

**C48/01/2017**

**CONFIRMATION OF IMPLEMENTATION OF CORPORATE SOCIAL INVESTMENT  
PROJECTS BY ESKOM KUSILE POWER STATION**

5/16/1; 17/2/1/1 (T)

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the report by the Acting Executive Director: Infrastructure Services, be noted.
2. **THAT** Council approve the Corporate Social Investment projects to be implemented by Eskom Kusile Power Station on condition that scope of works shall be approved by the Acting Municipal Manager.
3. **THAT** Council approve in principle the location of the Community Health Centre on Erf 1095, Newtown.
4. **THAT** a further report be submitted in terms of the alienation in line with the prescripts of the Municipal Asset Transfer Regulations and the MFMA.
5. **THAT** the fair market value of Erf 1095, Newtown be determined by the municipal valuer.
6. **THAT** Eskom provide the Municipality with detailed plans and costs for the refurbishments of Council facilities, Themba Senamela and Kwazamokuhle Stadium to include the projects in the municipal budget.
7. **THAT** Eskom, on completion, handover of the projects provide the componentized assets with final cost and a list of assets replaced in order for same to be written off.
8. **THAT** a Memorandum of Agreement for the implementation of the projects be entered into between the Municipality and Eskom.
9. **THAT** the community health facility be designed and sited on the stand in such a way that the property can be subdivided and transferred by the Municipality if required in future.

**C50/01/2017**

**FINANCES: SUPPLY CHAIN MANAGEMENT: MONTHLY REPORT: SECTION 40  
REPORT FOR DECEMBER 2016**

9/2/2 (M) /mm

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the monthly deviation report in terms of Section 40 of the Supply Chain Management for December 2016 as submitted by the Executive Director: Financial Services, be noted.
2. **THAT** the deviation report for December 2016 be reported in the Annual Financial Statements.

**C51/01/2017**

**REPORTS: 2015/16 ANNUAL REPORT**

9/1/1 (S) /mm

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the Annual Report for the 2015/16 financial year as submitted in terms of Section 127(2) of the Municipal Finance Management Act, 2003, be noted.
2. **THAT** an Audit Action Plan be prepared and submitted to Council for consideration.
3. **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 and relevant stakeholders.
  - (b) Be submitted to MPAC for oversight.
  - (c) Be further submitted to Council for final adoption thereafter, submitted to the Auditor-General, the Provincial Finance Department and the Provincial Department responsible for Local Government.

**C61/01/2017**

**FINANCES: AUDIT ACTION PLAN FOR 2016/2017 FINANCIAL YEAR**

5/14/1 (B)/mm

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the attached Audit Action Plan for 2016/2017.
2. **THAT** Council take note of the remedial actions/activities from the 2014/2016 final management letter to be undertaken to address weakness identified.

**C65/01/2017**

**FINANCES: FINANCIAL QUARTERLY REPORT: DECEMBER 2016**

9/2/1 (B) /dp

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the quarterly report 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 2016, 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 report on the municipal website for the quarter ending 31 December 2016.

C67/01/2017

**POLICY: POLICY FOR THE CONSIDERATION, APPROVAL AND GRANTING OF CONSENT IN TERMS OF SECTION 14 OF THE STEVE TSHWETE LOCAL MUNICIPALITY AERODROME BY-LAWS**

7/1/P (T)/yb

[MM 120847, 120573, 121024, 121095, 121216]

