

# Delegated powers

**M03/03/2017**

**LAND: PROPOSED DEVELOPMENT OF ABLUTION BLOCKS ON ERF 1105 EASTDENE SHOPPING CENTRE**

7/2/3/2/6 (F)/yb

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the report by the Acting Executive Director: Corporate Services and not approve the application on the following grounds:
  - 1.1 The above-mentioned facilities are fully utilized by consumers visiting Eastdene Shopping Centre.

**M05/03/2017**

**RESCINDING OF RESOLUTIONS M36/10/2013, M13/01/2014 AND M25/01/2015**

3/2/1/3 (F)/mm

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the report by the Acting Executive Director: Infrastructure Services.
2. **THAT** Resolutions M13/01/2014, M25/01/2015 and M36/10/2013, be rescinded.

**M06/03/2017**

**ELECTRICITY DISTRIBUTION NETWORK MASTER PLAN**

16/2/R (F)/yb

**RESOLVED BY THE EXECUTIVE MAYOR**

1. **THAT** Council take note of the report by Acting Executive Director: Infrastructure Services.
2. **THAT** the Electrical Distribution Network Master Plan and Reburshment Plan attached as **ANNEXURE A & B**, be noted.
3. **THAT** the budget be prioritised to address the current and future challenges as set out in the documentations.
4. **THAT** the Director: Electrical Engineering Services assess the relevance of this master plan from time to time and review when required or every five years whichever comes first.
5. **THAT** a business case be developed taking into account the effect on municipal electricity tariffs on how to implement the proposed capital outlay within affordable limits.

M12/03/2017

**LAND: EXPRESSION OF INTEREST TO LEASE A PORTION OF ERF 5164, PORTION 1 OF ERF 158, THE REMAINDER OF ERF 158 AND THE REMAINDER OF ERF 157 MIDDELBURG FOR UPGRADING / DEVELOPMENT OF THE TAXI RANK**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the report by the Acting Executive Director: Corporate Services, be noted.
- 2 **THAT** Council take a principle decision that it can only consider the proposal once the following has been submitted by the applicant:
  - 2.1 A detailed feasibility study on the viability of the retail centre, with specific regard to:
    - 2.1.1 The availability of space for taxi's;
    - 2.1.2 The provision of additional parking bays in relation to the gross leasable area of the retail space;
    - 2.1.3 Economic viability; and
    - 2.1.4 Any other factors as prescribed in the Municipal Public-Private Partnership Regulations.
  - 2.2 A concept site development plan.
- 3 **THAT** the information required / requested from the applicant be submitted to the Municipality at the applicant's risk and costs.
- 4 **THAT** once the required / requested information has been submitted, a further report be submitted to Council for consideration with regard to the following amongst others:
  - 4.1 The feasibility study and concept site development plans from the applicant.
  - 4.2 The value of the property in question.
  - 4.3 The manner in which the funding reserved for the Municipality for the development of the multi modal transport facility can be incorporated in the proposed project.
  - 4.4 The input of the current lessees of the identified properties and the possible continuation and/or integration of the lease agreements in light of the proposed project.
  - 4.5 The requirements to be met and factors to be considered by Council in terms of applicable legislation, including *inter alia* the Municipal Finance Management Act, the Municipal Asset Transfer Regulations and the Municipal Public-Private Partnership Regulations.
  - 4.6 The plausibility of the possible alienation of the identified properties as opposed to the leasing thereof.

**M13/03/2017**

**LAND: APPLICATION TO PURCHASE A PORTION OF THE REMAINDER OF ERF 9058  
MHLUZI EXT 6 FOR PRE-SCHOOL PURPOSES**

7/2/3/2/3; 17/2/1/2 (T)/yb

**RESOLVED BY THE EXECUTIVE MAYOR**

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

**M14/03/2017**

**LAND: APPLICATION FOR A PORTION OF THE REMAINDER OF ERF 9058 MHLUZI  
EXTENSION 06 FOR DAY CARE PURPOSES**

7/2/3/2/3; 17/2/1/2 (T)/yb

**RESOLVED BY THE EXECUTIVE MAYOR**

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

**M21/03/2017**

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

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

**RESOLVED BY THE EXECUTIVE MAYOR**

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

**M22/03/2017**

**COUNCIL ARRANGEMENTS: 01<sup>ST</sup>/2017 POLITICAL MONITORING COMMITTEE  
REPORT FOR THE COMMUNITY SAFETY PORTFOLIO: FEBRUARY 2017**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 THAT the activities planned for February & March 2017 within the relevant Portfolio, be noted, subject to the following:
  - 1.1 That the Executive Director: Community Services be requested to review the Discharge of Fireworks By-laws and submit a further report to Council.
  - 1.2 That a written progress report on the money which was stolen at the Licensing Department inclusive of the SAPS report, be provided to Council.

