



**STEVE TSHWETE LOCAL MUNICIPALITY**

# **AGENDA**

OF THE

# **COUNCIL**

MEETING

**DATE - 3 DECEMBER 2013**

**TIME - 17:30**



## STEVE TSHWETE LOCAL MUNICIPALITY

### **VISION**

TO BE THE LEADING COMMUNITY DRIVEN MUNICIPALITY  
IN THE PROVISION OF SUSTAINABLE SERVICES AND  
DEVELOPMENTAL PROGRAMMES

### **MISSION**

WE ARE COMMITTED TO THE TOTAL WELL BEING  
OF ALL OUR CITIZENS THROUGH:

- RENDERING AFFORDABLE, COST-EFFECTIVE, ACCESSIBLE, EFFICIENT AND QUALITY SERVICES;
- EFFECTIVE MANAGEMENT SYSTEMS, PROCEDURES, SKILLED AND MOTIVATED WORKFORCE;
- MAXIMISING INFRASTRUCTURAL DEVELOPMENT THROUGH THE UTILIZATION OF ALL AVAILABLE RESOURCES;
- IMPROVING THE QUALITY OF LIFE BY CO-ORDINATING YOUTH, GENDER AND SOCIAL DEVELOPMENT PROGRAMMES;
- CREATING AN ENABLING ENVIRONMENT FOR ECONOMIC GROWTH AND JOB CREATION;
- ENSURING EFFECTIVE COMMUNITY AND RELEVANT STAKEHOLDER PARTICIPATION AND CO-OPERATION;
- COMPLIANCE WITH THE BATHO-PELE PRINCIPLES;
- TO STRIVE TO SUSTAIN THE FIDUCIARY POSITION OF THE MUNICIPALITY TOWARDS ACHIEVING CLEAN AUDIT

# **STEVE TSHWETE LOCAL MUNICIPALITY**

**NOTICE IS HEREBY GIVEN THAT AN  
ORDINARY MEETING OF THE COUNCIL  
WILL BE HELD IN THE NASARET COMMUNITY  
HALL, MIDDELBURG ON TUESDAY,  
3 DECEMBER 2013 AT 17:30**

  
**MUNICIPAL MANAGER**

# A G E N D A

- 1 OPENING
- 2 APPLICATIONS FOR LEAVE OF ABSENCE
- 3 OFFICIAL ANNOUNCEMENTS
- 4 REPORTS BY THE SPEAKER IN TERMS OF SECTION 15(1) OF THE RULES OF ORDER
- 5 APPLICATIONS AND APPEALS FROM COUNCILLORS IN TERMS OF SECTION 14 OF THE RULES OF ORDER
- 6 MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER
- 7 MOTIONS OF SYMPATHY AND CONGRATULATIONS BY OTHER COUNCILLORS
- 8 DISCLOSURE OF INTERESTS
- 9 MINUTES OF THE PREVIOUS MEETING OR MEETINGS
  - 9.1 *Ordinary Meeting of the Council held on 26 September 2013*
  - 9.2 *Special Meeting of the Council held on 31 October 2013*
- 10 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN
  - 10.1 **THE FOLLOWING QUESTION WAS RECEIVED FROM CLLR A STRUWIG OF THE DA:**

“The residents of X18 are furious to know when are the new school, mobile clinic, hall and mobile police station are going to be build. Their roads are not tarred and there are no street names.

Is it possible:

1. To give us an indication on the interaction with the relevant Provincial Departments regarding the building of a school and when the mobile clinic and mobile police station are going to be provided.
2. When the roads in Middelburg ext 18 will be tarred and the street names are going to be put on the corners?

(sic)"

THE FOLLOWING REPLY WAS PREPARED BY THE DEPUTY MUNICIPAL MANAGER, EXECUTIVE DIRECTOR: INFRASTRUCTURE SERVICES AND EXECUTIVE DIRECTOR: COMMUNITY SERVICES ON BEHALF OF THE EXECUTIVE MAYOR:

1. The issue of a School, Mobile Clinic and Police Station are contained in the IDP and were referred to Sector Departments (Provincial) as they are a responsible for them.

On the other hand, the Hall is also contained in the IDP and will be attended upon approval by Council when sufficient funds are available. It must be noted that both the Banquet Hall and Eastdene Hall are also within reach for the community of Ward 11.

2. Kerb stones have been requested from Civil Department as soon as they are installed street names will be painted.

A total of 1675m of road has been tarred in the last three financial years, the tarred street name are: Ruby, Jade, Tiger Eye and Tourmaline Street. This current financial year 2013 / 14 Council will tar Almandiet and Kwartsiet Street. The total length of road tarred each financial year depends on the approved budget.

**10.2 THE FOLLOWING QUESTION WAS RECEIVED FROM CLLR D LONGMAN OF THE DA:**

"At Ward Committee meetings of Ward 10 they have requested Speed humps a year ago at indentified places, namely:

1. C R Swart Street before you reach Dennesig Primary School.

When will the latter mentioned hump be erected?

(sic)"

THE FOLLOWING REPLY WAS PREPARED BY THE EXECUTIVE DIRECTOR: COMMUNITY SERVICES ON BEHALF OF THE EXECUTIVE MAYOR:

The speed hump for CR Swart Street was installed on 07 November 2013.

**10.3 THE FOLLOWING QUESTION WAS RECEIVED FROM CLLR GHE ROMIJN OF THE DA:**

“What steps are the security people responsible for the safety of visitors to the municipal building allowed to take when finding visitors illegally parking their vehicles in areas demarcated for disabled people?

(sic)”

**THE FOLLOWING REPLY WAS PREPARED BY THE EXECUTIVE DIRECTOR: COMMUNITY SERVICES ON BEHALF OF THE EXECUTIVE MAYOR:**

Security personnel will call a Traffic Officer to issue a notice for illegal parked vehicles.

**10.4 THE FOLLOWING QUESTION WAS RECEIVED FROM CLLR T K NDLANGAMANDLA OF THE DA:**

“The residents of Kwazamokuhle experience a high rate of accidents due to speeding of taxi’s that try to avoid the potholes in the street at the intersection of Extension 4 Main Road and 2<sup>nd</sup> Crescent. Several serious accidents occurred during the past month. This causes that children that walk from school are in danger.

Is it possible:

1. For traffic department to increase their visibility and law enforcement at the intersection of Extension 4 Main Road and 2<sup>nd</sup> Crescent Street?
  2. That the potholes in the streets are repaired and what will the time frame be?
- (sic)”

**THE FOLLOWING REPLY WAS PREPARED BY THE EXECUTIVE DIRECTOR: COMMUNITY SERVICES AND EXECUTIVE DIRECTOR: INFRASTRUCTURE SERVICES ON BEHALF OF THE EXECUTIVE MAYOR:**

1. Motor vehicle accidents statistics for the area were checked and no indication of any accidents was recorded at the intersection of Extension 4 Main Road and 2<sup>nd</sup> Crescent however visibility and law enforcement will be increased.
2. The potholes in the above mentioned street will be repaired on 19/11/2013.

## 11 REPORTS BY THE EXECUTIVE MAYOR

11.1 *Report of the 17<sup>th</sup>/2013 Meeting of the Mayoral Committee held on 10 OCTOBER 2013:*

*Non Delegated Powers* : -  
*Delegated Powers* : M01/10/2013

11.2 *Report of the 18<sup>th</sup>/2013 Meeting of the Mayoral Committee held on 28 OCTOBER 2013:*

*Non Delegated Powers* : C03;C04;C06;C11;C12;C16;C17;C26;C27;  
 C28;C29;C30 & C32/10/2013  
*Delegated Powers:* : M02; 05;07;08;09;10;13;14;15;18;19;20;21;  
 22;23;24;25;31;34;36 & 37/10/2013

11.3 *Report of the 19<sup>th</sup>/2013 Meeting of the Mayoral Committee held on 14 NOVEMBER 2013:*

*Non Delegated Powers* : -  
*Delegated Powers* : M01; 02/11/2013

11.4 *Report of the 20<sup>th</sup>/2013 Meeting of the Mayoral Committee held on 21 NOVEMBER 2013:*

*Non Delegated Powers* : C03;C09;C10;C17;C19;C20;C21;C22;C24;C25;  
 C26;C27;C29;C30;C32;C33;C34;C35;C36;C37;  
 C40;C42;C44;C45;C46;C47;C49;C53;C54;C55;  
 C57;C58;C59;C60;C62;C63;C64 & C66/11/2013  
*Delegated Powers:* : M04;05;06;07;08;11;12;13;14;15;16;18;23;28  
 31;38;39;41;43;48;50;51;52;56 & 65/11/2013

## 12 MOTIONS

## 13 DEFERRED ITEMS

**COUNCILLOR B NENE : RECORDED ABSENT FROM THREE (3) CONSECUTIVE COUNCIL MEETINGS****Report by the Speaker**

During the Council meeting which was held on 25 July 2013, a report on the absence of Cllr B Nene from 3 consecutive Council meetings was submitted for consideration under the heading "REPORTS BY THE SPEAKER IN TERMS OF SECTION 15(1) OF THE RULES OF ORDER". The matter was deferred to the next Ordinary Council meeting which was scheduled for 26 September 2013.

The item was then re-submitted for consideration and included in the Council Agenda of 26 September 2013.

The matter was deferred again to the next Ordinary Council meeting which is scheduled for 28 November 2013.

It is against this background that the matter referred to below is put forward for consideration by Council.

In terms of the Rules of Order, Cllr B Nene was recorded absent from the following three consecutive Council Committee meetings:

| <b>Meeting</b>  | <b>Date recorded absent</b> |
|---|-----------------------------|
| Health, Social Services, Culture, Sport & Recreation Political Monitoring Committee | 23/04/2013                  |
| Health, Social Services, Culture, Sport & Recreation Political Monitoring Committee | 03/05/2013                  |
| Health, Social Services, Culture, Sport & Recreation Political Monitoring Committee | 28/05/2013                  |

In terms of Section 15 of the Rules of Order, Council is requested to consider the above matter.

**FOR CONSIDERATION BY THE COUNCIL**

## 14 CLOSURE



I  
**REPORT OF THE**

**17<sup>th</sup>/2013**

**ORDINARY MEETING OF THE MAYORAL COMMITTEE  
WHICH WAS HELD IN THE COUNCIL CHAMBER,  
MUNICIPAL BUILDING, MIDDELBURG MPUMALANGA, ON**

**2013/10/10**

**M01/10/2013**

**FINANCES: FINANCIAL MONTHLY REPORT FOR SEPTEMBER 2013**

9/3/1 (P)

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the monthly report for September 2013 as submitted by the Executive Director: Financial Services, be noted.
2. **THAT** permission be granted to the Executive Director: Financial Services to submit the report in both electronic and hard copy format to the National and Provincial Treasury.
3. **THAT** permission be granted to the Executive Director: Financial Services to place the monthly report for September 2013 on the municipal website.

# REPORT OF THE

# 18<sup>th</sup>/2013

MEETING OF THE MAYORAL COMMITTEE  
WHICH WAS HELD IN THE COUNCIL CHAMBER,  
MUNICIPAL BUILDING, MIDDELBURG MPUMALANGA, ON

# 2013/10/28

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# NON delegated powers

**C03/10/2013**

**LAND: NATIONAL ROUTES R551/1 AND N4/4 : PROPOSED TRANSFER INTO THE NAME OF SANRAL**

1/1/1/56 (E)/iec

**[MM 74031]**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that Portion 343 (a portion of Portion 30) and Portion 342 (a portion of Portion 27) of the farm Middelburg Town and Townlands 287 JS measuring 4,0964 hectares and 17, 6928 hectares respectively as well as Portion 307 (a portion of Portion 27) of the farm Middelburg Town and Townlands 287 JS measuring 22,4643 hectares ("the properties") are not needed for the provision of the basic level of municipal services.
2. **THAT** Council take note that, according to Subsection 6 of Section 14 of the Municipal Finance Management Act 56 of 2003 (MFMA) this Section (Section 14) does not apply to the transfer of a capital asset to another municipality or municipal entity or to a national or provincial organ of state.
3. **THAT** Council take note that the acquiring of the properties by SANRAL (South African National Roads Agency Limited) for all practical reasons is regarded as an expropriation and the principles of Council's framework of unsolicited bids according to Section 113 of the MFMA as contained under Section 44 of the Council's Supply Chain Management Policy are not applicable.
4. **THAT** Council approve the signing of the Memorandum of Agreement for the properties to be transferred from Council to SANRAL.
5. **THAT** the alienation of the properties be advertised at the cost of SANRAL.
6. **THAT** the properties to be transferred to SANRAL be removed and/or derecognised from Council's asset register.
7. **THAT** note be taken that there are cables crossing the road.
8. **THAT** although the properties are for all practical reasons expropriated, the valuations of the properties as mentioned in the report by the Executive Director: Corporate Services, be noted.
9. **THAT** Council has no objection for the proposed transfer of the properties into the name of SANRAL.
10. **THAT** all other additional costs be for the account of the applicant.
11. **THAT** the loss of properties be recognised in the statement of financial performance.



**C04/10/2013**

**LAND: APPLICATION TO PURCHASE ERF 9002 MHLUZI EXTENSION 5**

7/2/3/2/3 (L)/iec

**[MM 72813]**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that Erf 9002 Mhluzi Extension 5 ("the property") is not needed for the provision of the minimum level of basic municipal services.
2. **THAT** the Accounting Officer be authorised to dispose of the property as an unsolicited bid.
3. **THAT** the application to purchase the property be subject to the following conditions:
  - 3.1 **That** the standard conditions for the sale of light industrial erven be made applicable to the deed of sale.
  - 3.2 **That** the property be utilised solely for the purpose of tombstones business and related activities.
  - 3.3 **That** the purchase price be determined at R69 000.00 (Sixty Nine Thousand Rand) excluding VAT.
  - 3.4 **That** the property be re-valued should a transaction not be concluded within 12 months from the date of valuation (05 August 2013).
  - 3.5 **That** the arrears amount be paid in full before the property can be sold to the applicant.
  - 3.6 **That** the payment of the purchase price be strictly cash as in terms of Section 47(3)(aa) of the Council's Supply Chain Management Policy.
  - 3.7 **That** service connection and bulk service contribution to vote number 925/501 (Township Development : Sale of Land : Mhluzi Extension 5).
4. **THAT** the proposed sale be advertised in terms of Section 79 (18) of the Local Government Ordinance 17 of 1939 as amended read together with Section 21 of the Local Government : Municipal Systems Act 32 of 2000, as amended, Section 113 of the Local Government : Municipal Finance Management Act 56 of 2003 and Section 44 of the Council's Supply Chain Management Policy.
5. **THAT** the proceeds received from the sale be allocated to vote number 925/501 (Township Development : Sale of Land : Mhluzi Extension 5).

6. **THAT** Erf 9002 Mhluzi Extension 5 be derecognized from the asset register.
7. **THAT** the profit/loss from the sale be recognized in the statement of financial performance.

**C06/10/2013**

**LAND: APPLICATION TO PURCHASE ERF 170 KWAZAMOKUHLE**

7/2/3/2/7 (L)/iec

**[MM 69137]**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that Erf 170 Kwazamokuhle ("the property") is not needed for the provision of the minimum level of basic municipal services.
2. **THAT** the Accounting Officer be authorised to dispose of the property as an unsolicited bid.
3. **THAT** the application to purchase the property be approved.
4. **THAT** the market value for the sale of the property (land only) be determined at R11 800,00 (Eleven Thousand Eight Hundred Rand) excluding VAT.
5. **THAT** the property be revalued should a transaction not be concluded within 12 (twelve) months from the date of valuation (25 July 2013).
6. **THAT** the proposed sale of the property be advertised in terms of Section 79 (18) of the Local Government Ordinance 17 of 1939, as amended, Section 21 of the Local Government : Municipal Systems Act 32 of 2000 as amended, Section 113 of the Local Government : Municipal Finance Management Act 56 of 2003 and Section 44 of the Council's Supply Chain Management Policy.
7. **THAT** any power requirement changes be for the cost to the applicant.
8. **THAT** the applicant priorly provides a cash deposit to cover upgrade on electricity requirements, should there be a need.
9. **THAT** the proceeds received from the sale be allocated to vote number 935/518 (Land Trust Fund : Sale of Land : Kwazamokuhle Proper).
10. **THAT** Erf 170 Kwazamokuhle Extension 00 be derecognized from the asset register.
11. **THAT** the profit/loss from the sale be recognized in the statement of financial performance.
12. **THAT** the allocation of the property to Apostolic Church be rescinded and the said church be informed accordingly.

**C11/10/2013**

**LAND: APPLICATION TO LEASE ERVEN 633, 640 & 642 IN HENDRINA  
EXTENSION 01 FOR A BRICKMAKING PLANT**

7/2/1/3 (C)/yb

**[MM 80188]**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that Erven 633, 640 and 642 Hendrina Extension 1 ("the properties") are not needed to render the basic level of Municipal services.
2. **THAT** the Accounting Officer be authorised to alienate Erven 633, 640 and 642 Hendrina Extension 1 for industrial purposes through public bidding processes.
3. **THAT** the applicant be informed accordingly.
4. **THAT** the reserve price to alienate Erf 633 Hendrina Extension 1 be R17 400.00 (Seventeen Thousand Four Hundred Rand) VAT excluded.
5. **THAT** the reserve price to alienate Erf 640 Hendrina Extension 1 be R12 100.00 (Twelve Thousand One Hundred Rand) VAT excluded.
6. **THAT** the reserve price to alienate Erf 642 Hendrina Extension 1 be R12 100.00 (Twelve Thousand One Hundred Rand) VAT excluded.
7. **THAT** the properties be revalued should transactions not be concluded within 12 months from the date of valuation (23/07/2013).
8. **THAT** the stands are not electrified and such costs will be for the account of the successful bidder.
9. **THAT** the payment of the purchase price be strictly cash as in terms of Section 47(3)(aa) of the Supply Chain Management Policy of the Council.
10. **THAT** applicant priorly provides a cash deposit to cover electrical connection costs and rezoning costs.
11. **THAT** the proceeds received from the sale be allocated to vote number 926/501 (Township Development Suspense Account : Sale of Land : Hendrina Extension 01).
12. **THAT** Erven 633, 640 and 642 Hendrina Extension 01 be derecognized from the asset register.
13. **THAT** the profit/loss from the sale of the Land be recognized in the statement of financial performance.