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the report by the Acting Executive Director: Corporate Services, be noted.
2. **THAT** the consideration and approval of applications to engage in a trade within the boundaries of the Middelburg Aerodrome and the provision of such written consent in terms of Section 14 of the Aerodrome By-laws be delegated to the Municipal Manager, Executive Director: Corporate Services and the Director: Legal and Administration or any official duly acting in such capacity.
3. **THAT** all consents to engage in a trade of whatever nature, be subject to the following general conditions:
  - 3.1 **That** the trade to be engaged in is aviation related.
  - 3.2 **That** the applicant only be permitted to engage in the trade in respect of which his/her/its application was approved and should the applicant wish to amend or add to the trade permitted, it/he/she will have to submit a new application to the Municipality for consideration in terms of this Policy.
  - 3.3 **That** the applicant must be the lessee of a hangar stand or portion of the Middelburg Aerodrome in terms of a written Lease Agreement entered into with the Municipality.
  - 3.4 **That** the applicant and all of its/his/her members, directors, employees, instructors, students and any other person permitted access to the Middelburg Aerodrome by the applicant or its agent in the course of its business or trade, whether such person is engaged with the trade of the applicant on a full-time or part-time basis, shall join and/or be members of the Middelburg Aero Club in good standing.
  - 3.5 **That** the applicant will ensure that the Club- and hangarage fees are paid up at all times.
  - 3.6 **That** the applicant and all of its members, directors, employees, instructors, students and any other person permitted access to the Middelburg Aerodrome by the applicant or its agent, shall at all times comply with the conditions and provisions set by the Laws of the Republic of South Africa, the Steve Tshwete Local Municipality Aerodrome- and other applicable By-laws, the South African Civil Aviation Authority, the Civil Aviation Act and all regulations there under, the Middelburg Aero Club's Constitution and Rules and all Health and Safety Standards prescribed by law, regulation or policy.
  - 3.7 **That** the applicant shall, if necessary, demarcate a specific area for parking as approved by the Middelburg Aero Club or the Middelburg Airfield Controlling Body.

- 3.8 **That** the Municipality shall not be responsible for any damage of any kind whatsoever caused to any hangar or contents thereof, structure or contents thereof, aircraft, terrain, bodily harm or death resulting from the applicant's activities on the Aerodrome;
- 3.9 **That** the applicant shall indemnify the Municipality for any claim of damage, injuries or loss of life as a result of damages to property or injuries incurred by any person arising from the applicant's activities on the Aerodrome.
- 3.10 **That** such consent to engage in a trade granted in terms hereof will only be valid for the period of duration of the applicant's lease agreement with the Municipality in respect of a hangar stand or portion of the Middelburg Aerodrome.
- 3.11 **That** the Municipal Manager, Deputy Municipal Manager, Executive Director: Corporate Services or the Director: Legal and Administration or any official duly acting in such capacity be authorized to impose in his/her discretion any additional condition/-s when considering the application.
- 3.12 **That** it be noted that the water supply to the Aerodrome and the hangers is limited to the yield of the one and only borehole on the site.
- 3.13 **That** it be noted that the Municipality is not responsible for the provision of any sanitation facilities at the hangers or for any event.
- 3.14 **That** all structures comply with the deemed to satisfy rules as stipulated in the SANS 10400: T-section.
- 3.15 **That** all flammable storage facilities comply with the safety requirements as contained in the SANS 10087 and SANS 10089.
- 3.16 **That** prior to the issuing of business licenses or consent to engage in trade, the Department: Emergency Services conduct a fire prevention inspection to ensure compliance.
- 3.17 **That** all occupants and/or applicants comply with the By-laws relating to Fire Services and Petroleum Products.
4. **THAT** consents to engage in any of the trades listed below, be subject to the following respective special conditions and/or the condition that the following respective valid certificates and/or approvals have been issued to the applicant and a copy thereof furnished to the Municipality:
- 4.1 Flight or Flight Training Schools:
- Approval and Certification from the South African Civil Aviation Authority (hereinafter referred to as the "CAA").

#### 4.2 Crop Spraying:

- Air Service License from the Air Services Licensing Council - AOC License from CAA;
- Part 127 Operating Certificate (Helicopters);
- Part 135 Operating Certificate (Fixed wing aircrafts); and
- Necessary / Required registration with the Department of Agriculture for the holding of pesticide applicators number.

#### 4.3 Maintenance of Aircrafts:

- Aircraft Maintenance Organisation Approval Certificate.

#### 4.4 Manufacturing of Aircrafts:

- Approval Certificate from CAA.

#### 4.5 Charter Companies:

- Air Service License – AOC Licence from CAA;
- Approval Certificate from CAA.

#### 4.6 Storing and selling of aircraft fuel:

- The applicant may erect a fuel tank/s and operate same for commercial use in relation to aircrafts only and for no other purpose.
- The applicant will only be entitled to store fuel on the aerodrome in such a manner as prescribed by the Director: Civil Engineering Services and/or the Executive Director: Infrastructure in writing, subject to the provisions of any appropriate legislation and the South African Civil Aviation Authority.
- The applicant shall provide a fire extinguisher on the leased stand or portion, to the satisfaction of the Director: Civil Engineering Services and/or Executive Director: Infrastructure and the Fire Department of the Steve Tshwete Local Municipality.

