



**STEVE TSHWETE LOCAL MUNICIPALITY**

# **AGENDA**

**OF THE**

# **COUNCIL**

**MEETING**

**DATE - 30 JANUARY 2014**

**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 ERIC JIYANE COMMUNITY  
HALL ON THURSDAY, 30 JANUARY 2014 AT 17:30**



*[Handwritten signature]*

**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 03 December 2013*
- 10 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN
  - 10.1 **THE FOLLOWING QUESTION WAS RECEIVED FROM CLLR S WAIT OF THE DA:**
    1. *“Who has made use; we would like a transparent list to be made available of all users, of the facilities of the banquet hall during August, September and October 2013?”*
    2. *What income transpired to the STLM for letting these facilities to the*

*groups/organisations who hired the banquet hall?*

(sic)"

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THE FOLLOWING REPLY WAS PREPARED BY THE EXECUTIVE DIRECTOR:  
CORPORATE SERVICES AND EXECUTIVE DIRECTOR: FINANCIAL SERVICES  
ON BEHALF OF THE EXECUTIVE MAYOR:

<b>APPLICANT</b>	<b>DATE</b>	<b>AMOUNT</b>
Meeting with domestic workers	04 August 2013	Free
Concert Caramel Productions	07 August 2013	R3 000.00
Tyrannus Church	09,10,11 August 2013	R13 425.00
Mayoral Outreach	19 August 2013	Free
Muslim School	23&24 August 2013	R8 275.00
Gala Dinner Educators	30 August 2013	Free
Training Service Level Agreement HR	05 & 06 September 2013	Free
AGS Family Day	07 September 2013	R6 750.00
Training Basic Cleaning HR	10 & 11 September 2013	Free
Wedding	13 & 14 September 2013	R9 535.00
Public Participation Forum	19 & 20 September 2013	Free
Shanduka Coal Sevens Gala Dinner	19 September 2013	R14 550.00
Wedding	20 & 21 September 2013	R8 575.00
Dept. of Social Services	26 September 2013	R3 000.00
Wedding	27 & 28 September 2013	R7 150.00
Dept. Public Works Kamoso Awards	01 & 02 October 2013	R10 550.00
Waste Management Training HR	07 & 10 October 2013	Free
Matric Farewell Hoërskool Middelburg	11 & 13 October 2013	R12 495.00
Wedding	19 October 2013	R5 250.00
Wedding	25 & 26 October 2013	R7 275.00

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

**11 REPORTS BY THE EXECUTIVE MAYOR**

*11.1 Report of the 21<sup>st</sup>/2013 Meeting of the Mayoral Committee held on 12 DECEMBER 2013:*

*Non Delegated Powers* : -  
*Delegated Powers* : M02; 03/12/2013

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11.2 *Report of the SPECIAL Meeting of the Mayoral Committee held on 07 JANUARY 2014:*

*Non Delegated Powers* : SC01/01/2014  
*Delegated Powers:* : -

11.3 *Report of the 01<sup>st</sup>/2014 Meeting of the Mayoral Committee held on 14 JANUARY 2014:*

*Non Delegated Powers* : -  
*Delegated Powers* : M02/01/2014

11.4 *Report of the 02<sup>nd</sup>/2014 Meeting of the Mayoral Committee held on 23 JANUARY 2014:*

*Non Delegated Powers* : C09; C14; C15; C16; C17; C19; C20; C24; C35; C37; C42;  
C43; C44; C45; C46; C47; C48; CC50; CC51;  
CC52/01/2014  
*Delegated Powers:* : M03;04;05;06;07;08;10;11;12;13;18;21;22;23;25; 26;  
27;28;29;30;31;32;33;34;36;38;39;40;41; 49/01/2014

11.5 *Report of the SPECIAL Meeting of the Mayoral Committee held on 24 JANUARY 2014:*

*Non Delegated Powers* : SC53; SC54; SC55; SC56/01/2014  
*Delegated Powers* : -

12 MOTIONS

13 DEFERRED ITEMS

14 CLOSURE



I  
**REPORT OF THE**

**21<sup>st</sup>/2013**

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

**2013/12/12**



**M02/12/2013**

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

9/3/1 (P)

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the monthly report for November 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 November 2013 on the municipal website.

**M03/12/2013**

**PERSONNEL : WORKING ARRANGEMENTS FOR COUNCIL EMPLOYEES:  
DECEMBER 2013**

4/6/2 (B)/gm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** all employees knock off at 13:00 on 24 and 31 December 2013 and that the municipal offices be closed on 27 December 2013 provided that certain paypoints, as determined by the Municipal Manager, be in operation.
2. **THAT** emergency, essential, standby and shift workers be on normal duty.
3. **THAT** upon operational requirements all staff that cannot be given off during this period, be allowed to take the time off but only up to 30 April 2014 and that no overtime be paid for work that will be performed during normal office hours.
4. **THAT** all employees who are on annual leave on the said day, be credited with the day provided that it not be converted into cash.
5. **THAT** the Assistant Director: Communication be requested to bring the above arrangements to the attention of the community.

**REPORT OF THE**

**SPECIAL**

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

**2014/01/07**

**SC01/01/2014**

**FINANCES: DRAFT DETERMINATION OF UPPER LIMITS OF SALARIES,  
ALLOWANCES AND BENEFITS FOR COUNCILLORS**

5/11/1/1 (B)/ls

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the draft determination of upperlimits of salaries, allowances and benefits of Councillors as published on 19 December 2013.

# REPORT OF THE

# 01<sup>th</sup>/2014

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

# 2014/01/14

**M02/01/2014**

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

9/3/1 (U)

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the monthly report for December 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 December 2013 on the municipal website.

# REPORT OF THE

# 02<sup>nd</sup>/2014

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

# 2014/01/23

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# NON delegated powers

**C09/01/2014**

**BY-LAWS: REVIEWAL OF COMMUNITY HALLS BY-LAWS**

1/3/1/6 (C)/yb

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the draft amended Community Halls By-laws attached as **ANNEXURE B** to the agenda, be amended as per Corporate Services Portfolio Committee's recommendations and be approved.
2. **THAT** the draft By-laws be published for public comments in accordance with Section 12(3) of the Local Government : Municipal Systems Act 32 of 2000.
3. **THAT** a further report be submitted by the Executive Director : Corporate Services upon the expiration of the publication period.
4. **THAT** all previous resolutions regulating the availability of the halls be rescinded.

**C14/01/2014**

**ASSETS WRITTEN OFF OR REDUNDANT AND OBSOLETE ITEMS : PHYSICAL ENVIRONMENT DEVELOPMENT**

6/1/2/1 (B) /ls

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the report by the Acting Executive Director: Infrastructure Services regarding the redundant items of the Department: Physical Environmental Development.
2. **THAT** the 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 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 assets, be recognised in the statement of financial performance.

**C15/01/2014**

**COUNCIL ARRANGEMENTS: MUNICIPAL PUBLIC ACCOUNTS COMMITTEE: TERMS OF REFERENCE**

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

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

- 1 **THAT** the Terms of Reference for the Municipal Public Accounts Committee attached as **ANNEXURE A** to the Agenda, be approved.

- 2 **THAT** all previous Council Resolutions regarding the Terms of Reference for MPAC, be rescinded.
- 3 **THAT** a further report be submitted regarding amendments to the year planner of MPAC based on the above Terms of Reference.

