

STEVE TSHWETE LOCAL MUNICIPALITY

MINUTES

OF THE

COUNCIL

MEETING

DATE - 29 NOVEMBER 2012

18:00 (NO QUORUM)

CONTINUATION MEETING : 10 DECEMBER 2012

17:21

STEVE TSHWETE LOCAL MUNICIPALITY

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL HELD IN
THE COUNCIL CHAMBER, MUNICIPAL BUILDINGS, MIDDELBURG,
MPUMALANGA ON THURSDAY, 29 NOVEMBER 2012 AT 18:00

PRESENT

Councillors

Cllr B H Mokoena
Cllr G H E Romijn
Cllr T G Ndlangamandla
Cllr A S Grobler
Cllr S M Mogola
Cllr A Struwig
Cllr J P Pretorius
Ald R E Redman
Cllr E A Swarts
Ald E du Toit
Cllr S J Roos
Cllr H F Niemann
Cllr D M Longman
Cllr M Nkosi
Cllr J Dyason
Cllr P Mobango
Cllr S Wait
Cllr K P J Uys

Absent

Cllr R M Xaba (Speaker)
Cllr M A Masina (Executive Mayor)
Cllr N J Mahlangu
Cllr E F Mathebula
Cllr D J Motsepe
Cllr S D Nkadimeng
Cllr E P Nkosi
Ald H Pilodia
Cllr E A Jele
Cllr E O Motsepe
Cllr T B Mahlangu
Cllr B Nene
Cllr I Thwala
Cllr M T E Mnguni

Cllr B P Ndala
 Cllr M S Motebu
 Cllr S M Mnguni
 Cllr S A Lukhele
 Cllr M T Selala
 Cllr P M Hadebe
 Cllr M R Mnguni
 Cllr P J Masilela
 Cllr S S Zitha
 Cllr M J Sekgwele
 Cllr M Mbatiwe
 Cllr B C Skosana
 Cllr O Malinga
 Cllr K N Monareng
 Cllr J Matshiane
 Cllr N J Nkambule
 Cllr L E Mkhuma
 Cllr M E Nyambi
 Cllr D J Skosana
 Cllr P M Shongwe
 Cllr R Perumall

Officials:

Mr W D Fouche	(Municipal Manager)
Adv T Mekuto	(Executive Director: Corporate Services)
Ms E Wassermann	(Executive Director: Financial Services)
Mr E Warambwa	(Executive Director: Infrastructure Services)
Ms K M Skosana	(Acting Executive Director: Community Services)
Mr M Mnguni	(Senior Manager: Legal & Administration)
Mr J Zulu	(Chief Administrative Officer)
Ms N Mahlangu	(Administrative Officer Grade 2)
Ms W M Machinini	(Clerk Grade 1)

QUORUM OF THE MEETING

Due to the fact that at 18:30 there was no quorum, the meeting was in terms of Section 40 (1) of the Rules of Order adjourned to a future date.

CONTINUATION MEETING : 10 DECEMBER 2012

MINUTES OF THE CONTINUATION MEETING OF THE COUNCIL
HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDINGS,
MIDDELBURG, MPUMALANGA ON MONDAY, 10 DECEMBER 2012
AT 17:21

PRESENTCouncillors

Cllr R M Xaba	(Speaker)	Cllr M Mbatiwe
Cllr M A Masina	(Executive Mayor)	Cllr B C Skosana
Cllr N J Mahlangu		Cllr O Malinga
Cllr E F Mathebula		Cllr K N Monareng
Cllr D J Motsepe		Cllr J Matshiane
Cllr S D Nkadimeng		Cllr N J Nkambule
Cllr E P Nkosi		Cllr L E Mkhuma
Ald H Pilodia		Cllr M E Nyambi
Cllr E A Jele		Cllr D J Skosana
Cllr E O Motsepe		Cllr P M Shongwe
Cllr T B Mahlangu		Cllr B H Mokoena
Cllr B Nene		Cllr G H E Romijn
Cllr I Thwala		Cllr T G Ndlangamandla
Cllr M T E Mnguni		Cllr A S Grobler
Cllr L I Manzini		Cllr S M Mogola
Cllr Z D Mtshweni		Cllr A Struwig
Cllr J Skosana		Cllr J P Pretorius
Cllr P P Tau		Cllr E A Swarts
Cllr M J Selala		Ald E du Toit
Cllr B P Ndala		Cllr S J Roos
Cllr M S Motebu		Cllr H F Niemann
Cllr S M Mnguni		Cllr D M Longman
Cllr S A Lukhele		Cllr M Nkosi
Cllr M T Selala		Cllr J Dyason
Cllr P M Hadebe		Cllr P Mobango
Cllr M R Mnguni		Cllr S Wait
Cllr P J Masilela		Cllr K P J Uys
Cllr S S Zitha		

Absent

Cllr M J Sekgwele
Ald R E Redman

Officials:

Mr W D Fouche	(Municipal Manager)
Adv T Mekuto	(Executive Director: Corporate Services)
Ms E Wassermann	(Executive Director: Financial Services)
Mr E Warambwa	(Executive Director: Infrastructure Services)

Ms K M Skosana	(Acting Executive Director: Community Services)
Mr M Mnguni	(Senior Manager: Legal & Administration)
Mr J Zulu	(Chief Administrative Officer)
Ms N Mahlangu	(Administrative Officer Grade 2)
Ms W M Machinini	(Clerk Grade 1)

