signed their Performance Agreements
- 21 Municipalities in the Province have developed/reviewed PMS frameworks

##### Challenges

- Shortage of staff in municipalities to implement PMS
- Insufficient budget to cascade PMS to officials lower than section 54 and 56 managers.
- In some municipalities PMS is implemented only to section 57 Managers in most municipalities Job evaluation not done

##### Support interventions by National and Provincial government

Provincial COGTA developed the Provincial PMS Framework to guide municipalities in the development of their own PMS frameworks. The aim of the framework is to ensure that all municipal employees should enter into agreements on a yearly basis in order gauge or measure their productivity in the work place.

##### Recommendations

The following recommended are made to municipalities:

- Filling of all PMS vacant posts by municipalities
- Budget for PMS functions
- Finalisation of job evaluation
- Municipalities to prioritise the resourcing of PMS Units.

# PART C

## 6. SUMMARY OF FINDINGS

## 6.1 KEY CHALLENGES AND RECOMMENDATIONS PER MUNICIPALITY

Table 83: Key challenges and recommendations per Key Performance Area (KPA)

Key challenges and recommendations per Key Performance Area (KPA)					
KPA 1: Good Governance	Focal Area	District	Municipality	Challenges	Recommendations
	Performance of Council Committees	Ehlanzeni Nkangala and Gert Sibande	Nkomazi, Thaba Chweu, Dr JS Moroka, Victor Khanye, Dr Pixley Ka Isaka Seme and Nkangala District Municipality	<ul style="list-style-type: none"> <li>No challenges were specified on why the municipalities did not comply with S70 of the Municipal Systems Act 32 of 2000;</li> <li>Municipalities are not enforcing or fully implementing financial policies especially with regards to councillors and officials.</li> </ul>	<ul style="list-style-type: none"> <li>Municipalities to be reminded to enforce their policies with regard to debt collection in particular to defaulting councillors and staff members</li> </ul>

Table 84: Key challenges and recommendations per Key Performance Area (KPA)

Key challenges and recommendations per Key Performance Area (KPA)					
KPA 2: Service Delivery and Infrastructure Development	Focal Area	District	Municipality	Challenges	Recommendations
	Access to water and Sanitation	Ehlanzeni Nkangala and Gert Sibande	All	<ul style="list-style-type: none"> <li>Inadequate Bulk water source</li> <li>Illegal connections in the bulk infrastructure</li> <li>Poor planning and budgeting</li> <li>Huge backlog on sanitation</li> <li>Water losses</li> </ul>	<ul style="list-style-type: none"> <li>Effective monitoring and support of municipalities in planning.</li> </ul>
	Electricity	Ehlanzeni Nkangala and Gert Sibande	Thaba Chweu, Emalahleni, Lekwa, Msukaligwa, Mkhondo, Emakhazeni, Dr JS Moroka and Victor Khanye	<ul style="list-style-type: none"> <li>In ability to service ESKOM debt</li> </ul>	<ul style="list-style-type: none"> <li>The Department and Provincial Treasury to continue to monitor municipalities to honour their obligations to ESKOM.</li> </ul>

Table 85: Key challenges and recommendations per Key Performance Area (KPA)

Key challenges and recommendations per Key Performance Area (KPA)					
KPA 3: Spatial Rationale	Focal Area	District	Municipality	Challenges	Recommendations
	Spatial Development Frameworks	Ehlanzeni Nkangala and Gert Sibande	All	<ul style="list-style-type: none"> <li>Misalignment of plans/strategies by municipalities private business and sector departments across the province</li> <li>Slow pace of municipalities to perform administrative tasks and failure by municipal Councils to take resolutions orientated to concluding tasks in time.</li> <li>Municipalities are not allocating the budget for the implementation of SPLUMA and SDFs</li> </ul>	That the Department continues to support and monitor municipalities on land use management in line with SPLUMA.

Table 86: Key challenges and recommendations per Key Performance Area (KPA)

Key challenges and recommendations per Key Performance Area (KPA)					
	Focal Area	District	Municipality	Challenges	Recommendations
<b>KPA 4: Intergrated Development Planning Process</b>	IDP	Ehlanzeni Nkangala and Gert Sibande	All	<ul style="list-style-type: none"> <li>In most cases IDP reviews and development are merely for compliance purposes;</li> <li>Insufficient budget to address competing priorities such as roads infrastructure and waste removal.</li> </ul>	That they budget for the review of outdated/ or development of sector plans in their medium term expenditure framework during the development of next generation IDPs;

Table 87: Key challenges and recommendations per Key Performance Area (KPA)

Key challenges and recommendations per Key Performance Area (KPA)					
	Focal Area	District	Municipality	Challenges	Recommendations
<b>KPA 5: Local Economic development</b>	LED Forums	Ehlanzeni and Gert Sibande	Bushbuckridge Umjindi and Msukaligwa	Capacity constraints are major challenge as to why the municipalities are not able to run and manage stakeholder forums	Municipalities to recruit staff with the requisite skills on stakeholder management
	LED Budget	Gert Sibande and Nkangala Districts	Lekwa, Msukaligwa, Dipaleseng, Emalahleni, Emakhazeni, Dr JS Moroka and Thembeisile Hani	<ul style="list-style-type: none"> <li>Poor budgeting and resource allocations to implement LED;</li> <li>Where LED budget is available it is not spent</li> </ul>	<ul style="list-style-type: none"> <li>Municipalities need to treat LED just like other KPAs of the municipalities in terms of implementing the LED programme to ensure that the available budget is spent accordingly to develop their economies and not for other purposes.</li> </ul>
	LED strategies	Gert Sibande and Ehlanzeni District	Msukaligwa and Umjindi	LED strategy not approved	COGTA to assist the municipality to review and implement the LED strategy

Table 88: Key challenges and recommendations per Key Performance Area (KPA)

Key challenges and recommendations per Key Performance Area (KPA)					
	Focal Area	District	Municipality	Challenges	Recommendations
<b>KPA 6: Financial Management</b>	Revenue collection	Ehlanzeni Nkangala and Gert Sibande	All	<ul style="list-style-type: none"> <li>Failure of municipalities to implement revenue enhancement strategies and plans as developed</li> <li>Poor revenue collection.</li> <li>Incorrect billing</li> </ul>	<ul style="list-style-type: none"> <li>Municipalities expedite the finalization and adoption of financial policies and by-laws</li> <li>Municipalities to continue to reconcile valuation rolls with billing systems</li> <li>Implementation of standard operating procedures for revenue management</li> </ul>
	Municipal debtors	Ehlanzeni Nkangala and Gert Sibande	All	<ul style="list-style-type: none"> <li>Municipalities are slow on data cleansing.</li> <li>Inaccurate billing of clients</li> <li>Illegal connections</li> <li>Customer affordability to pay their debt</li> </ul>	<ul style="list-style-type: none"> <li>Municipalities to expedite the process of data cleansing</li> <li>Ensure billing information is accurate</li> <li>Set up a system to monitor illegal connections</li> </ul>
	Capital Budget Expenditure	Ehlanzeni Nkangala and Gert Sibande	Ehlanzeni District, Mbombela, Umjindi, Gert Sibande District, Dipaliseng, Govan Mbeki, Dr Pixley Ka Isaka Seme, Nkangala District, Dr JS Moroka, Emalahleni, Emakhazeni, Victor Khanye.	<ul style="list-style-type: none"> <li>Poor spending of capital budget due to the inability to plan for projects;</li> <li>Utilisation of grant funding for operational expenditure due to cash flow challenges</li> <li>Some Municipalities had unfunded budget.</li> <li>Some municipalities' Annual Reports (Section 46 Reports) do not reflect/report their Capital Budget Expenditure.</li> </ul>	<ul style="list-style-type: none"> <li>Municipalities to ring-fence MIG funding;</li> <li>Municipalities to plan in advance for projects to start with implementation as early as the commencement of the financial year.</li> <li>Provincial Treasury to continue providing technical support on financial planning</li> </ul>



Table 89: Key challenges and recommendations per Key Performance Area (KPA)

Key challenges and recommendations per Key Performance Area (KPA)					
KPA 7: Public Participation	Focal Area	District	Municipality	Challenges	Recommendations
	Ward committees	Ehlanzeni Nkangala and Gert Sibande	Mbombela, Umjindi, Nkomazi, Thaba Chweu, Emakhazeni, Dr JS Moroka, Steve Tshwete, Emalahleni, Victor Khanye, Mkhondo, Chief Albert Luthuli, Msukaligwa, Lekwa and Govan Mbeki	<ul style="list-style-type: none"> <li>Failure to convene meetings by Ward Councillors</li> <li>Non implementation of ward operational plans</li> <li>Poor working relationship between CDWs and Ward Committees</li> </ul>	<ul style="list-style-type: none"> <li>Speakers' offices in municipalities to ensure that all ward councillors convene community meetings as required.</li> <li>Municipalities to monitor and enforce the implementation of the Ward Operational Plans.</li> </ul>

Table 90: Key challenges and recommendations per Key Performance Area (KPA)

Key challenges and recommendations per Key Performance Area (KPA)					
KPA 8: Institutional Development and Transformation	Focal Area	District	Municipality	Challenges	Recommendations
	Filling of S54 and S56 Managers	Ehlanzeni Gert Sibande and Nkangala	All	<ul style="list-style-type: none"> <li>There is sometimes low turn-up of applicants who meet the post requirements making it difficult for the municipality to fill the posts within the stipulated timeframe.</li> <li>Delays by municipalities in advertising and filling vacant posts</li> </ul>	<ul style="list-style-type: none"> <li>That all municipalities implement Government gazette No. 40593 on Regulations of Municipal Finance Management Act of 2003 which also exempt municipalities from Regulations 15 and 18 on minimum competency levels of 2007.</li> </ul>
	Vacant PMS posts	Ehlanzeni Gert Sibande and Nkangala	Dr JS Moroka, Thembisile Hani, Emakhazeni, Emalahleni, Dr Pixley Ka Isaka Seme, Lekwa, Msukaligwa, Dipaleseng, Chief Albert Luthuli, Nkomazi, Thaba Chweu, Bushbuckridge,	<ul style="list-style-type: none"> <li>Shortage of staff and Budgetary constraints</li> </ul>	<ul style="list-style-type: none"> <li>Municipalities to budget and fill approved posts</li> </ul>





**VISION**

Responsive, effective, efficient and sustainable co-operative governance system.