**C12/10/2013**

**COUNCIL ARRANGEMENTS: RESCISSION OF RESOLUTION C17/05/2013**

7/2/3/2/3 (L)iee

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Resolution C17/05/2013 regarding an application for an area in Newtown, Mhluzi for the purpose of operating a creche be rescinded due to non-acceptance of Resolution C17/05/2013 by the applicant.

**C16/10/2013**

**ASSETS: REDUNDANT ITEMS : COMMUNITY PROTECTION SERVICES**

6/1/2/1 (X)ls

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the report by the Executive Director: Community Services regarding the redundant items, be noted.
2. **THAT** the assets listed under point 3 of the comments by the Executive Director: Financial Services be written off, removed from the register and sold at the auction.
3. **THAT** the asset listed under point 4 of the comments by the Executive Director: Financial Services be sold at the auction.
4. **THAT** the balance of the depreciation, represented by the carrying value of the asset be expensed in the statement of financial performance.
5. **THAT** the nett gain or loss (being the difference between the income and expenditure) on disposal of the assets, be recognised in the statement of financial performance.

**C17/10/2013**

**LAND: APPLICATION FOR RENEWAL OF LEASE AGREEMENT ERF 9001 MHLUZI EXTENSION 05**

7/2/1/3 (T)iee

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council approve the applications to renew a lease agreement of Erf 9001 Mhluzi, Extension 5 for a period of 3 years with an option to renew for a further 3 years period subject to the following conditions:
  - 1.1 **That** the rental amount be R570 per month excluding VAT.
  - 1.2 **That** there be a 10% escalation per annum.
  - 1.3 **That** should additional power be required it will be at the cost of the applicant.

- 1.4 **That** the proceeds received from the lease be allocated to Vote Number 555/020 (Fixed Property : Rental Land).

**C26/10/2013**

**LAND: APPLICATION TO PURCHASE ERF 4713 PHINDANI STREET, MHLUZI EXTENSION 02**

7/2/3/2/3 (C)/yb

[MM 80178]

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that Erf 4713 Mhluzi Extension 02 ("the property") is not needed to render basic level of municipal services.
2. **THAT** the Accounting Officer be authorised to alienate the stand as unsolicited bid.
3. **THAT** both the applicants be sold equal portions measuring 151m<sup>2</sup> each.
4. **THAT** the town planning processes be at the cost of the applicants.
5. **THAT** the market value per portion be R12 500.00 (Twelve Thousand Five Hundred Rand) VAT excluded.
6. **THAT** this alienation should adhere to the stipulations of the Council's Supply Chain Management Policy read together with the Municipal Finance Management Act No.56 of 2003.
7. **THAT** the property be re-valued should a transaction not be concluded within 12 months from the date of valuation.
8. **THAT** the application be treated as unsolicited bid.
9. **THAT** the payment of the purchase price be strictly cash as in terms of Section 47(3)(aa) of the Supply Chain Management Policy of the Council.
10. **THAT** the successful bidder priorly provides a cash deposit to cover engineering contribution and service connection costs.
11. **THAT** proceeds received from the sale be allocated to vote number 925/201 (Township Development Suspense Account : Sale of Land : Mhluzi Extension 2).
12. **THAT** Erf 4713 Mhluzi Extension 2 be derecognized from the inventory register.
13. **THAT** the profit/loss from the sale be recognized in the statement of financial performance.

C27/10/2013

**LAND: REQUEST FOR FORMAL / INFORMAL SETTLEMENTS AT  
MIDDELBURG EXTENSION 24**

7/2/3/2 (C)/iec

[MM 68082]

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that Erven 948 - 954 and 974 - 983 Rockdale are not needed to render the basic level of municipal services.
2. **THAT** the Accounting Officer be authorised to deal with this matter as an unsolicited bid.
3. **THAT** the alienation of the erven mentioned in (1) above be further subject thereto that Black Wattle Colliery (Pty) Ltd takes full responsibility for the following:
  - 3.1 **That** the transfer of the properties into the names of the families to be relocated and all costs incidental thereto;
  - 3.2 **That** the relocation costs of the families;
  - 3.3 **That** the costs of municipal service connections; and
  - 3.4 **That** the erection of a brick house on the stands of at least 50m<sup>2</sup> in size at the cost of Black Wattle Colliery (Pty) Ltd.
  - 3.5 **That** Black Wattle Colliery (Pty) Ltd be required to service 40% of the stands to be identified by this Municipality for the reduction of the waiting list.
4. **THAT** the market value of the erven mentioned in (1) above be determined at R15 000,00 (Fifteen Thousand Rand) each excluding VAT.
5. **THAT** the subject properties be revalued should a deed of sale not be concluded within 12 months from the date of valuation (26/02/2013).
6. **THAT** the costs for servicing the erven be borne by the applicant.
7. **THAT** the purchase prices be strictly cash as in terms of Section 47 (3)(aa) of the Council's Supply Chain Management Policy.
8. **THAT** the proceeds received from the sale be allocated to vote number 929/301 (Township Development Suspense Account : Sale of Land : Rockdale).
9. **THAT** whichever portion of land sold be derecognized from the asset register.

10. **THAT** the profit/loss from the sale be recognized in the statement of financial performance.

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11. **THAT** the proposed sale of the properties be advertised in terms of Section 79 (18) of the Local Government Ordinance 17 of 1939 as amended read together with Section 21 of the Local Government : Municipal Systems Act 32 of 2000, as amended, Section 113 of the Local Government : Municipal Finance Management Act 56 of 2003 and Section 44 of the Council's Supply Chain Management Policy.

**C28/10/2013**

**RESCISSION OF COUNCIL RESOLUTION C21/09/2012 (RECOVERY OF FRUITLESS AND WASTEFUL EXPENDITURE)**

3/2/4/1/15 (F)/iec

The Municipal Manager recused himself with the consideration of this item.

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the report by the Executive Director : Corporate Services regarding the rescission of Council Resolution C21/09/2012 (Recovery of Fruitless and Wasteful Expenditure), be noted.
2. **THAT** Council Resolution C21/09/2012 be rescinded and the debt be written off as irrecoverable expenditure.
3. **THAT** the expenditure be written off against vote number 945/055 (Debtors : Debt Impairment : Sundry Debtors).

**C29/10/2013**

**LAND: APPLICATION TO PURCHASE 500 SERVICED STANDS FOR THE SHANDUKA COAL EMPLOYEES**

7/2/3/2/4 (C)/yb

**[MM 82790]**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the Council take note of the report by the Executive Director : Corporate Services.
2. **THAT** the application to purchase serviced stands for the Shanduka Coal employees be approved in principle subject to the following:
  - 2.1 **That** Shanduka Coal should furnish the Municipality with the information pertaining to the targeted housing income categories and total number to be built per category.

**C30/10/2013**

**TOWN PLANNING: TOWNSHIP ESTABLISHMENT ON THE REMAINDER OF PORTION 27 OF THE FARM MIDDELBURG TOWN AND TOWNLANDS 287 JS: NEWTOWN EXTENSION**

15/3/79 (C)/yb

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the Council confirm that a portion of the Remainder of Portion 27 of the farm Middelburg 287 JS "the property" on the north-western side of the existing Newtown Informal Settlement is not needed to render the basic level of municipal services.
2. **THAT** the application to establish a township on the subject property to be known as Newtown Extension be approved in terms of Section 109 of the Town Planning and Township Ordinance No.15 of 1986 subject to the following conditions:
  - 2.1 **That** the proposed township be proclaimed only after a positive "record of decision" has been issued by the Department of Economic Development, Environment and Tourism for the Environmental Impact Assessment application.
  - 2.2 **That** the consultant be informed to submit a set of conditions of establishment for scrutiny and approval by Council.
  - 2.3 **That** all the precautionary measures recommended in the geotechnical report be adhered to.
  - 2.4 **That** the applicant be allowed to peg the township after the geological and environmental sensitive areas have been properly delineated on the township layout plan.
  - 2.5 **That** the conditions imposed by the respective government departments and other stakeholders be adhered to.
  - 2.6 **That** Council take note of the budgeted amounts over the 2014-2017 MTREF period.
  - 2.7 **That** the need for other services be considered during the next budget cycle.

**C32/10/2013**

**LAND: FIXED PROPERTY : ERF 2001 MHLUZI (PREVIOUSLY ERF 2359 MHLUZI)**

7/2/3/2/3 (L)/iec

[MM 84046]

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that Erf 2001 Mhluzi (previously Erf 2359 Mhluzi) is not needed to render the basic level of municipal services.



2. **THAT** the application to purchase Erf 2001 Mhluzi ("the property") be approved subject to the following conditions:
  - 2.1 **That** the Accounting Officer be authorised to dispose the property as an unsolicited bid.
  - 2.2 **That** Council confirm the fair market value of the property as R74 000,00 (Seventy Four Thousand Rand) excluding VAT.
  - 2.3 **That** the property be re-valued should a transaction not the concluded within 12 months from the date of valuation (02/07/2013).
  - 2.4 **That** due to the fact that a church building is already erected on the property, 25% discount be granted from the purchase price.
  - 2.5 **That** the proposed sale be advertised in terms of Section 79(18) of the Local Government Ordinance 17 of 1939 as amended, Section 21 of the Municipal Systems Act 32 of 2000 as amended, Section 113 of the Municipal Finance Management Act and Section 44 of the Council's Supply Chain Management Policy.
  - 2.6 **That** the request to sell the property at the historical price not be acceded to due to the reasons that an unnecessary precedent will be created and it will be contrary to Section 14(2) of the Municipal Finance Management Act.
  - 2.7 **That** the payment of the purchase price be strictly cash as in terms of Section 47(3)(aa) of the Supply Chain Management Policy of the Council.
  - 2.8 **That** the proceeds from the sale be allocated to vote number 935/518 (Local Trust Fund : Sale of Land : Mhluzi Proper).

# delegated powers

**M02/10/2013**

**COUNCIL ARRANGEMENTS: CELEBRATING THE 20 YEARS OF FREEDOM**

8/1/2 (X)/ls

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the presentation made by GCIS Mpumalanga Provincial Office with regard to celebrating the 20 years of Freedom, be noted.
2. **THAT** the Executive Director: Corporate Services (Department Communication Stakeholder Liaison) be requested to submit a further report on the presentation made.

**M05/10/2013**

**PERSONNEL: SCARCITY ALLOWANCE: TECHNICAL STAFF**

4/5/2/11 (B)/ wm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the report by the Executive Director: Infrastructure Services regarding the scarcity allowance for Technical Staff.
2. **THAT** point 1 of the Resolution M22/11/2006 be amended to read as follows:
  - 2.1 **That** the non-pensionable scarcity allowance be paid to employees at post level 1 to post level 9 who meet the set criteria as follows:
    - a. Post level 1 - 3 the current R7 572,51 per month
    - b. Post level 4 - 6 the current R4 400,98 per month
    - c. Post level 7 - 9 the current R2 947,95 per month
3. **THAT** the implementation of the adjustment be made after Council resolved on the above-mentioned matter.
4. **THAT** no back-pay on scarcity allowance be paid to the affected incumbents.

**M07/10/2013**

**LAND: APPLICATION TO PURCHASE ERF 1893 TOKOLOGO FOR PRE-SCHOOL PURPOSES**

7/2/3/2/3 (L)/yb

**[MM 87583]**

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the application to purchase Erf 1893 Tokologo for pre-school purposes not be approved due to the following reasons:
  - 1.1 **That** Erf 1893 Tokologo is bisected by an overhead electrical cable with a transformer and no building or development may be allowed underneath the electrical cables.

- 1.2 **That** a sewer line is transversing the subject property and it cannot be relocated.
2. **THAT** the applicant be advised to enquire about the availability of properties with similar purposes zoned "Institutional" in Tokologo from the Director : Property & Valuation Services.

**M08/10/2013**

**FINANCES: AUDIT COMMITTEE MINUTES : MEETINGS 6 FEBRUARY 2013 AND 7 MAY 2013: MPAC**

3/2/4/1/17 (X)/nm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the report by the Executive Director: Financial Services regarding the submission of the Audit Committee Minutes for the meetings held on 6 February 2013 and 7 May 2013, be noted.

**M09/10/2013**

**COUNCIL ARRANGEMENTS: SALGA: OUTCOMES OF THE PEC MEETING WITH NKALANGA DISTRICT MUNICIPALITY**

12/2/2/1 (X)/ls

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the report by the Executive Director: Corporate Services regarding the SALGA outcomes of the PEC meeting with Nkhalanga District Municipality, be noted.
2. **THAT** before Council adopts these resolutions, SALGA be requested to indicate the form of support and assistance that SALGA and COGTA will provide.

**M10/10/2013**

**DONATION: NKANGALA DISTRICT MUNICIPALITY: RAPID INTERVENTION VEHICLE**

14/1/1/2/2 (X) ls

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the report by the Executive Director: Community Services regarding the donation of a Rapid Intervention vehicle from Nkangala District Municipality, be noted.
2. **THAT** a letter of appreciation be forwarded to the Nkangala District Municipality towards the donation.
3. **THAT** the value of the vehicle and equipment of R903 614 (VAT excluded) be recognised in the February adjustment budget as a donation.

4. **THAT** it be noted that the vehicle and equipment have been added to Council's insurance portfolio.
5. **THAT** the vehicle and equipment be taken up in Council's asset register.

**M13/10/2013**

**LAND: APPLICATION TO PURCHASE PORTIONS OF ROAD RESERVE AT CHROMEVILLE, MHLUZI**

7/2/3/2/3 (L)/ann

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the matter be held in abeyance pending an inspection in loco on the said erf.

**M14/10/2013**

**FINANCES: FRUITLESS & WASTEFUL EXPENDITURE: MPAC**

3/2/4/1/17 (X)/nm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the report by the Executive Director: Financial Services regarding the fruitless and wasteful expenditure, be noted.
2. **THAT** Municipal Public Accounts Committee take note of the three cases of possible fruitless and wasteful expenditure.

**M15/10/2013**

**SUPPORT SERVICES: RECORDS MANAGEMENT: CERTIFICATE PRESENTED TO STEVE TSHWETE LOCAL MUNICIPALITY FOR THE BEST PERFORMING INSTITUTION**

12/2/1/12 (Q) /ls

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the report by the Executive Director: Corporate Services regarding the certificate presented to Steve Tshwete Local Municipality for the Best Performing Institution in Records Management, be noted.

**M18/10/2013**

**FINANCES: EVALUATE ANNUAL FINANCIAL STATEMENTS SUBMITTED TO AUDITOR-GENERAL**

5/14/R (X)/nm

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the report by the Executive Director: Financial Services regarding the Annual Financial Statements which were submitted to the Auditor-General, be noted.

2. **THAT** Cllr DM Longmann be removed under the heading: "Proportional Councillors" and the spelling of the surnames of Councillors be verified.
3. **THAT** information be provided as to why Consumer deposits has increased by  $\pm 40\%$ .
4. **THAT** the Executive Director: Financial Services be requested to investigate and submit a report with reasons as to why the New Standards and Interpretation which have been published and are mandatory for the municipality's accounting periods beginning on or after 1 July 2013 were not applied:
  - 4.1. GRAP 105, 106, 107, 20 and 18
  - 4.2. Revised GRAP 1, 3, 9, 12, 13, 16, 17
  - 4.3. IGRAP 1 and
  - 4.4. GRAP 25
5. **THAT** the R500 000.00 donated to Middelburg Youth Art Development Centre be captured in the Financial Statements.
6. **THAT** the non corresponding figures of the amount paid in respect of the accommodation at Strategic Lekgotla and amount recorded in the financial Statement be investigated.

**M19/10/2013**

**COUNCIL ARRANGEMENTS: 9TH/2013 POLITICAL MONITORING COMMITTEE REPORT FOR COMMUNITY PROTECTION SERVICES PORTFOLIO: SEPTEMBER 2013**

3/2/4/1/21 (V)

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities performed during August 2013 within the relevant Portfolio, be noted subject to the following:
  - 1.1 **That** the names of businesses closed down due to illegal trading be listed on future activity reports.
- 2 **THAT** the activities planned for September 2013 within the relevant Portfolio, be noted.
- 3 **THAT** note be taken that the 2013/2014 Performance plans have not yet been approved.
- 4 **THAT** the report on vacant positions, be noted.
- 5 **THAT** the progress made with the implementation of capital projects and with the SDBIP in respect of the relevant Portfolio, be noted.

- 6 **THAT** progress made with the implementation of Council Resolutions referred to the Executive Directorate: Community Services, be noted.
- 7 **THAT** the report on the development of new policies and by-laws within the relevant Portfolio, be noted.
- 8 **THAT** the responses provided by the Executive Directorate: Community Services in respect of matters raised by Ward Committees, be noted.
- 9 **THAT** note be taken that there were no matters raised by the MMC for Community Protection Services regarding issues reported to him by Councillors and community members.
- 10 **THAT** it be noted that there were no matters received by the Executive Directorate: Community Services in the complaint and suggestion boxes during August 2013.