**C16/01/2014**

**LAND: APPLICATION FOR A FILLING STATION AND TRUCK INN SITE ON THE JUNCTION OF N11 NATIONAL ROUTE AND THE EASTERN BYPASS**

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

[MM 79798]

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that a portion of the Remainder of Portion 27 of the farm Middelburg Town and Townlands 287 JS measuring 4 (four) hectares in extent ("the property") situated on the junction of the N11 National Route and the Eastern By-Pass adjacent the Middelburg - Groblersdal Road is not needed for the provision of the basic level of municipal services.
2. **THAT** the property be sold by means of a public bidding process subject to the following conditions:
  - 2.1 **That** the reserve price be R3 000 000,00 (Three Million Rand) excluding VAT.
  - 2.2 **That** the property be revalued should be the transaction not be concluded within 12 months from the date of valuation (27/11/2013).
  - 2.3 **That** the property be alienated once the environment impact assessment for the Eastern By-Pass has been completed.
  - 2.4 **That** the successful bidder be responsible for all costs resulting from a transaction including subdivision, costs, services, main service contributions, legal costs, etc.
  - 2.5 **That** the property be utilised for filling station and truck inn and related activities.
  - 2.6 That the exact location of the property be identified by the Director: Town Planning & Human Settlement.
  - 2.7 **That** the successful bidder be responsible for the rezoning of the property to an appropriate use zone.
  - 2.8 **That** note be taken that there are no municipal services available in the vicinity of the property.
  - 2.9 **That** note be taken that the property is not electrified, links, engineering contribution and service connection will be at the cost of the successful bidder.

- 2.10 **That** the successful bidder be responsible for rezoning, geographical investigation and engineering contribution and service connection.
- 2.11 **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.
- 2.12 **That** the proceeds received from the sale be allocated to vote number 935/501 (Land Trust Fund : Sale of Land : Middelburg Proper).
- 2.13 **That** the sold portion of portion 27 of the farm Middelburg Town and Townlands 287JS be derecognized from the asset register.
- 2.14 **That** the profit/loss from the sale be recognized in the statement of financial performance.
3. **THAT** the applicant be informed accordingly.

**C17/01/2014**

**LAND: APPLICATION TO PURCHASE BUSINESS ERVEN IN KWAZAMOKUHLE PROPER**

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

**[MM 67195]**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that Erven 555, 556 and 557 Kwazamokuhle ("the property") are not needed for the provision of the basic level of municipal services.
2. **THAT** the applications to purchase the properties not be approved and the applicants be informed accordingly.
3. **THAT** the properties be sold through the public bidding process for business purpose subject to the following conditions:
- 3.1 **That** the Market values as well as recommended reserve prices are determined as follows:

<u>ERF:</u>	<u>EXTENT:</u>	<u>ZONING:</u>	<u>VALUE: (Excl VAT)</u>	<u>RESERVE PRICE: (Excl VAT)</u>	<u>VALUATION DATE:</u>
555	362 m <sup>2</sup>	Business	R8 000.00	R5 400.00	29 July 2013
556	364 m <sup>2</sup>	Business	R8 000.00	R5 400.00	29 July 2013
557	364 m <sup>2</sup>	Business	R8 000.00	R5 400.00	29 July 2013

- 3.2 **That** the above values and reserve prices be applicable for a period not exceeding 12 months (Twelve months) from the date of Valuation (29/07/2013).

- 3.3 **That** note be taken that the properties are not electrified and should electricity be required service connection and bulk service contribution will be at the cost of the successful bidder.
- 3.4 **That** note be taken that the properties have no direct access to existing services and should the properties be alienated, the successful bidder will have to bear the cost for the installation of services.
- 3.5 **That** the successful bidder be responsible for the cost of the electrical connection, bulk service contribution and the installation of engineering services.
- 3.6 **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.
- 3.7 **That** the proceeds received from the sale be allocated to vote number 926/101 (Township Development Suspense Account: Sale of Land : Kwazamokuhle Proper).
- 3.8 **That** Erf 555, 556 and 557 Kwazamokuhle Extension 00 be derecognized from the inventory register.
- 3.9 **That** the profit/loss from the sale be recognized in the statement of financial performance.

**C19/01/2014**

**LAND: APPLICATION TO LEASE A PORTION OF PORTION 9 OF THE FARM RIETFONTEIN 286 JS : PARKING PURPOSE**

7/2/13 (T)/yb

[MM 82287]

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the Council confirm that a portion of the Remainder of Portion 27 of the farm Middelburg Town and Townlands 287 JS ("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** the application to lease the subject property be approved subject to the following conditions:
  - 3.1 **That** the extent of land be limited to 3000m<sup>2</sup>.
  - 3.2 **That** the land be used only for parking purposes.
  - 3.3 **That** the lease period should not exceed 3 (three) years.
  - 3.4 **That** no erection of a permanent structure shall be allowed on the subject property.
  - 3.5 **That** the allocated portion be fenced off to the satisfaction of the Council.

- 3.6 **That** the final location of the portion measuring 3000m<sup>2</sup> be determined by the Director : Town Planning & Human Settlement.
  - 3.7 **That** the rental amount be R0.75 (Seventy Five Cents) per square meter per month excluding VAT.
  - 3.8 **That** the subject property be re-valued should a transaction not be concluded within 12 months from the date of valuation (17/07/2013).
  - 3.9 **That** links and engineering contribution service connection cost will be for the account of the applicant.
  - 3.10 **That** the applicant priorly provide a cash deposit to cover links and engineering contribution costs.
  - 3.11 **That** the lease be treated as operating lease in terms of Generally Recognized Accounting Practice Standard 13.
  - 3.12 **That** the proceeds received from the lease be allocated to vote number 555/020 (Fixed Property : Rental Land).
4. **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.

**C20/01/2014**

**LAND: APPLICATION TO LEASE OFFICES AT DOORKOP THUSONG CENTRE 107M<sup>2</sup> FOR THE PURPOSES OF POST OFFICE SERVICES - SOUTH AFRICAN POST OFFICE LIMITED**

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

**[MM 83214]**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that Erf 150 Doornkop Thusong Centre measuring 107m<sup>2</sup> in extent is not needed to render municipal basic service.
2. **THAT** the Accounting Officer be authorised to alienate the property as unsolicited bid.
3. **THAT** the application to lease Erf 150 Doornkop Thusong Centre measuring 107m<sup>2</sup> in extent ("the property") for postal services 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 R2700,00 per month excluding VAT.
  - 3.3 **That** there be a 10% escalation per annum.



- 3.4 **That** note be taken that the land is serviced, should additional power capacity be required, the responsible department will be responsible for such upgrades.
- 3.5 **That** the applicant settle the amount of R162 085,32 in arrears with regards to the Mhluzi Post Office lease agreement, prior to the conclusion of the agreement.
- 3.6 **That** the property be revalued should an alienation transaction or a lease agreement is not concluded within 12 months from the date of valuation being 01/10/2013.
- 3.7 **That** the proceeds received from the lease be allocated to vote number 555/020 (Fixed Property: Rental Land).
- 3.8 **That** the proposed lease 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 System 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.

**C24/01/2014**

**LAND: PURCHASE OFFER REGARDING LAND CLAIM ON PORTION 2 OF ERF  
7752 MIDDELBURG EXTENSION 23**

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

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** it be noted:
  - 1.1 **That** this land restitution claim has been the subject of negotiations with the Lands Claim Commission for a very long time;
  - 1.2 **That** Portion 2 of Erf 7752 Mhluzi Ext 23 was identified as alternative land, in view of the fact that the original claim would have affected residential properties in Gholfsig which in itself constitutes a compromise arrangement by the Commission;
  - 1.3 **That**, if the property is developed to its full potential the Municipality will, in the long term, receive substantial income in the form of property taxes and profit on commercial services;
  - 1.4 **That** the development of the property will further provide additional residential sides which are much needed.
2. **THAT** in view of the above, this specific claim be dealt with as an exceptional case where reduced compensation can be accepted by the municipality, and that consequently the Department of Rural Development and Land Reform be informed that Council is prepared to accept the offer of R5 million as compensation for Portion 2 of Erf 7752 Mhluzi Ext 23, provided that any development on the property shall be in accordance with Town Planning and other regulatory requirements of the Municipality.

