

MINUTES OF THE MSUNDUZI MUNICIPAL COUNCIL

MEETING HELD IN COUNCIL CHAMBER, CITY HALL
ON **MONDAY, 29 JANUARY 2007** AT 14:15

PRESENT: The Speaker (Councillor A Shelembe), the Mayor (Councillor Z Hlatshwayo), the Deputy Mayor (Councillor M Dirks), the Chief Whip (Councillor BS Ngubane), Councillors N Ahmed, R Ashe, V Baijoo, P Bhengu, D Buthelezi, K Chetty, M Chetty, MJ Dladla, CT Dlamini, ME Dlamini, TI Dlamini, NV Duze, SC Gabela, JEP Green, S Hlela, MD Hlongwane, M Inderjit, PV Jaca, AH Kadir, VK Khambule, RT Khanyile, WF Lambert JP, J Lawrence, ID Lushozi, SP Lyne, SI Madonda, VT Magubane, SJ Majola, ST Majola, M Maphumulo, RB Mazibuko, F Mbatha, G McArthur, M Mchunu, GJN Meyer, MB Mkhize, MR Mkhize, SA Mkhize, SC Mkhize, PW Moon, ML Msimang, SN Naidoo, LC Ngcobo, SME Ngcobo, DH Ngubane, I Ngubane, TD Ntombela, MV Ntshangase, K Olivier, R Pillay, SV Radebe, SJ Seymour, BC Sokhela, B Shози, AS Sibisi, RB Singh, Ranjit Singh, MH Steele, HC Storm, MM Thebolla, DP Zondi, T Zondi, GH Zondi, B Zuma, TR Zuma, TI Zungu and TRM Zungu.

ABSENT: Councillors S Mchunu (returning from Cape Town at 16:15) and S Ntuli (attending to a crisis in the ward).

ALSO

PRESENT: Messrs Mlotshwa (Manager: Speaker's office, KwaZulu-Natal Legislature), Ndwandwe (Mancosa) and Mesdames Gatsheni (Public Participation Manager: KwaZulu-Natal Legislature) and Singh (member of the public).

OFFICIALS

PRESENT: Messrs Haswell (Acting Municipal Manager), Barichiev (Municipal Manager's Representative), Ramjeawon (Executive Manager: Internal Audit), Mpanza (Acting Manager: Mayor's Office), Paton (Manager: Fire and Disaster Management), Gutridge (Disaster Management Manager), Padayachee, Marais, Goldstone, Mchunu, E Khan, Daniel, Ngcobo, Green, Raymond, P Singh, Loelly, Diaz, Roopnarain, Kadir, L Singh, Kasselmann, N Khan, K Singh, Mdladla, Kanya, Nene, Zaca, Mkhize, Khumalo, Ngubane, Magwenyane, Mdunge, Thombela, Ruthadum, Harper, Binoath, Pennells, Ngcobu (all of Fire, Rescue and Disaster Management) and Mesdames Naidoo (Fire, Rescue and Disaster Management), Geary (Committee Officer) and Rowland (Assistant Committee Officer).

DEDICATION AND A MOMENT OF SILENCE

(Item 1 of agenda)

Councillors recited the dedication and a moment of silence was observed.

2. NOTICE CONVENING THE MEETING

(Item 2 of agenda)

The City Manager read the notice convening the meeting.

3. APPLICATIONS FOR LEAVE FROM THE CURRENT MEETING

(Item 3 of agenda)

Applications for leave were received from the following councillors: Councillor S Mchunu (returning from Cape Town at 16:15) and Councillor S Ntuli (attending to a crisis in the ward).

It was thereafter

RESOLVED

That the following Councillors be granted leave of absence from the current meeting of the Full Council:

Councillor S Mchunu	29 2007	January	Returning from Cape Town at 16:15
Councillor S Ntuli	29 2007	January	Attending to a crisis in the ward

4. WELCOME

(Raised verbally)

The Speaker welcomed everyone back from recess and urged everyone to get back to work to bring service delivery to the people of the city. He also welcomed the various officials present and the delegation from the Provincial Legislature.

5. MOBILIZATION PLAN FOR THE OFFICIAL OPENING OF THE PROVINCIAL LEGISLATURE

(Raised verbally)

At the request of the Chairperson, the Mayor advised the meeting that the Provincial Legislature had approached her office requesting the assistance of the municipality in the arrangements for the opening of the Provincial Legislature in February.

Mr Mlotshwa (Manager: Speaker's Office: KwaZulu-Natal Provincial Legislature) introduced the members of the delegation and outlined the mobilization plan for the Official Opening of the Legislature, the State of the Province Address and the Debate on the State of the Province Address, which would take place from 13 – 15 February 2007. He advised that due to a lack of space capacity at the Legislature and the expected number of public members (2000 per day), the events would take place at the Royal Agricultural Show Grounds. He requested the assistance of the municipality in providing transport and co-ordinating matters within the wards.

Ms Gatsheni (Public Participation Manager: KwaZulu-Natal Legislature) outlined the number of busses required and the requirements for marshalls, to be selected from within the wards. She advised that the following specific assistance was also required, viz. councillors' assistance with mobilisation of the public; provision of a detailed bus plan with pick up points, time and contact persons for each ward and a contact person within the municipality.

The Chairperson expressed his appreciation for the efforts at co-operative governance between the different spheres of government. In response to a query from Mr Mlotshwa, he advised that the Council could not commit itself financially at this time as the financial implications would have to be considered by the Executive Committee in consultation with the relevant managers. At his suggestion, it was

RESOLVED

That the request from the Provincial Legislature for assistance with the arrangements for the Official opening of parliament be supported in principle; subject to the Acting Manager: Mayor's Office, in consultation with the relevant officials and the Speaker's office, submitting a report incorporating the financial implications for consideration to the next meeting of the Executive Committee.