**C68/01/2017**

**FINANCES: MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT: 2016/2017**  
**FINANCIAL YEAR**

5/1/10 (S)

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

1. **THAT** the Mid-year Budget and Performance Assessment 2016/2017 as tabled by the Executive Director: Financial Services, be noted.
2. **THAT** the comments by the Director: Development & Strategic Support on 2016/17 Mid-year Performance Report and in relation to the 2016/2017 Key Performance Indicators and targets of the Steve Tshwete Local Municipality, be noted.

3. **THAT** the adjusted Mid-term Performance Report takes effect as from the third quarter of 2016/2017.
4. **THAT** all adjusted pre-determined objectives, indicators and annual targets be noted and an adjusted corporate plan with three year projected target be submitted to Council for consideration.
5. **THAT** the Performance Report attached as ANNEXURE B, be noted and the targets be adjusted accordingly with the February adjustment budget.
6. **THAT** the adjusted performance targets be aligned to the adjusted SDBIP.
7. **THAT** permission be granted to the Executive Director: Financial Services to submit the Mid-year Budget and Performance Assessment report to the Executive Mayor, the National and Provincial Treasury within five (5) workings days after it was tabled to the Executive Mayor by 25 January 2017.
8. **THAT** permission be granted to the Executive Director: Financial Services to place the Mid-year Budget and Performance Assessment Report on the municipal website within five (5) working days after it was tabled to the Executive Mayor.

**C69/01/2017**

**DELEGATIONS: SIGNING OF DOCUMENTS ON BEHALF OF COUNCIL**

**2/2/2/1 & 2/2/2/2 (T)**

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** Council Resolution C47/01/2014, be confirmed.
2. **THAT** the Municipal Manager or Deputy Municipal Manager or the Executive Director: Corporate Services or the Director: Legal and Administration be authorized to sign municipal bidding documents, service level agreements or any other agreement pertaining to the supply, delivery or rendering of goods or services on behalf of the Steve Tshwete Local Municipality.
3. **THAT** any municipal official acting in a position delegated to sign documents on behalf of Council in terms of Resolution C47/01/2014 be authorised to sign the documents set out in Resolution C47/01/2014 as well as 4.2 above.

C70/01/2017

**LAND: PROPOSAL TO PURCHASE SERVICED STANDS AT ROCKDALE AND SIKHULULIWE VILLAGES**

7/2/3/2/15 (F)/mm

**RECOMMENDATION BY THE EXECUTIVE MAYOR**

1. **THAT** the report by the Acting Executive Director: Infrastructure Service be noted.
2. **THAT** Council confirm that erven 2733, 2770 to 2781 and 2927 to 2933 Rockdale Extension 2 are not needed to render the basic level of municipal services and will not be required for the Municipality's own use at a later date.
3. **THAT** the Accounting Officer be authorized to alienate the abovementioned properties as an unsolicited bids in terms of Section 41 of the Council's Supply Chain Management Policy at the market values as determined by the Director: Property and Valuation Services.
4. **THAT** the application to purchase 20 stands and build 20 houses for purposes of relocating families from the farms on which Coal Mine will conduct its mining operations be approved subject to the following conditions:
  - 4.1 **That** a Deed of Sale be concluded with the applicant.
  - 4.2 **That** the cost to create the identified properties in Rockdale and Mafube Village be determined as follows:

<b>ERF</b>	<b>AREA</b>	<b>COST TO CREATE SERVICED</b>
<b>NUMBER</b>	<b>(m<sup>2</sup>)</b>	<b>ERVEN (EXCLUDING VAT)</b>
2770	363	R 34, 500.00
2771	363	R 34, 500.00
2772	363	R 34, 500.00
2773	363	R 34, 500.00
2774	363	R 34, 500.00
2775	363	R 34, 500.00
2776	363	R 34, 500.00
2777	363	R 34, 500.00
2778	363	R 34, 500.00
2779	363	R 34, 500.00
2780	363	R 34, 500.00
2781	363	R 34, 500.00
2928	379	R 35, 500.00
2929	379	R 35, 500.00
2930	379	R 35, 500.00
2931	379	R 35, 500.00
2932	379	R 35, 500.00
2933	379	R 35, 500.00