Temporary absence from the meeting in terms of Section 45(2)(c)

Name of Cllr	1			2		
	From	To	Item	From	To	Item
Cllr N J Mahlangu	19:35	19:38	CC43/11/2012			
Cllr E F Mathebula	18:25	18:26	C19/10/2012			
Cllr D J Motsepe	18:33	18:35	C26/10/2012	20:09	20:14	M37/11/2012
Cllr E P Nkosi	18:36	18:38	M03/10/2012			
Cllr E A Jele	20:03	20:05	M37/11/2012			
Cllr T B Mahlangu	18:26	18:29	C23/10/2012			
Cllr M M Mbatwe	19:53	19:56	CC43/11/2012			
Cllr L E Mkhuma	19:14	19:15	M14/11/2012			
Cllr M R Mnguni	19:26	19:35	CC43/11/2012			
Cllr N J Nkambule	19:24	19:26	CC43/11/2012			
Cllr M T Selala	17:45	17:48	M01/10/2012	19:02	19:04	M33/10/2012
Cllr P M Shongwe	18:01	18:02	C15/10/2012	19:24	19:25	CC43/11/2012
Cllr B C Skosana	19:08	19:11	C07/11/2012			
Cllr B H Mokoena	19:14	19:15	M12/11/2012			
Cllr J Dyason	19:48	19:53	CC43/11/2012			
Cllr P Mobango	20:03	20:07	M28/11/2012			
Cllr S M Mogola	18:43	18:45	M21/10/2012			
Cllr M C Nkosi	19:25	19:28	CC43/11/2012			
Cllr J P Pretorius	17:50	17:54	M02/10/2012			
Cllr E A Swarts	19:04	19:08	M33/10/2012			
Cllr K P J Uys	18:33	18:41	C26/10/2012			

1 OPENING

The Speaker welcomed everybody and declared the meeting open.

2 APPLICATION FOR LEAVE OF ABSENCE

None

3 OFFICIAL ANNOUNCEMENTS

The Municipal Manager informed the meeting that there is a vacancy in Council with the resignation of Cllr R Perumall as PR Councillor.

4 REPORTS BY THE SPEAKER IN TERMS OF SECTIONS 15(1) AND 96(4) OF THE RULES OF ORDER

COUNCILLOR R PERUMALL : RECORDED ABSENT FROM THREE (3) CONSECUTIVE COUNCIL COMMITTEE MEETINGS

3/2/1/4 (W)

RESOLVED

THAT note be taken that in view of the fact that Cllr R Perumall resigned as Councillor it is not necessary to consider the matter.

5 **APPLICATIONS AND APPEALS FROM COUNCILLORS IN TERMS OF SECTION 14(1) AND 71 OF THE RULES OF ORDER**

None

6 **MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER**

The Speaker expressed a motion of congratulations as follows:

- Congratulated Cllr R Perumall in his absentia for the contribution he made while he was a Councillor at Steve Tshwete Local Municipality.
- Apologies for non attendance of the ANC Councillors on the previous meeting that was scheduled for 29 November 2012.
- Wishes all a Merry Christmas and a happy new year.

7 **MOTIONS OF SYMPATHY AND CONGRATULATIONS BY OTHER COUNCILLORS**

The following Councillors expressed a motion of sympathy or congratulations:

7.1 Cllr GHE Romijn

- Expressed a motion of congratulations to the DA Councillor voted in as a New Mayor of Potchefstroom; North West.
- Congratulated the Mpumalanga DA for winning the award for the Province of the Year.
- Wishes to send the heartfelt condolences to the family and friends of Professor Jakes Gerwel.
- Wishes the former President of SA Dr Nelson Mandela a speedy recovery.

7.2 Cllr S S Zitha

- Expressed a motion of sympathy to the family of Busi Mokoena.
- Congratulated Cllr P M Shongwe and Cllr M T E Mnguni on their birthdays.

7.3 Cllr N J Mahlangu

- Wishes the former President of SA Dr Nelson Mandela a speedy recovery.
- Congratulated the Steve Tshwete Local Municipality as well as the Solid Waste Department for winning an award in the Greenest Municipality competition.

7.4 Cllr B P Ndala

- Expressed a motion of sympathy to families of the eleven SANDF Airforce members who lost their lives in the plane that crashed on 07 December 2012.
- Wishes the former president Dr Nelson Mandela a speedy recovery.
- Congratulated Ald H Pilodia on her birthday.
- Wishes everyone a Merry Christmas and a happy new year.

7.5 Cllr B H Mokoena

- Congratulated former SA President Thabo Mbeki for receiving the African of the year Award.
- Expressed a motion of sympathy with the people of Lenasia on their houses that were demolished by the Gauteng Government.
- Wishes former President Dr Nelson Mandela a speedy recovery.

- Wishes Councillors a safe journey on their December holiday, a Merry Christmas and a prosperous new year.

8 **DISCLOSURE OF INTERESTS**

None

9 **MINUTES OF THE PREVIOUS MEETING OR MEETINGS**

9.1 *Ordinary Meeting of the Council held on 31 July 2012.*

9.2 *Special Council Meeting held on 24 August 2012.*

RESOLVED BY COUNCIL

9.1 **THAT** the minutes of the Ordinary Council Meeting held on 27 September 2012, be approved subject to the amendments as follows:

“That under Resolution C09:/09/2012 and Resolution C29/09/2012 the name of Cllr M J Selala be removed from the list of the Councillors who voted on the division of vote and be replaced with the name of Cllr P I Thwala.”