**MISSION**

To co-ordinate, support, monitor and strengthen an integrated co-operative governance system.

**Building No.6, Ext 2, No.7 Government Boulevard,  
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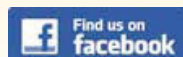
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**PR15/2018**

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## PROVINCIAL NOTICE 19 OF 2018

**NOTICE IN TERMS OF SECTION 33(1) OF THE BUSHBUCKRIDGE LAND USE  
BY-LAW 2014**

We, **TAS MOSOMO JV**, the authorised agents of the Bushbuckridge Local Municipality hereby give notice in terms of Section 33(1) of the **Bushbuckridge Land Use By-Law 2014** that We have applied to Bushbuckridge Local Municipality, for township establishment of Hospital View area on a portion of the Remaining Extent of the Farm Maviljan 252 KU.

Particulars of this application will be available for inspection during normal office hours at the office of the Chief Town Planner: Economic Development, Planning and Environment, First Floor, Old Bohlabela Building, Thulamahshe, for a period of 28 days from **2 March 2018**

Objections to or representations in respect of the application must be lodged with or made in writing to the Chief Town Planner: Economic Development, Planning and Environment at the above address or at Private Bag X 9308 Bushbuckridge, 1280 and the undersigned, in writing 28 days from **2 March 2018**

**NAME AND ADDRESS OF AGENT:****Limpopo Office**

TAS Mosomo JV

P.O. Box 1093, TZANEEN, 0850

Tel : (015) 307 4435

Date of first publication: **2 March 2018**

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

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LOCAL AUTHORITY NOTICE 15 OF 2018

# **CITY OF MBOMBELA**

## **STANDING RULES OF ORDER OF COUNCIL**

**(COUNCIL RESOLUTION A(2) OF 13 DECEMBER  
2016 – ANNEXURES 420/16 AND 438/16)**

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## 1. Purpose of the Rules

- (1) These are rules for proceedings of the Council of the City of Mbombela and for the exercise of its powers.
- (2) The Rules are intended to enable Council to fulfill its constitutional responsibilities. This means that the rules must:
  - (a) promote the orderly conduct of Council and its committees;
  - (b) promote the ability of Council to conduct its business, oversee the executive and facilitate public participation;
  - (c) facilitate debate and discussions;
  - (d) ensure that all parties and Councillors have an opportunity to participate in the work of the Council in line with the constitutional dispensation;
  - (e) ensure public access to the Council and its proceedings and facilitate public participation in its processes; and
  - (f) promote democratic order, non-racialism, non-sexism and exclude any other forms of discrimination.
- (3) These Rules are not intended to diminish or restrict Council's powers, privileges and immunities.
- (4) These rules must be read in conjunction with any relevant national legislation, applicable local government legislation and the Constitution of the Republic of South Africa.

## 2. Publication and display of the Rules

These Rules must be published in the language of record (English) and a copy of the Rules must be provided to Councillors for easy reference.

## 3. Definitions

In these Rules-

*"Closing a Council meeting or a meeting of a committee" means closing the meeting and any unfinished business needs to be rescheduled by inclusion thereof on the next Council or committee meeting agenda.*

*"Act" means Act No. 117 of 1998, the Local Government: Municipal Structures Act.*

*"Agenda" means the document that describes the business of the Council or committee for discussion at the meeting and includes the proceedings for the meeting.*

*"CAPEX" means capital expenditure.*

*"Council business" means any item before Council or its committees or other business that the Council or its committees may consider.*

*"Chair of Chairs" means the person who chairs the Section 79 Committee of Chairpersons.*

*"Committee" means a committee of Council, unless otherwise indicated, e.g. Mayoral Committee.*

*"Council Chamber" means the room in which the proceedings of the Council take place, excluding those areas where members of the public and the media may follow the proceedings.*

*"Council Precinct" means any place de facto occupied by Councillors for their duties and over which the Speaker has authority.*

*"Chief Whip of Council" means the chief whip of the majority party represented on Council.*

*"Constitution" means the Constitution of the Republic of South Africa, Act 108 of 1996.*

*"Council" means an assembly of elected representatives of the municipality in plenary, either in Council or in committees of Council.*

*"Councillor" means a member of the Council.*

*"Day" means calendar day, unless otherwise indicated.*

*"Executive" means the Executive Mayor and Members of the Mayoral Committee.*

*"Formal" means a suit and tie, or at least a suitable long sleeve shirt and tie for Council meetings and neatly dressed or formal attire, exclusive of smart casual, for committees of Council and workshops.*

*"IDP" means Integrated Development Plan.*

*"Languages of Council" means languages recognized in terms of the Language policy of the City of Mbombela Council.*

*"Leader of Government Business" is a Councillor appointed by the Executive Mayor to manage the interface between the Executive and the Legislature.*

*"Majority of the members of the Council" means 50% plus 1 of the members of Council.*

*"MFMA" means the Local Government: Municipal Finance Management Act, 56 of 2003.*

*"MMC" means Member of the Mayoral Committee.*

*"MOE" means Municipal Owned Entity of the municipality.*

*"Motion" means a proposal for a matter to be adopted or debated by Council.*

*"Municipal Code" means the official record of all applicable by-laws of Council.*

*"Party Whip" means a Councillor designated by his/her party to serve in that capacity.*

*"Petitions policy" means the adopted Council Petitions policy.*

*"Point of Order" means an interjection, during a meeting of Council or a committee, by a Councillor, who does not have the floor, to call the attention of the Presiding Officer to an alleged violation or breach of the Standing Rules and/or other procedure.*

*"Nuisance" meaning irritation or annoyance.*

*"Presiding Officer" means the Speaker of Council, the Chairperson of a Section 79 Committee or any other Chairperson of a committee of Council.*

*"Public" means members of the public in as far as they are within the precincts of Council.*

*"Quorum" means a total of 50% plus one of Councillors elected, unless otherwise stipulated in the Rules.*

*"SALGA": means the South African Local Government Association.*

*"Secretary" means the Secretary to Council or any person delegated or appointed by the Secretary to Council to perform Council's secretariat functions in his/her absence.*

*"Security personnel" means security personnel employed directly by or subcontracted to the municipality, to ensure the safety of the property and*

*persons of the municipality.*

*“Systems Act” means Act no. 32 of 2000, the Local Government: Municipal Systems Act.*

*“Legislature” is the Legislative/oversight arm of Council.*

*“Whippery” means a structure representative of all party whips of political parties represented on Council.*

## **4. Authority and application of the Rules**

These Rules apply to-

- (a) all Councillors;
- (b) Council and its committees;
- (c) all political parties represented in Council;
- (d) any member of the public while present in the Council Chamber and its precinct;
- (e) all employees of the municipality in the course and scope of their employment;
- (f) Traditional Leaders participating in Council and its committees in terms of section 81 of the Municipal Structures Act ,117 of 1998;
- (g) any consultant or contractor to the Legislature, in the course of fulfilling their consulting or contractual obligations.

### **4.1 Sub-Councils and Ward Committee meetings**

These Rules of Order shall not apply to meetings of Sub-Councils and Ward Committees, which meetings are governed by its own Rules of Order.

## **5. Changing the Rules**

- (1) A Rule may be amended, revoked or added by a resolution of Council.
- (2) Any Councillor proposing a change to the Rules must submit the proposal in writing to the Rules and Ethics Committee, which committee shall process the proposal in accordance with its terms of reference.
- (3) A proposal to change the Rules must be introduced by the Speaker of Council and accompanied by a report of the Rules and Ethics Committee.

## **6. Interpretation of the Rules**

- (1) The Speaker must give a ruling: –
  - (a) whenever a question arises about the interpretation or application

of a Rule;

- (b) in cases not provided for in these Rules.
  - (c) when the Speaker gives a ruling, he or she must consider best practices and be guided by:-
    - (i) the prescripts of the Constitution of the Republic of South Africa
    - (ii) National and Provincial Legislation
    - (iii) Municipal by-laws and policies
    - (iv) the Rule of Law and the Rules of Natural Justice
    - (v) previous rulings;
    - (vi) the established practices of Council.
- (2) A ruling on a case not provided for in these Rules remains in force until Council has decided on the matter.
  - (3) Any interpretation and ruling made by the Speaker should be minuted and such minutes be made available to any Councillor on request.
  - (4) Any Councillor who has made a request in terms of the interpretation of the Rules may orally, during that meeting or within five working days thereof in writing, require the Secretary to Council to submit the matter to the Rules and Ethics Committee, in which event the committee shall consider the ruling and report thereon to Council.
  - (5) Council may, on the recommendation/s of the Rules and Ethics Committee, direct that the ruling of the Speaker be amended or substituted.