- 2 **THAT** the progress made with the achievement of key performance targets as determined by performance plans in respect of the Executive Director: Community 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 subject to the following:
  - 4.1 **That** concerns were raised regarding the lack of detail being provided when giving progress with regards to the SDBIP.
- 5 **THAT** progress made with the implementation of Council Resolutions referred to the relevant Portfolio, be noted subject to the following:
  - 5.1 **That** the workshop for Councillors and stakeholders regarding By-laws Act "Selling of Liquor to Public" be arranged as per Resolution C07/11/2015.
  - 5.2 **That** the Committee raised concerns with delays in the implementation of Council Resolutions and requested that implementation of these resolutions be prioritized.
6. **THAT** it be noted that the Ward Committees have been established however the verification of Ward Members is still in process.
- 7 **THAT** the responses as indicated in the monitoring report by the relevant Portfolio on matters raised in complaint and suggestion boxes, be noted.

**M23/03/2017**

**COUNCIL ARRANGEMENTS: 01<sup>ST</sup>/2017 POLITICAL MONITORING COMMITTEE  
REPORT FOR THE CORPORATE AND SUPPORT SERVICES PORTFOLIO:  
FEBRUARY 2017**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities planned for February & March 2017 within the relevant Portfolio, be noted subject to the following:
  - 1.1 **That** all Councillors be included to participate in all Wellness Programmes within the Municipality.
- 2 **THAT** the progress made with the achievement of key performance targets as determined by performance plans in respect of the Executive Director: Corporate Services, be noted.
- 3 **THAT** the report on vacant positions, be noted subject to the following:

- 3.1 **That** a comprehensive report be provided to Council on the status of all 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 relevant Portfolio, be noted subject to the following:
- 5.1 **That** all outstanding Resolutions from 2012 to 2014 be implemented and removed from the report.
- 5.2 **That** the final revised organizational structure be tabled at the Council Meeting scheduled to take place on 28 March 2017.
- 6 **THAT** it be noted that the Ward Committees have been established however still busy with the verification process of Ward Members.
- 7 **THAT** the responses as indicated in the monitoring report by the relevant Portfolio on matters raised in complaint and suggestion boxes, be noted.

**M24/03/2017**

**COUNCIL ARRANGEMENTS: 01<sup>ST</sup>/2017 POLITICAL MONITORING COMMITTEE  
REPORT FOR THE FINANCIAL SERVICES PORTFOLIO: FEBRUARY 2017**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities planned for February & March 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 Director: Financial Services, be noted.
- 3 **THAT** the report on vacant positions, be noted subject to the following:
- 3.1 **That** the filling of vacant positions within the relevant Directorate be fast tracked.
- 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 relevant Portfolio, be noted subject to the following:
- 5.1 **That** more be done to create awareness for both Councillors and the community with regards to the implementation of the water restrictions, which should include a comprehensive understanding of the tariffs and the implementation of fines.

- 6 THAT it be noted that the Ward Committees have been established however the verification of Ward Members is still in process.
- 7 THAT the responses as indicated in the monitoring report by the relevant Portfolio on matters raised in complaint and suggestion boxes, be noted.

**M25/03/2017**

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

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 THAT the report by the Acting Executive Director: Corporate Services, be noted.
- 2 THAT the application not be approved for reasons stated in the report.
3. THAT an investigation regarding alternative land be done and a further report be submitted.

**M26/03/2017**

**FINANCES: ANNUAL GRANT TO MIDDELBURG SPCA: 2016/2017 FINANCIAL YEAR**

5/16/2 (B) /dp

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 THAT the grant funding for the amount of R750 000,00 as budgeted for under Vote number 130/595 be paid to Middelburg SPCA for the running of a Municipal Domestic Pound.
- 2 THAT the Middelburg SPCA submits 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)(iv) of the MFMA.

**M27/03/2017**

**COUNCIL ARRANGEMENTS: 01<sup>ST</sup>/2017 POLITICAL MONITORING COMMITTEE REPORT FOR THE SPATIAL DEVELOPMENT & HUMAN SETTLEMENT PORTFOLIO: FEBRUARY 2017**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 THAT the activities planned for February & March 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 Director: Community Services and Executive Director: 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 subject to the following:
  - 4.1 **That** concerns were raised regarding the lack of detail being provided when giving progress with regards to SDBIP.
  - 4.2 **That** a detailed report be provided to the Council on the Township Establishment for Newtown and Township Development Kwaza Ext. 9 on Vaalbank 177 IS.
- 5 **THAT** progress made with the implementation of Council Resolutions referred to the relevant Portfolio, be noted.
- 6 **THAT** note be taken that there are no matters raised by Ward Committee's as yet, however the following matter was raised:
  - 6.1 **That** members of the Community be advised during Ward Committee meetings to update their personal information at the Housing Department.
- 7 **THAT** the responses as indicated in the monitoring report by the relevant Portfolio on matters raised in complaint and suggestion boxes, be noted.