9.2 **THAT** the minutes of the Special Council Meeting held on 25 October, be approved.

10 **QUESTIONS OF WHICH NOTICE HAVE BEEN GIVEN**

10.1 **THAT** note be taken of the questions submitted by Cllr D Longman as well as the reply which was prepared by the Executive Director : Infrastructure Services on behalf of the Executive Mayor as contained in the Council Agenda.

10.2 **THAT** note be taken of the questions submitted by Cllr J P Pretorius as well as the reply which was prepared by the Municipal Manager on behalf of the Executive Mayor as contained in the Council Agenda.

REPORT OF THE 21st/2012 MEETING OF THE MAYORAL
COMMITTEE HELD ON 11 OCTOBER 2012

NON DELEGATED POWERS

Upon request by the Executive Mayor, it was

RESOLVED BY COUNCIL

THAT Council take note that no non delegated matters were considered under this report.

DELEGATED POWERS

Upon request by the Executive Mayor, it was

RESOLVED BY COUNCIL

THAT Council take note of resolution M01 & M02/10/2012 taken by the Executive Mayor in terms of Delegated Powers.

**REPORT OF THE 22nd/2012 MEETING OF THE MAYORAL
COMMITTEE HELD ON 14 NOVEMBER 2012**

NON DELEGATED POWERS

Upon request by the Executive Mayor, it was

RESOLVED BY COUNCIL

THAT the report by the Executive Mayor in respect of items C09; C14; C15; C16; C19; C22; C23; C26 & C37/10/2012 be considered.

C09/10/2012

FINANCES: ANNUAL YEAR PLAN - MPAC

3/2/4/1/17 (B)/wm

RESOLVED BY COUNCIL

1. **THAT** the report on the annual year plan of the MPAC as submitted by the Executive Director : Financial Services, be noted.
2. **THAT** the following dates be adopted for the MPAC year planner:
 - 2.1 04 December 2012
 - 2.2 11 February 2013
 - 2.3 14 May 2013
 - 2.4 17 September 2013

C14/10/2012

**LAND: APPLICATION TO PURCHASE 15 HECTARES PIECE OF LAND FOR
MANUFACTURING STEEL PIPES**

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

[MM 65073]

RESOLVED BY COUNCIL

1. **THAT** Council take note of the report by the Senior Manager : Town Planning Services on the application to purchase 15 hectares piece of land for manufacturing steel pipes.

2. **THAT** Council confirm that a piece of land in Middelburg Extension 49, measuring approximately 15 hectares and defined as Erven 25-30, 37-42, 51-56, 61-66 or Erven 129-138 and 144-159, is not needed for the provision of the basic level of municipal services.
3. **THAT** the Accounting Officer be authorised to dispose off the property as an unsolicited bid.
4. **THAT** Council approve the application to purchase 15 hectares piece of land for manufacturing steel pipes, subject to the following conditions:
 - 4.1 **That** pieces of land, defined as Erven 25-30, 37-42, 51-56, 61-66 in Middelburg Extension 49 be sold to the applicant should it be proven that the intended activity is not environmental sensitive.
 - 4.2 **That** the draft township layout plan of Middelburg Extension 49 be amended to accommodate the identified pieces of land.
 - 4.3 **That** water be supplied to the proposed steel pipes plant via a water network in Extension 49 and not a single connection.
 - 4.4 **That** the developer / owner enters into a service level agreement for the construction, operation and maintenance of the sewerage pump station.
 - 4.5 **That** the raising mains be sized to accommodate all the flow from Middelburg Extension 49 that cannot gravitate to the sewer line in Mandela Drive.
 - 4.6 **That** a servitude be registered on Portion 155 of the farm Middelburg Town and Townlands 287 JS (Columbus land) while purchasing discussions are pursued over the same Columbus land.
 - 4.7 **That** the engineering services report be reviewed to cater for the new layout of Middelburg Extension 49.
 - 4.8 **That** the application to increase the electricity capacity be done prior to the approval of the new development.
 - 4.9 **That** the connection costs and link services be for the account of the developer.
 - 4.10 **That** the developer pays a pro-rata contribution for the expansion of the Aerorand Substation.
 - 4.11 **That** the developer be informed regarding the construction, operation and maintenance of the sewer pump station as a pre-requisite to concluding the sale agreement.
 - 4.12 **That** Council confirm that the fair purchase price of the property is R5 470 000,00 (Five Million Four Hundred and Seventy Thousand Rand) excluding VAT.

- 4.13 **That** the subject property be re-valued should a transaction not be concluded within 12 months from the date of valuation.
- 4.14 **That** the payment of the purchase price be strictly cash as in terms of Section 47(3) of the Supply Chain Management Policy of the Council.
5. **THAT** the proceeds received from the sale be allocated to vote number (to be created) Township Development Suspense Account : Sale of Land : Middelburg Extension 49.
6. **THAT** the portions of land be removed from the fixed asset register and be written off at current replacement cost.
7. **THAT** the net gain or loss, which will realise on the disposal of the capital asset, be recognised in the statement of Financial Performance.
8. **THAT** the proposed sale be advertised in terms of Section 79(18) of the Local Government Ordinance Act 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.
9. **THAT** a time frame for erection of the plant be included in the contract.