## **7. Precincts of Council**

- (1) The precincts of Council are the areas of land and every building or part of a building under Council's control, including:-
  - (a) the Chamber in which the proceedings of Council are conducted and the galleries and lobbies of the Chamber;
  - (b) Committee Rooms and other meeting places provided or used primarily for Council's purposes;
  - (c) every other building or part of a building provided or used in connection with the proceedings of Council, while so used;
  - (d) every part of the building in which the Chamber is situated and every forecourt, yard, garden, enclosure or open space appurtenant thereto.
- (2) Insofar as it may be necessary, in a case where Council or its committees convene beyond the seat of Council, these Rules apply as if the premises where Council or its committees are meeting, were within the precincts of Council.

## **8. Ceremonies**

Ceremonies constitute:

- (a) End of the Term Council function before local government elections.
- (b) The first meeting of the Council after an election (Inaugural).
- (c) Inauguration of the Executive Mayor.
- (d) The official opening of Council each year.
- (e) Budget Speech by the Executive Mayor.
- (f) Designated Special meetings, as determined by the Speaker of Council.
- (g) Closing of Council before the December recess, being the last Council meeting of the calendar year.

## **9. First meeting after an election**

### **9.1 Council sits within fourteen (14) days**

In accordance with section 29(2) of the Local Government: Municipal Structures Act, 117 of 1998, the Municipal Manager or, in the absence of the Municipal Manager, a person designated by the MEC for Co-operative Governance and Traditional Affairs, must call the first meeting (Inaugural) of Council within 14 days after the Councillors have been declared elected.

### **9.2 Councillors take oath of affirmation**

- (1) At the first meeting of Council after an election, after the notice convening such a meeting has been read and before Councillors may begin to perform their functions, they must swear or affirm before a judicial officer, faithfulness to the Republic, obedience to the Constitution and that they will perform their duties and functions as Councillors to the best of their abilities.
- (2) Councillors who fill a vacancy in Council between elections must, before a judicial officer, take an oath or affirm their faithfulness to the Republic, obedience to the Constitution and that they will perform their duties and functions as Councillors to the best of their abilities, prior to commencing with their duties and functions in Council.

### **9.3 Election of Speaker**

- (1) After all Councillors present have taken the oath or affirmation, Council must elect one of its Councillors as the Speaker in accordance with the procedure set out in section 36 of the Local Government: Municipal Structures Act, 117 of 1998.

- (2) After the Speaker has been duly elected, the Municipal Manager or the designated person by the MEC for Co-operative Governance and Traditional Affairs, ceases to be the Presiding Officer of Council and the newly elected Speaker further presides over the meeting as prescribed in section 37 of the mentioned Act.

#### **9.4 Acting Speaker**

If the Speaker is absent, or not available to undertake his/her duties or needs to be relieved during a meeting, Council shall elect a Councillor from amongst its members to be the acting Speaker.

#### **9.5 Election of Executive Mayor**

- (1) After the election of the Speaker, Council must elect one of its Councillors as the Executive Mayor in accordance with section 55 of the Local Government: Municipal Structures Act, 117 of 1998.
- (2) After the election of the Executive Mayor, the Speaker must inform Council of the date and time on which the Executive Mayor will deliver his/her address.

### **10. Leader of Government Business (LGB)**

As soon as possible after an election or, whenever the position of the Leader of Government Business is vacant, the Executive Mayor must appoint a Member from the Mayoral Committee as Leader of Government Business in Council and inform the Speaker of the appointment.

### **11. Council meetings open to the public and media**

- (1) The Municipal Council shall conduct its business in an open and transparent manner and every meeting of Council and all its committees, excluding the Mayoral Committee, shall be open to the public and media, provided that this section shall not apply when it is reasonable to do so, having regard to the nature of the business being transacted in terms of sections 20(1)(a) and (b) of the Local Government: Municipal Systems Act, 32 of 2000.
- (2) The Act further dictates that Council may not exclude the public, including the media, except when the following matters are considered:
  - (i) legal proceedings involving Council
  - (ii) personal and private information of any Councillor or an employee of the municipality
  - (iii) the intention of the municipality to purchase or acquire land or buildings
  - (iv) the price a municipality may offer for the purchase or acquisition of land or buildings
  - (v) any report addressing legal proceedings that the

- municipality is involved in or contemplating instituting or defending
- (vi) disciplinary proceedings or proposed disciplinary proceedings against any employee
  - (vii) any item on the appointment, emoluments, misconduct or removal of any employee of Council
  - (viii) any other matter that may not be disclosed in terms of legislation
  - (ix) consideration of the minutes of previous In-Committee discussions.
- (3) A Councillor may, when an item on the agenda is put to order, other than a matter referred to in sections 11.1 and 11.2 above and provided it is not a matter required by law to be dealt with in Open Council, propose, with a motivation, that the matter be further dealt with In-Committee. The ruling of the Speaker in this regard will be final and no further discussion will be allowed.
- (4) The Speaker or presiding officer of a committee must take reasonable measures to regulate public access to meetings, including the media and arrange for the search of any person, the removal of any person from, or refusal of entry to any meeting, where appropriate.
- (5) The Speaker and presiding officer of any committee must:
- (i) set aside places designated for the public, including the media, at meetings;
  - (ii) determine the entrance and exit routes for the public to access meeting venues.

## 12. Frequency of Ordinary Council meetings

Council shall hold an Ordinary meeting for the transaction of its business not less than once in every three months (quarterly).

## 13. Special Council meetings/workshops

- 1
- 13.1 The Speaker may at any time of own accord and shall, upon request in writing of a majority of the Councillors of the municipality, call a Special meeting/workshop of Council, provided that no such Special meeting/workshop shall take place unless all Councillors were given 48 hour notice prior to the date and time set for the meeting/workshop.
- 13.2 In the event where the Speaker fails or refuses to call a Special Council meeting when requested to do so in accordance with section 13.1 above, the Municipal Manager of the municipality may call the meeting.



## **14. Notice of meetings**

- 14.1 In terms of section 29 of the Local Government: Municipal Structures Act, 117 of 1998, the Speaker must determine the date, time and venue of Council meetings and, in the case of Ordinary meetings, must ensure that such meetings take place at least quarterly.
- 14.2 The Speaker must give written notice of every Ordinary meeting of Council not less than seven calendar days before such Ordinary meeting and provide the agenda for the meeting at least four calendar days before such meeting, to each Councillor to enable members to prepare adequately, provided that, when a Special Council meeting must be convened due to urgent matters, the written notice and agenda for such Special meeting may be given not less than 48 hours before the meeting.
- 14.3 The written notice specified in section 14.2 above, of every meeting to all Councillors, shall be done by means of Council's short message system (sms) and the agenda delivered to the relevant Regional Centers within Mbombela as indicated by each Councillor, for collection. However, Councillors should note that it is their responsibility to ensure that they receive the agenda in preparation for the meeting and to inform the Office of the Speaker should any problems be experienced in that regard.
- 14.4 The accidental omission to serve a notice to any Councillor in line with section 14.2 above, or the late receipt of such a notice and agenda, shall not affect the validity of the relevant meeting.
- 14.5 Whenever a meeting of Council is called, the Office of the Speaker must give notice of the meeting stipulating the time, date and venue of the meeting by also placing a notice to this effect on Council's notice board and by placing an advertisement in two (2) local newspapers. The obligation to place an advertisement in the newspapers may be dispensed with at the discretion of the Municipal Manager in cases where time constraints do not allow these advertisements to be placed.
- 14.6 The agenda mentioned in subsection 14.2 above shall be delivered by the Secretary to Council to the office of the Municipal Manager. All other employees nominated by the Municipal Manager to receive such notice, shall collect it at the Records Unit.

## **15. Attendance of meetings**

- 15.1 Every Councillor must, in terms of clause 3 of the Municipal Systems Act, 32 of 2000 (MSA)- Code of Conduct for Councillors, attend each meeting/workshop of the Council and



committee of Council of which that Councillor is a member, and remain in attendance at such meeting/workshop, except when:

- (a) on prior written application, in the prescribed format, by the Councillor to the Speaker (for Council-, Section 79-and House Committee meetings as well as workshops) and the Executive Mayor (for Mayoral Committee meetings) and the Speaker/Executive Mayor accepting the reason/s for his/her inability to attend an Ordinary or Special Council meeting, an Ordinary or Extraordinary meeting of the Mayoral Committee or any other committee meeting of Council, absence of leave is granted, provided that due to reasons beyond the control of the Councillor concerned, verbal application for leave of absence for that Councillor may be made by another Councillor to the Speaker/Executive Mayor/Chairperson and provisionally granted by the latter, subject thereto that a written, acceptable application be submitted to the relevant Office within 7 (seven) working days after the date of the meeting;
- (b) a Councillor is required to withdraw from the meeting in terms of the Code of Conduct for Councillors.

15.1.1 The Speaker/Executive Mayor may, where a Councillor, due to unforeseen circumstances, is unable to submit prior application for leave of absence from an Ordinary or Special Council meeting, an Ordinary or Extraordinary Mayoral Committee meeting or any other committee of Council meeting, approve such leave of absence on verbal or written application after the meeting, subject thereto that if such application was submitted verbally, leave be granted provisionally, subject to such verbal application being confirmed in writing within 7 (seven) working days of such meeting.

15.2 A contravention of any stipulation under section 15.1 above, constitutes misconduct which is subject to sanction as prescribed hereunder.

15.2.1 All applications for leave of absence must include clear reasons for the Councillor's inability to attend the meeting and must distinguish clearly between non-attendance due to personal matters and non-attendance due to the Councillor attending to other matters of Council (official business).

15.2.2 All Councillors must inform the Office of the Speaker at all times of their unavailability to perform their duties as Councillors as a result of them being on vacation leave, being ill, being away from office or any other reason, as well as the period of such absence.