**C35/01/2014**

**FINANCES: FINANCIAL QUARTERLY REPORT: QUARTER ENDING ON  
DECEMBER 2013**

9/2/1 (P)

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the quarterly in-year report as submitted by the Executive Director: Financial Services on the implementation of the budget and the financial affairs for the municipality referred to in Section 52(d) of the MFMA for the quarter ending 31 December 2013, be noted.
2. **THAT** permission be granted to the Executive Director: Financial Services to submit the report in both an electronic and hard copy format to the National and Provincial Treasuries within five working days after tabling in the Council.
3. **THAT** permission be granted to the Executive Director: Financial Services to place the quarterly in-year report for the quarter ending 31 December 2013 on the municipal website.
4. **THAT** a further report on the outcome of the negotiations be submitted.

**C37/01/2014**

**LAND: 200 SERVICED STANDS IN ROCKDALE FOR THE RELOCATION OF FARM  
COMMUNITIES FOR LOW COST HOUSING DEVELOPMENT PURPOSES :  
OPTIMUM COAL MINE**

7/2/3/2/14 (L)/yb

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** paragraph 3 of Resolution C106/09/2013 be amended to read as follows:  
  
"That 200 (two hundred) stands in Rockdale namely Erven 1996 - 2091, 2226 - 2263, 2264 - 2294 and 2560 - 2591 be alienated to Optimum Coal Mine".

**C42/01/2014**

**LAND: APPLICATION TO UTILISE PORTION 2 OF ERF 6321 MHLUZI (REABOTHA)  
FOR SOCIAL SERVICES**

7/2/3/2 (L)/cp

[MM 64546; MM89440]

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

- 1 **THAT** Council confirm that the building on Portion 2 of Erf 6321 Reabotha, Mhluzi ("the property") is not needed for the provision of the basic municipal services.
- 2 **THAT** the Accounting Officer be authorised to dispose of the property as an unsolicited bid.
- 3 **THAT** Council approve the application to utilise the property to the Non- Profit Organisation subject to the following conditions:

- 3.1 **That** the lease agreement with the duration of 3 (three) years with an option to renew for a further 3 (three) years be entered into.
- 3.2 **That** the property be utilised only for social services and related purposes.
- 3.3 **That** due to the public interest the property be leased at no fee.
- 3.4 **That** the property be made available free of charge.
- 3.5 **That** the Non Profit Organisation be responsible for renovation, payment of rates and taxes and municipal services as determined by the Municipality.
- 3.6 **That** Council reserve a right to utilise the property for other activities should the Non Profit Organisation not adhere to the contract conditions.
- 3.7 **That** note be taken that the property is serviced and should there be any changes on electricity supply, the applicant will be accountable for the cost.
- 3.8 **That** the applicant will be responsible for rezoning of the property to an appropriate use.
- 3.9 **That** the applicant open municipal service account and be responsible for municipal services connection costs.
- 3.10 **That** proceeds received from the lease be allocated to vote number 555/020 (Fixed Property : Rental Land).
- 3.11 **That** the lease agreement be classified as operating lease in terms of GRAP 13.
- 3.12 **That** the loss be recognized in the statement of financial performance.
- 3.13 **That** 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 System 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.

**C43/01/2014**

**LAND: APPLICATION TO LEASE ERF 5370 KWAZAMOKUHLE EXTENSION 8 FOR MANUFACTURING BRICKS**

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

[MM 73570]

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that a portion of Erf 5370 Kwazamokuhle Extension 8 measuring 500m<sup>2</sup> in extent ("the property") is not needed for the provision of the basic level of municipal services.
2. **THAT** the Accounting Officer be authorised to deal with the application as an unsolicited bid.

3. **THAT** the application to lease the property for brick manufacturing purpose be approved subject to the following conditions:
- 3.1 **That** the lease period be 3(three) years with an option to renew the lease for a further period of 3 (three) years.
  - 3.2 **That** the lease amount be R180,00 (One Hundred and Eighty Rand) per month excluding VAT.
  - 3.3 **That** the escalation be 10% per annum with a 3 yearly review.
  - 3.4 **That** the property be revalued should a transaction not be concluded within 12 months from the date of valuation (27/08/2013).
  - 3.5 **That** no permanent structure shall be allowed on the subject property.
  - 3.6 **That** the alienated portion shall only be used for brick manufacturing purposes.
  - 3.7 **That** the loading and off-loading shall only take place within the alienated portion.
  - 3.8 **That** the final location of the property be determined by the Director: Town Planning & Human Settlement and Director: Civil Engineering Services.
  - 3.9 **That** all necessary precautionary measures be taken to prevent all types of pollution.
  - 3.10 **That** the environmental management plan be in place for the activity.
  - 3.11 **That** note be taken that there are no engineering services on the property and that the installation of the engineering services will be at the cost of the applicant.
  - 3.12 **That** note be taken that there is no electricity on the property and should electricity be required, bulk service contribution, service connection and link cost will be for an applicant.
  - 3.13 **That** proof that the manufactured bricks meet the SABS must be furnished by the applicant.
  - 3.14 **That** the entrance applications be submitted to the Civil Engineering Services which will include the lowering of the Kerbs at the entrance and/or construction of an edge beam to protect the road.
  - 3.15 **That** the applicant adheres to the condition as stipulated in the comments by the Executive Director: Infrastructure Services.
  - 3.16 **That** the proceeds received from the lease be allocated to vote number 555/020 (Fixed Property : Rental Land).

4. **THAT** the proposed lease be advertised in terms of Section 79 (18) of the Local Government Ordinance 17 of 1939 as amended, read 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.

**C44/01/2014**

**LAND APPLICATION TO LEASE ERF 2453 AERORAND - MIDDELBURG**

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

**[MM 78669]**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the Council confirm that a Portion Erf 2453 Aerorand measuring 100m<sup>2</sup> is not needed to render municipal basic level of services.
2. **THAT** the Accounting Officer be authorised to alienate the property as unsolicited bid.
3. **THAT** the application to lease a portion of Erf 2453 Aerorand measuring 100m<sup>2</sup> in extent for a period of 3 years with an option to renew for a further 3 years period be approved subject to the following conditions:
  - 3.1 **That** the leased property be 100m<sup>2</sup> in extent.
  - 3.2 **That** the property be used for telecommunication mast.
  - 3.3 **That** the rental amount be R2 600 per month excluding VAT.
  - 3.4 **That** there be a 10% escalation per annum with a 3 yearly review.
  - 3.5 **That** the applicant note that the site is not serviced, engineering contribution and service connection costs will be for the applicant.
  - 3.6 **That** the applicant priorly provide a cash deposit to cover engineering contribution and service connection costs.
  - 3.7 **That** the design and construction of the structure must incorporate the free-effect in order to blend well with the immediate neighbourhood.
  - 3.8 **That** the lease agreement should not be approved if condition 3.7. above is not acceptable to the applicant.
  - 3.9 **That** if the transaction is not concluded within 12 months from the date of valuation the property be re-valued.
  - 3.10 **That** the proceeds received from the lessee be allocated to Vote No 555/020 (Fixed Property: Rental Land).

- 3.11 **That** the proposed lease 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.

**C45/01/2014**

**BY-LAWS: AMENDMENT OF STREET TRADING BY-LAWS**

1/3/1/8 (C)/yb

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the draft amended section of the street Trading By-laws as indicated in the report be adopted.
2. **THAT** the draft amended section of the By-laws be published for public comments in accordance with Section 12(3) of the Local Government : Municipal Systems Act 32 of 2000, as amended.
3. **THAT** a further report be submitted by the Executive Director : Corporate Services upon the expiration of the publication period.