**M28/03/2017**

**COUNCIL ARRANGEMENTS: 01<sup>ST</sup>/2017 POLITICAL MONITORING COMMITTEE  
REPORT FOR THE INFRASTRUCTURE DEVELOPMENT SERVICES PORTFOLIO:  
FEBRUARY 2017**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities planned for February & March 2017 within the relevant Portfolio, be noted subject to the following:
  - 1.1 **That** investigations be done regarding the reasons for faulty street lights and that a comprehensive report be submitted to Council to rectify the situation.
- 2 **THAT** the progress made with the achievement of key performance targets as determined by performance plans in respect of the Executive Director: Infrastructure Services, be noted subject to the following:
  - 2.1 **That** an assessment be conducted on all soccer fields and that the possibility be considered to change graded fields into grass fields.
- 3 **THAT** the report on vacant positions, be noted subject to the following:



- 3.1 That the filling of vacant posts within the Directorate be fast tracked.
- 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 relevant Portfolio, be noted subject to the following:
- 5.1 That note be taken that a progress report on the identification on possible suitable land (C25/11/2013) will serve before Council during March 2017.
- 6 THAT it be noted that the Ward Committees have been established however still busy with the verification process of Ward Members.
- 7 THAT the matters raised in complaint and suggestion boxes within the relevant Portfolio, be noted.

**M29/03/2017**

**REGULATIONS TO PHASE-OUT THE USE OF PCB MATERIALS AND PCB CONTAMINATED MATERIALS: GOVERNMENT GAZETTE NO 37818**

8/1/2 (C)/yb

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 THAT Council take note of the report by Acting Executive Director: Infrastructure Services.
- 2 THAT the budget be prioritised to comply with Government Gazette No.37818.
- 3 THAT Electrical Engineering Services department be given permission to conduct oil sampling test on Municipal assets
- 4 THAT after conducting oil sampling test on Municipal assets, each respective department shall ensure implementation of the mitigation factor and budget thereof.
- 5 THAT a letter be send to all private developers having these equipment so that they can comply.
- 6 THAT the private developers carry all the cost for oil sampling test and implementation of corrective measures.
- 7 THAT phase-out time frames only be set after receipt of the oil sampling test report and taking into account budgetary implications.
- 8 THAT the Infrastructure Services must ensure public involvement and acceptance so that the PCB holders' data base is regularly updated and the private developers are informed about the regulations.

- 9 **THAT** the phase-out plan must also include an operational and transportation plan to ensure that no contamination/spillages takes place when the PCB's are transported to the disposal site and to the accredited laboratory.
- 10 **THAT** the relevant departments identify savings within their budget votes to conduct the oil testing or alternatively refer it to the 2017/2018 budget process.
- 11 **THAT**, based on the results, the replacement of the equipment be phased in to meet the 2023 targeted year.

**M30/03/2017**

**COUNCIL ARRANGEMENTS: REPORT ON WARD COMMITTEE AND COMMUNITY MEETINGS: FEBRUARY 2017**

3/2/6/2 (S)

**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 24 January 2017.

**M31/03/2017**

**COUNCIL ARRANGEMENTS: 01<sup>ST</sup>/2017 POLITICAL MONITORING COMMITTEE REPORT FOR THE ARTS, CULTURE & ENVIRONMENTAL HEALTH PORTFOLIO: FEBRUARY 2017**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** the activities planned for February & March 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 Director: 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 incorrect dates included in the report with regards to Worker Grade 3 Hendrina and Vehicle Driver Grade 2 Hendrina will be rectified and filled accordingly.
- 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 relevant Portfolio, be noted subject to the following:

- 5.1 That a possible study on Garden Waste Collection in terms of Section 78 of the Municipal Systems Act be referred to a forthcoming budget for consideration.
  - 5.2 That the implementation of all Council Resolutions be prioritized.
  - 5.3 That the decision to rescind Resolutions M12/11/2013 and M22/11/2015 per Resolution C21/11/2016 be re-confirmed.
  - 5.4 That due to the fact that the naming and re-naming of facilities is not the function of the Section 79 Committees, the renaming of Middelburg Town be referred to the Local Geographical Names Committee established in terms of Resolution SC02/02/2017 for consideration.
- 6 THAT it be noted that the Ward Committees have been established however the verification of Ward Members is still in process.
- 7 THAT the responses as indicated in the monitoring report by the relevant Portfolio on matters raised in complaint and suggestion boxes, be noted.