15.3 Leave of absence may be granted in the following circumstances:

- (a) vacation leave, once a year;
- (b) sick leave, provided that a letter/certificate from a

medical practitioner or registered traditional healer is submitted and limited to a maximum of three months' consecutive meetings (further sick leave be considered, on merit, by the Speaker in consultation with the Party Whips and such extension be linked to the salary of such Councillor);

- (c) serious illness or death of a family member (to be approved by the Speaker in consultation with the Party Whips);
- (d) urgent matters beyond the Councillor's control that require the Councillor's immediate personal attention;
- (e) a prior official engagement elsewhere (municipal business);
- (f) other reasons, as approved by the Speaker, in consultation with the Party Whips, such as in cases where scheduled meetings have been rescheduled.

15.4 Subject to the provisions of sections 15.1 and 15.2 above, any Councillor who, without having first obtained leave of absence from the Speaker, otherwise than in circumstances beyond his/her control, fail to attend three consecutive meetings of Council, the Mayoral Committee or any committee meeting of Council of which that Councillor is a member, irrespective whether it is Ordinary, Special or Extraordinary meetings, shall, subject to the provisions of section 15.8, be removed from office as a Councillor.

15.5 Subject to the provisions of section 15.1, the Speaker shall impose, in terms of clause 4 of Schedule 1 of the Code of Conduct for Councillors, the following fines on any Councillor who, during his/her term of office, without having first obtained leave of absence from the Speaker/Executive Mayor, fail to attend a meeting of Council, the Mayoral Committee or a committee of Council of which that Councillor is a member, or fail to remain in attendance at such a meeting, or is absent from a meeting more than once a year on account of vacation leave:

- (a) For non-attendance of a first meeting- a fine equal to 10% of the Councillor's allowance, per month;
- (b) For the non-attendance of a second meeting- a fine equal to 15% of the Councillor's allowance, per month;
- (c) For non-attendance of a third meeting- a fine equal to 20% of the Councillor's allowance, per month.

15.6 Every member present at a meeting of Council, the Mayoral Committee or any committee/workshop of Council, shall sign the attendance register for that meeting/workshop, which shall be made available by the relevant Secretariat.

15.7 The Offices of the Speaker and Executive Mayor shall submit, at the first Ordinary meeting of the Council every calendar year, a return indicating the attendance of every Councillor at meetings of Council, the Mayoral Committee and any other committee of Council held during the previous calendar year,

respectively, as a report to Council.

15.8 The following procedure shall apply for the imposition of a fine as provided for in section 15.5 and the removal of a Councillor from office, as provided for in section 15.4:

- (a) When a Councillor is absent from a meeting of Council or a committee of Council, without leave of absence being granted in terms of section 15.1, the Speaker shall inform such Councillor in writing, within seven working days from the date of the meeting from which the Councillor was absent, of such contravention, the fine imposed and the possible consequences in terms of section 15.5.
- (b) When a Councillor is absent from a meeting of Council or committees of Council, without leave of absence, such Councillor may, within 7 (seven) working days from the date of receiving written notice from the Speaker, submit written reasons to the Speaker by hand or registered mail, why a fine should not be imposed on such Councillor. The Speaker shall pronounce himself/herself in writing on such plea before any deduction is made from the relevant Councillor's allowance.
- (c) When a Councillor is absent from three or more consecutive meetings of Council or a committee of Council, without leave of absence and having been notified by the Speaker of each such contravention, the Speaker shall notify such Councillor in writing, within seven working days from the date of the last meeting from which the Councillor has been absent without leave, to appear before a disciplinary committee, being the Rules and Ethics Committee, on a date and time and at a venue as determined by the Speaker, to give evidence, submit documentation and call witnesses on why such Councillor should not be removed from office, at the close of which the Rules and Ethics Committee shall make a ruling in line with the relevant legislation.
- (d) The written notices in sub-paragraphs (a) and (c) above shall be hand delivered to the Councillor involved in the Office of the Speaker, after the Councillor has been called in to receive such, or, if that is not possible, to the business address or residential address on record of the Councillor concerned and any person who appears to be of 18 years of age or older present on the relevant premises, can receive and acknowledge receipt of such a request, alternatively, the written notice shall be mailed by registered mail to the last available postal address of the Councillor concerned, in which case the date of receipt shall be deemed to be 7 (seven) working days from the date that the request was so mailed.
- (e) On having made a finding on such Councillor's absence, the Rules and Ethics Committee shall submit a report with recommendations to Council at its next meeting.

- (f) Council shall then attend to the matter in terms of Schedule 1, clause 14(2) of the Municipal Systems Act.
- 15.9 The Councillor concerned shall have the right to appeal to the MEC for Co-operative Governance and Traditional Affairs, as provided for in Schedule 1, clause 14(3) of the Municipal Systems Act.
- 15.10 If the Speaker is absent from a meeting or meetings of Council without leave of absence, the Councillor appointed as Acting Speaker by the Council shall perform the duties of the Speaker in terms of the prescripts of the Municipal Systems Act.

## **16. Quorum**

- 16.1 A quorum for a meeting of the Municipal Council shall be 50% plus 1 of the total number of Councillors and for the Mayoral Committee or any committee of Council, it will be 50% plus 1 of all the serving members of such a committee.
- 16.2 If after twenty (20) minutes after the time for which the meeting was scheduled for as stated in the written notice, in terms of section 14.2, no quorum as contemplated in section 30 of the Municipal Structures Act, 117 of 1998, is present, the meeting shall not take place, unless the Councillors present agree to wait for a further maximum period of 10 minutes to obtain a quorum, after which the business of such a meeting shall stand over to the next Ordinary meeting of Council or Special meeting, especially convened by the Speaker, due to reasons of urgency, at the discretion of the Speaker.
- 16.3 Whenever during a meeting of Council, Councillors leave the meeting to the extent that a quorum is no longer present, the Speaker shall suspend the proceedings of the meeting for five minutes and, if after the five minute period there is still no quorum, the Speaker shall declare the meeting to be closed and the uncompleted business shall stand over to the next meeting.

## **17. Order of procession and entrance of the presiding members**

At the beginning of the proceedings, all Councillors should be seated 5 minutes before the start of the Council meeting, but when the Presiding Officer enters the Chamber, members must rise and remain standing until the Presiding Officer has requested them to take their seats.

The Sergeant at Arms shall lead the Speaker, Executive Mayor and the rest of the entourage to their seats in the following order:-

- (a) Sergeant at Arms carrying the Mace – Leading
- (b) Speaker
- (c) Executive Mayor
- (d) Municipal Manager
- (e) Secretary to Council

### **17.1 Roles and responsibilities of the Sergeant at Arms in Council**

The Sergeant at Arms is an officer appointed by Council to keep order during Council meetings. The incumbent appointed in this position shall thus be a retired soldier, police officer, or any other official with experience in security services.

In the above regard, the Senior Manager: Public Safety or any official acting on his/her behalf shall be the Sergeant at Arms of Council and his/her responsibilities at Council meetings shall be as follows:-

- (a) the Sergeant at Arms is the Security Officer of Council and is thus responsible for the safety and security of all members at Council meetings;
- (b) by order of the Speaker/Presiding Officer, he/she must remove or arrange for the removal of a person who, without permission, is present in the Council Chamber or any venue arranged for Council meetings;
- (c) by order of the Speaker/Presiding Officer, he/she must remove or arrange for the removal of a Councillor/person who disrupts the proceedings of Council, causes a nuisance or does not withdraw from the Chamber when ordered to do so;
- (d) under the direction of the Speaker or the Presiding Officer, he/she shall play an integral role of maintaining order and decorum in the Council Chamber;
- (e) towards achieving the set responsibilities, the Sergeant at Arms shall work in conjunction with Council's security officers;
- (f) the Sergeant at Arms shall lead formal processions at ceremonies such as the Mayoral Inauguration events;
- (g) he/she shall also announce the arrival of the Speaker and the Executive Mayor at all Council meetings;
- (h) he/she shall lead the procession and carry the mace and place it on the pedestal to the Speaker's right and, at the end of the sitting, he/she shall be responsible to remove the mace and ensure its safe custody.

## **18. Opportunity for prayer and meditation**

At the commencement of Council business, the Speaker may afford members an opportunity for silent prayer or meditation, or may invite religious leaders to conduct a scripture reading and/or prayer. This must be done on an inter-faith basis.

## **19. Business of Council**

- (1) The order of business at an Ordinary Council meeting shall be as follows:-

- (a) Opening
- (b) Applications for leave of absence
- (c) Official Notices
- (d) Statements and Communications by the Speaker
- (e) Statements and Communications by other Councillors
- (f) Confirmation of minutes of previous meetings (The matters arising from previous meetings will be addressed by means of a template, attached to the agenda, indicating the progress made with such matters, on at least a quarterly basis)
- (g) Deputations
- (h) Questions of which notice has been given
- (i) Motions and Proposals referred from previous meetings
- (j) Reports:

(i) Non Delegated Powers-

- (a) of the Executive Mayor
- (b) of the Municipal Manager
- (c) other, such as Section 79 Committee reports

(ii) Delegated Powers-

- (a) of the Executive Mayor
- (b) of the Municipal Manager
- (c) other.

- (2) After Council has finalized the matters in paragraphs (a) to (e) of subsection 19.1, it may consider the other matters on the agenda in any order, as decided by the Speaker, due to circumstances that necessitates the change of order of the business of Council on the agenda.