**M20/10/2013**

**COUNCIL ARRANGEMENTS: 8TH/2013 POLITICAL MONITORING COMMITTEE  
REPORT FOR SPATIAL DEVELOPMENT & HUMAN SETTLEMENT PORTFOLIO:  
SEPTEMBER 2013**

3/2/4/1/21 (V)

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities performed during August 2013 within the relevant Portfolio, be noted.
- 2 **THAT** the activities planned for September 2013 within the relevant Portfolio, be noted.
- 3 **THAT** it be noted that the 2013/2014 performance plans have not been approved.
- 4 **THAT** the report on vacant positions, be noted.
- 5 **THAT** the progress made with the implementation of capital projects and with the SDBIP in respect of the relevant Portfolio, be noted.
- 6 **THAT** progress made with the implementation of Council Resolutions referred to the Executive Directorate: Infrastructure Services, be noted.
- 7 **THAT** note be taken that there were no new policies and by-laws developed within the relevant Portfolio.
- 8 **THAT** the responses provided by the Executive Directorate: Infrastructure Services in respect of matters raised by Ward Committees, be noted.

- 9 **THAT** progress made with the handling of matters raised by the MMC for Spatial Development & Human Settlement regarding issues reported to her by Councillors and community members, be noted.
- 10 **THAT** note be taken that there were no matters received by the Executive Directorate: Infrastructure Services in the complaint and suggestion boxes during August 2013.

**M21/10/2013**

**COUNCIL ARRANGEMENTS: 9TH/2013 POLITICAL MONITORING COMMITTEE  
REPORT FOR CORPORATE SERVICES PORTFOLIO: SEPTEMBER 2013**

3/2/4/1/21 (V)

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities performed during August 2013 within the Executive Directorate : Corporate Services, be noted.
- 2 **THAT** the activities planned for September 2013 within the Executive Directorate: Corporate Services, be noted.
- 3 **THAT** it be noted that the 2013/2014 performance plans have not been approved.
- 4 **THAT** the report on vacant positions, be noted.
- 5 **THAT** the progress made with the implementation of capital projects and with the SDBIP in respect of the Executive Directorate: Corporate Services, be noted.
- 6 **THAT** progress made with the implementation of Council Resolutions referred to the Executive Directorate: Corporate Services, be noted.
- 7 **THAT** the report on the development of new policies and by-laws within the Executive Directorate: Corporate Services, be noted.
- 8 **THAT** the responses provided by the Executive Directorate: Corporate Services in respect of matters raised by Ward Committees, be noted.
- 9 **THAT** it be noted that there were no matters raised by the MMC for Corporate Services regarding issues reported to him/her by Councillors and community members.
- 10 **THAT** note be taken that there were no matters received by the Executive Directorate: Corporate Services in complaint and suggestion boxes during August 2013.
11. **THAT** all vacant positions that have been advertised be finalized by the end of November 2013.
12. **THAT** when Directorates are requested to provide comments on items to serve before Council, such comments be provided within 4 work days.



**M22/10/2013**

**COUNCIL ARRANGEMENTS: 9TH/2013 POLITICAL MONITORING COMMITTEE  
REPORT FOR ENVIRONMENTAL HEALTH & PUBLIC FACILITY SERVICES  
PORTFOLIO: SEPTEMBER 2013**

3/2/4/1/21 (V)

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities performed during August 2013 within the relevant Portfolio, be noted subject to the following:
  - 1.1 **That** the Executive Director: Community Services be requested to arrange an inspection in loco at the Koornfontein mobile library.
- 2 **THAT** the activities planned for September 2013 within the relevant Portfolio, be noted.
- 3 **THAT** it be noted that the 2013/2014 performance plans have not been approved.
- 4 **THAT** the report on vacant positions, be noted.
- 5 **THAT** the progress made with the implementation of capital projects and with the SDBIP in respect of the relevant Portfolio, be noted.
- 6 **THAT** progress made with the implementation of Council Resolutions referred to the Executive Directorate: Community Services, be noted subject to the following:
  - 6.1 **That** note be taken that in terms of Resolution M77/09/2013 Housing Administration will no longer fall within the Environmental Health, Public Facility & Cultural Services Portfolio but will instead fall within the Spatial Development, Human Settlement and Housing Administration Portfolio.
- 7 **THAT** the report on the development of new policies and by-laws within the relevant Portfolio, be noted.
- 8 **THAT** the responses provided by the Executive Directorate: Community Services in respect of matters raised by Ward Committees, be noted.
- 9 **THAT** progress made with the handling of matters raised by the MMC for Environmental Health & Public Facility Services regarding issues reported to him/her by Councillors and community members, be noted.
- 10 **THAT** responses by the Executive Directorate: Community Services on matter raised in complaint and suggestion boxes, be noted.

**M23/10/2013**

**COUNCIL ARRANGEMENTS: 8TH/2013 POLITICAL MONITORING COMMITTEE  
REPORT FOR THE FINANCIAL SERVICES PORTFOLIO: SEPTEMBER 2013**

3/2/4/1/21 (V)

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities performed during August 2013 within the relevant Portfolio, be noted.
- 2 **THAT** the activities planned for September 2013 with the relevant Portfolio, be noted.
- 3 **THAT** note be taken that the 2013/2014 performance plans have not been approved.
- 4 **THAT** the report on vacant positions, be noted.
- 5 **THAT** the progress made with the implementation of capital projects and with the SDBIP in respect of the relevant Portfolio, be noted.
- 6 **THAT** progress made with the implementation of Council Resolutions referred to the Executive Directorate: Financial Services, be noted.
- 7 **THAT** it be noted that there were no new policies and by-laws within the Financial Services Portfolio.
- 8 **THAT** the responses provided by the Executive Directorate: Financial Services in respect of matters raised by Ward Committees, be noted.
- 9 **THAT** it be noted that there were no matters raised by the MMC for Financial Services regarding issues reported to him by Councillors and community members.
- 10 **THAT** responses by the Executive Directorate: Financial Services on matters raised in complaint and suggestion boxes, be noted.

**M24/10/2013**

**COUNCIL ARRANGEMENTS: 8TH/2013 POLITICAL MONITORING REPORT  
FOR INFRASTRUCTURE DEVELOPMENT & SERVICE DELIVERY PORTFOLIO:  
SEPTEMBER 2013**

3/2/4/1/21 (V)

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities performed during August 2013 within the relevant Portfolio, be noted subject to the following:

- 1.1 **That** note be taken that Cllr J P Pretorius congratulated the Infrastructure Directorate for the efficient work they have performed with regards to the water and electricity queries he submitted.
- 2 **THAT** the activities planned for September 2013 within the relevant Portfolio, be noted.
- 3 **THAT** although note has been taken that the 2013/2014 performance plans have not been approved by Council;
  - 3.1 **The** Executive Director: Infrastructure Services conducts an investigation at the Mhluzi swimming pool in respect of water wastage and the burglary which took place in August 2013.
- 4 **THAT** the report on vacant positions, be noted.
- 5 **THAT** the progress made with the implementation of capital projects and with the SDBIP in respect of the relevant Portfolio, be noted.
- 6 **THAT** progress made with the implementation of Council Resolutions referred to the Executive Directorate: Infrastructure Services, be noted subject to the following:
  - 6.1 **That** the Executive Director: Infrastructure Services provide written progress in respect of the implementation of Resolution M60/07/2013.
- 7 **THAT** the report on the development of new policies and by-laws within the relevant Portfolio, be noted.
- 8 **THAT** the responses provided by the Executive Directorate: Infrastructure Services in respect of matters raised by Ward Committees, be noted.
- 9 **THAT** progress made with the handling of matters raised by the MMC for Infrastructure Development and Service Delivery regarding issues reported to him/her by Councillors and community members, be noted.
- 10 **THAT** responses by the Executive Directorate: Infrastructure Services on matters raised in complaint and suggestion boxes, be noted.

**M25/10/2013**

**COUNCIL'S FACILITIES: APPLICATION TO PURCHASE PORTION 149 OF ERF 6321 REABOTHA, MHLUZI**

7/2/3/2/3; 13/4/1 (L)/yb

**[MM 68149]**

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the matter be referred back for investigation and reporting and with the investigation similar previous reports be taken into consideration.

**M31/10/2013**

**LAND: REQUEST FOR CHURCH STAND ON THE REMAINDER OF PORTION 148 OF THE FARM MIDDELBURG TOWN AND TOWNLANDS 287JS**

7/2/3/2 (C)/yb

[MM 55582]

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the Council take note of the report by the Executive Director : Corporate Services.
2. **THAT** the application to lease a portion of the Remainder of Portion 148 JS measuring 2500m<sup>2</sup> in extent not be approved based on the reasons submitted in the report.
3. **THAT** the applicant be informed accordingly.

**M34/10/2013**

**DELEGATION: APPROVAL TO ATTEND A LOCAL CLIMATE SOLUTION FOR AFRICA 2013 CONGRESS: DAR ES SALAAM, TANZANIA**

12/3/4 (B)/ wm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the following Councillor and Official be delegated to attend the Local Climate Solution for Africa 2013 Congress to be held at Dar Es Salaam, Tanzania from 28 October 2013 to 02 November 2013:
  - 1.1 Cllr N J Mahlangu (MMC for Infrastructure Development and Service Delivery)
  - 1.2 Ms S Mtsweni (Department of Town Planning and Human Settlement)
2. **THAT** the subsistence costs for the Councillor be allocated to vote 100/510 (Councils General: Travel and Subsistence) and the costs for the Official be allocated to vote 502/510 (Town Planning: Travel and Subsistence).

**M36/10/2013**

**OFFER TO IMPLEMENT AN ELECTRICITY LOAD SHIFTING PROJECT AT STEVE TSHWETE LOCAL MUNICIPALITY**

7/2/1/3 (MM)

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** a letter of intend be issued to Sabie Institute of Excellence (Pty) Ltd for the Eskom funded peak load shifting program to be implemented at STLM by Utillabs (Pty) Ltd on the express condition that there will be no financial implication for Council and that the system will be operated and maintained by Utillabs (Pty) Ltd for a period of 5 years after installation.

2. **THAT** the Executive Director : Infrastructure Services investigate and submit a further report on the management of the system to clearly define the roles and responsibilities of each stakeholder.
3. **THAT** feedback reports be submitted with the implementation of such projects.

**M37/10/2013**

**MHLUZI MALL: REDUCTION OF ENGINEERING CONTRIBUTIONS**

16/2/R (B)/ wm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the report by the Executive Director: Infrastructure Services on the request for further reduction of engineering contributions for Stand 12941 portion 2 to 6 Mhluzi.
2. **THAT** the request from Cupro Consulting for a further 20% discount for engineering services for Stand 12941 portion 2 to 6 Mhluzi, not be approved but be limited to additional 10% to a total of 20% discount with no further negotiations.

# REPORT OF THE

# 19<sup>th</sup>/2013

ORDINARY MEETING OF THE MAYORAL COMMITTEE  
WHICH WAS HELD IN THE COUNCIL CHAMBER,  
MUNICIPAL BUILDING, MIDDELBURG MPUMALANGA, ON

# 2013/11/14

**M01/11/2013**

**BREAKING NEW GROUND: JOINT VENTURE DEVELOPMENT: KANONKOP  
MIDDELBURG**

8/1/2 (X)/nm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note that the scheduled presentation of Mpumalanga Development Holdings, was postponed.

**M02/11/2013**

**FINANCES: FINANCIAL MONTHLY REPORT FOR OCTOBER 2013**

9/3/1 (P)

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the monthly report for October 2013 as submitted by the Executive Director: Financial Services, be noted.
2. **THAT** permission be granted to the Executive Director: Financial Services to submit the report in both electronic and hard copy format to the National and Provincial Treasury.
3. **THAT** permission be granted to the Executive Director: Financial Services to place the monthly report for October 2013 on the municipal website.

# REPORT OF THE

# 20<sup>th</sup>/2013

ORDINARY MEETING OF THE MAYORAL COMMITTEE  
WHICH WAS HELD IN THE COUNCIL CHAMBER,  
MUNICIPAL BUILDING, MIDDELBURG MPUMALANGA, ON

# 2013/11/21



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# NON delegated powers

C03/11/2013

**COUNCIL ARRANGEMENTS: SCHEDULE FOR COUNCIL, MAYORAL COMMITTEE AND COUNCIL COMMITTEE MEETINGS FOR THE YEAR 2014**

3/2/2/3 &amp; 3/2/3/1 (B)/ ls

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note that the Speaker determined the following dates, venue and time for Council meetings during 2014:

| MEETING          | DATE              | VENUE  | TIME  |
|------------------|-------------------|--|-------|
| Ordinary Council | 30 January 2014   | Nasaret Community Hall                         | 17:30 |
| Special Council  | 27 February 2014  | Council Chamber                                | 17:30 |
| Ordinary Council | 27 March 2014     | Council Chamber                                | 17:30 |
| Special Council  | 24 April 2014     | Council Chamber                                | 17:30 |
| Ordinary Council | 29 May 2014       | Sidney Choma, Banquet Hall                     | 17:30 |
| Special Council  | 26 June 2014      | Council Chamber                                | 17:30 |
| Ordinary Council | 31 July 2014      | Adelaide Tambo Community Centre - Ext 7 Mhluzi | 17:30 |
| Special Council  | 21 August 2014    | Council Chamber                                | 17:30 |
| Ordinary Council | 25 September 2014 | Eastdene Community Hall                        | 17:30 |
| Special Council  | 30 October 2014   | Council Chamber                                | 17:30 |
| Ordinary Council | 27 November 2014  | Kosmos Community Hall - Kwazamokuhle           | 17:30 |

2. **THAT** Council take note that the Executive Mayor determined the following dates for Mayoral Committee meetings during 2014 as well as the closing dates for submission of items other than the Monthly Financial Control item :

| <i>1<sup>st</sup> Mayoral Committee</i> |  | <i>2<sup>nd</sup> Mayoral Committee</i> |  |
|---|--|---|--|
| <i>Closing date for items</i>           | <i>Date of Mayoral Committee meeting</i> | <i>Closing dated for items</i>          | <i>Date of Mayoral Committee meeting</i> |
| <i>02/01/2014</i>                       | <i>09/01/2014</i>                        | <i>14/01/2014</i>                       | <i>21/01/2014</i>                        |
| <i>03/02/2014</i>                       | <i>13/02/2014</i>                        | <i>11/02/2014</i>                       | <i>20/02/2014</i>                        |
| <i>04/03/2014</i>                       | <i>13/03/2014</i>                        | <i>12/03/2014</i>                       | <i>20/03/2014</i>                        |
| <i>27/03/2014</i>                       | <i>10/04/2014</i>                        | <i>08/04/2014</i>                       | <i>17/04/2014</i>                        |
| <i>29/04/2014</i>                       | <i>15/05/2014</i>                        | <i>06/05/2014</i>                       | <i>20/05/2014</i>                        |
| <i>03/06/2014</i>                       | <i>12/06/2014</i>                        | <i>10/06/2014</i>                       | <i>19/06/2014</i>                        |

|                   |                   |                   |                   |
|-------------------|-------------------|-------------------|-------------------|
| <i>01/07/2014</i> | <i>10/07/2014</i> | <i>09/07/2014</i> | <i>17/07/2014</i> |
| <i>30/07/2014</i> | <i>07/08/2014</i> | <i>06/08/2014</i> | <i>14/08/2014</i> |
| <i>02/09/2014</i> | <i>11/09/2014</i> | <i>09/09/2014</i> | <i>18/09/2014</i> |
| <i>01/10/2014</i> | <i>09/10/2014</i> | <i>07/10/2014</i> | <i>22/10/2014</i> |
| <i>04/11/2014</i> | <i>13/11/2014</i> | <i>11/11/2014</i> | <i>18/11/2014</i> |
| <i>02/12/2014</i> | <i>11/12/2014</i> |                   |                   |

3. **THAT** the following 2014 schedule for Section 79 Political Monitoring Committees be determined:

| <b>Section 79 Political Portfolio Committee</b>                                 | <b>Jan 2014</b> | <b>Feb 2014</b> | <b>Mar 2014</b> | <b>Apr 2014</b> | <b>May 2014</b> | <b>Jun 2014</b> | <b>Jul 2014</b> | <b>Aug 2014</b> | <b>Sep 2014</b> | <b>Oct 2014</b> | <b>Nov 2014</b> |
|---|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Environmental Health, Public Facilities and Cultural Services (Time: 09:00)     | 28              | 25              | 25              | 29              | 27              | 24              | 29              | 26              | 23              | 28              | 25              |
| Financial Services (Time: 12:00)  | 28              | 25              | 25              | 29              | 27              | 24              | 29              | 26              | 23              | 28              | 25              |
| Corporate Services (Time: 15:00)  | 28              | 25              | 25              | 29              | 27              | 24              | 29              | 26              | 23              | 28              | 25              |
| Community Protection Services (Time: 09:00)                                     | 29              | 26              | 26              | 30              | 28              | 25              | 30              | 27              | 25              | 29              | 26              |
| Spacial Development , Human Settlement and Housing Administration (Time: 12:00) | 29              | 26              | 26              | 30              | 28              | 25              | 30              | 27              | 25              | 29              | 26              |
| Infrastructure Development and Service Delivery (Time: 15:00)                   | 29              | 26              | 26              | 30              | 28              | 25              | 30              | 27              | 25              | 29              | 26              |