C15/10/2012

BY-LAWS: FINAL APPROVAL OF THE AMENDMENT OF THE ELECTRICAL BY-LAWS FOR STEVE TSHWETE LOCAL MUNICIPALITY

1/3/1/14 (C)/yb

With the consideration of this item Cllr J P Pretorius submitted the following proposal which was seconded by Cllr S J Roos:

"That the promulgation of the Electrical By-Laws for Steve Tshwete Local Municipality be kept in abeyance pending the consideration of the petition received from the objectors."

The proposal was put to vote and the results were as follows:

In favour of the proposal by Cllr J P Pretorius = 17
Against the proposal by Cllr J P Pretorius = 38

The proposal was therefore not accepted.

Cllr S J Roos then requested a division on the vote and the results were as follows:

<i>In favour of the proposal by Cllr J P Pretorius</i>	<i>Against the proposal by Cllr J P Pretorius</i>
1) Cllr B H Mokoena	1. Cllr M A Masina
2) Cllr G H E Romijn	2. Cllr N J Mahlangu
3) Cllr S Wait	3. Cllr E F Mathebula
4) Cllr T G Ndlangamandla	4. Cllr D J Motsepe
5) Cllr S M Mogola	5. Cllr E A Jele

6)Cllr A S Grobler	6. Cllr E O Motsepe
7)Cllr J P Pretorius	7. Cllr T B Mahlangu
8)Cllr E A Swarts	8. Cllr B Nene
9)Cllr S J Roos	9. Cllr S D Nkadimeng
10)Cllr H F Niemann	10. Cllr S S Zitha
11)Cllr D M Longman	11. Cllr M T E Mnguni
12)Cllr M C Nkosi	12. Cllr E P Nkosi
13)Cllr A Struwig	13. Ald H Pilodia
14)Cllr P Mobango	14. Cllr L I Manzini
15) Cllr K P J Uys	15. Cllr Z D Mtshweni
16)Ald E du Toit	16. Cllr J Skosana
17)Cllr J Dyason	17. Cllr P P Tau
	18. Cllr P I Thwala
	19. Cllr B P Ndala
	20. Cllr M S Motebu
	21. Cllr S M Mnguni
	22. Cllr S A Lukhele
	23. Cllr M T Selala
	24. Cllr P M Hadebe
	25. Cllr M R Mnguni
	26. Cllr P J Masilela
	27. Cllr M Mbatiwe
	28. Cllr B C Skosana
	29. Cllr O Malinga
	30. Cllr K N Monareng
	31. Cllr J Matshiane
	32. Cllr N J Nkambule
	33. Cllr L E Mkhuma
	34. Cllr M E Nyambi
	35. Cllr D J Skosana
	36. Cllr P M Shongwe
	37. Cllr M J Selala
	38. Cllr R M Xaba
Total = 17	Total = 38

The Recommendation by the Executive Mayor on this item was then put to vote.

The results were as follows:

In favour of the recommendation by the Executive Mayor = 38

Against the recommendation by the Executive Mayor = 17

The recommendation by the Executive Mayor as contained in the Agenda was therefore accepted.

RESOLVED BY COUNCIL

1. THAT Council take note of the report by the Senior Manager : Legal & Administration on the final approval of the amended Electrical By-laws.
2. THAT Council approve the amended Electrical By-laws attached as **ANNEXURE B** to the Agenda.

3. **THAT** the By-laws be promulgated in accordance with Section 13 of the Local Government : Municipal Systems Act 32 of 2000, as amended.

C16/10/2012

LAND: REQUEST TO PURCHASE ERF 9272 MHLUZI EXTENSION 6

7/2/3/2; Erf 9272 Mhl X6 (E)/em

RESOLVED BY COUNCIL

1. **THAT** Council confirm that Erf 9272 Mhluzi Extension 6 ("the property") is not needed for the provision of the basic municipal services.
2. **THAT** the allocation of the property to Mr. J.M. Chego be rescinded / cancelled and that he be informed accordingly.
3. **THAT** the application to purchase the property by Ms. E.N. Mdlalose be approved.
4. **THAT** the Accounting Officer be authorised to dispose of the property in terms of Section 44 of the Council's Supply Chain Management Policy read together with the provisions of the Municipal Systems Act and the Municipal Finance Management Act.
5. **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.
6. **THAT** proceeds received from the sale be allocated to vote number 925/601 (Township Development Suspense Account : Sale of Land : Mhluzi Extension 6).
7. **THAT** the market value be R15 000,00 (Fifteen Thousand Rand), VAT excluded.
8. **THAT** should the property not be concluded within 12 months from the date of valuation then it be re-valued.
9. **THAT** the proposed sale be advertised in terms of Section 79(18) of the Local Government Ordinance 17 of 1939 as amended read together with Section 21 of the Municipal Systems Act 32 of 2000 as amended, Section 113 of the Municipal Finance Management Act 56 of 2003 and Section 44 of the Council's Supply Chain Management Policy.

C19/10/2012

ASSETS: CONSTRUCTION OF OFFICES FOR PHASE 2 AT ADELAIDE TAMBO THUSONG CENTRE

17/10/R (B)/wm

RESOLVED BY COUNCIL

1. **THAT** Council take note of the report by the Chief : Municipal Building Services regarding the construction of offices for phase 2 at Adelaide Tambo Thusong Centre.