- (3) The order of business of a Special meeting of the Council shall be as follows:-

- (a) Opening

- (b) Applications for leave of absence
  - (c) Official Notices
  - (d) Statements and Communications by the Speaker
  - (e) Reports
    - (i) of the Executive Mayor
    - (ii) of the Municipal Manager
    - (iii) other
- (4) No report or matter other than those specified on the agenda for the meeting, shall be considered.

## **20. Statements and communications by the Speaker**

The Speaker may, at any meeting of Council, when the item referred to in section 19.1(d) is called, without notice, make any statement and or communication which shall not be debated.

## **21. Statements and communications by other Councillors**

The Speaker may allow Councillors, at any Ordinary meeting of Council, when the item referred to in section 19.1(e) is called, to make statements and or communications, as arranged with the Speaker prior to the meeting, which shall not be debated.

## **22. Questions**

- (1) (a) Subject to paragraph (b), at any Ordinary meeting of Council, a question concerning the general business of Council, but not directly arising out of or connected with any item on the agenda, may be put without comment.
- (b) Notice of such a question shall be given, in writing, by the Councillor to the Secretary to Council, not later than fourteen calendar days before an Ordinary Council meeting and the Secretary to Council shall record such question/s in a register kept for such questions and shall provide a copy of such question/s to the Municipal Manager, Speaker and the Executive Mayor.
- (c) The Executive Mayor shall reply to the question/s put in terms of paragraphs (a) and (b) above, at the Ordinary meeting of Council, provided that such replies may be presented to Council in the form of a written statement/response and such written responses shall form part of the agenda under paragraph (h) of section 19.1.
- (d) A Councillor who puts a question in terms of this subsection shall be entitled in due course to be furnished with a written copy of the reply by the Executive Mayor as mentioned in (c) above.

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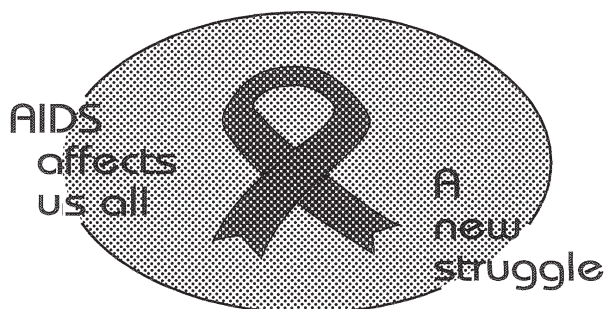
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- (2) At any meeting a Councillor may put questions directly arising out of or connected to any item on the agenda for clarification and such question shall not be regarded as a speech for the purposes of these Standing Orders.
- (3) The Speaker shall reply to the question mentioned in subsection 22(2) or the Speaker shall request the Executive Mayor, Member of the Mayoral Committee or the Municipal Manager to reply to such questions.
- (4) If questions in terms of this section cannot be clarified at the meeting at which such questions are put, Council may resolve that a matter be investigated and a report in that regard be submitted to Council at a next meeting for clarification.

## **23. Motions**

### **23.1 Nature of Motions**

- (1) A Councillor proposing that Council as a deliberative assembly takes a certain action must introduce a Motion in accordance with these Rules.
- (2) A Motion may, among other things, propose that Council resolves to:-
  - (a) adopt a report;
  - (b) make a recommendation to the Executive;
  - (c) express an opinion;
  - (d) amend a Motion before the Council;
  - (e) pass a motion pursuant to a specific section of the Constitution;
  - (f) censure a person or body;
- (3) A Councillor may move a Motion for ordinary debate.

### **23.2. Form of Motions**

- (1) A Motion must be in writing in one of the languages of the Council and must be signed by the Councillor submitting it as well as a member seconding it:
- (2) A Motion introduced by the Executive Mayor does not need to be seconded.
- (3) A Motion shall lapse if the member who submitted it does not move it or is absent from the meeting when such Motion is

being debated and did not apply for leave of absence, or has not requested another member to move it on his/her behalf after having duly informed the Speaker thereof at least a day before the meeting.

### **23.3. Procedure for consideration of a Motion**

- (1) No matter shall be brought before Council or any committee of Council by any member of the Council except upon a notice of Motion, which shall be in writing and signed by the member giving the notice as well as the member seconding it.
- (2) A Motion shall be given to the Secretary to Council within the Speakers Office, who shall enter it in a register kept for that purpose and such register shall be open to inspection by any Councillor.
- (3) At the request of a Councillor who gave the notice of a Motion, the Secretary to Council shall acknowledge receipt thereof in writing.
- (4) Every Motion shall be relevant to the administration of or the conditions in the municipality or shall deal with a matter in respect of which the municipality has jurisdiction.
- (5) A notice of a Motion shall not be specified in the summons for a meeting unless it is received at least ten (10) calendar days prior to such a meeting.
- (6) A Councillor submitting a Motion, or another member requested by him/her on his/her behalf and the Speaker having been informed about it at least a day in advance of the meeting, shall move such Motion and shall have the right of reply thereto.
- (7) All notices as contemplated above shall be dated and numbered as received by the Secretary of Council and shall be entered on the agenda in the order in which they were received, provided that a Motion amending another Motion, shall be entered upon the agenda immediately after the latter Motion, irrespective of the time when the notice of the Motion to amend was given.
- (8) Before the notice of Motion is placed on the agenda, it shall be submitted to the Municipal Manager who must obtain written technical input from the various Heads of Departments of the municipality, if it is required and who, if he/she be of the opinion that it is ultra vires in terms of existing legislation, shall cause the Councillor giving the notice of Motion to be so informed. The Councillor who gave the notice of Motion shall so have the right to appeal to the sub-committee comprising of the Speaker, Executive Mayor and the Chief Whip of the Council, who shall then review the matter and decide whether or not such notice of Motion should be placed on the agenda of the Council.
- (9) No Councillor shall have more than two (2) notices of Motion on the same agenda, with the exception of a deferred Motion and no Councillor shall move more than six Motions during any calendar

year.

- (10) When a member moves a Motion in terms of this section:-
- (a) which is intended to rescind or amend a resolution passed by the Council within the preceding three months;
  - (b) which has the same purport as a Motion which was negated within the preceding three months;

such Motions shall only be entered upon the agenda if the notice of such Motion is signed by no fewer than three Councillors, in addition to the Councillor who proposed the Motion.

- (11) No Councillor shall propose a Motion, similar to a Motion which was dealt with in terms of the provisions of subsection (10) before a period of six months after it has been dealt with, has elapsed.
- (12) Notwithstanding the provisions of subsections (10) and (11) above, the Council may at any given time, following a recommendation by the Executive Mayor, rescind or amend any resolution passed by it, subject to all vested rights of affected parties being protected.
- (13) A Motion affecting the making and amending of a by-law shall be submitted to the Speaker for a report before the Council passes a resolution in that regard.
- (14) In dealing with Motions:
- (a) the Secretary to Council shall read out the number of every Motion and the name of the mover;
  - (b) the Speaker shall ascertain which Motions are unopposed and these shall be passed without debate;
  - (c) thereafter the Speaker shall call the opposed Motions in their order on the agenda.

#### **23.4 Admissibility of Motions**

A Motion is admissible if:-

- (a) the matter is not pending before a court of law
- (b) it has been submitted within the prescribed time, in accordance with these Rules
- (c) issues raised, or a substantial portion of issues raised, are not pending before a Section 79 Committee of Council, or any of the other spheres of government
- (d) it does not seek for Council to adopt an unlawful resolution.

#### **23.5 Motions without Notice**

Every Motion requires a notice, except in the following circumstances:

- (a) proposing an amendment to an existing Motion
- (b) raising a Point of Order
- (c) postponing, discharging or giving precedence to an item on the Council agenda

### **23.6 Amendment or disallowance of Motions**

The Speaker shall amend or disallow a Motion or proposal:-

- (a) which in his or her opinion:-
  - (i) might lead to the discussion of a matter already dealt with on the agenda or which has no bearing on the administration of or conditions in the municipality; or
  - (ii) advances arguments, expresses an opinion, or contains unnecessary factual, incriminating, disparaging or improper suggestions;
  - (iii) is unconstitutional
- (b) in respect of which:
  - (i) Council has no jurisdiction
  - (ii) a decision by a judicial or quasi-judicial body is pending or
  - (iii) which has not been duly seconded
- (c) which, if passed, would be contrary to the provisions of the by-laws or any other law, or impractical, provided that if such Motion or proposal in the opinion of the Council, justifies further investigation, it shall be referred to the Executive Mayor;
- (d) if the proposed amendment, in the Speaker's opinion, is so substantial in nature that it constitutes a new Motion.
- (e) The Speaker must notify the mover within seven (7) working days of the submission of the notice, of any amendment to the original disallowed notice.

### **23.7 Withdrawal or amendment of Motion**

- (a) A Motion or proposal may be withdrawn or amended by the mover with the consent of the Speaker before it reaches a Council meeting or, with the consent of

Council, once the Motion has been tabled.

- (b) In case where the mover decides to withdraw the Motion, the Motion can still be discussed in the same session when re-opened by another member, who must be duly seconded.
- (c) A Motion can be withdrawn by another member on behalf of the mover if authorized to do so and the Speaker has been informed in advance at least a day before the Council meeting .
- (d) After consent for the withdrawal of a Motion or proposal has been granted, no Councillor shall speak upon such Motion or proposal.
- (e) After consent for the withdrawal of a Motion or proposal has been refused, a Councillor may speak upon such Motion or proposal.

## **23.8**

### **Voting Procedure**

- (a) The majority of Councillors present in a meeting must support the amendment, failing which the amendment shall not be carried out.
- (b) Where an amendment is not carried, voting shall be on the original Motion.
- (c) A majority vote shall be needed to carry or defeat the Motion.