4. **THAT** the following 2014 schedule for Section 80 Portfolio Committee meetings be determined:

| <b>Section 80 Portfolio Committee</b>                         | <b>Jan 2014</b> | <b>Mar 2014</b> | <b>May 2014</b> | <b>July 2014</b> | <b>Sept 2014</b> | <b>Nov 2014</b> |
|---|-----------------|-----------------|-----------------|------------------|------------------|-----------------|
| Financial Services  | 7               | 5               | 7               | 8                | 9                | 4               |
| Corporate Services  | 7               | 5               | 7               | 8                | 9                | 4               |
| Infrastructure Development and Service Delivery               | 7               | 5               | 7               | 8                | 9                | 4               |
| Environmental Health, Public Facilities and Cultural Services | 8               | 6               | 8               | 9                | 10               | 5               |
| Community Protection Services                                 | 8               | 6               | 8               | 9                | 10               | 5               |

|   |   |   |   |   |    |   |
|---|---|---|---|---|----|---|
| Spacial Development , Human Settlement and Housing Administration | 8 | 6 | 8 | 9 | 10 | 5 |
|---|---|---|---|---|----|---|

5. **THAT** note be taken that in terms of Resolution C07/07/2013 MPAC meetings will be held on the following dates:

11 February 2014  
13 May 2014  
16 September 2014

**C09/11/2013**

**LAND: APPLICATION TO PURCHASE A PORTION OF ERF 11820 MHLUZI EXTENSION 8 FOR RESIDENTIAL PURPOSES**

7/2/3/2 (L)/iec

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that a portion of Erf 11820 Mhluzi Extension 08, measuring 35m<sup>2</sup> in extent, is not needed to render minimum level of basic municipal services.
2. **THAT** the Accounting Officer be authorised to alienate a portion of Erf 11820 Mhluzi Extension 08 as unsolicited bid for residential purposes.
3. **THAT** all connection costs necessary be for the account of the applicant.
4. **THAT** the market value of the property be determined at R45,00 (Forty Five Rand) per square metre, excluding VAT.
5. **THAT** the subject property be re-valued should the transaction not be concluded within 12 months from date of this valuation (4 September 2013).
6. **THAT** the applicant priorly provide a cash deposit to cover:
  - 6.1 Subdivision
  - 6.2 Consolidation and park closure, and
  - 6.3 Rezoning
7. **THAT** the payment of the purchase price be strictly cash as in term of Section 47(3)(aa) of the Supply Chain Management Policy of the Council.
8. **THAT** the proceeds received from the sale be allocated to Vote Number 925/801 (Township Development Suspense Account : Sale of Land : Mhluzi Extension 08).
9. **THAT** the portion of land be removed from the fixed asset register and be written off at the current replacement cost.
10. **THAT** the net gain or loss which will realize on the disposal of the capital asset be recognized in the Statement of Financial Performance.



**C10/11/2013**

**ASSETS: ASSETS REDUNDANT ITEMS BUILDING AND FLEET MANAGEMENT**

6/1/2/1 (X)/nm

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the report by the Executive Director: Infrastructure Services regarding the redundant items of Buildings and Fleet Management.
2. **THAT** assets listed under point 3 of the comments by the Executive Director: Financial Services be written off from the asset register and be sold at the next auction.
3. **THAT** the redundant inventory under point 4 and 5 of the comments by the Executive Director: Financial Services be sold at the next auction.
4. **THAT** the nett gain or loss on disposal of the assets, be recognised in the statement of financial performance.

**C17/11/2013**

**LAND: ESKOM POWERLINE : ROCKDALE REMAINDER OF PORTION 27 OF THE FARM MIDDELBURG TOWN AND TOWNLANDS 287 JS**

16/2/R (L)/iec

[MM 81394]

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** permission be granted to Eskom to register a servitude over a portion of the Remainder of Portion 27 of the farm Middelburg Town and Townlands 287 JS measuring 9,2088 hectares in extent ("the property") subject to the following conditions:
  - 1.1 **That** the Option to Acquire a servitude Agreement be entered into between this Municipality and Eskom.
  - 1.2 **That** all costs pertaining the application and the registration of the servitude be borne by Eskom.
  - 1.3 **That** Council be indemnified against any claim which may arise from the permission granted to Eskom to register the servitude.
  - 1.4 **That** Council, as the registered owner of the property to be affected by the registration of the servitude, be offered the compensation of R184 000,00 (One Hundred and Eighty Four Thousand Rand) excluding VAT.
  - 1.5 **That** the revenue be allocated to Vote 630/010 (Middelburg Townlands : Servitude Fees).

- 1.6 **That** the intangible asset represented by the servitude once registered, be taken up in Council's fixed asset register in a value equal to the compensation granted by Eskom.
- 1.7 **That** Eskom obtain an engineering services layout plan which indicates all existing services to ensure that no damage is caused during construction works.
- 1.8 **That** the value of the land should be impaired in terms of Generally Recognised Accounting Practice Standards as the carrying value of the property will decline to a value below that which can reasonably be recovered in an arm's length transaction.

**C19/11/2013**

**LAND: OFFER TO PURCHASE A PORTION OF STEENBOK AVENUE SITUATED ADJACENT TO ERF 11814 MIDDELBURG EXTENSION 10**

7/2/3/2/4 (L)/yb

**[MM 79987]**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that a portion of Steenbok Avenue, Middelburg Extension 10 measuring 1564 m<sup>2</sup> in extent ("the property") situated adjacent to Erf 11814 Middelburg Extension 10 (Kanonkop Spar) is not needed for the provision of the basic level of municipal services.
2. **THAT** the Accounting Officer be authorised to dispose of the property as an unsolicited bid.
3. **THAT** the application to purchase the property be approved subject to the following conditions:
  - 3.1 **That** Council confirm that the fair market value of the property to be R545 000.00 (Five Hundred and Forty Five Thousand Rand) excluding VAT.
  - 3.2 **That** the property be revalued should a transaction not be concluded within 9 (nine) months from the date of valuation (14/10/2013).
  - 3.3 **That** the use of the property be limited to business parking.
  - 3.4 **That** note be taken that the property is serviced and should the electrical infrastructure be required to be changed or rerouted, it be at the cost of an applicant.
  - 3.5 **That** the permanent closure of the portion of Steenbok Avenue should be advertised in order to give an opportunity to the residents of the street and the Community to make representations / inputs.
  - 3.6 **That** the right of access be granted to the pedestrian public moving between Jakaranda Street and Steenbok Avenue.

- 3.7 **That** the applicant comply with the National Road Traffic Act 93 of 1996.
- 3.8 **That** the applicant submit a site development plan of the proposed parking area for approval.
- 3.9 **That** the applicant submit a design of the stormwater drainage for approval.
- 3.10 **That** the following town planning processes be conducted at the cost of the applicant:
- 3.10.1 Permanent street closure.
- 3.10.2 Subdivision, rezoning and consolidation.
- 3.11 **That** the applicant be responsible for the payment of permanent street closure, subdivision, rezoning and consolidation costs.
- 3.11.1 **That** the payment of the purchase price be strictly cash as in terms of Section 47(3)(aa) of the Supply Chain Management Policy of the Council.
- 3.11.2 **That** proceeds received from the sale be allocated to vote number 935/510 (Township Development Suspense Account : Sale of Land : Extension 10).
- 3.11.3 **That** the proposed sale of the property be advertised in terms of Section 79(18) of the Local Government Ordinance 17 of 1939 as amended, read together with Section 21 of the Municipal Systems Act 32 of 2000 as amended, Section 113 of the Municipal Finance Management Act 56 of 2003 and Section 44 of the Council's Supply Chain Management Policy.

**C20/11/2013**

**LAND: APPLICATION TO LEASE 100M<sup>2</sup> OF PORTION 27 OF THE FARM  
MIDDELBURG TOWN & TOWNLANDS 287 JS : TELECOMMUNICATION MAST**

7/2/1/3 (T)/iec

**[MM 84077]**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that a portion of the Remainder of Portion 27 of the farm Middelburg Town & Townland 287 JS measuring 100m<sup>2</sup> (10m<sup>2</sup> x 10m) situated along the East of the R35 Road approximately 2km North of the N4 National Road located along Samora Machel Street near Middelburg Mall ("the property") is not needed to provide basic municipal service.

2. **THAT** the Accounting Officer be authorised to alienate the the property as unsolicited bid.
3. **THAT** the lease agreement for the property be approved subject to the following conditions:
  - 3.1 **That** the lease agreement be for a period of 3 years with an option to renew for a further 3 years period.
  - 3.2 **That** the rental amount be R2 300,00 per month excluding VAT.
  - 3.3 **That** there be a 10% escalation per annum.
  - 3.4 **That** the rental amount be reviewed on 3 yearly basis.
  - 3.5 **That** the applicant submit a consent use application for Telecommunication Mast to the Council for consideration by the Council.
  - 3.6 **That** the proposed Telecommunication Mast be constructed in a way to blend well with the surrounding environment to the satisfactory of the Council.
  - 3.7 **That** note be taken that the land is not serviced and should electricity be required, engineering service contribution and service connection cost will be for the applicant.
  - 3.8 **That** note be taken that the proposed site is closed to the Municipality's main water line feeding the town and therefore the applicant is advised to contact the Civil Engineering Services Department before any construction takes place.
  - 3.9 **That** the property only be used for telecommunication mast.
  - 3.10 **That** the applicant pay all the accounts mentioned in the report that are in arrears before the proposed lease agreement is commenced with.
  - 3.11 **That** the lease be treated as operating lease in terms of he Generally Recognized Accounting Practice Standard 13.
  - 3.12 **That** the proceeds received form the lease be allocated to Vote no 555/020 (Fixed Property : Rental Land).
  - 3.13 **That** the property be revalued if the transaction is not concluded within 12 months from the date of valuation (05 September 2013).

- 3.14 **That** the proposed lease of the property be advertised in terms of Section 79(18) of the Local Government Ordinance 17 of 1939 as amended, read together with Section 21 of the Municipal Systems Act 32 of 2000 as amended, Section 113 of the Municipal Finance Management Act 56 of 2003 and Section 44 of the Council's Supply Chain Management Policy.

**C21/11/2013**

**COUNCIL'S ARRANGEMENT: RESCISSION OF RESOLUTION C28/05/2012**

7/2/3/2 (C)/yb

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** Council Resolution C28/05/2012 be rescinded due to non-acceptance of the said resolution by the applicant.

**C22/11/2013**

**TOWN PLANNING: LAND AUDIT AND IDENTIFICATION OF LAND FOR ACQUISITION**

5/14/R; 7/1/1/1 (C)/yb

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the report on land audit and acquisition of land.
2. **THAT** the report regarding the audit and identification of land be approved in principle.
3. **THAT** the Municipal Manager instruct one of the Council's attorneys to negotiate the sale of the identified properties with the owners and draw the budget accordingly.
4. **THAT** the Department of Human Settlements be requested to assist with the purchasing of the identified farms for the municipality.
5. **THAT** an external valuer be appointed to determine the market values of the identified properties.
6. **THAT** the feasibility studies and the impact of future developments on the municipality's infrastructure be determined before new land is acquired.
7. **THAT** should the development be financially viable it be referred to future annual budgets to be considered.

C24/11/2013

**LAND: APPLICATION TO PURCHASE A PORTION OF PORTION 27 OF THE FARM MIDDELBURG TOWN AND TOWNLANDS**

7/2/3/2/4 (T)/yb

[MM 88032]

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that a portion of Portion 27 of the farm Middelburg Town and Townlands 287 JS measuring 6 hectares in extent ("the property") is not needed to render the minimum level of basic municipal services.
2. **THAT** the application to purchase the property be approved.
3. **THAT** the Accounting Officer be authorised to alienate the subject property as unsolicited bid.
4. **THAT** Council take note of Resolution M17/02/2006, which permitted the applicant to purchase the property for an amount of R3 000.00 (Three Thousand Rand) per hectare excluding VAT, at that time (being 2006).
5. **THAT** the purchase price be R3 000.00 (Three Thousand Rand) per hectare excluding VAT as per Resolution M17/02/2006.
6. **THAT** the applicant take note that the stand is electrified, should extra capacity of electrical power be required, it will be at the cost of the applicant.
7. **THAT** cost for subdividing the 6 hectare piece of land will be for the account of the applicant.
8. **THAT** the identified piece of land shall be fenced off to the satisfaction of the Director : Town Planning and Human Settlements.
9. **THAT** the applicant shall be responsible for the registration of the 7m wide right-of-way servitude from Tswelopele Street at Mhluzi Extension 8 to the subject property.
10. **THAT** the payment of the purchase price be strictly cash as in terms of Section 47(3)(aa) of the Supply Chain Management Policy of the Council.
11. **THAT** the proceeds received from the sale be allocated to vote number 935/501 (Land Trust Fund : Sale of Land : Mhluzi Proper).
12. **THAT** the sold portion of Portion 27 of the farm Middelburg Town & Townlands 287 JS be derecognized from the asset register.
13. **THAT** the profit/loss from the sale of the land be recognized in the statement of financial performance.
14. **THAT** the subject property be revalued should a transaction not be concluded within 12 months from the date of valuation (17/07/2013).

15. **THAT** the proposed sale of the property be advertised in terms of Section 79(18) of the Local Government Ordinance 17 of 1939 as amended, read together with Section 21 of the Municipal Systems Act 32 of 2000 as amended, Section 113 of the Municipal Finance Management Act 56 of 2003 and Section 44 of the Council's Supply Chain Management Policy.

**C25/11/2013**

**FACILITIES: CEMETERY LAND : IDENTIFICATION OF POSSIBLE SUITABLE CEMETERY LAND**

16/6/2 (C)/yb

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the Council take note of the report on the identification of possible suitable land for cemeteries.
2. **THAT** the potential preferred sites, or in some areas preferred two sites, for the areas and towns be investigated through Geotechnical surveys as a next phase in all the identified areas and towns subject to inputs from other departments.
3. **THAT** the areas, subject to geotechnical confirmation, be prioritised for development based on the population concentration and current capacity available, as follows:
  - Middelburg / Mhluzi
  - Hendrina / Kwaza
  - Komati / Blinkpan
  - Rietkuil / Arnot
  - Doornkop
  - Somaphepha (Bankfontein)
  - Sikhuliliwe (Mafube)
4. **THAT** the Public Participation Process for this phase be coordinated through the Corporate Services Directorate.
5. **THAT** the following phases to develop cemeteries be budgeted for by the relevant departments and implemented as soon as possible.
6. **THAT** the envisage budgeting implications for the various phases be included in the Medium Term Expenditure Framework (MTREF).
7. **THAT** in Middelburg / Mhluzi the Remaining extent of the farm Rockdale 442 JS is recommended for cemetery development purposes subject to conducting of a geotechnical investigation.
8. **THAT** in Doornkop Village, the Remaining Extent of Portion 28 of the farm Doornkop 246 JS is supported.
9. **THAT** in Somaphepha Village, Erf 524 is recommended.

10. **THAT** in Sikhululiwe (Mafube) Village, Portion 8 of the farm Springboklaagte 416 JS is recommended.
11. **THAT** in Rietkuil / Arnot Power Station, site No.1 and 2 (portion of Portion 24 of the farm Rietkuil 491 JS) are recommended.
12. **THAT** in Hendrina / Kwazamokuhle, Portion 6 of the farm Grasfontein 199 IS is recommended.
13. **THAT** in Blinkpan / Komati Power Station, Erf 105 is recommended subject to confirmation of the geotechnical investigation.

**C26/11/2013**

**LAND: REQUEST TO LEASE A PORTION OF PORTION 8 OF THE FARM  
SPRINGBOKLAAGTE 416 JS MEASURING 30 HECTARES FOR  
AGRICULTURAL PURPOSES**

7/2/1/3 (L)/iec

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that a portion of Portion 8 of the farm Springboklaagte 416 JS (Sikhululiwe Village) measuring 30 (thirty) hectares in extent ("the property") is not needed to render the basic level of municipal services.
2. **THAT** the application to lease the property for agricultural purposes be approved subject to the following conditions:
  - 2.1 **That** the Accounting Officer be authorised to dispose of the property as an unsolicited bid.
  - 2.2 **That** the property shall be utilized solely for livestock farming.
  - 2.3 **That** no overgrazing be allowed on the property.
  - 2.4 **That** should overgrazing happen, then the Council shall be entitled to force the application to reduce the livestock on the property.
  - 2.5 **That** the lease agreement be for a period of 3 (three) years.
  - 2.6 **That** the rental amount shall be R165.00 (One Hundred and Sixty Five Rand) per hectare per annum excluding VAT.
  - 2.7 **That** the escalation shall be 10% per annum reviewable on 3 (three) yearly basis.
  - 2.8 **That** the property be re-valued should a lease agreement not be concluded within 12 (twelve) months from the date of valuation (31/07/2013).



- 2.9 **That** should electricity be required, then the applicant be required to contact Eskom.
- 2.10 **That** note be taken that there are no engineering services on the property.
- 2.11 **That** the final location of the property shall be determined by the Director : Town Planning & Human Settlements and Director : Civil Engineering Services.
- 2.12 **That** the property be properly fenced off by the applicant to the satisfaction of the Council.
- 2.13 **That** the proceeds received from the lease be allocated to Vote Number 555/020 (Fixed Property : Rental Land).
- 2.14 **That** Council be indemnified against loss, damage, theft, death, etc. arising out of the lease of the property.
- 2.15 **That** the proposed lease be advertised in terms of Section 79 (18) of the Local Government Ordinance 17 of 1939, as amended, Section 21 of the Local Government : Municipal Systems Act 32 of 2000, Section 113 of the Local Government : Municipal Finance Management Act 56 of 2003 and Section 44 of the Council's Supply Chain Management Policy.