2. **THAT** the existing guardhouse be declared redundant and be written off from the asset register.
3. **THAT** the reusable materials from the above- mentioned guardhouse be used on the new building and the unused material be disposed at the public auction to be arranged.
4. **THAT** the net loss which will realise on disposal of the asset be recognised in the Statement of Financial Performance.

C22/10/2012

FINANCES: FRAUDULENT PAYMENT : ENVIRO FILL

3/2/4/1/17 (B)/ wm

RESOLVED BY COUNCIL

1. **THAT** the verification process be clarified and that officials be workshopped continuously on these process.
2. **THAT** contracts with any supplier/ service providers be amended to provide clear indication on the method of payment and any changes thereto.
3. **THAT** the Municipal Manager be requested to follow-up on the progress made with the case that was reported to the SAPS and that regular feedback be given to the committee.
4. **THAT** a final recommendation regarding the recovery of the money be made at a later stage when the outcome of the SAPS investigation is known.

C23/10/2012

**PERSONNEL: PERFORMANCE ASSESSMENTS OF MANAGERS: MANAGER
YOUTH DEVELOPMENT**

3/5 (M)/wm

RESOLVED BY COUNCIL

1. **THAT** the report regarding a calculation error with the calculation of the 2010/11 assessment report of the Manager: Youth Development, be noted.
2. **THAT** it be confirmed that the Manager: Youth Development in fact scored 6.1% and that he be remunerated accordingly.

C26/10/2012

**FINANCES : MONTHLY REPORT FOR SUPPLY CHAIN MANAGEMENT:
SECTION 42: AUGUST 2012**

9/2/2(M)

RESOLVED BY COUNCIL

THAT the report by the Executive Director : Financial Services on deviations for August 2012 in terms of Section 42 of the Supply Chain Management Policy, be noted.

C37/10/2012

**LAND: APPLICATION TO PURCHASE PORTION 2 OF ERF 603 MIDDELBURG
AND PORTION 1 OF ERF 604 MIDDELBURG FOR RESIDENTIAL PURPOSES**

7/2/3/2 (E)/yb

[MM 55839 & 57792]

RESOLVED BY COUNCIL

1. **THAT** Council confirm that Portion 02 of Erf 603 & Portion 01 of Erf 604 Middelburg are not needed to render the basic level of municipal services.
2. **THAT** the Accounting Officer be authorized to alienate this property on auction.
3. **THAT** the applicants be informed accordingly.
4. **THAT** all connection costs will be for the account of the successful bidder.
5. **THAT** the installation of a sewer network will be for the account of the successful bidder.
6. **THAT** the reserve prices for alienating the properties through public auction be as follows:
 - 6.1 **That** Portion 02 of Erf 603 be R320 000,00 (Three Hundred and Twenty Thousand Rand) excluding VAT.
 - 6.2 **That** Portion 01 of Erf 604 be R185 000,00 (One Hundred and Eighty Five Thousand Rand) excluding VAT.
7. **THAT** the subject properties be re-valued should a transaction not be concluded within 12 months from date of valuation.
8. **THAT** the payment of purchase prices be strictly cash as in terms of Section 47(3)(aa) of the Supply Chain Management Policy of the Council.
9. **THAT** the applicant priorly provides a cash deposit to cover electrical connection costs.
10. **THAT** proceeds received from the sale be allocated to vote number 935/501. (Land Trust Fund Sale of Land : Middelburg Proper).
11. **THAT** the portions of land be removed from the asset register and written off at current replacement cost.
12. **THAT** the net gain or loss which will realise on the disposal of the capital asset, be recognised in the Statement of Financial Performance.
13. **THAT** the following special conditions are also proposed:
 - 13.1 **That** the stand has to be developed within 24 months with the residential building.

Am

- 13.2 **That** the stand may not be sold unless it has been developed as indicated in 13.1 above.
- 13.3 **That** the public auction be conducted by one of the attorneys on the Council's panel at a fee equal to 2,5% of the original purchase price at the cost of the purchaser.
- 13.4 **That** the terms and conditions applicable to the sale of residential stands be made applicable with the compilation of the deed of sale.
- 13.5 **That** a discount of 30% be granted to a black purchaser or company whereby 51% of the shares are held by an black person/s on condition that the property may only be resold with prior permission of the Council, which permission shall be granted if Council is satisfied that no fronting has taken place and that the black person/s has / have benefited sufficiently from the transaction and that if the property / properties was / were to a company, Council is satisfied that the composition of the company has not changed since the original sale.

DELEGATED POWERS

Upon request by the Executive Mayor, it was

RESOLVED BY COUNCIL

THAT Council take note of resolutions M03; 04; 05; 06; 07; 08; 10; 11; 12; 13; 17; 18; 20; 21; 24; 25; 27; 28; 29; 30; 31; 32; 33; 34; 35 & 36/10/2012 taken by the Executive Mayor in terms of Delegated Powers.

REPORT OF THE 23^d 2012 MEETING OF THE MAYORAL
COMMITTEE HELD ON 14 NOVEMBER 2012

NON DELEGATED POWERS

Upon request by the Executive Mayor, it was

RESOLVED BY COUNCIL

*THAT the report by the Executive Mayor in respect of items C01; C02;
C06; C07; C09 & C10/11/2012 be considered.*

C01/11/2012

COUNCIL'S ARRANGEMENT: RESCISSION OF RESOLUTION C17/09/2011

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

RESOLVED BY COUNCIL

1. **THAT** Council Resolution C17/09/2011 be rescinded due to non-acceptance of the said resolution by the applicant.
2. **THAT** a penalty clause be included in all Council's Contract to avoid a similar situation.