## **23.9**

### **Amendment of Motion or Proposal**

- (a) Every amendment proposed in terms of section 23.6.2 above shall be relevant to the Motion or proposal in respect of which it is proposed and shall be proposed during the course of a speech contemplated under the "Privileges of Councillors. "
- (b) Any proposed amendment shall be read by the mover.
- (c) More than one amendment of a Motion or proposal may be proposed and, subject to the provisions of subsection 23.6, all amendments proposed shall be put to the vote at the closure of the debate on such Motion or proposal.
- (d) The Speaker shall reject any amendment, which constitutes a direct negation of the original Motion or proposal.
- (e) After all the amendments have been put to the vote as contemplated in subsection 23.7, the original Motion or proposal, as amended, if any amendment has been

adopted, shall be put to the vote.

## **24. Proposals during the course of a meeting**

- (1) During the course of a meeting, no further proposal shall be received, except:-
  - (a) to amend a Motion or proposal
  - (b) that the Council adjourns
  - (c) that a debate be adjourned
  - (d) that a matter be referred back
  - (e) that a Motion or proposal be put to the vote
  - (f) that the Council proceeds to the next business
  - (g) that, subject to applicable legislation, the public or the media be excluded from any or all meetings or part of the meeting.
  - (h) that Council goes in or out of Committee
  - (i) that a provision of these Standing Orders be suspended.
- (2) Every proposal in terms of subsection 24.1 shall be seconded.
- (3) A proposal in terms of subsection 24.1 and any seconding thereof, shall not be regarded as a speech for the purpose of these Standing Orders.
- (4) Any proposal in terms of subsection 24.1 shall be dealt with in accordance with the applicable provisions of these Standing Orders.
- (5) Nothing in this section shall affect the right of the Speaker, on his or her own initiative, or at the request of a Councillor, to adjourn a meeting temporarily for a period not exceeding 30 minutes.

## **25. Petitions**

Section 17(2) of the Municipal Systems Act provides that: "A municipality must establish appropriate mechanisms, processes and procedures to enable local community participation in the affairs of the municipality and must for this purpose provide for:

- (a) The receipt, processing and consideration of petitions and complaints lodged by members of the local community.

Petitions should be processed through these Standing Orders, read with Council's Petition policy, Public Participation Policy and other relevant pieces of legislation.

### **25.1 Right to petition**

- (1) A member of the public has the constitutional right to petition Council.
- (2) The right to petition the Council must be exercised in accordance with the Petitions policy.

**25.2 Submission of petition**

- (1) A petition must be submitted to the Office of the Speaker of Council in writing and in the form prescribed by the Petitions policy.
- (2) All petitions that meet the requirements of the Petitions policy, must be referred to the Public Participation and Petitions Committee.

**25.3 Assistance with petitions**

Where a petition is not in the form prescribed by the Petitions policy, assistance shall be provided by the Secretary to Council to the petitioners to ensure that the requirements are met.

**25.4 Consideration of petitions**

- (1) The Public Participation and Petitions Committee must consider all petitions that are properly submitted in terms of the Petitions policy.
- (2) The committee may use all the powers allocated to it to facilitate a conclusion to a petition in terms of the Petitions policy.
- (3) The Chairperson of the Public Participation and Petitions Committee must inform the petitioner of the receipt of, progress made and decision relating to the said petition and of any other action taken by the committee, in terms of the Petitions policy.

**25.5 Reports of the Public Participation and Petitions Committee**

- (1) The Public Participation and Petitions Committee must submit quarterly and annual reports to Council in accordance with these Rules.
- (2) The quarterly and annual report must: -
  - (a) set out the activities of the committee and the time taken to respond to petitions received;
  - (b) include an assessment of the effectiveness of the petitions process and procedures;
  - (c) include an assessment of each Member of the Mayoral Committee's cluster's performance with respect to petitions received and an evaluation of trends.



## **26. Deputations**

- (1) A deputation wishing to appear before Council shall submit a motivated written memorandum to the Secretary to Council, who shall submit it to the Executive Mayor and the Executive Mayor may, if deemed expedient, receive the deputation and deal with the matter raised in the written request.
- (2) The Executive Mayor may, if it is considered that the matter raised is one which should be brought before Council, report to Council accordingly and if the Speaker so decides, the deputation shall be advised to appear before Council.
- (3) A deputation shall not consist of more than five (5) persons.
- (4) Except with the consent of Council or in reply to a question from a Councillor, only one member of the deputation may address Council.
- (5) A member of a deputation may not address Council for more than five minutes except with the consent of the Speaker, but may respond briefly to a question by a member.

## **27. Closing of meeting**

- (1) A Councillor may, at any time, except during the course of a speech by another Councillor or while a vote is being taken, verbally propose that the Council meeting be closed.
- (2) The proposer, one Councillor in opposition thereto and the Speaker may speak on the proposal for a period not exceeding five minutes each, but the seconder shall not speak further than formally seconding it.
- (3) A proposal contemplated in subsection (1) above shall be put to the vote without any further debate.
- (4) If the proposal is accepted, the Council meeting shall forthwith be closed: Provided that the Speaker may direct that the unopposed business be disposed of before such closure.
- (5) If the proposal that the Council meeting be closed is rejected, the Speaker shall not allow another such proposal until a period of half an hour has elapsed after such rejection.
- (6) A Councillor may not propose, or second, more than one proposal for the closure of a meeting during the course of any one meeting of Council.
- (7) Any business uncompleted at the closure, shall be dealt with at the next Ordinary meeting, unless Council decides otherwise or the Speaker convenes a Special meeting to dispose thereof.

- (8) If a proposal to close a meeting has been accepted, the Councillor who proposed the closure shall be entitled to speak first when the matter under discussion at the closed meeting, is considered at the next meeting.
- (9) If a meeting is adjourned to a date not exceeding fourteen days after the date of adjournment, notice of such meeting need not be given in terms of section 14.

## **28. Adjournment debate**

- (1) A Councillor who has not yet participated in the debate on a matter under consideration may, at the conclusion of any speech, verbally propose that the debate be adjourned.
- (2) The proposer and the Executive Mayor may speak on the proposal for a period not exceeding five minutes each, but the seconder shall not speak further than formally seconding it.
- (3) In line with subsection 2 above, no debate shall be permitted on such proposal, except with regard to the period of adjournment.
- (4) If such proposal is accepted, the meeting shall proceed to the next business on the agenda and the discussion of the adjourned debate, unless otherwise resolved, shall be resumed at the next Ordinary meeting.
- (5) On the resumption of the adjourned debate, the Councillor who proposed the adjournment, shall be entitled to speak first.
- (6) If a proposal that a debate be adjourned is rejected, the Speaker shall not allow another such proposal until a period of half an hour has elapsed after such rejection.
- (7) A Councillor may not propose, or second, more than one proposal for the adjournment of the debate during the course of a meeting.

## **29. Referral back**

A Councillor may, during the course of his/her speech on any matter, verbally propose that the matter, or any aspect thereof, be referred to the Executive Mayor, the relevant Section 79 Committee or House Committee for further consideration and a report be submitted to Council thereafter.

## **30. Powers and precedence of the Speaker**

- (1) The Speaker shall have all powers reasonably required to control the conducting of a meeting and may for such purpose issue directives to any Councillor.
- (2) Whenever the Speaker intervenes during the debate, any member then

speaking or intending to speak, must resume his or her seat, and all Councillors must be silent so that the Speaker can be heard without any interruption.

- (3) Any Councillor, whether he or she has spoken on the matter under discussion or not, may rise:
  - (a) On a Point of Order, with a view to drawing the attention to any departure from these Standing Orders or any law.
  - (b) In personal explanation, in order to explain some essential part of his or her former speech which may have been misunderstood.
  - (c) Any Councillor so rising shall be entitled to be heard forthwith, unless the Speaker rules the Point of Order or explanation not permissible.
- (4) During the sitting of the Council or a committee, members, except lady members and members in traditional, cultural and/or religious headdress, shall have their heads uncovered.
- (5) At the beginning of the proceedings, when the Speaker enters the Council Chamber, members must rise and remain standing until the Speaker has requested them to take their seats.
- (6) At the closure of a Council meeting, members must rise and remain standing until the Speaker has left the Chamber.

### **31. Minutes of meetings**

- (1) If copies of the minutes of previous meetings have been served to every member, in respect of the notice of an Ordinary meeting, the minutes shall be taken as read with a view for confirmation.
- (2) No discussion shall be allowed on the minutes, except as to its accuracy.

### **32. Moving of report**

- (1) The Executive Mayor or a Councillor called upon by the Speaker to do so, shall submit all reports to Council at a meeting by requesting "That the reports be considered" and such request shall not be discussed.
- (2) When the reports are being considered, the Speaker shall put the recommendations in respect of which there are no delegated powers, seriatim, unless for good cause he or she sees it fit to vary their order.
- (3) The recommendations in the reports to Council as mentioned in subsection (2) above, shall be deemed to have been proposed and seconded.
- (4) When the recommendations contemplated in subsection (2) above have

been adopted, such recommendation/s shall become the resolution of Council.

- (5) After the matters in respect of which there are no delegated powers have been dealt with, the Speaker shall permit debate of the matters delegated to the Executive Mayor, a committee, Councillor or employee: Provided that:-
- (a) such debate shall be limited to a period not exceeding one hour or such extended period as Council may determine
  - (b) a Councillor, except the Executive Mayor, shall not speak on such matters for longer than 5 minutes
  - (c) no other proposal shall be submitted during such debate, except a proposal that the Executive Mayor, a committee, Councillor or employee be requested to reconsider the resolution
  - (d) during a debate, a Councillor may request that his or her opposition to a resolution in respect of which the Executive Mayor has delegated powers and his or her reason therefore, be minuted, after which the Secretariat shall minute or cause to be minuted such opposition and reason.
- (6) The Speaker or a Councillor as contemplated in subsection (1) above may:-
- (a) request the withdrawal of any item from the agenda, which shall, with the consent of the majority of the Councillors present, be withdrawn;
  - (b) request an amendment of any item, which shall, with the consent of the majority of the members present, be granted.