**C27/11/2013**

**COUNCIL'S ARRANGEMENT: RESCISSION OF RESOLUTION C34/06/2007**

7/2/3/2/1 (C)/yb

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council Resolution C34/06/2007 be rescinded due to non-acceptance of the said resolution by the applicant.

**C29/11/2013**

**LAND: REQUEST FOR LAND FOR ESTABLISHING HUMANITARIAN CENTRE BY ROTARY CLUB OF MIDDELBURG**

7/2/1/3 (L)/iec

**[MM 89813]**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** note be taken of the report by the Executive Director : Corporate Services regarding the leasing of Portion 1 of Erf 5854 Middelburg Extension 18 ("the property") for the purpose of establishing the humanitarian centre.
2. **THAT** Council take note of the written comments received from the National Treasury.

3. **THAT** the proposed contract attached as **ANNEXURE B** to the Agenda be approved and that the Municipal Manager or Executive Director : Corporate Services be authorised to sign the contract on behalf of the municipality subject to the comments contained in the letter from the National Treasury.
4. **THAT** conditions be attached to the lease that will ensure that the property revert back to the Municipality in the event that the humanitarian centre is not established within a reasonable time [six (6) months from the date of the Council Resolution].
5. **THAT** the proceeds received from the lease must be allocated to vote number 555/020 (Fixed Property : Rental Land).
6. **THAT** the lease be treated in terms of GRAP 13.

**C30/11/2013**

**LAND: APPLICATION FOR THE RENEWAL OF THE LEASE AGREEMENT :  
ERF 249 MOUTON STREET HENDRINA (OLD CLINIC BUILDING)**

7/2/1/3 (T)/iec

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the Council approves the application to renew a lease agreement of Erf 249 situated at 38 Mouton Street Extension 00 Hendrina (Old Clinic building) for a period of 3 years with an option to renew for a further 3 years period subject to the following conditions:
  - 1.1 **That** due to the service rendered by the applicant a nominal rental amount of R500 excluding VAT per annum, be levied.
  - 1.2 **That** there be a 10% escalation per annum.
  - 1.3 **That** the applicant note that should an upgrade on electricity supply be required it will be at the cost of an applicant.
  - 1.4 **That** the applicant priorly provide a cash deposit for electricity upgrade, should it be required.
  - 1.5 **That** the lease be treated as operating lease in terms of General Accounting Acceptance Practice Standard 13.
  - 1.6 **That** the proceeds received from the lease be allocated to Vote Number 555/020 (Fixed Property: Rental Land).
  - 1.7 **That** the property be revalued should a transaction not be concluded within 12 months from the date of valuation.

C32/11/2013

**TOWN PLANNING: APPLICATION TO LEASE A PORTION OF ERF 879  
PULLENSHOPE**

7/2/13 (C)/yb

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the Council confirm that a portion of Erf 879, Pullenshope measuring 1 hectare in extent ("the property") is not needed to render the basic level of Municipal Services.
2. **THAT** the the Accounting Officer be authorised to alienate a portion of Erf 879 as an unsolicited bid.
3. **THAT** the application to lease the subject property be approved subject to the following:
  - 3.1 **That** the stipulations of the Municipal Supply Chain Management Policy and Finance Management Act No.56 of 2003 are adhered to.
  - 3.2 **That** only the land uses mentioned in the report be conducted from the property.
  - 3.3 **That** a buffer zone of at least 40m from the main entrance road be maintained.
  - 3.4 **That** entrance may only be provided from Oak Street, no entrance from the main entrance road will be permitted.
  - 3.5 **That** the final position of the area be determined by the Director : Town Planning & Human Settlement.
  - 3.6 **That** the portion be fenced off by the applicant.
  - 3.7 **That** no permanent structures be erected on Councils property except for ablution facilities.
  - 3.8. **That** the applicant be responsible for all connection costs for services eg, water, sanitation and electricity.
  - 3.9 **That** the portion be maintained by the applicant.
  - 3.10 **That** a Lease Agreement be entered into with the applicant and Council within 30 days from the date of concluding the alienation process.
  - 3.11 **That** penalties or consequences for violating or infringing upon the lease conditions ought to be clearly documented and communicated to the applicant.

- 3.12 **That** the recommended lease amount be R1 300.00 (One Thousand Three Hundred Rand) per month excluding VAT.
- 3.13 **That** the escalation be 10% per annum and reviewable 3 (three) yearly.
- 3.14 **That** proceeds received from the lease be allocated to vote number 555/020 (Fixed Property : Rental Land).
- 3.15 **That** the lease be regarded as operating lease.
- 3.16 **That** the applicant be responsible for all cost relating to the provision of services and service connections.
- 3.17 **That** the lease be for a period of 3 years with an option to renew for another 3 years.

**C33/11/2013**

**LAND: APPLICATION TO PURCHASE ERF 12787 MHLUZI EXTENSION 2**

7/2/3/2 (C)/yb

**[MM 78019]**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that Erf 12787 Mhluzi Extension 02 measuring 1491m<sup>2</sup> in extent ("the property") is not needed to render the basic level of Municipal Services.
2. **THAT** the Accounting Officer be authorised to alienate Erf 12787 Mhluzi Extension 02 as an unsolicited bid.
3. **THAT** the subject erf be alienated for the establishment of a day care centre.
4. **THAT** the recommended market value be R60 000.00 (Sixty Thousand Rand) excluding VAT.
5. **THAT** the property be re-valued should a transaction not be concluded within 12 months from the date of valuation (15/03/2013).
6. **THAT** additional electricity capacity will be at the cost of the applicant.
7. **THAT** the payment of the purchase price be strictly cash as in terms of Section 47(3)(aa) of the Supply Chain Management Policy of the Council.
8. **THAT** the proceeds received from the sale be allocated to vote number 925/201 (Township Development Suspense Account : Sale of Land : Mhluzi Extension 02).
9. **THAT** Erf 12787 Mhluzi Extension 02, be derecognized from the inventory register.

10. **THAT** the profit / loss from the sale be recognized in the statement of financial performance.

**C34/11/2013**

**LAND: APPLICATION TO PURCHASE A PORTION OF THE REMAINDER OF PORTION 27 OF THE FARM MIDDELBURG TOWN AND TOWNLANDS 287 JS**

7/2/3/2 (T)/yb

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the Council decide in terms of Section 14(2) of the Municipal Finance Management Act that a portion of the Remainder of Portion 27 of the farm Middelburg Town and Townlands 287 JS measuring 6 hectares in extent ("the property") is not needed to provide the minimum level of basic municipal services.
2. **THAT** the application to purchase the property for agricultural purposes be approved.
3. **THAT** the Council decide in terms of Section 44 of the Supply Chain Management Policy to treat the application as an unsolicited bid.
4. **THAT** the purchase price be R6 500,00 (Six Thousand Five Hundred Rand) per hectare VAT excluded.
5. **THAT** the applicant note that there is no services at the stand and should electricity be required it be at the cost of the applicant.
6. **THAT** the 6 hectare piece of land be subdivided in terms of the provisions of Subdivision of Agricultural Land Act No.70 of 1970 at the cost of the applicant.
7. **THAT** the right -of- way servitude be registered against the Council in favour of the applicant and at the cost to the applicant.
8. **THAT** the payment of the purchase price be strictly cash as in terms of Section 47(3)(aa) of the Supply Chain Management Policy of the Council.
9. **THAT** proceeds received from the sale be allocated to vote number 928/701 (Township Development Suspense Account : Sale of Land : Somaphepha).
10. **THAT** the land be removed from the asset register and be written off at current replacement cost.
11. **THAT** the net gain or loss which will realise on the disposal of the capital asset be recognised in the Statement of Financial Performance.

12. **THAT** all town planning costs of the property and access to services be provided to at the cost of the applicant.
13. **THAT** the subject property be re-valued should a transaction not be concluded within 12 months from the date of valuation (10/06/2013).
14. **THAT** the proposed sale of the property be advertised in terms of Section 79(18) of the Local Government Ordinance 17 of 1939 as amended, Section 21 of the Municipal Systems Act 32 of 2000 as amended, Section 113 of the Municipal Finance Management Act 56 of 2003 and Section 44 of the Council's Supply Chain Management Policy.

**C35/11/2013**

**LAND: ALLOCATION OF STAND : CONSTRUCTION OF MPCC AND CLINIC BY MAFUBE COAL**

7/2/3/2/3 (C)/yb

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that Erf 293 Sikhululiwe Village is not needed to render basic level of municipal services.
2. **THAT** the design plan for the multi-purpose community centre be presented to Council for scrutiny and approval before the construction process may be commenced with.
3. **THAT** the costs for consolidating and rezoning Erven 294-297 Sikhululiwe village be borne by Mafube Coal.
4. **THAT** the Locality Plan and design drawings be presented to Council for scrutiny and approval before the construction process commences.
5. **THAT** cost for consolidating, rezoning and relevant service connections pertaining to Erven 294-297 be borne by Mafube Coal.
6. **THAT** monitoring processes by relevant departments be carried out during the construction process until final handover to Council.
7. **THAT** normal budgetary and maintenance processes applicable to such assets, once taken over by Council, be implemented by relevant departments.
8. **THAT** although the property is donated, the Council confirm that the market value of the property is R57 000.000 (Fifty Seven Thousand Rand) excluding VAT.
9. **THAT** the property be re-valued should a transaction not be concluded within 12 months from the date of valuation (04/10/2012).

10. **THAT** the componentisation of the MPCC and clinic with cost as per GRAP 17 be provided by Mafube Coal on completion of the project.
11. **THAT** provision be made on future budgets to operate and maintain the building once operational.
12. **THAT** any cost relating to the consolidation and rezoning of erven 294-297 be borne by Mafube Coal.
13. **THAT** the donated assets be taken up in the asset register on completion or hand over of the centre.

**C36/11/2013**

**APPLICATION TO LEASE ERF 8908 MHLUZI EXTENSION 5**

7/2/1/3 (C)/yb

**[MM 76733]**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the Council confirm that Erf 8908 Mhluzi Extension 5 ("the property") is not needed to render the basic level of municipal services.
2. **THAT** the Accounting Officer be authorised to alienate Erf 8908 Mhluzi Extension 5 through public bidding processes.
3. **THAT** the application to lease the subject erf not be approved and the applicant be informed accordingly.
4. **THAT** as the stand is not serviced, then engineering contribution and service connection will be at the cost of the successful bidder.
5. **THAT** the recommended reserve price for alienation by means of public bidding be R30 800.00 (Thirty Thousand Eight Hundred Rand) excluding VAT.
6. **THAT** the property be re-valued should a transaction not be concluded within 12 months from the date of valuation (22/08/2013).
7. **THAT** the payment of the purchase price be strictly cash as in terms of Section 47(3)(aa) of the Supply Chain Management Policy of the Council.
8. **THAT** the successful bidder priorly provides a cash deposit to cover engineering contribution and service connection costs.
9. **THAT** proceeds received from the sale be allocated to Vote number 925/501 (Township Development Suspense Account : Sale of Land : Mhluzi Extension 5).
10. **THAT** the proceeds received from the lease be allocated to Vote number 555/020 (Fixed Property : Rental Land) should Council decide to let the property.

11. **THAT** should Council decide to rather sell the piece of land, Erf 8908 Mhluzi Extension 05 be derecognised from the asset register.
12. **THAT** the profit or loss from the sale of land be recognised in the statement of financial performance.

**C37/11/2013****LAND: PROPOSAL TO PURCHASE LAND AT KWAZAMOKUHLE EXTENSION 08 FOR CONSTRUCTION OF AFFORDABLE HOUSES**

7/2/3/2 (L)/yb

**[MM62420]****RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the report by the Executive Director : Corporate Services regarding the proposal to purchase land at Kwazamokuhle Extension 08 for construction of affordable houses to cater for middle income people and those people not qualifying for low cost housing subsidy.
2. **THAT** Council confirm that 75 (seventy five) stands in Kwazamokuhle Extension 08 are not needed for the provision of the basic level of municipal services.
3. **THAT** the proposal to purchase the stands for construction of affordable houses ("the project") be approved subject to the following conditions:
  - 3.1 **That** the Accounting Officer be authorised to dispose the stands as an unsolicited bid.
  - 3.2 **That** the Council determines the fair market values of the stands to be valuations mentioned in the report by the Executive Director : Corporate Services.
  - 3.3 **That** the valuations be reviewed should the sale of the stands not be concluded within 12 (twelve) months from the date of valuation (15/03/2013).
  - 3.4 **That** the developers should provide written proof to this Municipality that the Mpumalanga Provincial Department of Human Settlement supports the project.
  - 3.5 **That** the developers, at own cost, be responsible for servicing the stands with all the necessary engineering services to the Council's requirements.
  - 3.6 **That** once all the necessary engineering services have been installed to the Council's requirements, the developers then hand over the said services to the Council.
  - 3.7 **That** the developers be kept responsible for distribution equipment failure for a period of 12 (twelve) months after hand over to Council.



- 3.8 **That** for any distribution equipment that is in the way of development, it will remain the developers responsibility to relocate the equipment.
- 3.9 **That** the applicant adheres to the condition as stipulated on the comments by the Executive Director : Infrastructure Services.
- 3.10 **That** the payment of the purchase price be strictly cash as in terms of Section 47(3)(aa) of the Supply Chain Management Policy of the Council.
- 3.11 **That** the proceeds received from the sale be allocated to vote number 928/801 (Township Development Suspense Account : Sale of Land : Kwazamokuhle Extension 8).
- 3.12 **That** the sold portion of Erf IS00019900060000 (formerly Grasfontein) be derecognized from the asset register and transferred to inventory account until the erven is sold
- 3.13 **That** the profit/loss from the sale be recognised in the Statement of Financial Performance.
- 3.14 **That** the proposed sale be advertised in terms of Section 79(18) of the Local Government Ordinance 17 of 1939 as amended, read together with Section 21 of the Municipal Systems Act 32 of 2000, Section 113 of the Municipal Finance Management Act 56 of 2003 and Section 44 of the Council's Supply Chain Management Policy.

**C40/11/2013**

**LAND: APPLICATION TO LEASE THE RUGBY HALL: KARATE AND TAE-BO CLASSES**

7/2/1/3 (T)/yb

**[MM 70581]**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that the Rugby Hall at Kees Taljaard Stadium is not needed to render the minimum basic municipal services.
2. **THAT** the Accounting Officer be authorised to alienate the property as unsolicited bid.
3. **THAT** the application to lease the property be approved subject to the following conditions:
  - 3.1 **That** the Lease Agreement be for a period of 3 years with an option to renew for a further period of 3 years.
  - 3.2 **That** the property only be used on:
 

|                                 |   |                    |
|---------------------------------|---|--------------------|
| Mondays, Wednesdays and Fridays | : | 07:30 - 08:30; and |
| Tuesdays & Thursdays            | : | 15:00 - 20:15.     |

- 3.3 **That** the rental amount be R1 400.00 (One Thousand Four Hundred Rand) per annum.
- 3.4 **That** there be a 10% escalation per annum.
- 3.5 **That** the property be revalued should a transaction not be concluded within 12 months from the date of valuation.
- 3.6 **That** proceeds received from the lease be allocated to vote Number 555/060 (Rental of Fixed Property).
- 3.7 **That** the proposed lease of the property be advertised in terms of Section 79(18) of the Local Government Ordinance 17 of 1939 as amended, read together with Section 21 of the Municipal Systems Act 32 of 2000 as amended, Section 113 of the Municipal Finance Management Act 56 of 2003 and Section 44 of the Council's Supply Chain Management Policy.

**C42/11/2013****FACILITIES: APPROVAL OF THE UTILIZATION OF OLD THUSHANANG SCHOOL BUILDING**

7/2/3/2/3 (L)/iec

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the proposed contract attached as **ANNEXURE B** be approved and that the Municipal Manager or Executive Director : Corporate Services be authorised to sign the contract on behalf of the municipality.
2. **THAT** the applicant be responsible for all costs that will be emanate from the transactions.
3. **THAT** the applicant enters into a consumer agreement for the payment of rates and charges.
4. **THAT** the lease be treated as an operating lease in terms of the Generally Recognized Accounting Practice Standard 13.

**C44/11/2013****WATER RESTRICTION AND PENALTIES**

16/1/1/R (C)/yb

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** point 4 of Council Resolution C107/09/2013 be amended to read as follows:
  - "4. **THAT**, in terms of Section 54(b)(i) and (ii) of the Water Services By-laws:

4.1 ***That the following penalty per kl be applicable with effect from the December 2013 accounts, that is, the consumption for the period commencing on 20 October 2013:***

4.1.1 0 – 6 kl - no penalty;

4.1.2 7 – 10 kl - no penalty;

4.1.3 11 – 30 kl - no penalty;

4.1.4 31 – 40 kl - R20 per kl;

4.1.5 above 40 kl - R50 per kl;

4.2 ***That the same penalty structure be applicable for residential complexes, duets and registered second dwellings where a single meter exist and it be applicable to each dwelling."***

2. **THAT** point 4.2 of Council Resolution C107/09/2013 be rescinded.
3. **THAT** after a period of 3 months a further report be submitted to re-evaluate the water restriction and penalties.