6. **CONFIRMATION OF MINUTES**

Council meeting held on 15 December 2007.

(Page 1 of agenda)

It was

RESOLVED

That the minutes of the Full Council meeting held on 15 December 2007 be and are confirmed.

7. **REPORT BY ACTING MUNICIPAL MANAGER**

Report dated 18 January 2007 by Acting Municipal Manager.

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At the request of the Acting Municipal Manager the Manager: Fire and Disaster Management provided a PowerPoint presentation on the bus accident which had taken place on the N3 opposite the Liberty Midlands Mall on 24 December 2006. He outlined the extent of the damage and injuries and the response by the Fire and Disaster Management Unit. He also thanked the Acting City Manager, Mayor and Deputy Mayor for their prompt response and support during the episode.

The management and crew of the Fire and Disaster Management Unit were thanked and applauded by the Council for their sterling work, not only at the bus accident but in carrying out their duties of looking after the citizens of the city on a daily basis.

The Acting Municipal Manager advised Council of the resignation of the Executive Manager: Internal Audit, Mr R Ramjeawon, after nearly 22 years of service.

The Executive Manager: Internal Audit thanked the Council for their trust and support during his time of service and explained that it had been necessary to make plans for stable future employment, in view of the fact that his contract with the Council was due to end in the near future. He referred to the significant progress made by the Internal Audit unit in achieving compliance with the relevant sections of the Municipal Finance Management Act and urged that the Council allocate sufficient resources to the unit in order to maintain the current momentum.

In response, the Mayor thanked the Executive Manager: Internal Audit for his dedication and hard work and expressed the view that his experience would be missed. She wished him well in his move to the Provincial Treasury.

The Acting Municipal Manager advised that a notice would be placed in Councillors boxes regarding a workshop to be held on 16 February 2007 to assist Councillors with financial matters relevant to them.

At this point in the proceedings the Chairperson advised that the photographer was waiting in the Library Gardens to take the Council photographs and requested that the meeting be adjourned and the councillors proceed to the Library Gardens before having tea.

Committee adjourned for Council photographs and tea at 15:20 and reconvened at 16:20

In response to various queries raised, the Acting Municipal Manager advised that the transfer or placement of staff who had been suspended had been by mutual agreement and was believed by all involved to be an appropriate move in the best interests of both the individual and the Council. He advised that the transitional allowance issue was dealt with by the Executive Committee as a result of the large number of grievances which had arisen. He undertook to follow up with the relevant officials the detailed report on the placement process as requested by the Sound Governance and Human Resources Committee. In respect of the agency agreements with the District Council, he undertook to investigate the matter of funding for the functions being undertaken by the Council on behalf of the District and report back to the Council. He advised that the purchase of the vehicles for the Mayor's office had been carried out in terms of the procurement procedures and the globular budget approved for acquisition of vehicles in the current budget.

The report by the Acting Municipal Manager was thereafter NOTED.

8. **REPORT BY MAYOR OR DEPUTY MAYOR**

(Raised verbally)

The Mayor wished everyone a prosperous New Year and encouraged councillors to focus on their work so that collectively they could achieve their goals as a Council.

NOTED.

9. **REPORT BACK IN TERMS OF SECTION 44(4) OF THE MUNICIPAL STRUCTURES ACT ON THE DECISIONS TAKEN BY THE EXECUTIVE COMMITTEE**

9.1 **WARD 36: DISPOSAL OF DISUSED RAIL SIDINGS ADJOINING ERF 1375, PIETERMARITZBURG: CB DOWNES ROAD**

Report of the Special Executive Committee meeting held on 14 December 2006.

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In response to a concern raised by Councillor Olivier, the Mayor advised that the Executive Committee had been assured that the disposal of the rail sidings in question would not adversely affect the city's rail network.

The Acting Municipal Manager advised, in response to a query by Councillor Green, that the disposal of the land was consistent with the existing policy. However, he advised that the new land disposal policy was nearly ready for consideration by the Council.

It was

RESOLVED

- (a) That Council agrees that Erf A Pietermaritzburg is not needed for the provision of the minimum level of basic municipal services and that the fair market value, as well as the economic and community value of the land, has been considered.
- (b) That Erf A Pietermaritzburg, as indicated on diagram no. MS/04A/2006, be sold by private treaty for industrial purposes in terms of the Council's Land Alienation Policy.

10. **ITEMS RAISED BY THE CHIEF WHIP**

Item 8. of the agenda.

(Raised verbally)

The Chief Whip welcomed everyone back and wished them a successful year. He expressed the hope that it would be a more productive year and urged all councillors to put in the necessary effort.

He reminded councillors that many Skills Audit forms were outstanding and asked councillors to return them as soon as possible so that the matter could be taken forward. He advised that he was happy to assist any councillors in order to expedite the process.

NOTED.

11. **ITEMS RAISED BY THE SPEAKER**

Report dated 22 January 2007 by the Speaker.

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The Speaker advised that he had been requested to withdraw his report as caucuses had not had sufficient time to consider the issues raised in the report.

It was

RESOLVED

That the report dated 22 January 2007 by the Speaker be **STOOD DOWN** for consideration at the next meeting of the Full Council.

12. **GENERAL**

(Raised verbally)

Councillor Green advised that the Council diaries were now available for collection. A request was made that the officials responsible should please ensure that in future the diaries were available for collection prior to the start of the new year.

The Speaker advised that the documents from the workshop held on 26 January 2007 were available for those councillors who had not attended the workshop.

12. **OTHER APPLICATIONS FOR LEAVE**

There were no other applications for leave received.

The meeting terminated at 16:40

Confirmed by

PIETERMARITZBURG

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CHAIRPERSON