**C46/01/2014**

**SALE OF INDUSTRIAL LAND FOR THE DEVELOPMENT OF PREMISES FOR AN INTERNATIONAL COMPANY**

7/1/1/2 (MM)

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

- 1 **THAT** Council confirm that stands 13017 to 13028 Middelburg Extension 49, measuring 36230 m<sup>2</sup> (the property) is not needed to render the basic level of municipal services in terms of Section 14(2) of the Municipal Finance Management Act 56 of 2003 (MFMA).
- 2 **THAT** it be noted that the market value of the property has been determined at R8 075 000 excluding VAT.
- 3 **THAT** the application to purchase the property for the construction of an international industrial plant be approved in principle subject to the following conditions:
  - 3.1 **That** the payment of a purchase price of R8 075 000 minus 10% equals R807 500 equals R7 267 500 plus VAT.
  - 3.2 **That** the payment of the purchase price be strictly cash as in terms of Section 47 (3) (aa) of the MFMA.
  - 3.3 **That** the purchaser shall be responsible for the cost of all service connections inclusive of the cost that may be required for the extension of any services to the boundary of the property.

- 3.4 **That** a remission of assessment rates be granted in respect of the property for a period of two years from the date of sale, subject to the Council's Rate Policy.
  - 3.5 **That** the process of consolidation and rezoning (if necessary) be undertaken by the Town Planning Department of the Council at the cost of the Council.
  - 3.6 **That** the purchase price be redetermined should the transaction not be concluded within twelve months from the date of valuation.
  - 3.7 **That** the developer be responsible for the full cost to install the electricity to the development.
  - 3.8 **That**, if electricity demand from Eskom has to be increased for this development, the developers be required to make a pro-rata contribution towards the costs involved.
- 4 **THAT** the Accounting Officer be authorised to deal with application as an unsolicited bid.
  - 5 **THAT** the proceeds received from the sale be allocated to vote number 930/501 (Land Trust Fund: Sale of Land).
  - 6 **THAT** the sale be advertised in terms of Section 21 of the Municipal Systems Act 32 of 2000, as amended, read together with Section 79 (18) of the Local Government Ordinance, 17 of 1939, as amended, Section 113 of the MFMA and Section 44 of the Council's Supply Chain Management Policy.
  - 7 **THAT** the proceeds from the sale be allocated to vote number 932/001 (Township Development: Extension 49).
  - 8 **THAT** the portion of even be derecognised from the asset register.
  - 9 **THAT** the profit / loss from the sale be recognised in the Statement of Financial Performance.

**C47/01/2014**

**DELEGATIONS: SIGNING OF DOCUMENTS ON BEHALF OF COUNCIL AND THE INSTITUTION OF LEGAL ACTIONS**

2/2/2/1 & 2/2/2/2 (C)/yb

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** all previous resolutions of Council with regard to the granting of signing powers as well as authority to act in legal actions against Council, be rescinded and with effect from 1 October 2013 the following be implemented:
2. **THAT** the MUNICIPAL MANAGER or the DEPUTY MUNICIPAL MANAGER or the EXECUTIVE DIRECTOR : CORPORATE SERVICES or the DIRECTOR : LEGAL & ADMINISTRATION be authorized to sign the following documents on behalf of the Steve Tshwete Local Municipality.

- 2.1 Deeds of Sale in respect of all properties to be sold by the Steve Tshwete Local Municipality and properties still to be sold which properties are still registered in the name of the Steve Tshwete Local Municipality or may be acquired by the Steve Tshwete Local Municipality in future, inclusive of dwelling units erected in terms of both Council's housing schemes.
  - 2.2 Power of Attorney for transfer and any other document that may be required in respect of the transfer of properties that may be sold by the Municipality or alienated by any other means.
  - 2.3 Deeds of Sale in respect of all properties that may be purchased by Municipality, as well as other documents that may be required to effect transfer of such properties as well as properties that may be acquired by Municipality by any other means.
  - 2.4 Deeds of Lease in respect of all properties that may be leased to the Municipality and be leased by the Municipality, as well as all other documents that may be required to execute any Deeds of Leases notarially.
  - 2.5 Permission for cancellation of bonds in favour of the Council where the necessary fees are paid or guarantees provided.
  - 2.6 All documents that may be required in respect of the establishment of any town or the amendment of the Town Planning Scheme by Council.
  - 2.7 All agreements or other documents that may be required in the execution of a resolution of Council.
  - 2.8 Deeds of Sale and building contracts for the RDP Houses on behalf of the Municipality.
  - 2.9 Certificates, consents etc regarding the alienation of property in terms of Council's resolutions and policy.
3. **THAT** approval be granted to the MUNICIPAL MANAGER or the DEPUTY MUNICIPAL MANAGER to further delegate the authority to sign the documents as mentioned in paragraph 2 above which have a value less than R500 000 to the ASSISTANT DIRECTOR : LEGAL SERVICES or a SENIOR OFFICIAL within CORPORATE SERVICES.
  4. **THAT** the MUNICIPAL MANAGER or the DEPUTY MUNICIPAL MANAGER or the EXECUTIVE DIRECTOR : CORPORATE SERVICES or the DIRECTOR : LEGAL & ADMINISTRATION be authorized on behalf of the Municipality and after due consultation with the Executive Mayor to institute any urgent legal action that may be necessary in the best interests of the Municipality and that for this purpose appoint Legal Representatives and to sign all necessary documents, affidavits, power of attorney etc. in order to achieve the normal end results.



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5. THAT the MUNICIPAL MANAGER or the DEPUTY MUNICIPAL MANAGER or the EXECUTIVE DIRECTOR : CORPORATE SERVICES or the DIRECTOR : LEGAL & ADMINISTRATION be authorized on behalf of the Municipality to institute or defend any legal action and that for this purpose appoint Legal Representatives and to sign all necessary documents, affidavits, power of attorney etc. in order to achieve the normal end results.
6. **THAT** the EXECUTIVE DIRECTOR : CORPORATE SERVICES or the DIRECTOR : LEGAL & ADMINISTRATION be authorised to sign personnel related documents on behalf of the Steve Tshwete Local Municipality.

**C48/01/2014**

**FINANCES : ANNUAL FINANCIAL STATEMENTS 2012/2013: UNAUTHORISED EXPENDITURE (SPECIAL ADJUSTMENT BUDGET 2012/2013)**

5/14/R (U)

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the report by the Executive Director: Financial Services on the Annual Financial Statements 2012/ 2013 Unauthorized Expenditure (Special Adjustment Budget 2012/2013).
2. **THAT** Council take note of the reasons for the unauthorized expenditure to the amount of R51,5-million on the operating budget and R0,9-million on the capital budget which realized on 30 June 2013.
3. **THAT** Council takes note of the assets which has been replaced from insurance claims, the asset which was procured under a lease agreement and the donated assets which were received.
4. **THAT** Council approves the unauthorized expenditure for the 2012/2013 financial year as prescribed in terms of Section 32 (2)(a)(i) of the MFMA.
5. **THAT** permission be granted to the Executive Director : Financial Services to submit the report in both electronic and hard copy format to the National Treasury and relevant Provincial Treasury.

**CC50/01/2014**

**EXTENSION OF THE EMPLOYMENT CONTRACT: EXECUTIVE DIRECTOR: CORPORATE SERVICES**

4/5/1/2, 4/1/3/4

**CONFIDENTIAL ITEM : NOT FOR PUBLICATION**

The recommendation of the Mayoral Committee is distributed under separate cover.