23	1176	R 33, 600.00
24	1176	R 33, 600.00

- 4.3 **That** the cost to create serviced erven be reviewed should a transaction not be concluded within 12 months from the date of the Council Resolution.
- 4.4 **That** the applicant shall be responsible for any conceivable costs which may emanate from the sale of the properties, including all transfer, advertisement and town planning costs.
- 4.5 **That** the properties only be used for purposes of erecting residential dwellings for the relocation of the occupants of the area to be mined by the applicant.
- 4.6 **That** the purchase price be paid in cash as determined in terms of the Council's Supply Chain Management Policy.
- 4.7 **That** the mine be responsible for the water, sewer and electricity connection fees.
- 4.8 **That** each beneficiary open a consumer account once the houses are completed.
- 4.9 **That** the mine be required to develop park Erf 3065 Rockdale into an active play park for the children.
5. **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 Municipal Systems Act 32 of 2000 as amended, Section 113 of the Municipal Finance Management Act 56 of 2003 and Section 41 of the Council's Supply Chain Management Policy.
6. **THAT** the expected gain of R690 785,00 be recognized in the statement of financial performance.
7. **THAT** the properties be disposed from the asset register once the Deed of Sale is concluded.
8. **THAT** the properties be de-recognized from the asset register and the profit/loss be responded in the statement of financial performance.
9. **THAT** the applicant to donate 4 completed houses to be allocated to the beneficiary



# Delegated powers

M06/01/2016

**COUNCIL ARRANGEMENTS: 02<sup>ND</sup>/2016 POLITICAL MONITORING COMMITTEE  
REPORT FOR THE INFRASTRUCTURE DEVELOPMENT SERVICES PORTFOLIO:  
DECEMBER 2016**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities planned for December 2016 & January 2017 within the relevant Portfolio, be noted subject to the following:
  - 1.1 **That** it be noted that the Infrastructure Services Directorate has identified challenges with ageing infrastructure within the Steve Tshwete Local Municipality MP313 area and systems are in place to gradually address this matter.
- 2 **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:
  - 2.1 **That** a detailed description be given of all the roads to be resealed when updating the performance plan.
- 3 **THAT** the report on vacant positions, be noted subject to the following:
  - 3.1. **That** note be taken that the Committee raised concerns with regards to the misplaced application forms for the position of Worker Grade 3: Sewerage Post ID 5355 and that this matter be referred to the Acting Municipal Manager for investigation and appropriate action.
- 4 **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:
  - 4.1 **That** note be taken that the Directorate was urged to speedily implement capital projects for the benefit of the community.
- 5 **THAT** progress made with the implementation of Council Resolutions referred to the Executive Directorate: Infrastructure Services, be noted subject to the following:
  - 5.1 **That** due to the need for cemeteries in the Steve Tshwete Local Municipality MP313 area, implementation of resolution C25/11/2013 on the identification of possible cemetery land be fast tracked.
- 6 **THAT** it be noted that the Ward Committees have not yet been established.
- 7 **THAT** the matters raised in complaint and suggestion boxes within the relevant Portfolio, be noted.

**M07/01/2017**

**COUNCIL ARRANGEMENTS: 02<sup>ND</sup>/2016 POLITICAL MONITORING COMMITTEE  
REPORT FOR THE COMMUNITY SAFETY PORTFOLIO: DECEMBER 2016**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities planned for December 2016 and January 2017 within the relevant Portfolio, be noted subject to the following:
  - 1.1 **That** with the closing of business, all Community Members already in the queue within a Municipal Office, be assisted and not send home.
  - 1.2 **That** note be taken that the Traffic Department was congratulated for the planned traffic operations to be conducted during the festive period.
- 2 **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.
- 3 **THAT** the report on vacant positions, be noted subject to the following:
  - 3.1 **That** note be taken that the Directorate was congratulated for filling of vacant positions.
- 4 **THAT** the progress made with the implementation of capital projects and with the SDBIP in respect of the relevant Portfolio, be noted.
- 5 **THAT** progress made with the implementation of Council Resolutions referred to the Executive Directorate: Community Services, be noted subject to the following:
  - 5.1 **That** due to the number of incidents involving traffic officers, training on anger management be conducted regularly.
- 6 **THAT** it be noted that the Ward Committees have not yet been established.
- 7 **THAT** the responses as indicated in the monitoring report by the Executive Directorate: Community Services on matters raised in complaint and suggestion boxes, be noted.