**C45/11/2013**

**LAND: E'MHLUZI MALL : PURCHASE OF PORTIONS OF PORTION 6 OF ERF 12941, MHLUZI EXTENSION 04**

7/1/1/2 (L)/yb

#### **RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that portions of Portion 6 of Erf 12941 Mhluzi Extension 04 measuring 1262m<sup>2</sup> in extent ("the properties") is not needed to render the basic level of municipal services.
2. **THAT** the Accounting Officer be authorised to alienate portions of Portion 6 of Erf 12941 Mhluzi Extension 04 as unsolicited bid.
3. **THAT** the market value for the alienation of the subject property be R140 000.00 (One Hundred and Forty Thousand Rand) VAT excluded.
4. **THAT** all connection costs be for the account of the applicant.
5. **THAT** the subject property be re-valued should a transaction not be concluded within 12 months from the date of valuation (11/11/2013).
6. **THAT** the payment of the purchase price be strictly cash as in terms of Section 47(3)(aa) of the Supply Chain Management Policy of the Council.
7. **THAT** the proceeds received from the sale be allocated to Vote number 925/401 (Township Development Suspense Account : Sale of Land : Mhluzi Extension 4).

8. **THAT** the proposed sale of the property be advertised in terms of Section 79(18) of the Local Government Ordinance 17 of 1939 as amended, Section 113 of the Municipal Finance Management Act 56 of 2003, Section 21 of the Municipal Systems Act 32 of 2000 as amended and Section 44 of the Council's Supply Chain Management Policy.

**C46/11/2013**

**TOWN PLANNING: AMENDMENT OF THE URBAN EDGE AS DEFINED BY THE 2010 SPATIAL DEVELOPMENT FRAMEWORK**

15/3/66 (C)/yb

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the application to amend the 2010 Steve Tshwete Spatial Development Framework be approved subject to the following conditions:
  - 1.1 **That** only Portion 24, Remaining portion of Portion 31 (a portion of Portion 24) and a portion of Portion 34 (a portion of Portion 5) of the farm Keerom 374 JS, which forms part of the approved Middelburg Extension 39 be incorporated into the urban edge as defined by the 2010 Spatial Development Framework and amendment of the SDF map be done accordingly.
  - 1.2 **That** Portions 78, 41, 39, and 22 of the farm Keerom 374 JS and the Remainder of Portion 12 of the farm Rondebosch 403 JS not be incorporated into the urban edge as it would create precedent, in addition, there is no sufficient bulk infrastructure supply at the moment.
  - 1.3 **That** the Legend of the Spatial Development Framework plan be amended to include a category for eco-estates/country estates.
2. **THAT** with future new developments the naming of the development take place concurrently with the town planning process.

**C47/11/2013**

**SERVICES: RISK ASSESSMENT REPORT 2013/2014 FINANCIAL YEAR**

5/14/2/4 (X)/wm

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the Strategic Risk Assessment Report for the 2013/2014 financial year, be approved.
2. **THAT** the Risk Register as included under **ANNEXURE A** of the Risk Assessment Report be approved as correctly reflective of the prioritized strategic risk areas.

3. **THAT** a Risk Management Committee which has been established internally and tasked with overseeing the Risk Management process and risk, be noted.

**C49/11/2013**

**LAND: APPLICATION TO PURCHASE ERVEN 1627 AND 2917 ROCKDALE FOR BUSINESS PURPOSES**

7/2/3/2/15 (C)/yb

[MM 77855]

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that Erf 2917 Rockdale ("the property") is not needed to render the basic level of municipal services.
2. **THAT** the Accounting Officer be authorised to alienate Erf 2917 Rockdale through public bidding processes.
3. **THAT** the applicant be informed accordingly.
4. **THAT** the reserve price of Erf 2917 Rockdale be R110 000.00 (One Hundred and Ten Thousand Rand) VAT excluded.
5. **THAT** the subject erf be re-valued should a transaction not be concluded within 12 months from the date of valuation (31/07/2013).
6. **THAT** the stand be sold once it is fully serviced.
7. **THAT** the service connection and engineering contribution be at the cost of the successful bidder.
8. **THAT** the payment of the purchase price be strictly cash as in terms of Section 47(3)(aa) of the Supply Chain Management Policy of the Council.
9. **THAT** the successful bidder be responsible for the service connection and engineering contributions.
10. **THAT** proceeds received from the sale be allocated to vote number 929/301(Township Development Suspense Account : Sale of Land : Rockdale).
11. **THAT** Erf 2917 Rockdale be derecognized from the inventory register.
12. **THAT** the profit/loss from the sale be recognized in the statement of financial performance.

C53/11/2013

**LAND: APPLICATION TO LEASE A PORTION OF LAND IN BANKFONTEIN (SOMAPHEPHA) FOR POULTRY PURPOSES**

7/2/13 (T)/yb

[MM 78031]

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that a portion of Erf 521, Somaphepha Village, measuring 2 (two) hectares in extent ("the property") is not needed to render the basic level of municipal services.
2. **THAT** the Accounting Officer be authorised to alienate a portion of Erf 521, Somaphepha Village as an unsolicited bid.
3. **THAT** the application to lease a portion of Erf 521, Somaphepha Village for poultry purposes be approved subject to the following conditions:
  - 3.1 **That** the lease be limited to 3 (three) years with an option to renew for another 3 years.
  - 3.2 **That** the portion of land be fenced off at the cost of the applicant.
  - 3.3 **That** no permanent structure be erected on the property.
  - 3.4 **That** should electricity be needed, then Eskom be contacted directly by the applicant.
  - 3.5 **That** note be taken that the engineering services at Somaphepha Village is communal, and therefore such conditions will apply.
  - 3.6 **That** the rental amount be R300.00 (Three Hundred Rand) per hectare per annum excluding VAT.
  - 3.7 **That** the recommended escalation be 10% and reviewable 3 yearly.
  - 3.8 **That** the property be revalued should a transaction not be concluded within 12 months from the date of valuation (05/09/2013).
  - 3.9 **That** the lease be treated as Operating Lease in terms of the Generally Recognises Accounting Practice Standard 13.
  - 3.10 **That** the proceeds received from the lease be allocated to vote number 555/020 (Fixed Property : Rental Land).

**C54/11/2013**

**COUNCIL'S ARRANGEMENTS: RESCISSION OF RESOLUTION C11/11/2010**

7/2/1/3 L/iec

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **That** Resolution C11/11/2010 be rescinded due to the failure of the Hendrina Alliance Church to provide this Municipality with the signed agreement for the leasing of the 47 parking bays on Ackerman Street Kwazamokuhle.
2. **That** the costs already incurred by the Council be recovered from the said church.

**C55/11/2013**

**LAND: APPLICATION TO PURCHASE ERF 8359 EXTENSION 05 MHLUZI FOR CRÉCHE PURPOSES**

7/2/3/2/3; Contract File A168 (T)/yb

**[MM 55983]**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the Council confirm that Erf 8359 Mhluzi Extension 05 ("the property") is not needed to render the basic level of municipal services.
2. **THAT** the Accounting Officer be authorised to alienate Erf 8359 Mhluzi Extension 05 as an unsolicited bid.
3. **THAT** the market value be determined at R83 000.00 (Eighty Three Thousand Rand) excluding VAT.
4. **THAT** the property be re-valued should a transaction not be concluded within 12 months from the date of valuation (31/07/2013).
5. **THAT** the applicant be responsible for all engineering and electrical connection costs.
6. **THAT** the property only be alienated after the arrears have been paid in full.
7. **THAT** the payment of the purchase price be strictly cash as in terms of Section 47(3)(aa) of the Supply Chain Management Policy of the Council.
8. **THAT** the proceeds from the sale be allocated to vote number 925/501 (Township Development Suspense Account : Sale of Land : Mhluzi Extension 5).

C57/11/2013

**LAND: APPLICATION TO PURCHASE A PORTION OF THE REMAINDER OF PORTION 65 OF THE FARM MIDDELBURG TOWN AND TOWNLANDS 287 JS**

7/2/3/2/4 (L)/iec

**[MM 78981 & 59217]****RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that the Remainder of Portion 65 of the farm Middelburg Town and Townlands 287 JS, measuring 2,3846 hectares in extent ("the property"), is not needed to render the minimum basic level of municipal services.
2. **THAT** the Accounting Officer be authorised to sell the property as an unsolicited bid.
3. **THAT** Council Resolution M20/09/2005 be rescinded.
4. **THAT** the application to sell the property to Global Roofing and Construction CC (the applicant) be approved subject to the following conditions:
  - 4.1 **That** the property has to be developed within 36 (thirty six) months, from the date of sale, with the residential buildings.
  - 4.2 **That** the property may not be sold unless it has been developed as mentioned in 4.1. above.
  - 4.3 **That** the terms and conditions applicable to the sale of residential stands be made applicable with the compilation of the deed of sale.
  - 4.4 **That** the costs involved in executing the town planning processes be for the account of the applicant.
  - 4.5 **That** bulk service contribution and service connection fees be for the account of the applicant.
  - 4.6 **That** engineering services be extended to the subject property at a cost of the applicant.
  - 4.7 **That** the market value of the property be determined at R7,01 million (Seven Million and Ten Thousand Rand) excluding VAT.
  - 4.8 **That** the property be re-valued should a transaction not be concluded within 12 months from the date of valuation (08 August 2013).
  - 4.9 **That** the payment of the purchase price be strictly cash as in terms of Section 47(3)(aa) of the Supply Chain Management Policy of the Council.



- 4.10 **That** proceeds received from the sale be allocated to Vote Number 935/501 (Land Trust Fund : Sale of Land : Middelburg Proper).
- 4.11 **That** the property be derecognised from the inventory register.
- 4.12 **That** the profit or loss from the sale be recognised in the statement of financial performance.
- 4.13 **That** the proposed sale of the property be advertised in terms of Section 79(18) of the Local Government Ordinance 17 of 1939 as amended, read together with Section 21 of the Municipal Systems Act 32 of 2000 as amended, Section 113 of the Municipal Finance Management Act 56 of 2003 and Section 44 of the Council's Supply Chain Management Policy.
5. **THAT** the other applicants be informed accordingly.

**C58/11/2013**

**LAND: APPLICATION TO PURCHASE PORTIONS OF ROAD RESERVE AT CHROMEVILLE, MHLUZI**

7/2/3/2/3 (L)/yb

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that Erf 10191 Mhluzi ("the property") is not needed for the provision of the basic level of municipal services.
2. **THAT** the sale of the property be subject to the conditions of Resolution C02/01/2012.
3. **THAT** the Accounting Officer be authorised to alienate the property as an unsolicited bid.
4. **THAT** the market value of the property (land only) be determined at R340 000,00 (Three Hundred and Forty Thousand Rand) excluding VAT.
5. **THAT** the property be revalued should a transaction not be concluded within 12 (twelve) months from the date of valuation (31 July 2013).
6. **THAT** the **R98 000,00** that has already been paid be used as a part payment of the purchase price of **R340 000,00**.
7. **THAT** the payment of the outstanding balance on the purchase price be strictly cash as in terms of Section 47(3)(aa) of the Supply Chain Management Policy of the Council.
8. **THAT** the proceeds received from the sale be allocated to vote number 925/518 (Land Trust Fund: Sale of Land: Mhluzi Proper).
9. **THAT** Erf 10191 Mhluzi be derecognised from the asset register.

10. **THAT** the proposed sale of the property be advertised in terms of Section 79(18) of the Local Government Ordinance 17 of 1939 as amended, read together with Section 21 of the Municipal Systems Act 32 of 2000, Section 113 of the Municipal Finance Management Act of 56 of 20003 and Section 44 of the Council's Supply Chain Management Policy.

**C59/11/2013**

**FINANCES: ADJUSTMENT BUDGET FOR THE 2013/2014 FINANCIAL YEAR:  
NOVEMBER 2013**

5/1/2 (B)/wm

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the report by the Executive Director : Financial Services regarding the 2012/2013 adjustment budget, be noted.
2. **THAT** the unauthorised expenditure of R350 000 on P1300048 for the procurement of a vehicle be approved.
3. **THAT** note be taken of the approval by National Treasury of the unspent conditional grants.
4. **THAT** note be taken of the allocation of R25-million Municipal Accreditation Grant for the delivery of 350 top structure housing units.
5. **THAT** the Adjustment budget for the 2013/2014 financial year as permitted in terms of Section 28(2)(b) and 28(2)(c) of the MFMA be approved as set out in the following adjustment budget tables attached as **ANNEXURE A**:

- |     |          |   |
|-----|----------|---|
| 5.1 | Table B1 | : Adjustments budget summary  |
| 5.2 | Table B2 | : Adjustments budget on financial performance by vote (standard classification)         |
| 5.3 | Table B3 | : Adjustments budget on financial performance by vote (municipal vote)                  |
| 5.4 | Table B4 | : Adjustments budget on financial performance revenue by source and expenditure by type |
| 5.5 | Table B5 | : Adjustments capital expenditure budget by vote and funding                            |
| 5.6 | Table B6 | : Adjustments budget on financial position  |
| 5.7 | Table B7 | : Adjustments budget on cash flow   |
| 5.8 | Table B8 | : Cash backed reserves/accumulated surplus reconciliation                               |

5.9 Table B9 : Asset management

5.10 Table B10 : Basic service delivery management

6. **THAT** the adjusted Service Delivery and Budget Implementation Plan and targets and other supporting documents as set out in the following supporting tables attached as **ANNEXURE A**, be approved:

6.1 Supporting table SB1 : Adjustment budget on udgeted financial performance

6.2 Supporting table SB2 : Adjustment budget on udgeted financial position

6.3 Supporting table SB7 : Adjustment on transfers and grants receipts.

6.4 Supporting table SB8 : Adjustment on expenditure on Transfers and grant programmes

6.5 Supporting table SB9 : Adjustment on the reconciliation of transfers, grants receipts and unspent funds.

6.6 Supporting table SB12 : Adjustment budget on monthly revenue and expenditure by municipal vote

6.7 Supporting table SB13 : Adjustments budget on monthly revenue and expenditure by standard classification

6.8 Supporting table SB14 : Adjustment budget on monthly revenue and expenditure

6.9 Supporting table SB15 : Adjustments budget monthly cash flow

6.10 Supporting table SB16 : Adjustments budget on monthly capital expenditure (municipal vote).

6.11 Supporting table SB17 : Adjustments budget on monthly capital expenditure by vote (standard classification).

6.12 Supporting table SB18a : Adjustments budget on capital expenditure on new assets by asset class.

6.13 Support table SB18b : Adjustments budget on capital expenditure on renewal of existing assets class.

7. **THAT** permission be granted to the Executive Director: Financial Services to submit the Adjustment Budget with the amended SDBIP to National Treasury and Provincial Treasury.
8. **THAT** the Adjustment Budget with the amended Service Delivery and Budget Implementation Plan be advertised within 10 working days after approval by Council in accordance with Section 21A of the Municipal Systems Act.
9. **THAT** permission be granted to the Executive Director: Financial Services to place the Adjustment Budget on the Municipal website.

**C60/11/2013**

**LAND: APPLICATION TO LEASE A PORTION OF PORTION 16 OF THE FARM RIETFONTEIN 286 JS FOR PIGGERY FARMING PURPOSES**

7/2/13 (C)/yb

**[MM 77317]**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the Council confirm that a portion of Portion 16 of the farm Rietfontein 286 JS, measuring 2 hectares in extent ("the property") is not needed to render the basic level of municipal services.
2. **THAT** the Accounting Officer be authorised to alienate the subject property as unsolicited bid.
3. **THAT** that the application to lease a portion of Portion 16 of the farm Rietfontein 286 JS for piggery farming be approved subject to the following conditions:
  - 3.1 **That** the lease period be limited to 3 (three) years with an option to renew.
  - 3.2 **That** the identified land be fenced-off at the cost of the applicant.
  - 3.3 **That** the lease amount be reviewed should a lease agreement not be concluded within 12 months from the date of valuation (10/06/2013).
  - 3.4 **That** the recommended lease amount be R1 320.00 (One Thousand Three hundred and Twenty Rand) per month excluding VAT.
  - 3.5 **That** the recommended escalation be 10% and reviewable 3 (three) yearly.

- 3.6 **That** the exact location of the 2 hectare piece of land shall be identified by the Director : Town Planning and Human Settlements together with the applicant.
- 3.7 **That** the identified piece of land shall be surveyed at the cost of the applicant and be fenced off to the satisfaction of the Director : Town Planning and Human Settlements Services.
- 3.8 **That** the applicant be required to conduct a Basic Environmental Impact Assessment. If exempted from this process an environmental management plan must be submitted to this municipality for consideration before the activity can be commenced with.
- 3.9 **That** the bulk service contribution. Link cost and all service connection cost be for the account of the applicant.
- 3.10 **That** the applicant priorly provides a cash deposit to cover bulk service contribution, link cost and service connection.
- 3.11 **That** the applicant adheres to the conditions as stipulated on the comments by the Executive Director : Infrastructure Services.
- 3.12 **That** the lease be treated as an operating lease in terms of General Recognized Accounting Practice Standard 13.
- 3.13 **That** the proceeds from the lease be allocated to vote number 555/020 (Fixed Property : Rental Land).
- 3.14 **That** the proposed lease of the property be advertised in terms of Section 79(18) of the Local Government Ordinance 17 of 1939 as amended, read together with Section 21 of the Municipal Systems Act 32 of 2000 as amended, Section 113 of the Municipal Finance Management Act 56 of 2003 and Section 44 of the Council's Supply Chain Management Policy.