### **33. Consideration of the Budget**

Notwithstanding anything to the contrary contained in these by-laws, the following provisions shall apply when the budget is considered by Council:

- (a) Before the budget is considered by Council, the Speaker must request the Executive Mayor to present his/her budget address, which must precede the passing of the budget.
- (b) No recommendation which is designed to increase or decrease the estimated revenue or expenditure of Council, shall be put to the vote before the debate on the budget has been closed.
- (c) After the debate on the budget has been closed, the Speaker shall put to the vote the recommendations contemplated in paragraph (b) above, in the order in which they were proposed.
- (d) After all amendments have been dealt with and, if any proposal contemplated in paragraph (b) above has been accepted, the budget shall not be deemed to have been amended by the

recommendations thus accepted, but the meeting shall be adjourned to a date and time determined by the Speaker, unless the Executive Mayor decides that such adjournment is not necessary.

- (e) If it is decided in terms of paragraph (d) above to adjourn the meeting, the Executive Mayor shall investigate the implications of every recommendation accepted and shall report thereon to Council when the meeting resumes.
- (f) After the Executive Mayor has reported in terms of paragraph (e) above:-
  - (i) the Speaker shall permit debate on the recommendations accepted
  - (ii) thereafter, the Speaker shall put every such recommendation to the vote again and if such recommendation is accepted, the budget shall be amended in accordance with that resolution.

### **33.1 Motivations having financial implications or involving legislation**

If a Motion:-

- (a) has the effect of increasing the expenditure or reducing the revenue of the Council, or if it involves expenditure not provided for in the estimates, it shall be referred to the Executive Mayor for investigation and report to Council; or
- (b) would, if adopted, amend these Standing Orders, or introduce or amend any legislation, it shall, before being put to the vote, be referred to the Executive Mayor for a further report, unless he or she is satisfied with the phrasing and legality of the Motion.
- (c) thereafter, the Speaker shall put every such recommendation to the vote again and, if such recommendation is accepted, the budget shall be amended in accordance with that resolution.

## **34. Conduct in the Council Chamber**

- (1) Every member desiring to speak, must stand while addressing the Speaker, unless he or she is unable to do so due to his or her disability.
- (2) If a Councillor who is not speaking, rises on a Point of Order, personal explanation or to submit a proposal and such Councillor is addressed by the Speaker, the Councillor then speaking shall take his or her seat until the Speaker has given

a ruling.

- (3) No Councillor may refer to another Councillor by his or her name(s) but shall address each other as Honourable Councillor, Executive Mayor, Speaker or Chairperson.
- (4) Every member must bow to the Speaker when leaving and/or entering the Council Chamber during a meeting.
- (5) During the proceedings, Councillors may not pass between the Speaker and the member who is speaking, nor stand in any of the passages.
- (6) A member may only use in-house communication equipment during the proceedings, except for the tools of trade provided by Council, which include laptops.
- (7) Members, officials and the public may not bring food, drinks or any intrusive/disturbing/interfering object into the Council Chamber.
- (8) Members, officials and the public may not read for leisure any newspapers or any reading material, except those provided for the purpose of the Council meeting.
- (9) Members, officials, the public and media may not bring any electronic equipment into the Chamber without prior approval by the Speaker, including cameras, recording and/or filming equipment which may interfere with Council's recording system.
- (10) Councillors, officials and members of the public may not sing in the Council Chamber during the proceedings.
- (11) Members may not interact with the persons sitting in the public gallery without the permission of the Speaker.
- (12) Members may not bring or circulate any article, object or exhibit into the Chamber for debating purposes, without prior approval of the Speaker.

## **35. Maintenance of order at meetings**

- (a) If at any meeting of the Council or committee, a Councillor conducts himself or herself in an improper fashion, behaves in an unseemly manner, persistently obstructs the business to be carried out, challenges the ruling of the Speaker or Chairperson on any Point of Order or declines to withdraw an expression when required to do so by the Speaker or Chairperson, or indulges in tedious repetitive or unbecoming language or commits any breach of these rules, the Speaker or Chairperson shall direct such Councillor to conduct himself or herself properly and, if speaking, to discontinue his/her speech and resume his/her seat, if he/she was standing.

- (b) In the event of the persistent disregard of the directions of the Speaker or Chairperson, the Speaker or Chairperson shall direct such Councillor to retire from the venue where the meeting is being held for the remainder of the meeting and shall, if necessary, cause him/her to be ejected therefrom.
- (c) Where a Councillor refuses to retire or, in the event of more than one Councillor having to be ejected from the meeting and such Councillor/s refusing to leave the meeting, the Speaker shall request the Sergeant at Arms to facilitate the removal of such Councillor/s from the Chamber. If this cannot be done orderly (through a verbal request), the Chairperson of a meeting may adjourn the proceedings for a period not exceeding 15 minutes, in order for the relevant Councillors to retire or to be ejected from the venue of the meeting. If, at the resumption of the proceedings, the Councillor/s have not left after having been ejected, the meeting may be adjourned for another 10 minutes to address the situation. The Speaker may rule that, after the second adjournment, the meeting will reconvene at another venue and any Councillor/s ordered to retire or so evicted or ordered to be evicted, will be refused entry to the alternative venue. The Sergeant at Arms of the Council will ensure that those Councillor/s do/does not enter such an alternative venue.

### **36. Obstruction by persons other than Councillors**

Any person, other than a Councillor, who misconducts himself or herself, behaves in an unseemly manner or interrupts the proceedings of the Council or any committee at any meeting shall, if the Speaker or Chairperson so directs, be removed from the Chamber or the venue of the meeting. If the person refuses to leave, the Sergeant at Arms will be responsible to remove such person from the meeting. The Chairperson may exclude such person from further admittance to the Council Chamber or the meeting venue for such a period as it may be deemed fit.

### **37. Length of speeches**

- (1) A Councillor may not speak for more than five consecutive minutes on any one Motion or proposal: Provided that this subsection shall not apply to the Speaker of Council: Provided further that the Executive Mayor or the Chairperson of a committee or person acting on his or her behalf may, when replying to a debate, speak for no more than 30 minutes.
- (2) Subject to any provision to the contrary in these Standing Orders, the mover of a Motion, the proposer of a proposal or Councillor, may speak on the Motion or proposal and reply to the debate, but in replying he/she shall strictly confine himself or herself to answering the previous speakers and shall not introduce any new matter into the debate, except with the consent of the Speaker.

### **38. Relevance**

A Councillor who speaks shall confine his or her speech strictly to the Motion or proposal under discussion, or an explanation or a Point of Order and no discussion shall be allowed:-

- (a) that shall anticipate any matter on the agenda; or
- (b) on any matter in respect of which a decision by a judicial or quasi-judicial body or commission of inquiry is pending.

### **39. Points of Order and personal explanations**

- (1) Any member, regardless of whether he/she addressed the Council on the matter under debate, or not, may:
  - Raise a Point of Order
  - Raise a point of personal explanation at the end of the debate.
- (2) Any Point of Order or personal explanation will not constitute a speech and will therefore not affect the right of any member to speak on a particular item, provided that the member will not be allowed to spend more than two (2) minutes on the Point of Order or personal explanation.
- (3) Any member contemplated in section 39.1 shall be entitled to be heard and the Councillor speaking at the time shall remain silent until a ruling has been made by the Speaker or Chairperson.
- (4) The ruling of the Speaker or Chairperson on a Point of Order or on the admissibility of a personal explanation shall be final and shall not be open to discussion.
- (5) Any member will only be allowed to raise one Point of Order and one point of personal explanation per item, during a Council meeting.
- (6) Any member persisting on a Point of Order or personal explanation after a ruling has been made by the Speaker, will be subject to the provisions of point 35 above.

### **40. Matters to be put to the Vote**

- (1) A proposal that a matter be put to the vote, may be made verbally at the close of a speech or debate.
- (2) The proposer may speak on the proposal for a period not exceeding five minutes, but the seconder may not speak further than formally seconding it.
- (3) A proposal that the matter be put to the vote shall be put to the vote without any further notice.
- (4) If a proposal that the matter be put to the vote is accepted, any proposal



to amend the original Motion or proposal as well as the original Motion or proposal shall be put to the vote forthwith.

- (5) If a proposal that the matter be put to the vote is rejected, the Speaker shall not allow another such proposal on the same matter.

#### **41. Council Proceed to the Next Business**

A proposal that Council proceeds to the next item of business may be proposed verbally at the close of any speech.

#### **42. Unforeseen matters**

- (1) The Speaker may give a ruling on a matter not provided for in the Standing Orders or Council delegations, provided that the ruling is not in conflict with the Constitution, Municipal Structures Act and/or Municipal Systems Act.
- (2) The Speaker's ruling shall remain in force until the Rules and Ethics Committee decides on the matter.
- (3) The Rules and Ethics Committee must meet within fourteen working days to decide over the matter if the ruling was made during a Council session.