C02/11/2012

**FINANCES: MONTHLY REPORT FOR SUPPLY CHAIN MANAGEMENT: SECTION
42: SEPTEMBER 2012**

9/2/2 (B)/ wm

RESOLVED BY COUNCIL

1. **THAT** the report by the Executive Director : Financial Services on the monthly report for Supply Chain Management, Section 42 for September 2012, be noted.

fm

C06/11/2012

LAND: PROPOSED ACQUISITION OF RIGHT OF USE IN TERMS OF SECTION 41 OF THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED AND NATIONAL ROADS ACT NO.7 OF 1998 : A PORTION OF PORTION 6 OF THE FARM VAALBANK 289 JS

1/1/1/56 (L)/yb

[MM 64636]

RESOLVED BY COUNCIL

1. **THAT** Council confirm that a portion of Portion 6 of the farm Vaalbank 289 JS measuring 0,0184 hectares in extent ("the property") is not needed for the provision of the basic level of municipal services.
2. **THAT** Council take note that, according to Subsection 6 of Section 14 of the Municipal Finance Management Act 56 of 2003 (MFMA) this Section (Section 14) does not apply to the transfer of a capital asset to another municipality or municipal entity or to a national or provincial organ of state.
3. **THAT** the offer of R1 943,04 (One Thousand Nine Hundred Forty Three Rand and Four Cents) excluding VAT made by the South African National Roads Agency Limited (SANRAL) for the property be accepted by the Council.
4. **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.
5. **THAT** proceeds received from the sale be allocated to vote number 630/001 (Middelburg Townlands : Sale of Land).
6. **THAT** the portion of land be removed from the fixed asset register and be written off at current replacement cost.
7. **THAT** the net gain or loss which will realise on the disposal of the capital asset be recognised in the Statement of Financial Performance.
8. **THAT** Council take note that the acquiring of the property by SANRAL for all practical reasons is regarded as an expropriation (for improving the existing road which is being used for transportation of coal) and the principles of Council's framework on unsolicited bids according to Section 113 of the MFMA as contained in Section 44 of the Council's Supply Chain Management Policy are not applicable.
9. **THAT** approval be granted to the Municipal Manager or Executive Director: Corporate Services or Senior Manager: Legal and Administration to sign the attached Agreement in terms of which the property is to be transferred from Council to SANRAL.
10. **THAT** the alienation of the property be advertised at the cost of SANRAL.

C07/11/2012

COUNCIL ARRANGEMENTS: SCHEDULE FOR COUNCIL, MAYORAL COMMITTEE AND COUNCIL COMMITTEE MEETINGS FOR THE YEAR 2013

3/2/2/3 & 3/2/3/1 (B)/wm

RESOLVED BY COUNCIL

1. **THAT** Council take note that the Speaker determined the following dates, venue and time for Council meetings during 2013:

MEETING	DATE	VENUE	TIME
Ordinary Council	31 January 2013	Kosmos Community Hall - Kwazamokuhle	17:30
Special Council	28 February 2013	Council Chamber – Civic Centre	17:30
Ordinary Council	26 March 2013	Council Chamber - Civic Centre	17:30
Special Council	25 April 2013	Council Chamber – Civic Centre	17:30
Ordinary Council	30 May 2013	Banquet Hall	17:30
Special Council	27 June 2013	Council Chamber – Civic Centre	17:30
Ordinary Council	25 July 2013	Eastdene Community Hall	17:30
Special Council	22 August 2013	Council Chamber – Civic Centre	17:30
Ordinary Council	26 September 2013	Adelaide Tambo Community Centre – Ext 7 Mhluzi	17:30
Special Council	31 October 2013	Council Chamber – Civic Centre	17:30
Ordinary Council	28 November 2013	Nasaret Community Hall	17:30

2. **THAT** Council take note that the Executive Mayor determined the following dates for Mayoral Committee meetings 2013 as well as the Closing dates for submission of items other than the Monthly Financial Control item:

<i>1st Mayoral Committee</i>		<i>2nd Mayoral Committee</i>	
<i>Closing date for items</i>	<i>Date of Mayoral Committee meeting</i>	<i>Closing dated for items</i>	<i>Date of Mayoral Committee meeting</i>
<i>02/01/2013</i>	<i>10/01/2013</i>	<i>15/01/2013</i>	<i>22/01/2013</i>
<i>01/02/2013</i>	<i>14/02/2013</i>	<i>12/02/2013</i>	<i>21/02/2013</i>
<i>05/03/2013</i>	<i>14/03/2013</i>	<i>14/03/2013</i>	<i>19/03/2013</i>
<i>02/04/2013</i>	<i>11/04/2013</i>	<i>10/04/2013</i>	<i>18/04/2013</i>
<i>29/04/2013</i>	<i>09/05/2013</i>	<i>14/05/2013</i>	<i>21/05/2013</i>
<i>05/06/2013</i>	<i>13/06/2013</i>	<i>13/06/2013</i>	<i>20/06/2013</i>
<i>01/07/2013</i>	<i>11/07/2013</i>	<i>10/07/2013</i>	<i>16/07/2013</i>