**CC51/01/2014**

**PERSONNEL: RESIGNATION OF THE EXECUTIVE DIRECTOR INFRASTRUCTURE SERVICES**

4/8/1 (K)/nm

**CONFIDENTIAL ITEM : NOT FOR PUBLICATION**

The recommendation of the Mayoral Committee is distributed under separate cover.

**CC52/01/2014**

**FINANCES : REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS: 30 JUNE 2013**

5/14/1 (B) /ls

**CONFIDENTIAL ITEM : NOT FOR PUBLICATION**

The recommendation of the Mayoral Committee is distributed under separate cover.

# delegated powers

**M03/01/2014**

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

8/1/2 (X)/nm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the presentation made by Breaking New Ground, Joint Venture Development Holdings in respect of joint venture development Kanonkop Middelburg, be noted.
2. **THAT** the Executive Director: Infrastructure Services be requested to investigate and submit a further report in this regard.

**M04/01/2014**

**COUNCIL ARRANGEMENTS: REQUEST FOR PRESENTATION: HYDRO POWER  
STATION DEVELOPMENT**

3/R (P)

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the presentation made by Hydro Power Station Development on the possibility of developing a small Hydro Power Station for the Municipality, be noted.
2. **THAT** the Executive Director: Infrastructure Services be requested to do an investigation and submit a further report in this regard.

**M05/01/2014**

**FINANCIAL ASSISTANCE : BUSINESS LINKAGE CENTRE: 2013/14 FINANCIAL  
YEAR**

11/3/1/1; 3/2/4/1/7; 5/16/R (X)/nm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the report by the Director: Development and Strategic Support regarding a possible annual grant to the Business Linkage Centre, be noted.
2. **THAT** it be noted that the annual and monthly reports regarding the previous grant were submitted to the Accounting Officer and it be continued with for the 2013/14 financial year in terms of Section 67 of the MFMA.
3. **THAT** the amount of R230 000 be made available from vote number 130/588 to the Middelburg Chamber of Commerce for the running of the Business Linkage Centre.

**M06/01/2014**

**FINANCES : ANNUAL GRANT : MIDDELBURG TOURISM INFORMATION CENTRE**

5/16/R (X)/nm

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the report by the Director: Development and Strategic Support regarding a possible annual grant to the Middelburg Tourism Information Centre, be noted.
- 2 **THAT** it be noted that annual and monthly reports regarding the previous grant were submitted to the Accounting Officer and it be continued with for the 2013/14 financial year in terms of Section 67 of the MFMA.
- 3 **THAT** the amount of R250 000 be made available from vote number 130/591 to the Middelburg Chamber of Commerce for the running of the Middelburg Tourism Information Centre.

**M07/01/2014**

**FINANCES : ANNUAL GRANT TO MIDDELBURG SPCA : 2013/14 FINANCIAL YEAR**

5/16/R (X)/ls

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the grant funding to the amount of R475 000,00 as budgeted for under vote 130/595 be paid to Middelburg SPCA for the running of a Municipal pound.
2. **THAT** the Middelburg SPCA submit monthly reports on the expenditure against the grant as required by Section 67(1)(a)(iii) of the MFMA.
3. **THAT** the audited annual financial statements be submitted to the Accounting Officer as required by Section 67(1)(a)(iii) of the MFMA.

**M08/01/2014**

**COUNCIL ARRANGEMENTS: REPORT ON THE SITTING OF THE SECTION 79  
POLITICAL MONITORING COMMITTEE MEETINGS FOR THE PERIOD JANUARY  
2013 TO NOVEMBER 2013**

3/2/4/1/22 (G)

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the report by the Executive Director: Corporate Services on the sitting of the Section 79 Political Monitoring Committee meetings from January 2013 to November 2013, be noted.
2. **THAT** the matter of non- attendance of the said meetings be referred to the office of the Speaker and Chief Whip for further action.

**M10/01/2014**

**MPAC : MINUTES OF THE AUDIT COMMITTEE MEETING**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the minutes of the Audit Committee meeting attached as **ANNEXURE A** to the Agenda as submitted by the Internal Auditor to MPAC, be noted.

**M11/01/2014**

**COUNCIL ARRANGEMENTS : DISSOLVEMENT OF COUNCIL COMMITTEES THAT WERE ESTABLISHED TO ASSIST THE EXECUTIVE MAYOR IN TERMS OF SECTION 80 OF THE STRUCTURES ACT**

3/2/3/1 & 3/2/4/1 (M)

**RESOLVED BY THE EXECUTIVE MAYOR**

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

**M12/01/2014**

**COUNCIL ARRANGEMENTS: DATES FOR MAYORAL OUTREACH MEETINGS FOR 2014**

4/2/5, 2/6 (A)

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the following scheduled dates for the Mayoral Outreach meetings for 2014, be noted.

<b>Month</b>	<b>Mayoral Outreach Meetings</b>
January 2014	
February 2014	23 February 2014
March 2014	
April 2014	27 April 2014
May 2014	
June 2014	29 June 2014
July 2014	
August 2014	24 August 2014
September 2014	
October 2014	26 October 2014
November 2014	
December 2014	7 December 2014

**M13/01/2014**

**TECHNICAL SERVICES: LOAD SHIFTING PROJECT**

16/2/5 (B)/wm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note that a further report on the management of the system to clearly define the roles and responsibilities of each stakeholder, can only be submitted once the Eskom's project approval is in place.

**M18/01/2014**

**MPAC: FRUITLESS, WASTEFUL, IRREGULAR AND UNAUTHORISED EXPENDITURE**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the report by the Executive Director: Financial Services to MPAC regarding fruitless and wasteful expenditure, be noted.

**M21/01/2014**

**LAND: APPLICATION FOR PURCHASING PORTIONS OF PORTION 6 OF ERF 12941 MHLUZI EXTENSION 4**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the matter was referred back for submission of a further report by the Municipal Manager.

**M22/01/2014**

**LAND: APPLICATION TO PURCHASE ERF 9064 EXTENSION 06 MHLUZI FOR RESIDENTIAL PURPOSES**

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

**[MM 59297]**

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the matter was referred back for submission of a further report by the Municipal Manager.

**M23/01/2014**

**LAND: APPLICATION TO PURCHASE ERF 9622 MHLUZI EXTENSION 06**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the matter was referred back for submission of a further report by the Municipal Manager.

M25/01/2014

**COUNCIL ARRANGEMENTS: 9<sup>TH</sup>/2013 POLITICAL MONITORING COMMITTEE  
REPORT FOR THE FINANCIAL SERVICES PORTFOLIO: OCTOBER 2013**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities performed during September 2013 within the relevant Portfolio, be noted.
- 2 **THAT** the activities planned for October 2013 with the relevant Portfolio, be noted.
- 3 **THAT** the progress made with the achievement of key performance targets as determined by performance plans in respect of the Executive Directorate: Financial Services, be noted.
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 subject to the following:
  - 5.1 **That** the status quo with regards to the submission of progress with capital projects as determined by Resolution C19/03/2013 be maintained.
- 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 during , be noted.



**M26/01/2014**

**COUNCIL ARRANGEMENTS: 10TH/2013 POLITICAL MONITORING COMMITTEE  
REPORT FOR THE CORPORATE SERVICES PORTFOLIO: OCTOBER 2013**

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

RESOLVED BY THE EXECUTIVE MAYOR

- 1 **THAT** the activities performed during September 2013 within the Executive Directorate: Corporate Services, be noted.
- 2 **THAT** the activities planned for October 2013 within the Executive Directorate: Corporate Services, be noted.
- 3 **THAT** the progress made with the achievement of key performance targets as determined by performance plans in respect of the Executive Directorate: Corporate Services, be noted.
- 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** note be taken that there were no new policies and by-laws within the Executive Directorate: Corporate Services.
- 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, be noted.