**C62/11/2013**

**LAND : SALE OF RESIDENTIAL STANDS**

7/2/3/2 (C)/yb

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the report.
2. **THAT** the following residential stands be made available for sale to the public subject to the following conditions:
  - 2.1 **That** Erven 450,1158, 1129, 1194 and 3199 Aerorand be made available immediately because the stands are fully serviced (with water, sewer and electricity):

| ERF NO. | EXTENT | MARKET VALUE (R) | INTENDED USAGE |
|---------|--------|------------------|----------------|
| 450     | 1044   | 320 000          | Residential    |
| 1158    | 1160   | 340 000          | Residential    |
| 3199    | 670    | 260 000          | Residential    |
| 1194    | 1160   | 340 000          | Residential    |
| 1129    | 1387   | 360 000          | Residential    |

- 2.2 **That** Erf 428 Hendrina be made available immediately because the stand is fully serviced (with water, sewer and electricity):

| ERF NO. | EXTENT | MARKET VALUE (R) | INTENDED USAGE |
|---------|--------|------------------|----------------|
| 428     | 2855   | 90 000           | Residential    |

- 2.3 **That** Erf 9076 Middelburg Extension 18 be made available immediately because the stand is fully serviced (with water, sewer and electricity):

| ERF NO. | EXTENT | MARKET VALUE (R) | INTENDED USAGE |
|---------|--------|------------------|----------------|
| 9076    | 564    | 185 000          | Residential    |

- 2.4 **That** the following 26 (twenty six) stands in Middelburg Extension 13 (Dennesig) which are serviced with water and sewer services be made available for sale with the view that electrical services installation will be completed in March 2014:

| ERF NUMBER              | EXTENT | MARKET VALUE | INTENDED USAGE |
|-------------------------|--------|--------------|----------------|
| Portion 1 of Erf 11812  | 1024   | R 250 000.00 | Residential    |
| Portion 2 of Erf 11812  | 1000   | R 250 000.00 | Residential    |
| Portion 3 of Erf 11812  | 1000   | R 250 000.00 | Residential    |
| Portion 4 of Erf 11812  | 1000   | R 280 000.00 | Residential    |
| Portion 5 of Erf 11812  | 1000   | R 250 000.00 | Residential    |
| Portion 6 of Erf 11812  | 1000   | R 250 000.00 | Residential    |
| Portion 7 of Erf 11812  | 1000   | R 250 000.00 | Residential    |
| Portion 8 of Erf 11812  | 1000   | R 250 000.00 | Residential    |
| Portion 9 of Erf 11812  | 1000   | R 250 000.00 | Residential    |
| Portion 10 of Erf 11812 | 1000   | R 250 000.00 | Residential    |
| Portion 11 of Erf 11812 | 1000   | R 250 000.00 | Residential    |
| Portion 12 of Erf 11812 | 1000   | R 250 000.00 | Residential    |
| Portion 13 of Erf 11812 | 1000   | R 250 000.00 | Residential    |
| Portion 14 of Erf 11812 | 1000   | R 250 000.00 | Residential    |
| Portion 15 of Erf 11812 | 1000   | R 250 000.00 | Residential    |
| Portion 16 of Erf 11812 | 1000   | R 250 000.00 | Residential    |

|                         |      |              |             |
|-------------------------|------|--------------|-------------|
| Portion 17 of Erf 11812 | 1000 | R 250 000.00 | Residential |
| Portion 18 of Erf 11812 | 1000 | R 250 000.00 | Residential |
| Portion 19 of Erf 11812 | 1000 | R 250 000.00 | Residential |
| Portion 20 of Erf 11812 | 1000 | R 250 000.00 | Residential |
| Portion 21 of Erf 11812 | 1000 | R 250 000.00 | Residential |
| Portion 22 of Erf 11812 | 1000 | R 250 000.00 | Residential |
| Portion 23 of Erf 11812 | 1000 | R 250 000.00 | Residential |
| Portion 24 of Erf 11812 | 1300 | R 280 000.00 | Residential |
| Portion 25 of Erf 11812 | 1382 | R 290 000.00 | Residential |
| Portion 26 of Erf 11812 | 1530 | R 300 000.00 | Residential |

2.5 **That** the following stands in Aerorand which are serviced with water and sewer services be made available for sale with the view that electrical services installation will be completed in November 2013:

| <b>ERF NO.</b> | <b>EXTENT</b> | <b>MARKET VALUE<br/>(R)</b> | <b>INTENDED USAGE</b> |
|----------------|---------------|-----------------------------|-----------------------|
| 2630           | 686           | 260 000                     | Residential           |
| 2631           | 666           | 260 000                     | Residential           |
| 2632           | 666           | 260 000                     | Residential           |
| 2633           | 666           | 260 000                     | Residential           |
| 2634           | 666           | 260 000                     | Residential           |
| 2635           | 666           | 260 000                     | Residential           |
| 2636           | 666           | 260 000                     | Residential           |
| 2639           | 660           | 260 000                     | Residential           |
| 2640           | 660           | 260 000                     | Residential           |
| 2641           | 660           | 260 000                     | Residential           |
| 2642           | 660           | 260 000                     | Residential           |
| 2643           | 660           | 260 000                     | Residential           |
| 2644           | 660           | 260 000                     | Residential           |
| 2645           | 869           | 280 000                     | Residential           |
| 2646           | 825           | 270 000                     | Residential           |
| 2647           | 825           | 270 000                     | Residential           |
| 2648           | 825           | 270 000                     | Residential           |
| 2649           | 825           | 270 000                     | Residential           |
| 2650           | 825           | 270 000                     | Residential           |
| 2651           | 825           | 270 000                     | Residential           |
| 2789           | 688           | 270 000                     | Residential           |
| 2790           | 688           | 270 000                     | Residential           |
| 2791           | 688           | 270 000                     | Residential           |
| 2792           | 688           | 270 000                     | Residential           |
| 2793           | 688           | 270 000                     | Residential           |
| 2794           | 688           | 270 000                     | Residential           |
| 2795           | 688           | 270 000                     | Residential           |

2.6 That the following stands in Aerorand which are serviced with water and sewer services be made available for sale with the view that electrical services installation will be completed in March 2014:

| ERF NO. | EXTENT | MARKET VALUE (R) | INTENDED USAGE |
|---------|--------|------------------|----------------|
| 2652    | 825    | 270 000          | Residential    |
| 2653    | 825    | 270 000          | Residential    |
| 2654    | 825    | 270 000          | Residential    |
| 2655    | 825    | 270 000          | Residential    |
| 2656    | 825    | 270 000          | Residential    |
| 2657    | 825    | 270 000          | Residential    |
| 2658    | 825    | 270 000          | Residential    |
| 2659    | 825    | 270 000          | Residential    |
| 2660    | 824    | 270 000          | Residential    |
| 2661    | 920    | 290 000          | Residential    |
| 2662    | 845    | 280 000          | Residential    |
| 2663    | 845    | 280 000          | Residential    |
| 2664    | 891    | 280 000          | Residential    |
| 2665    | 794    | 270 000          | Residential    |
| 2666    | 748    | 260 000          | Residential    |
| 2670    | 748    | 260 000          | Residential    |
| 2668    | 800    | 270 000          | Residential    |
| 2669    | 684    | 250 000          | Residential    |
| 2670    | 624    | 240 000          | Residential    |
| 2671    | 624    | 240 000          | Residential    |
| 2672    | 682    | 250 000          | Residential    |
| 2673    | 815    | 270 000          | Residential    |
| 2674    | 768    | 270 000          | Residential    |
| 2675    | 768    | 270 000          | Residential    |
| 2676    | 903    | 290 000          | Residential    |
| 2677    | 1295   | 330 000          | Residential    |
| 2678    | 862    | 280 000          | Residential    |
| 2679    | 973    | 250 000          | Residential    |
| 2680    | 970    | 250 000          | Residential    |
| 2681    | 1039   | 260 000          | Residential    |
| 2682    | 1040   | 260 000          | Residential    |
| 2683    | 1047   | 260 000          | Residential    |
| 2684    | 1052   | 260 000          | Residential    |
| 2685    | 1077   | 260 000          | Residential    |
| 2686    | 1102   | 270 000          | Residential    |
| 2687    | 1121   | 270 000          | Residential    |
| 2688    | 981    | 250 000          | Residential    |
| 2700    | 593    | 240 000          | Residential    |
| 2701    | 665    | 250 000          | Residential    |
| 2702    | 909    | 290 000          | Residential    |



|      |      |         |             |
|------|------|---------|-------------|
| 2703 | 853  | 280 000 | Residential |
| 2704 | 1228 | 330 000 | Residential |
| 2705 | 639  | 260 000 | Residential |
| 2706 | 775  | 280 000 | Residential |
| 2707 | 775  | 280 000 | Residential |
| 2708 | 775  | 280 000 | Residential |
| 2709 | 776  | 280 000 | Residential |
| 2710 | 755  | 280 000 | Residential |
| 2711 | 737  | 270 000 | Residential |
| 2712 | 713  | 270 000 | Residential |
| 2713 | 640  | 260 000 | Residential |
| 2714 | 874  | 300 000 | Residential |
| 2715 | 876  | 300 000 | Residential |
| 2716 | 959  | 300 000 | Residential |
| 2717 | 608  | 250 000 | Residential |
| 2718 | 630  | 250 000 | Residential |
| 2719 | 630  | 250 000 | Residential |
| 2720 | 626  | 250 000 | Residential |
| 2721 | 646  | 260 000 | Residential |
| 2722 | 630  | 250 000 | Residential |
| 2723 | 630  | 250 000 | Residential |
| 2724 | 580  | 245 000 | Residential |
| 2725 | 599  | 250 000 | Residential |
| 2726 | 630  | 250 000 | Residential |
| 2727 | 604  | 250 000 | Residential |
| 2728 | 880  | 240 000 | Residential |
| 2729 | 709  | 260 000 | Residential |
| 2730 | 742  | 280 000 | Residential |
| 2731 | 937  | 310 000 | Residential |
| 2739 | 630  | 250 000 | Residential |
| 2740 | 709  | 270 000 | Residential |
| 2741 | 634  | 250 000 | Residential |
| 2742 | 630  | 250 000 | Residential |
| 2743 | 630  | 250 000 | Residential |
| 2744 | 688  | 270 000 | Residential |
| 2745 | 669  | 260 000 | Residential |
| 2746 | 630  | 250 000 | Residential |
| 2747 | 630  | 250 000 | Residential |
| 2748 | 677  | 260 000 | Residential |
| 2749 | 796  | 280 000 | Residential |
| 2750 | 630  | 250 000 | Residential |
| 2751 | 630  | 250 000 | Residential |
| 2752 | 626  | 250 000 | Residential |
| 2753 | 729  | 270 000 | Residential |
| 2754 | 794  | 280 000 | Residential |

|       |     |         |             |
|-------|-----|---------|-------------|
| 2755  | 747 | 280 000 | Residential |
| 2756  | 668 | 260 000 | Residential |
| 2757  | 668 | 250 000 | Residential |
| 2758  | 665 | 260 000 | Residential |
| 2759  | 569 | 240 000 | Residential |
| 2760  | 618 | 250 000 | Residential |
| 2761  | 618 | 250 000 | Residential |
| 2762  | 699 | 270 000 | Residential |
| 2763  | 732 | 270 000 | Residential |
| 2764  | 803 | 290 000 | Residential |
| 2765  | 784 | 280 000 | Residential |
| 2766  | 618 | 250 000 | Residential |
| 2767  | 613 | 250 000 | Residential |
| 2768  | 623 | 250 000 | Residential |
| 2769  | 782 | 280 000 | Residential |
| 2770  | 710 | 270 000 | Residential |
| 2771  | 792 | 280 000 | Residential |
| 2786  | 688 | 270 000 | Residential |
| 2787  | 688 | 270 000 | Residential |
| 27880 | 688 | 270 000 | Residential |

2.7 **That** the erven be made available for sale over the counter to individual natural persons who are 18 years of age or older on the date of sale of the erven.

2.8 **That** Council resolves that the fair market values of the erven mentioned above were considered but due to community's interest, the stands be sold as follows:

| APPLICANTS              | PRICE OF ERVEN           |
|-------------------------|--------------------------|
| Local African Residents | 50% of the market value  |
| Other Local Residents   | 70% of the market value  |
| Other applicants        | 100% of the market value |

- A Local Resident is a natural person who resides within the Steve Tshwete Municipal Area for the last 36 months and who can prove such residing by the submission of a consumer account or an Affidavit as well as supporting affidavits from two of his/her neighbours confirming the contents of his/her affidavits.

2.9 **That** the stands be sold for cash.

2.10 **That** should any of the above stands not be alienated within 12 months from the date of valuation, which is 08 July 2013, the stands be revalued..

- 2.11 **That** only a single erf be sold per individual natural person with the understanding that couples married in community of property may only purchase a single erf.
- 2.12 **That** the normal conditions applicable to the sale of residential erven be complied with, with the compilation of the deeds of sale.
- 2.13 **That** all erven to be sold within the next 12 months must be transferred to inventory in terms of the accounting practices.
- 2.14 **That** the proceeds from the sale will be allocated to the relevant land suspense vote numbers.
- 2.15 **That** the payment of the purchase prices as determined by Council must be cost recovery of the development cost and be strictly cash in accordance with the municipal Supply Chain Management Policy.
- 2.16 **That** available erven can only be sold after Council has decided in terms of Section 14(2) of the MFMA that the erven is not needed to provide the minimum basic municipal services.
- 2.17 **That** after the erven has been derecognised from the asset register and/or expensed in the inventory account the profit or loss from the sale will be recognised in the Statement of Financial Performance.
- 2.18 **That** the remaining erven remain on the asset register until all conditions are met whereafter it will be transferred to the inventory account to be sold over the counter.
3. **That** the following stands in Rockdale which are serviced with water, electricity and sewer be made available for sale to individuals/natural persons who are 18 years of age or older on the date of the deed of sale subject to conditions stipulated hereunder:

| ERF NUMBER | AREA (m <sup>2</sup> ) | PRICE SERVICED WITH SCRAPED ROADS (R) |
|------------|------------------------|---------------------------------------|
| 87         | 578                    | 35800                                 |
| 88         | 428                    | 33700                                 |
| 89         | 363                    | 30600                                 |
| 90         | 363                    | 30600                                 |
| 91         | 428                    | 33700                                 |
| 92         | 578                    | 35800                                 |
| 93         | 490                    | 36400                                 |
| 94         | 490                    | 36400                                 |
| 95         | 490                    | 36400                                 |
| 96         | 490                    | 36400                                 |
| 97         | 490                    | 36400                                 |
| 98         | 490                    | 36400                                 |

|     |     |       |
|-----|-----|-------|
| 99  | 490 | 36400 |
| 100 | 490 | 36400 |
| 101 | 490 | 36400 |
| 102 | 490 | 36400 |
| 103 | 490 | 36400 |
| 104 | 490 | 36400 |
| 105 | 490 | 34600 |
| 394 | 363 | 30600 |
| 395 | 363 | 30600 |
| 396 | 350 | 29800 |
| 397 | 350 | 29800 |
| 398 | 350 | 29800 |
| 399 | 350 | 29800 |
| 400 | 350 | 29800 |
| 401 | 350 | 29800 |
| 402 | 350 | 29800 |
| 403 | 350 | 29800 |
| 404 | 350 | 29800 |
| 405 | 363 | 30600 |
| 406 | 363 | 30600 |
| 674 | 428 | 26600 |
| 675 | 375 | 31200 |
| 676 | 375 | 31200 |
| 677 | 375 | 31200 |
| 678 | 363 | 30600 |
| 679 | 375 | 31200 |
| 680 | 480 | 29100 |
| 682 | 595 | 40400 |
| 683 | 490 | 36400 |
| 684 | 490 | 36400 |
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| 698 | 490 | 36400 |
| 699 | 525 | 37800 |
| 700 | 365 | 30700 |