<i>30/07/2013</i>	<i>08/08/2013</i>	<i>07/08/2013</i>	<i>15/08/2013</i>
<i>03/09/2013</i>	<i>12/09/2013</i>	<i>11/09/2013</i>	<i>18/09/2013</i>
<i>01/10/2013</i>	<i>10/10/2013</i>	<i>17/10/2013</i>	<i>24/10/2013</i>
<i>06/11/2013</i>	<i>14/11/2013</i>	<i>14/11/2013</i>	<i>19/11/2013</i>
<i>03/12/2013</i>	<i>12/12/2013</i>		

3. **THAT** the following 2013 schedule for Section 79 Political Monitoring Committees be determined:

Section 79 Political Portfolio Committee	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	Jun 2013	Jul 2013	Aug 2013	Sep 2013	Oct 2013	Nov 2013
Environmental Health and Public Facility Services (Time: 09:00)	29	26	26	23	28	25	23	27	25	29	26
Financial Services (Time: 12:00)	29	26	26	23	28	25	23	27	25	29	26
Corporate Services (Time: 15:00)	29	26	26	23	28	25	23	27	25	29	26
Community Protection Services (Time: 09:00)	30	27	27	24	29	26	24	28	26	30	27
Spatial Development and Human Settlement (Time: 12:00)	30	27	27	24	29	26	24	28	26	30	27
Infrastructure Development and Service Delivery (Time: 15:00)	30	27	27	24	29	26	24	28	26	30	27

4. **THAT** the following 2013 schedule for Section 80 Portfolio Committee meetings be determined:

Section 80 Portfolio Committee	Jan 2013	Mar 2013	May 2013	July 2013	Sept 2013	Nov 2013
Financial Services	22	6	21	17	10	20
Corporate Services	22	6	21	17	10	20
Infrastructure Development and Service Delivery	22	6	21	17	10	20
Environmental Health and Public Facility Services	23	7	22	18	11	21
Community Protection Services	23	7	22	18	11	21
Spatial Development and Human Settlement	23	7	22	18	11	21

5. **THAT** the following be adopted as the MPAC year planner:

11 February 2013
 14 May 2013
 17 September 2013

C09/11/2012

LAND: APPLICATION TO LEASE A PORTION OF THE REMAINDER OF PORTION 27 OF THE FARM MIDDELBURG TOWN AND TOWNLANDS 287 JS FOR MOTOR MECHANIC AND BRICKMAKING BUSINESS

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

[MM 53088,70990 & 71159]

RESOLVED BY COUNCIL

1. **THAT** Council confirm that the portions of the Remainder of Portion 27 of the farm Middelburg Town and Townlands 287 JS ("the properties") are not needed to provide the minimum level of basic municipal services.
2. **THAT** the Accounting Officer be authorised to alienate the properties as unsolicited bid.
3. **THAT** Council approve the applications to lease three (3) portions measuring 500m² in extent each of the portions of the Remainder of Portion 27 of the farm Middelburg Town and Townlands 287 JS for motor mechanic and brickmaking businesses subject to the following conditions:
 - 3.1 **That** the lease be limited to two (2) years.
 - 3.2 **That** no erecting of permanent structures be allowed on the alienated portions.
 - 3.3 **That** the alienated portions be fenced off to the satisfaction of the Council.
 - 3.4 **That** all activities shall only take place within the boundaries of the alienated portions.
 - 3.5 **That** all the necessary precautionary measures be taken into account to prevent all types of pollution.
 - 3.6 **That** a detailed environmental management plan entailing how the applicants will deal with matters relating to the environment should be submitted for approval before the activities may be commenced with.
 - 3.7 **That** since the subject portions do not have access to engineering services, then the services be for the cost of the applicants.
 - 3.8 **That** should the applicants require electrical services, the bulk service contribution and service connection be for the cost of the applicants.

- 3.9 **That** the existing overhead power line and establishment should be taken into consideration.
- 3.10 **That** under no circumstances should a permanent structure be built underneath the power line.
- 3.11 **That** no cars should be parked permanently under the power line.
- 3.12 **That** the lease amount be R0,66 (Sixty Six Cents) /m² per month excluding VAT each.
- 3.13 **That** there be a 10% escalation per annum, which is reviewable on a three (3) yearly basis.
- 3.14 **That** the rental amount be re-valued should the lease agreements not be concluded within 12 (twelve) months from the date of valuation.
- 3.15 **That** the applicant priorly provides a cash deposit to cover the Electrical bulk service costs, contribution and service connection.
- 3.16 **That** proceeds received from the lease be allocated to vote number 555/020 (Fixed Property : Rental Land).
- 3.17 **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.

C10/11/2012

TOWN PLANNING: OBJECTION HEARING : APPLICATION TO PURCHASE AND PERMANENTLY CLOSE CROCKER STREET, MIDDELBURG TOWN

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

[MM 68160, 68161 & 68936]

RESOLVED BY COUNCIL

1. **THAT** Council Resolution C33/09/2011, be rescinded.
2. **THAT** the applicant be given a time frame to re-submit the revised proposal which should be by 31 January 2013.
3. **THAT** a comprehensive report on the reasons why the applicant could not continue with the permanent closure of Crocker Street be submitted.

DELEGATED POWERS

Upon request by the Executive Mayor, it was

RESOLVED BY COUNCIL

THAT Council take note of resolutions M03; 04; 05; 08; 11; 12; 13; 14; 15; 16; 17; 18; 20; 21; 22; 23; 24 & 25/11/2012 taken by the Executive Mayor in terms of Delegated Powers.