**M27/01/2014**

**COUNCIL ARRANGEMENTS: 10TH/2013 POLITICAL MONITORING COMMITTEE  
REPORT FOR THE COMMUNITY PROTECTION SERVICES PORTFOLIO: OCTOBER  
2013**

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

RESOLVED BY THE EXECUTIVE MAYOR

- 1 **THAT** the activities performed during September 2013 within the relevant Portfolio, be noted.
- 2 **THAT** the activities planned for October 2013 within the relevant Portfolio, be noted.

- 3 **THAT** the progress made with the achievement of key performance targets as determined by performance plans in respect of the Executive Directorate: Community Services, be noted.
- 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** responses by the Executive Directorate: Community Services on matters raised in complaint and suggestion boxes, be noted.

**M28/01/2014**

**COUNCIL ARRANGEMENTS: 9TH/2013 POLITICAL MONITORING COMMITTEE  
REPORT FOR THE SPATIAL DEVELOPMENT, HUMAN SETTLEMENT & HOUSING  
ADMINISTRATION PORTFOLIO: OCTOBER 2013**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities performed during September 2013 within the relevant Portfolio, be noted.
- 2 **THAT** the activities planned for October 2013 within the relevant Portfolio, be noted.
- 3 **THAT** the progress made with the achievement of key performance targets as determined by performance plans in respect of the Executive Directorate: Infrastructure Services and Executive Directorate: Community Services, be noted.
- 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 and Executive Directorate: Community 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 and 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 Spatial Development, Human Settlement & Housing Administration 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 and Executive Directorate: Community Services in the complaint and suggestion boxes during October 2013.

**M29/01/2014**

**COUNCIL ARRANGEMENTS: 10TH/2013 POLITICAL MONITORING COMMITTEE  
REPORT FOR ENVIRONMENTAL HEALTH, PUBLIC FACILITIES & CULTURAL  
SERVICES PORTFOLIO: OCTOBER 2013**

3/24/1/21 (V)

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities performed during September 2013 within the relevant Portfolio, be noted.
- 2 **THAT** the activities planned for October 2013 within the relevant Portfolio, be noted.
- 3 **THAT** the progress made with the achievement of key performance targets as determined by performance plans in respect of the Executive Directorate: Community Services, be noted.
- 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** the status quo in terms of Resolution M77/09/2013 be maintained.
- 7 **THAT** the report on the development of new policies and by-laws within the relevant Portfolio, be noted.

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- 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 Facilities & Cultural 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.

**M30/01/2014**

**COUNCIL ARRANGEMENTS: 9TH/2013 POLITICAL MONITORING COMMITTEE  
REPORT FOR THE INFRASTRUCTURE DEVELOPMENT & SERVICE DELIVERY  
PORTFOLIO: OCTOBER 2013**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities performed during September 2013 within the relevant Portfolio, be noted.
- 2 **THAT** the activities planned for October 2013 within the relevant Portfolio, be noted subject to the following:
- 2.1 **That** the Executive Director: Infrastructure Services submit a report regarding the number of lifeguards stationed at public swimming pools and whether they are in line with national legislation.
- 2.2 **That** more detail be provided regarding the replacement of stolen streetlight cables in Mhluzi Extension 2.
- 3 **THAT** the progress made with the achievement of key performance targets as determined by performance plans in respect of the Executive Directorate: Infrastructure Services, be noted.
- 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** 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** note be taken that no progress were given on the matters raised with the MMC for Infrastructure Development and Service Delivery by Councillors and community members and therefore, that the matter that was submitted by Councillor O Malinga be re-submitted for feedback at the next meeting.
- 10 **THAT** note be taken that no responses were given by the Executive Directorate: Infrastructure Services on matters raised in complaint and suggestion boxes and therefore the complaint submitted by a member of the community, Mr L J V Vuuren be re-submitted for feedback at the next meeting.

**M31/01/2014**

**COUNCIL ARRANGEMENTS: 11TH/2013 POLITICAL MONITORING COMMITTEE  
REPORT FOR THE CORPORATE SERVICES PORTFOLIO: NOVEMBER 2013**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities as reflected in the Monitoring Report performed during October 2013 within the Executive Directorate: Corporate Services, be noted.
- 2 **THAT** the activities planned for November 2013 as mentioned in the Monitoring Report within the Executive Directorate: Corporate Services, be noted.
- 3 **THAT** the progress made as reflected in the Monitoring Report with the achievement of key performance targets as determined by performance plans in respect of the Executive Directorate: Corporate Services, be noted.
- 4 **THAT** the report in the Monitoring 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 as mentioned in the Monitoring Report, be noted.
- 6 **THAT** the progress made with the implementation of Council Resolutions referred to the Executive Directorate: Corporate Services, as indicated in the Monitoring Report be noted.
- 7 **THAT** the report on the development of new policies and by-laws as reflected in the Monitoring Report within the relevant Portfolio, be noted.
- 8 **THAT** the responses provided by the Executive Directorate: Corporate Services in the Monitoring Report in respect of matters raised by Ward Committees, be noted.
- 9 **THAT** according to the Monitoring Report note be taken 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 according to the Monitoring Report note be taken that there were no matters received by the Executive Directorate: Corporate Services in the complaint and suggestion boxes.

**M32/01/2014**

**COUNCIL ARRANGEMENTS: 10TH/2013 POLITICAL MONITORING COMMITTEE  
REPORT FOR THE FINANCIAL SERVICES PORTFOLIO: NOVEMBER 2013**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities as reflected in the Monitoring Report performed during October 2013 within the relevant Portfolio, be noted.
- 2 **THAT** the activities planned for November 2013 as mentioned in the Monitoring Report with the relevant Portfolio, be noted subject to the following:
  - 2.1 **That** note be taken that the Executive Director: Financial Services is attending to the matters related to Councillors insurance and the expected date for finalization is January 2014.
- 3 **THAT** the progress made as reflected in the Monitoring Report with the achievement of key performance targets as determined by performance plans in respect of the Executive Directorate: Financial Services, be noted.
- 4 **THAT** the report in the Monitoring 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 as mentioned in the Monitoring Report, be noted.
- 6 **THAT** the progress made with the implementation of Council Resolutions referred to the Executive Directorate: Financial Services as indicated in the Monitoring Report, be noted.
- 7 **THAT** note be taken that according to the Monitoring Report 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 the Monitoring Report in respect of matters raised by Ward Committees, be noted.
- 9 **THAT** according to the Monitoring Report note be taken 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 as reflected in the Monitoring Report on matters raised in complaint and suggestion boxes, be noted.

M33/01/2014

**COUNCIL ARRANGEMENTS: 11TH/2013 POLITICAL MONITORING COMMITTEE  
REPORT FOR THE COMMUNITY PROTECTION SERVICES PORTFOLIO:  
NOVEMBER 2013**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities as reflected in the Monitoring Report performed during October 2013 within the relevant Portfolio, be noted.
- 2 **THAT** the activities planned for November 2013 as mentioned in the Monitoring Report within the relevant Portfolio, be noted.
- 3 **THAT** the progress made as reflected in the Monitoring Report with the achievement of key performance targets as determined by performance plans in respect of the Executive Directorate: Community Services, be noted.
- 4 **THAT** the report in the Monitoring 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 as mentioned in the Monitoring Report, be noted.
- 6 **THAT** the progress made with the implementation of Council Resolutions referred to the Executive Directorate: Community Services as indicated in the Monitoring Report, be noted.
- 7 **THAT** the report on the development of new policies and by-laws as reflected in the Monitoring Report within the relevant Portfolio, be noted.
- 8 **THAT** the responses provided by the Executive Directorate: Community Services in the Monitoring Report in respect of matters raised by Ward Committees, be noted.
- 9 **THAT** according to the Monitoring Report 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** responses by the Executive Directorate: Community Services as reflected in the Monitoring Report on matters raised in the complaint and suggestion boxes, be noted.