#### **43. Council In-Committee**

- (1) Notwithstanding anything to the contrary in these Standing Orders, a Councillor may:—
- (a) at any time propose that Council resolve to go into Committee; or
- (b) if Council is In-Committee as contemplated in paragraph (a) above, propose that for the further consideration of the item concerned, Council resolve to go out of Committee.
- (2) (a) The proposer, one member opposed to the proposal and the Speaker may each speak on a proposal in terms of subsections (1) and (2) above for a period not exceeding five minutes and shall restrict his or her speech to the reasons why the Council should or should not resolve to go into or out of Committee, as the case may be, but the seconder shall not speak further than formally seconding the proposal.
- (b) The Speaker may, if in his or her opinion, information is disclosed or is about to be disclosed during a speech referred to in paragraph (a) above which may be prejudicial to Council or the inhabitants of the region, direct the Councillor concerned to discontinue such speech forthwith.
- (3) Notwithstanding the provisions of sub-sections 1 and 2 above, the Speaker may, in the notice of any meeting as per section 14 or at the

commencement or during the course of any meeting, direct that Council goes into Committee for the entire meeting or any part thereof, whereupon it shall be deemed that Council has resolved to go into Committee in accordance with such directive.

- (4) If a proposal to go into Committee is adopted, all members of the public and media, if present, and all officials of the Council, except the Municipal Manager, the Council Secretariat and those persons or officials allowed by the Speaker to remain, shall leave the place of the meeting.
- (5) (a) When Council is In-Committee, the provisions of these Standing Orders, except in so far as they are contrary to this section, shall apply.  
(b) If Council resolve to go into or out of Committee during a debate on an item of business, the further debate on that item either in- or out of committee, shall for all purposes be a continuation of the proceeding debate on that item.
- (6) If Council resolve to go into Committee for consideration of an item on the agenda or part of a meeting, the Council shall first consider and finalize all other business on the agenda out of Committee, before going into Committee.
- (7) A decision of Council In-Committee shall be a decision of Council.

#### **44. Privilege**

Members of Council:

- (a) must have freedom of speech in Council and its committee meetings, subject to the confines of Council's Rules and Orders;
- (b) are not liable to arrest and/or civil litigation for damages for any disclosure of information, utterances or material produced during Council- and committee meetings.

#### **45. Modes of Voting**

- (1) Whenever a vote is taken, every Motion or proposal shall be submitted to Council by the Speaker, who shall call upon the Councillors to indicate by a show of hands whether they are for or against it and the Speaker shall thereupon declare the result of voting.
- (2) After the Speaker has declared the result of the voting in terms of subsection (1) above, a Councillor may demand –
  - (a) that his or her vote be recorded against the decision; or
  - (b) a division,by rising and putting such demand to the Speaker.

- (3) When a division in terms of subsection (2)(b) above is demanded, the Speaker shall accede thereto and a bell shall be rung for at least one minute, whereupon all entrances to the meeting place shall be closed and no member shall thereafter leave or enter the meeting place until after the result of the division has been declared.
- (4) After expiry of the period specified in subsection (3) above, the Motion or proposal shall again be put to the vote by the Speaker in the manner provided for in subsection (5) below and thereafter the Speaker shall declare the result of the division.
- (5) A division shall take place in the manner prescribed in subsection (1) above and the vote of each Councillor shall be taken separately by name and recorded in the minutes by the Council Secretariat.
- (6) When a division takes place in accordance with the preceding provisions, every Councillor present, including the Speaker, shall be obliged to record his or her vote for or against the Motion or proposal.
- (7) A Councillor demanding a division shall not leave the meeting place before such division has been taken.
- (8) Should there be an equality of votes in respect of a proposal and the Speaker refuses to record his or her casting vote as contemplated in terms of section 30(4) of the Municipal Structures Act, 117 of 1998, the matter shall be referred back to the Executive Mayor for consideration and recommendation to Council.

## **46        Mayoral Committee: Arrangements, business and proceedings**

### **46.1        Appointment of Mayoral Committee**

The Executive Mayor must, within 60 days in office, appoint Members of the Mayoral Committee.

## **47.        Meetings of the Mayoral Committee**

- (1) Meetings of the Mayoral Committee shall be held as per the instruction of the Executive Mayor, who must determine the dates of such meetings.
- (2) Meetings of the Mayoral Committee shall be closed meetings and shall be attended by the Municipal Manager, Senior Managers, Executive Secretariat and any other person as per the instruction/invitation of the Executive Mayor.

## **48.        Notice of meetings**

The Executive Mayor must give written notice of every Ordinary meeting

of the Mayoral Committee not less than 7 (seven) calendar days before the meeting, to each Mayoral Committee Member, provided that when an Extraordinary meeting must be convened due to urgent matters, the written notice of such a meeting may be given not less than one calendar day before the meeting.

#### **49. Committees of Council**

- (1) Council shall establish Section 79 Oversight- and House Committees to assist Council with its operational and monitoring functions.

#### **50. Meetings of Committees**

- (1) A committee shall meet as often as is necessary and shall determine the dates of its meetings which shall be submitted to the Programming Committee.
- (2) Section 11 is *mutatis mutandis* applicable to the meetings of committees regarding the presence of the public, including the media.
- (3) Whenever a vote is taken, voting at a committee meeting shall take place by a show of hands by the members of the committee and the vote of the majority of the members present at the meeting shall constitute a decision of the committee.
- (4) The Chairperson of the committee shall have a casting vote.
- (5) A member of a committee may require that his or her vote against a decision of the committee, be recorded.

#### **51. First meetings of committees**

- (a) Section 79 Committees must meet within 21 working days of their composition.
- (b) The Speaker must give notice of the first meetings of Section 79 Committees and must preside over such first meetings.

#### **52. Special meetings**

The Chairperson of a committee may convene a Special meeting of the committee at his or her discretion, if circumstances necessitate such a meeting and shall convene a Special meeting of the committee if a majority of the members of such committee request so in writing, indicating the item/s to be discussed urgently.

**52.1 Sub-committees**

- (1) Committees may establish sub-committees or working groups for proper co-ordination of work.

**53. Councillors' right of access to documents**

- (1) Every Councillor has the right to examine any document tabled to Council, including any of its committees and to receive a copy of that document upon submitting a written request to the Speaker of Council.
- (2) A Councillor must not reveal the contents of any document supplied under section 53(1) above, if that document has been withheld from the public under applicable legislation.
- (3) Council agendas and all documents provided to Councillors prior to a formal meeting, remain confidential and must not be shared with third parties unless such have been formally dispensed with in Council.
- (4) Documents considered In-Committee shall at all circumstances be treated with confidentiality. Councillors may be requested to affirm confidentiality by signing non- disclosure agreement(s).

**54. Prohibition of Councillors publishing or disclosing documents**

- (1) Any Councillor who publishes, discloses or causes to be published or disclosed, any document or record of the Council or the proceedings of any committee of the Council or of Council relating to any purchase or expropriation of land or other property by the Council, or any legal or arbitration proceedings in which the Council is involved, or the agenda, minutes, document or records, or any part thereof, of the Council In-Committee, or of the Mayoral Committee or another committee of the Council, or any matter the publication or disclosure of which would or might be prejudicial to the interests of the Council, shall be presumed to be in contempt of Council and may be subjected to Rules and Ethics Committee processes.
- (2) Where a document or record of Council exposes corruption or a Councillor is of the view that corruption may be involved, the Councillor must refer the matter to the Speaker of Council for investigation and a report in that regard be submitted to Council within a reasonable time

**55. Disclosure of financial interests**

- (1) A Councillor wishing to disclose an interest in terms of the Code of Conduct for Councillors, must do so forthwith after the item or Motion in respect of which such interest exists, has been called.

- (2) No Councillor may speak for more than five minutes on the question on whether her/his financial interest as contemplated in subsection (1) above is so small or remote as to render a clash of interests unlikely, unless the Speaker allows her/him to continue her/his speech for a further five minutes.
- (3) The speech contemplated in subsection (2) above must not for the purposes of this section be regarded as a speech on the recommendation, Motion or proposal under debate.

## **56. Secretary to Council**

In addition to the duties mentioned in these Rules, the Secretary to Council is responsible for the regulation of all matters connected with the business of the Council, subject to direction of the Speaker or the Council.

## **57. Minutes of proceedings**

The minutes of proceedings must be taken by the Secretary to Council and, after perusal by the Speaker, be printed and delivered to every Councillor.

## **58. Journals of the Council**

The minutes of proceedings, signed by the Speaker of Council, constitute the Journal of the Council.

## **59. Agenda**

The Secretary to Council must print the agenda for each Council meeting and dispatch it to each Councillor.

## **60. Custody of records and papers**

- (1) The Speaker of Council is the custodian of all records and papers of Council- and its committee meetings.
- (2) Records or other papers of Council or Council committee meetings cannot be removed from the precincts of the Council without the permission of the Speaker, where such records or papers relate to a matter discussed when Council or a Section 79 Committee deliberated In-Committee.

## **61. Dress Code**

Members are required to dress in a manner befitting the dignity and must conform to the decorum of the Council, as may further be provided for in guidelines approved by the Rules and Ethics Committee and provided that no party symbols may be displayed.

All Councillors and officials attending Council meetings, Mayoral Committee meetings and sub-committees of Council, must dress appropriately to portray the professional and corporate image of Council. They must dress neatly in formal or traditional attire. In this regard formal excludes smart casual. Members, except lady members and members in traditional, cultural and/or religious headdress, shall have their heads uncovered.

Furthermore proper shoes/footwear shall be worn, unless that is not possible due to a medical condition, provided that a letter or certificate from a medical examiner or registered traditional healer is submitted to the Office of the Speake in such case.

Informal clothes such as T-shirts, jeans, track suits and takkies will be considered as inappropriate dress code for Council meetings. Non-compliance to the stipulated dress code will be addressed directly with the Councillor/s and official/s concerned.

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