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| 701 | 365 | 30700 |
| 702 | 368 | 30800 |
| 703 | 368 | 30800 |
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| 713 | 368 | 30800 |
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| 716 | 365 | 30700 |
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| 720 | 368 | 30800 |
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| 732 | 365 | 30700 |
| 733 | 365 | 30700 |
| 734 | 362 | 30500 |
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| 737 | 362 | 30500 |
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| 768 | 362 | 30500 |
| 769 | 362 | 30500 |
| 770 | 363 | 30600 |
| 771 | 363 | 30600 |
| 772 | 350 | 29800 |
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| 780 | 350 | 29800 |
| 781 | 350 | 29800 |
| 782 | 360 | 30400 |
| 783 | 408 | 32800 |
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| 795 | 363 | 30600 |
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| 814 | 350 | 29800 |
| 815 | 375 | 29600 |
| 816 | 459 | 28400 |
| 817 | 459 | 28400 |
| 818 | 375 | 31200 |
| 819 | 375 | 31200 |
| 820 | 513 | 30200 |
| 821 | 731 | 36200 |
| 822 | 375 | 29600 |
| 823 | 374 | 31100 |
| 824 | 372 | 31000 |
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| 832 | 375 | 29600 |
| 833 | 449 | 28100 |
| 834 | 449 | 28100 |
| 835 | 375 | 31200 |
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| 837 | 480 | 29100 |
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| 845 | 480 | 29100 |
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| 849 | 449 | 28100 |
| 850 | 449 | 28100 |
| 851 | 375 | 29600 |
| 852 | 370 | 30900 |
| 853 | 368 | 30800 |
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| 862 | 368 | 30800 |
| 863 | 368 | 30800 |
| 864 | 368 | 30800 |
| 865 | 428 | 30300 |
| 866 | 607 | 40800 |
| 867 | 400 | 32400 |
| 868 | 350 | 29800 |
| 869 | 350 | 29800 |
| 870 | 350 | 29800 |
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| 881 | 350 | 29800 |
| 882 | 379 | 31400 |
| 883 | 500 | 36800 |
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| 885 | 428 | 33700 |
| 886 | 428 | 33700 |
| 887 | 428 | 33700 |
| 889 | 502 | 36900 |
| 890 | 452 | 34800 |
| 891 | 403 | 32500 |
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| 899 | 350 | 29800 |
| 900 | 428 | 33700 |
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| 902 | 426 | 30200 |
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| 906 | 368 | 30800 |
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| 927 | 375 | 31200 |
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| 929 | 449 | 28100 |
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| 939 | 372 | 31000 |
| 940 | 374 | 31100 |
| 941 | 375 | 29600 |
| 942 | 463 | 28600 |
| 943 | 635 | 33800 |
| 944 | 363 | 30600 |
| 945 | 428 | 33700 |
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| 999  | 353 | 30000 |
| 1000 | 353 | 30000 |
| 1001 | 363 | 30600 |
| 1002 | 464 | 35300 |
| 1003 | 309 | 27600 |
| 1004 | 353 | 30000 |
| 1005 | 353 | 30000 |
| 1006 | 353 | 30000 |
| 1007 | 353 | 30000 |
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4. **THAT** the stands in Rockdale only be sold to people who have never owned / acquired or been allocated immovable property before by means of purchasing or through the RDP system.
5. **THAT** due to the limited stands available for sale, it is proposed that the issue of affordability be looked at with regard to the applicants mentioned in paragraph 3 above, who will be invited to the actual sale of stands and taking affordability into consideration, it is recommended as follows for the purpose of this specific sale:
- 5.1 **That** the available stands be sold in cash but the prospective purchasers be given a period of 60 days to pay the purchase price and the signing of the deed of sale.
- 5.2 **That** the erven be sold at the price for serviced residential erven with scraped roads.
- 5.3 **That** note be taken that the above values exclude VAT.
- 5.4 **That** Council resolves that the values of the erven mentioned above were considered but due to community's interest, the stands be sold as follows:

| APPLICANTS              | PRICE OF ERVEN           |
|-------------------------|--------------------------|
| Local African Residents | 50% of the market value  |
| Other Local Residents   | 70% of the market value  |
| Other applicants        | 100% of the market value |

**C63/11/2013**

**PERSONNEL: COLLECTIVE AGREEMENT ON CONDITIONS OF SERVICE FOR THE MPUMALANGA DIVISION**

12/2/2/4 (N)/adk

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the report by the Executive Director: Corporate Services regarding the Collective Agreement on the Conditions of Service for the Mpumalanga Division, be noted.
2. **THAT** the said Agreement be implemented and should it be necessary due to financial implications to implement only certain clauses of the Conditions of Service, an application for exemption be made to the Bargaining Council.
3. **THAT** the payment of standby allowance and overtime be limited to the maximum amount as provided for in the relevant determination of the Minister of Labour.
4. **THAT** the Legal Indemnification clause be referred to Council's Insures to ensure that the Municipality is sufficiently covered.

**C64/11/2013**

**LAND: ALIENATION OF ERF 10803 MHLUZI EXTENSION 8**

7/2/3/2/3 (C)/iec

**[MM 77312; 79049; 86126]**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that a portion of Erf 10803 Mhluzi Extension 08 measuring 5365m<sup>2</sup> in extent ("the property") is not needed to render the basic level of municipal services.
2. **THAT** the Director : Town Planning & Human Settlement be granted permission to subdivide the 5365m<sup>2</sup> portion of land into 2 (two) portions measuring 4000m<sup>2</sup> for church purposes and 1365m<sup>2</sup> for business purposes.
3. **THAT** these 2 portions be sold through a competitive bidding process.
4. **THAT** only soft business such as internet cafe, offices, beauty salon excluding the selling of liquor be allowed on the piece of land reserved for business usage.
5. **THAT** since the land is not serviced, bulk service contribution and service connection cost be for the account of the successful bidder.
6. **THAT** the reserve price for the alienation of a 4000m<sup>2</sup> portion of Erf 10803, Mhluzi Extension 8 for church purposes be R63 000,00 VAT excluded.
7. **THAT** the reserve price for the alienation of a 1365m<sup>2</sup> portion of Erf 10803, Mhluzi Extension 8 for business purposes be R110 000,00 VAT excluded.

8. **THAT** the subject properties be re-valued should a transaction not be concluded within 12 months from the date of valuation (09/05/2013).
9. **THAT** the payment of the purchase price be strictly cash as in terms of Section 47(3)(aa) of the Supply Chain Management Policy of the Council.
10. **THAT** the purchasers provide a cash deposit to cover bulk service contribution and connection costs.
11. **THAT** the proceeds received from the sale be allocated to vote number 925/801 (Township Development Suspense Account : Sale of Land : Mhluzi Extension 8).
12. **THAT** 25% of the purchase price be raised as a provision for the rebate that may have to be paid on the final inspection of the church building.
13. **THAT** the profit/loss from the sale be recognized in the statement of financial performance.
14. **THAT** should Council decide to proceed with the alienation of the land, the portion be derecognized from the asset register.

**C66/11/2013**

**BY-LAWS: FINAL APPROVAL OF THE AMENDMENT OF SECTIONS 13 AND 14 OF THE RULES OF ORDER FOR THE STEVE TSHWETE LOCAL MUNICIPALITY**  
1/3/1/32 (G)

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the report by the Executive Director: Corporate Services on the final approval of the amendment of Sections 13 and 14 of the Rules of Order.
2. **THAT** Council take note of the submission received from the Democratic Alliance on the Amended Section 13 and 14 of the Rules of Order as well as that such submission was considered.
3. **THAT** Council approve the Amended Sections 13 and 14 of the Rules of Order attached as **ANNEXURE C** to the Agenda provided that the word "immediately" in Section 13(5)(b) be replaced with the words "within seven (7) days"
4. **THAT** the Amended Sections 13 and 14 of the Rules of Order be promulgated in accordance with Section 13 of the Local Government: Municipal Systems Act 32 of 2000, as amended.
5. **THAT** once the proposed amendments are promulgated, a workshop be arranged for Councillors on the Amended Rules of Order.

# delegated powers

**M04/11/2013**

**FINANCES: MONTHLY REPORT FOR SUPPLY CHAIN MANAGEMENT:  
SECTION 42: JUNE 2013**

9/2/2 (B)/wm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the item be referred back for further investigation and reporting.

**M05/11/2013**

**FINANCES: MONTHLY REPORT FOR SUPPLY CHAIN MANAGEMENT:  
SECTION 42: SEPTEMBER 2013**

9/2/2 (P)

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the item be referred back for further investigation and reporting.

**M06/11/2013**

**FINANCES: MONTHLY REPORT FOR SUPPLY CHAIN MANAGEMENT:  
SECTION 42: OCTOBER 2013**

9/2/2 (P)

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the item be referred back for further investigation and reporting.

**M07/11/2013**

**DELEGATIONS: FORMAL NOTIFICATION OF THE NEXT SITTING OF THE  
SALGA NATIONAL MEMBERS ASSEMBLY**

12/2/2/1(X)/nm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the following Councillors and Officials be delegated to attend next formal sitting of the SALGA National Members Assembly that will be held from 27-29 November 2013:
  - 1.1. Executive Mayor, or a Councillor delegated by him (Voting power).
  - 1.2. 3 Councillors delegated by the Executive Mayor.
  - 1.3. Municipal Manager or Senior Official delegated by him.
2. **THAT** the Executive Mayor, or a Councillor delegated by him be mandated to vote on behalf of Steve Tshwete Local Municipality.
3. **THAT** a budget amendment be done to vote 110/230 (Municipal Manager: Delegation Costs) before processing the payment.



4. **THAT** the registration fees for the Executive Mayor and Councillors be allocated to vote 100/230 (Councils General : Delegation Costs) and for the Municipal Manager be allocated to vote 110/230 (Municipal Manager: Delegation Costs).
5. **THAT** the accommodation, air tickets, travelling and subsistence costs for the Executive Mayor and Councillors be allocated to vote 100/510 (Council General: Travel and Subsistence) and for the Municipal Manager be allocated to vote 110/510 (Municipal Manager : Travel and Subsistence).

**M08/11/2013****FINANCES: EXHIBITION AT SALGA'S NATIONAL MEMBERS ASSEMBLY**

12/2/2/1 (B)/ wm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the report by the Executive Director: Corporate Services regarding the exhibition at SALGA's National Members Assembly that will be held from 26 to 29 November 2013 at the Cape Town International Convention Centre.
2. **THAT** in view of the fact that no specific provision on the current budget was made for such an expenditure, Council does not participate in the exhibition at SALGA's National Members Assembly.

**M11/11/2013****COUNCIL ARRANGEMENTS: SURVEILLANCE CAMERAS AT CBD AREAS**

17/3/1/1(X)/nm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the report by the Executive Director: Community Services regarding the surveillance cameras in the CBD area.
2. **THAT** due to the lack of funding the installation of security cameras in the CBD area not be considered at this stage.
3. **THAT** the project be considered with the 2015/2016 budget cycle.

**M12/11/2013****COUNCIL ARRANGEMENTS: REQUEST FOR PRESENTATION: GREEN OUTDOOR GYMS**

17/7/R (X)/nm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the presentation which was made by the Green Outdoor Gyms, be noted.
2. **THAT** the Executive Director: Community Services be requested to investigate and submit a further report in this regard.

**M13/11/2013**

**COUNCIL ARRANGEMENTS: REQUEST FOR PRESENTATION: SOUTH AFRICAN RUGBY UNION**

17/7/R (X)/nm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the presentation which was made by the South African Rugby Union, be noted.
2. **THAT** the Executive Director: Community Services be requested to investigate and submit a further report in this regard.

**M14/11/2013**

**COUNCIL ARRANGEMENTS: SECURITY AND MONITORING SYSTEM**

17/3/1 (X)/nm

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** Council take note of the report by the Executive Director: Community Services regarding the security and monitoring system.
- 2 **THAT** Council take note that there is no internal capacity for this services and that the possible appointment of a Security Consultant be referred to the Adjustment Budget in February 2014 for consideration.
- 3 **THAT** the project for the installation of a total digital security systems be considered during the next budget cycle should paragraph 2 above be approved.
- 4 **THAT** all departments refer their needs for security systems to the Executive Director: Community Services before the above is executed to ensure that projects are not duplicated.

**M15/11/2013**

**COUNCIL ARRANGEMENTS: REQUEST FOR PRESENTATION: CRICKET SOUTH AFRICA**

17/7/R (X)/ nm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the presentation which was made by Cricket South Africa, be noted.
2. **THAT** the Executive Director: Community Services be requested to investigate and submit a further report in this regard.

**M16/11/2013**

**COUNCIL ARRANGEMENTS: ASSISTANCE WITH THE ANNUAL FOREVER RESORT LOSKOP MARATHON AS WELL AS POSSIBLE REPRESENTATION OF COUNCIL ON THE ORGANISING COMMITTEE**

11/2/2; 8/1/2 (R)/ It

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the request to increase the allocation for the Annual Loskop Marathon be referred to 2014/2015 tabled budget process and the organizers of the Loskop Marathon be informed that only R25 000,00 is available for the 2013/2014 financial year.
2. **THAT** Cllr D J Motsepe represent Steve Tshwete Local Municipality on the organizing Committee of the Annual Forever Resort Loskop Marathon.

**M18/11/2013**

**PERSONNEL : MEDICAL SCHEME ACCREDITATION 2013/2014**

4/5/6/1 (P)

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the report by the Executive Director: Corporate Services on Medical Schemes accreditation for 2014, be noted.

**M23/11/2013**

**FINANCES: MONTHLY REPORT FOR SUPPLY CHAIN MANAGEMENT: SECTION 42: AUGUST 2013**

9/2/2 (P)

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the item be referred back for further investigation and reporting.

**M28/11/2013**

**CONSTRUCTION OF SIKHULULIWE VILLAGE TRANSFER STATION AND GARDEN WASTE FACILITY**

8/1/1 (C)/yb

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** Council approves the application for the construction of a waste transfer station on Portion 9 of the farm Springboklaagte 416 JS, one (1) hectare in extent.
2. **THAT** the construction of the transfer station be funded from the Municipal Infrastructure Grand (MIG).
3. **THAT** a consultant be appointed by the department to conduct EIA study in order to determine the feasibility of the area for the intended purpose.

4. **THAT** the total financial implications, capital and operating, be referred to future budgets to be considered by Council.
5. **THAT**, subject to approval of the MIG business plan, the project be prioritized within the available MIG funds over the next medium term expenditure framework.

**M31/11/2013**

**LAND: LEASE OF ERF 660 TOKOLOGO, MHLUZI FOR CRÈCHE PURPOSES**

7/2/1/3 (T)/em

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the item be referred back for further investigation and reporting.

**M38/11/2013**

**COUNCIL ARRANGEMENTS: REPORT ON WARD COMMITTEE AND WARD COMMUNITY MEETINGS: OCTOBER 2013**

3/2/6/1(A)/ tn

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the report regarding Ward Committee and Ward Community meetings that took place after the Ordinary Council meeting which was held on 26 September 2013 and that under the remarks of Wards 11 and 19 instead of saying minutes were not submitted, it be amended to say meetings were postponed.

**M39/11/2013**

**LAND: REQUEST FOR EXTENSION OF TIME REGARDING PAYMENT OF RENTAL : CAR WASH BUSINESS**

7/2/3/2/3 (T)/iec

**[MM 84699]**

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the report.
2. **THAT** the application for an extension of time regarding the payment of rental amount of the Council property not be approved.
3. **THAT** the lessee / applicant be informed accordingly.
4. **THAT** the applicant/ lessee pay the rental amount in arrears of R6 840.00 within 30 days.
5. **THAT** legal action against the applicant be considered and/ or termination of the lease agreement should the applicant/ lessee fail to remedy the breach.

**M41/11/2013**

**LAND: PIENAARDAM RESORT : LION PERMIT : POSSIBLE REINSTATEMENT OF RESOLUTION M24/10/2012**

7/2/1/3 (L)/ yb

[MM 88896]

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the item be referred back for submission of the proof of the liability document.

**M43/11/2013**

**REQUEST TO ERECT A FENCE ON THE REMAINDER OF STAND 2415 AERORAND AT THE NEWLY REFURBISHED OUTLET AREA FROM ATHLONE DAM INTO KRUGER DAM**

15/4/5/1 (L)/wm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the item be referred back for further investigation and reporting

**M48/11/2013**

**FINANCES: INVESTIGATION AND CLARIFICATION: ANNUAL FINANCIAL STATEMENTS SUBMITTED TO AUDITOR-GENERAL**

5/1/3 (X)/nm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the report by the Executive Director: Financial Services regarding the the investigation as per Council Resolution M18/10/2013 on the annual financial statements submitted to Auditor-General, be noted.

**M50/11/2013**

**COUNCIL FACILITIES: DEPARTMENT OF CULTURE SPORT AND RECREATION: LOCAL MASS CHOIR**

7/1/2/1 (R)/wm

[MM88011]

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** Council's Community Halls be made available to the Department of Culture Sport and Recreation for the establishment, rehearsals and performance of Local Choirs provided:
  - 1.1 **That** the conditions as prescribed in the Community Hall By-Law be adhered to.
  - 1.2 **That** to curtail the payment of overtime the halls only be made available free of charge during office hours.
  - 1.3 **That** the utilization of the Community halls be restricted to not more than 6 (six) times per month.

- 1.4 **That** the booking of the halls be made in terms of Council's approved procedure.
2. **THAT** the Department be informed that due to budget restraints Council can unfortunately not adhere to the other requests as listed in their letter.

**M51/11/2013**

**INSTALLATION OF TENTS ON THE PUBLIC ROAD POLICY**

17/3/1/1 (C)/yb

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** Council approve the Installation of Tents on the Public Road Policy attached as **ANNEXURE A** to the Mayoral Committee Agenda.
2. **THAT** the Installation of Tents on the Public Road Policy be reviewed as and when necessary.

**M52/11/2013**

**TOTAL CLIENT SERVICES LIMITED**

17/3/1/1 (C)/yb

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT**, due to the processes involved, a Public Private Partnership not be considered by Council.
2. **THAT** the normal bidding process or unsolicited bid process, as prescribed by the Local Government : Municipal Finance Management Act 56 of 2003, be followed to procure these services.
3. **THAT** the provision of Section 33 of the Local Government : Municipal Finance Management Act be adhered to should the envisaged agreement be more than three (3) financial years.
4. **THAT** the draft agreement to be entered into be considered by Council.
5. **THAT** the fee and costing as well as the envisaged revenue be included in the municipal Annual Budget.

**M56/11/2013**

**LAND: APPLICATION TO EXTEND THE LEASED PROPERTY WITH AN EXTRA 500M<sup>2</sup> ON A PORTION OF THE REMAINDER OF PORTION 27 OF THE FARM MIDDELBURG TOWN AND TOWNLANDS 287 JS**

7/2/1/3 (T)/im

[MM 74179]

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the report and not approve the application to extend the leased property on a portion of Portion 27 of the farm Middelburg Town & Townlands 287 JS with 500m<sup>2</sup> for light industrial purposes.
2. **THAT** the applicant be informed accordingly.
3. **THAT** the applicant be informed to pay the amount in arrears of R2 678,56 failing which will result in the lease agreement to be terminated.

**M65/11/2013**

**FINANCES: FIRST QUARTERLY REPORT FOR SUPPLY CHAIN MANAGEMENT: (JULY TO SEPTEMBER 2013)**

9/2/2/ (P)

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the Quarterly report for Supply Chain Management for the quarter ended on 30 September 2013 as submitted by the Executive Director: Financial Services, be noted.