**M34/01/2014**

**COUNCIL ARRANGEMENTS: REPORT ON WARD COMMITTEE & WARD  
COMMUNITY MEETINGS IN DECEMBER 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 3 December 2013.

**M36/01/2014**

**LAND: ALIENATION OF PORTION 11 OF THE FARM MIDDELBURG TOWN AND  
TOWNLANDS 287 JS (ERVEN 5210 & 5211)**

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

**[MM 3739]**

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the matter be referred back in order for the Executive Director : Corporate Services to obtain the comments of the Acting Executive Director: Infrastructure Services on the matter.

**M38/01/2014**

**COUNCIL ARRANGEMENTS: 10TH/2013 POLITICAL MONITORING COMMITTEE  
REPORT FOR THE SPATIAL DEVELOPMENT, HUMAN SETTLEMENT & HOUSING  
ADMINISTRATION PORTFOLIO: NOVEMBER 2013**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities as reflected in the Monitoring Report performed during October 2013 within the relevant Portfolio, be noted.
- 2 **THAT** the activities planned for November 2013 as mentioned in the Monitoring Report within the relevant Portfolio, be noted subject to the following:
  - 2.1 **That** with the finalization of the application of a liquor license at Doctor's Tavern at Stand 7284 Mhluzi Extension 4, the following be taken into consideration:
    - 2.1.1 **That** parking space be provided at the back of the tavern and not in front.
    - 2.1.2 **That** all environmental health issues be complied with.
- 3 **THAT** the progress made as reflected in the Monitoring Report with the achievement of key performance targets as determined by performance plans in respect of the Executive Directorate: Infrastructure Services and Executive Directorate: Community Services, be noted.



- 4 **THAT** the report in the Monitoring 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, as mentioned in the Monitoring Report be noted subject to the following:
- 5.1 **That** the Acting Executive Director: Infrastructure Services be requested to arrange an inspection in loco for the members of the Committee to visit Kwazamokuhle Extension 6 where a development of 700 sites is proposed to take place.
- 6 **THAT** the progress made with the implementation of Council Resolutions referred to the Executive Directorate: Infrastructure Services and Executive Directorate: Community Services, as indicated in the Monitoring Report be noted.
- 7 **THAT** note be taken that according to the Monitoring Report there were no new policies and by-laws developed within the relevant Portfolio.
- 8 **THAT** the responses provided by the Executive Directorate: Infrastructure Services and Executive Directorate: Community Services in the Monitoring Report in respect of matters raised by Ward Committees, be noted.
- 9 **THAT** according to the Monitoring Report note be taken that there were no matters raised by the MMC for Spatial Development, Human Settlement & Housing Administration regarding issues reported to her by Councillors and community members.
- 10 **THAT** according to the Monitoring Report note be taken that there were no matters received by the Executive Directorate: Infrastructure Services and Executive Directorate: Community Services in the complaint and suggestion boxes.

**M39/01/2014**

**COUNCIL ARRANGEMENTS: 10TH/2013 POLITICAL MONITORING COMMITTEE  
REPORT FOR THE INFRASTRUCTURE DEVELOPMENT & SERVICE DELIVERY  
PORTFOLIO: NOVEMBER 2013**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the activities performed during October 2013 within the relevant Portfolio, be noted.
2. **THAT** the activities planned for November 2013 within the relevant Portfolio, be noted subject to the following:
- 2.1 **That** note be taken that when the pruning and removal of fallen trees at Blinkpan & Komati takes place the relevant department should liaise with the Ward Councillors.

- 2.2 **That** the Acting Executive Director: Infrastructure Services provide a list of where there has been maintenance of air conditioners in the Council buildings.
3. **THAT** the progress made with the achievement of key performance targets as determined by performance plans in respect of the Executive Directorate: Infrastructure Services, be noted subject to the following:
  - 3.1 **That** the Acting Executive Director: Infrastructure Services provide a list of all the new roads that will be constructed in the 2013/2014 financial year and that an inspection in loco be arranged at this sites.
4. **THAT** the report on vacant positions, be noted subject to the following:
  - 4.1 **That** it be investigated and a further report be submitted on the remarks in the report that Human Capital Management cannot locate the application forms for the vacancy of Worker Gr 2 (PED) at the Cemetery.
  - 4.2 **That** it be investigated and a further report be submitted on the remarks that according to Human Capital Management the candidates do no meet the requirements in respect of the vacancy for Worker Grade 3 (PED).
5. **THAT** the progress made with the implementation of capital projects and with the SDBIP in respect of the relevant Portfolio, be noted subject to the following:
  - 5.1 **That** it be noted that concerns were raised regarding the under-spending of capital projects by the Infrastructure Services Directorate.
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 Acting Executive Director: Infrastructure Services provided feedback as to whether the game at Botshabelo have been sold in respect of Council Resolution C07/09/2012.
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 subject to the following:
  - 8.1 **That** the sewer in the storm water drainage at Ward 14 be attended to as a matter of urgency.
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.

**M40/01/2014**

**COUNCIL ARRANGEMENTS: 11TH/2013 POLITICAL MONITORING COMMITTEE REPORT FOR THE ENVIRONMENTAL HEALTH, PUBLIC FACILITIES & CULTURAL SERVICES PORTFOLIO: NOVEMBER 2013**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities as reflected in the Monitoring Report performed during October 2013 within the relevant Portfolio, be noted subject to the following:
  - 1.1 **That** due to the fact that the Assistant Director: Youth Development does not report to this Committee, the Executive Director: Community Services be delegated to deal with sport related matters submitted before this Committee.
  - 1.2 **That** the Cultural Services Department be congratulated on the success of the "Go Green @ your Library" campaign and that this department be requested to assist in finding ways and means of attracting and encouraging the community to attend the Reading Club Sessions.
- 2 **THAT** the activities planned for November 2013 as mentioned in the Monitoring Report within the relevant Portfolio, be noted subject to the following:
  - 2.1 **That** the Environmental & Solid Waste Management Department be congratulated for the clearing of illegal dumping.
- 3 **THAT** the progress made as reflected in the Monitoring Report with the achievement of key performance targets as determined by performance plans in respect of the Executive Directorate: Community Services, be noted subject to the following:
  - 3.1 **That** with the performance assessment of the Executive Director: Community Services the relevant MMC for this Portfolio be involved with the assessment and not only the MMC for Corporate Services.
- 4 **THAT** the report in the Monitoring Report on vacant positions, be noted subject to the following:
  - 4.1 That the Office of the Municipal Manager be requested to fast-track the appointment of the Regional Environmental Health Practitioner.
- 5 **THAT** the progress made with the implementation of capital projects and with the SDBIP in respect of the relevant Portfolio, as mentioned in the Monitoring Report be noted.

- 6 **THAT** the progress made with the implementation of Council Resolutions referred to the Executive Directorate: Community Services, as indicated in the Monitoring Report be noted subject to the following:
- 6.1 That a list of employees who were subjected to medical examinations as per Resolution M30/09/2013 be made available.
- 7 **THAT** the report on the development of new policies and by-laws as reflected in the Monitoring Report within the relevant Portfolio, be noted.
- 8 **THAT** the responses provided by the Executive Directorate: Community Services in the Monitoring Report in respect of matters raised by Ward Committees, be noted.
- 9 **THAT** according to the Monitoring Report the progress made with the handling of matters raised by the MMC for Environmental Health, Public Facilities & Cultural Services regarding issues reported to him/her by Councillors and community members, be noted.
- 10 **THAT** responses by the Executive Directorate: Community Services as reflected in the Monitoring Report on matters raised in the complaint and suggestion boxes, be noted.