**M36/03/2017**

**FINANCES: UNIFORM FINANCIAL RATIOS AND NORMS**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

1. THAT Council note the implementation of the Uniform Financial Ratios and Norms.

**M37/03/2017**

**LAND: OBJECTION HEARING: APPLICATION TO PURCHASE A PORTION OF THE  
REMAINDER OF PORTION 148 OF THE FARM MIDDELBURG TOWN AND TOWNLANDS  
287 JS FOR MIXED USE RESIDENTIAL DEVELOPMENT**

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

**RESOLVED BY THE EXECUTIVE MAYOR**

1. THAT the objection hearing concerning the application to purchase a portion of the Remainder of Portion 148 of the farm Middelburg Town and Townlands 287 JS, be arranged.

**M38/03/2017**

**LANG SUBSTATION INCIDENT**

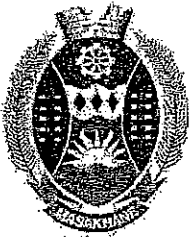
8/1/1; 16/2/3 (U)/mm

**RESOLVED BY THE EXECUTIVE MAYOR**

- 1 **THAT** Council take note of the report by the Acting Executive Director: Infrastructure Services.
- 2 **THAT** note be taken that the repair cost was considered with the February 2017 Adjustment Budget.
- 3 **THAT** the future upgrade cost for Lang Substation be referred to the 2018/2019 budget.

**ANNEXURE A** of the Report by the Speaker in terms of the Appeal submitted by Ald R M Xaba under the heading:

**“ APPLICATIONS AND APPEALS  
FROM COUNCILLORS IN TERMS OF  
RULES 14(1), 66 AND 71 ”**



# STEVE TSHWETE LOCAL MUNICIPALITY

The Speaker

## APPLICATION FOR LEAVE OF ABSENCE IN TERMS OF SECTION 13(1) OF THE RULES OF ORDER

I, Cllr R. M. XABA wish to apply for leave from the following meeting:\*

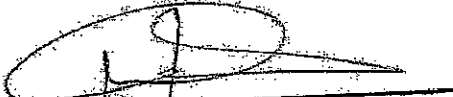
Meeting: SAFETY COMMITTEE PORTFOLIO

Date of meeting: 06 DECEMBER 2016

Due to the under mentioned:

Reason: Due to other rotational deployment to Victor Khanya

Yours faithfully

  
SIGNATURE OF COUNCILLOR

12/02/2016  
DATE

10:00  
TIME

\*Kindly note that this application must be submitted at least 6 hours prior to the meeting and may be submitted as follows:

Per Hand - Records Office, 2nd Floor, Civic Centre, Middelburg  
Fax - 013-243 2550  
Email - [leave@stevetshweteim.gov.za](mailto:leave@stevetshweteim.gov.za)

### OFFICIAL USE RECORDS OFFICE

STEVE TSHWETE LOCAL MUNICIPALITY
2017-01-10
Municipal Manager's

This application was received on:

Date: 10/01/17

Time: 10:00

Name of official: R. M. XABA

Signature of official: 

### OFFICE OF THE SPEAKER

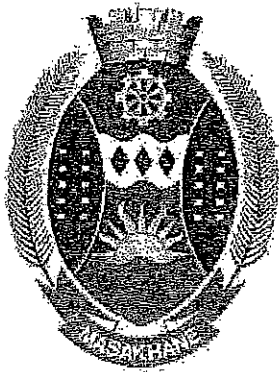
Above application was considered and

Approved
Disapproved

(Mark the applicable)

If disapproved, the reason:

Yours faithfully



# STEVE TSHWETE LOCAL MUNICIPALITY

Telephone (013) 2497043  
Fax (013) 2432550

Your ref.

Our ref. Ald R M Xaba

P O Box 14  
MIDDELBURG, MPUMALANGA  
1050  
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10/01/2017

To : The Office of the Acting Municipal Manager  
Mr. S M Mnguni

**Non Submission of leave in terms of Section 13(6)(a) of the Rules of  
order: Appeal against the implementation of a fine.**

I Ald. R M Xaba hereby lodge an appeal in terms of section 14 (1) of the Rules of Order against the implementation of a fine imposed in terms of Section 13 (6) (a) of the rules of order for the following meeting: 06 December 2016 held by the Community Safety Political Monitoring Portfolio Committee at 14h00 pm, STLM Council Chambers due to the following reasons:

Unfortunate that I did submit my apology after the date of the meeting, within 14 days as per the rules or order. I kept my copy as material proof.

Yours Faithfully

Ald. R M Xaba