**M08/01/2016**

**COUNCIL ARRANGEMENTS: 02<sup>ND</sup>/2016 POLITICAL MONITORING COMMITTEE  
REPORT FOR THE SPATIAL DEVELOPMENT & HUMAN SETTLEMENT PORTFOLIO:  
DECEMBER 2016**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities planned for December 2016 & January 2017 within the relevant Portfolio, be noted subject to the following:

1.1 That the Infrastructure Services Directorate be requested to fast track the finalisation of an item to Council on the application for a site to establish a boxing club

2 THAT the progress made with the achievement of key performance targets as determined by performance plans in respect of the Executive Directorate: Community Services and Executive Directorate: Infrastructure Services, be noted.

3 THAT the report on vacant positions, be noted.

4 THAT the progress made with the implementation of capital projects and with the SDBIP in respect of the relevant Portfolio, be noted.

5 THAT progress made with the implementation of Council Resolutions referred to the Executive Directorate: Community Services and Executive Directorate: Infrastructure Services, be noted subject to the following:

5.1 That the Committee raised concerns with delays in the implementation of Council Resolutions and requested that the implementation of these resolutions be prioritised

6 THAT it be noted that the Ward Committees have not yet been established.

7 THAT the responses as indicated in the monitoring report by the relevant Portfolio on matters raised in complaint and suggestion boxes, be noted subject to the following:

7.1 That note be taken that Members of the Committee raised concerns regarding officials who are unavailable at the Housing Department to assist Members of the Community.

M09/01/2017

**COUNCIL ARRANGEMENTS: 02<sup>ND</sup>/2016 POLITICAL MONITORING COMMITTEE REPORT FOR THE CORPORATE & SUPPORT SERVICES PORTFOLIO: DECEMBER 2016**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

1 THAT the activities planned for December 2016 & January 2017 within the relevant Portfolio, be noted.

2 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.

3 THAT the report on vacant positions, be noted.

4 THAT the progress made with the implementation of capital projects and with the SDBIP in respect of the relevant Portfolio, be noted.

5 **THAT** progress made with the implementation of Council Resolutions referred to the Executive Directorate: Corporate Services, be noted subject to the following:

5.1 **That** the Committee raised concerns with delays in the implementation of Council Resolutions and requested that implementation of these resolutions be prioritised

6 **THAT** it be noted that only 27 Ward Committees have been established and 2 is outstanding.

7 **THAT** the responses as indicated in the monitoring report by the Executive Directorate: Corporate Services on matters raised in complaint and suggestion boxes, be noted.

**M10/01/2017**

**COUNCIL ARRANGEMENTS: 02<sup>ND</sup>/2016 POLITICAL MONITORING COMMITTEE REPORT FOR THE FINANCIAL SERVICES PORTFOLIO: DECEMBER 2016**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

1 **THAT** the activities planned for December 2016 and January 2017 within the relevant Portfolio, be noted subject to the following:

1.1 **That** the word January 2016 be corrected to January 2017 on the activity report

2 **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.

3 **THAT** the report on vacant positions, be noted subject to the following:

3.1 **That** the Directorate to address challenges with the filling of vacant positions and ensure that appointment of personnel is fast tracked as well as to provide correct information when compiling the report.

4 **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:

4.1 **That** the word *deviation* be replaced with *evaluation* under remarks/progress for the purchasing of furniture & office equipment.

5 **THAT** progress made with the implementation of Council Resolutions referred to the Executive Directorate: Financial Services, be noted subject to the following:

5.1 **That** the Committee raised concerns with delays in the implementation of Council Resolutions and requested that the implementation of these resolutions be prioritized.

6 **THAT** it be noted that the Ward Committees have not yet been established.

7 **THAT** the responses as indicated in the monitoring report by the Executive Directorate: Financial Services on matters raised in complaint and suggestion boxes, be noted