**M41/01/2014****FINANCES: ALLOCATION TO UPGRADE SPORT FACILITIES IN KWAZAMOKUHLE**  
2/4/3 (K)nm**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the content of the report by the Deputy Municipal Manager on the allocation of funds by the Nkangala District Municipality for Upgrading of Sport Facility in Kwazamokuhle, be noted.
2. **THAT** Nkangala District Municipality be requested to relocated the funds for the following projects at Kwazamokuhle:
  - 40% to provide additional mobile toilets structure with water sewage and additional taps to informal settlement. This will allow municipality to re-use them elsewhere in future.
  - 60% to to augment the funds allocated for the development of park Erf 1486 at Kwaza
3. **THAT** upon confirmation from the Nkangala District Municipality the proposed projects be included in the February 2014 adjustment budget.

M49/01/2014

**FINANCES: MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT: 2013/2014  
FINANCIAL YEAR**

5/1/4 (B)/ wm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** the mid-year budget and performance assessment as tabled by the Executive Director: Financial Services, be noted.
2. **THAT** the 2013/2014 Annual Budget be adjusted during February 2014.
3. **THAT** the Performance report attached as **ANNEXURE C** be noted and the targets be adjusted accordingly with the February adjustment budget.
4. **THAT** permission be granted to the Executive Director: Financial Services to submit the mid-year budget and performance assessment report be submitted to the Executive Mayor, the National and Provincial Treasury within five (5) working days after it was tabled to the Executive Mayor by 25 January 2014.
5. **THAT** permission be granted to the Executive Director: Financial Services to place the mid-year budget and performance assessment on the municipal website within five (5) working days after it was tabled to the Executive Mayor.

# REPORT OF THE

# SPECIAL

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

2014/01/24

SC53/01/2014

**BY-LAW ON THE HANGING OF POSTERS FOR THE PERIOD LEADING TO THE 2014 NATIONAL AND PROVINCIAL ELECTIONS**

1/3/1/3 (F)/iec

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council waive the payment of a deposit in respect of election advertisements for the period leading up to the 2014 National and Provincial Elections.

SC54/01/2014

**LAND: REQUEST FOR AN ERF TO DEVELOP A MULTI PURPOSE COMMUNITY CENTRE AND SHELTER FOR THE AGED : ROSEBUDS SERVICE CENTRE**

7/2/3/2/5 (L)/yb

**[MM 77738]**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that a portion of the Remainder of Portion 27 of the farm Middelburg Town and Townlands 287 JS measuring 10,000m<sup>2</sup> ("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 an unsolicited bid.
3. **THAT** the donation of the property for the development of a multi purpose community centre and shelter for the aged be approved subject to the following conditions:
  - 3.1 **That** the applicant be responsible for all town planning cost including subdivision, rezoning, geotechnical investigation and environmental impact assessment.
  - 3.2 **That** the applicant be responsible for bulk service contribution and connection costs and provide a deposit cover these expenses.
  - 3.3 **That** the applicant be responsible for sewer service or extension of such services at his own cost.
  - 3.4 **That** although the property is donated, the Council confirm that the market value of the property is R110 000.00 (One Hundred and Ten Thousand Rand) excluding VAT.
  - 3.5 **That** the applicant be responsible for main service and connection costs, as well as for all the town planning costs.
  - 3.6 **That** the donated portion of Portion 27 of the farm Middelburg Town and Townlands 287 JS be derecognized from the asset register.
  - 3.7 **That** the profit/loss from the sale be recognized in the statement of financial performance.

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- 3.8 **That** the property be utilised only for the home based care centre and related uses.
  - 3.9 **That** applicant bears the costs of registration of the property in its name.
  - 3.10 **That** the building plans be submitted by the applicant prior to any development taking place on the property.
  - 3.11 **That** the deed of donation be concluded between the applicant and the Council.
  - 3.12 **That** Council be granted permanent representation with full voting rights on the legal entity to which the property is to be transferred.
  - 3.13 **That** the remission of assessment rates be granted subject to the Council's Rates Policy.
  - 3.14 **That** should the property not be utilised for the purpose for which it was donated for a period of 6 (six) months or developed within a period of 36 (thirty six) months from the date of signing the deed of donation, the property shall revert to Council, which costs shall be for the account of the applicant.
  - 3.15 **That** should the property revert to Council, the applicant not be compensated for the improvements that have been effected.
  - 3.16 **That** all applicable policies in respect of the donation of immovable property be adhered to.
  - 3.17 **That** the applicant be requested to furnish the Council with documentary proof of the Organisation / Company that will provide funding for the building of the multi purpose community centre and shelter before a deed of donation can be concluded.
  - 3.18 **That** the property may not be sold to a third party or used for any other purposes in future.
4. **THAT** the donation 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 and Section 113 of the Municipal Finance Management Act 56 of 2003 and Section 44 of the Council's Supply Chain Management Policy.



SC55/01/2014

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

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

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council confirm that a portion of the Remainder of Portion 27 of the farm Middelburg Town and Townlands 287 JS measuring 3450m<sup>2</sup> in extent ("the property") 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 for parking purposes be approved subject to the following conditions:
  - 3.1 **That** the applicant be responsible for cost of rezoning, consolidation, subdivision, environmental impact assessment and geotechnical investigation.
  - 3.2 **That** the parking does not encroach the fountain.
  - 3.3 **That** the Executive Director : Infrastructure Services ensure that the property is only used for parking purposes.
  - 3.4 **That** the applicant should prior to any development place a cash deposit with the Council to cover the following costs:
    - Rezoning
    - Consolidation
    - Subdivision
    - Environmental Impact Assessment
    - Geotechnical Investigation
  - 3.5 **That** the market value of the property for parking purposes be determined at R200.00 (Two Hundred Rand) per square metre excluding VAT.
  - 3.6 **That** the following conditions be registered in the Deed of Transfer (Title Deed) of the property:
    - 3.6.1 **That** the subject property may not be sold to a third party without the consent of Council.
    - 3.6.2 **That** the subject property may only be used for parking purposes;
    - 3.6.3 **That** should an application be submitted for usage other than that of parking, the property be re-valued by Council and that the difference in value be paid by the applicant.

- 3.7 **That** should the property be utilised for business purpose then the market value of the property be determined at R300.00 (Three Hundred Rand) per square metre excluding VAT.
- 3.8 **That** the property be revalued should a transaction not be concluded within 12 months from the date of valuation (21/10/2013).
- 3.9 **That** proceeds received from the sale be allocated to vote number 935/501 (Land Trust Fund : Sale of Land : Middelburg Proper).
- 3.10 **That** the sold portion be derecognized from the asset register.
- 3.11 **That** the profit/loss from the sale be recognized in the statement of financial performance.
- 3.12 **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 56 of 2003 and Section 44 of the Council's Supply Chain Management Policy.
- 3.13 **That** Council Resolution C32/05/2007 be rescinded.

**SC56/01/2014****FINANCES: 2012/2013 DRAFT ANNUAL REPORT**

9/1/1 (B)/ wm

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

- 1 **THAT** the Annual Report for the 2012/13 financial year as submitted in terms of Section 127(2) of the Municipal Finance Management Act, 2003, be noted.
- 2 **THAT** in terms of Section 127 of the MFMA read with Section 21 of the Municipal Systems Act, the Annual Report -
- (a) Be made public for comment by the local community;
  - (b) Be submitted to the Auditor-General, the Provincial Finance Department and the Provincial Department responsible for Local Government.
- 3 **THAT** the Draft Annual Report also be submitted to the Municipal Public Accounts Committee (MPAC) for recommendations to Council when the oversight report on the annual report is considered.