REPORT OF THE 24th/2012 MEETING OF THE MAYORAL COMMITTEE HELD ON 22 NOVEMBER 2012

NON DELEGATED POWERS

Upon request by the Executive Mayor, it was

RESOLVED BY COUNCIL

THAT the report by the Executive Mayor in respect of items C26; C30; C33; C36; C41; C42; C43; C45 & C47/11/2012 be considered.

C26/11/2012

BY-LAWS: FINAL APPROVAL OF FINES AND PENALTIES : FIRE & RESCUE SERVICES BY-LAWS

1/3/1/11 (C)/yb

RESOLVED BY COUNCIL

1. **THAT** Council take note of the report by the Senior Manager : Legal & Administration on the final approval of the fines and penalties for Fire & Rescue Services By-Laws.
2. **THAT** Council approve the fines and penalties for the Fire & Rescue Services By-Laws attached as **ANNEXURE B** to the agenda of the Mayoral Committee.
3. **THAT** the By-laws be promulgated in accordance with Section 13 of the Local Government : Municipal Systems Act, Act 32 of 2000, as amended.

C30/11/2012

LAND: APPLICATION FOR A PORTION OF PORTION 27 OF THE FARM MIDDELBURG TOWN AND TOWNLANDS 287 JS LOCATED OPPOSITE DENNESIG

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

RESOLVED BY COUNCIL

1. **THAT** Council take note of the report by the Senior Manager : Town Planning Services on the application to lease a portion of Portion 27 of the farm Middelburg Town and Townlands 287 JS, for the agricultural purposes.
2. **THAT** Council confirm that a portion of Portion 27 of the farm Middelburg Town and Townlands 287 JS, measuring three (3) hectares in extent, is not needed for the provision of the basic level of Municipal Services.

3. **THAT** the Accounting Officer be authorised to dispose off the property as an unsolicited bid.
4. **THAT** Council approve the application to lease a portion of Portion 27 of the farm Middelburg Town and Townlands 287 JS, measuring three (3) hectares in extent, for agricultural purposes, subject to the following conditions:
 - 4.1 **That** the application to lease a portion of Portion 27 of the farm Middeburg Town and Townlands 287 JS, for agricultural purposes, be approved subject to comments by the Department of Water Affairs and Forestry.
 - 4.2 **That** the lease agreement be limited to a period of three (3) years.
 - 4.3 **That** the allocated Portion only be used for garden purposes.
 - 4.4 **That** the allocated Portion be fenced off to the satisfaction of Council.
 - 4.5 **That** the final location of the allocated Portion be determined by the Senior Manager : Town Planning Services.
 - 4.6 **That** no permanent structures shall be erected on the subject property.
 - 4.7 **That** an Environmental Management plan be submitted to Council to ensure that the activity does not have a negative impact on the environment.
 - 4.8 **That** the services and bulk connection costs be for the account of the applicant.
 - 4.9 **That** the rental be R500,00 (Five Hundred Rand) per hectare per annum excluding VAT and escalating by 10% per annum.
 - 4.10 **That** the property be re-valuated should a lease agreement not be concluded within 12 months from the date of valuation.
 - 4.11 **That** the applicant priorly provides a cash deposit to cover the engineering services and bulk connection costs.
5. **THAT** the proceeds received from the lease be allocated to vote number 555/020 (Fixed Property: Rental Land).
6. **THAT** the lease agreement be treated in the Annual Financial Statement in accordance with applicable accounting standards.
7. **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 Local Government, Municipal Systems Act 32 of 2000, as amended, Section 113 of the Local Government, Municipal Finance Management Act 56 of 2003 and Section 44 of the Council's Supply Chain Management Policy.

C33/11/2012

SURVEY ON CAR WASHES CONDUCTED AT STEVE TSHWETE LOCAL MUNICIPALITY

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

RESOLVED BY COUNCIL

1. **THAT** the development of guidelines for dealing with applications for car washes be approved by Council subject to the following:
 - 1.1 **That** car wash businesses be placed on stands with the correct zoning for such business purpose.
 - 1.2 **That** the Executive Director : Infrastructure Services be delegated to evaluate and finalize the applications inclusive of a rental as determined by the Senior Manager: Property Valuation Services.
 - 1.3 **That** the Executive Director : Corporate Services be delegated to conclude the lease agreements after the car wash applications have been granted by the Executive Director : Infrastructure Services.
 - 1.4 **That** the applications be accompanied by environmental management plans, site development plans and building plans for evaluation and approval.
 - 1.5 **That** a car wash not be allowed on the road reserves and residential stands.
 - 1.6 **That** the Senior Manager : Town Planning Services be delegated to identify suitable locations for the establishment of car wash activities.
 - 1.7 **That** all car washes be provided with toilets.
 - 1.8 **That** the car wash terrain shall be paved to the satisfaction of Town Planning and Civil Engineering Departments.
 - 1.9 **That** a criteria for allocations of the identified car wash sites be developed.
 - 1.10 **That** sufficient and appropriate containers be provided and applications be made in writing to the Solid Waste Department.
 - 1.11 **That** the area be maintained in a clean condition and no waste / litter must accumulate on site.
 - 1.12 **That** oil water separators need to be placed and maintained weekly.
 - 1.13 **That** the location of the car wash should not be underneath overhead power lines or very close to electrical equipment.
 - 1.14 **That** no water be allowed to flow onto any road surface and a drainage system should be provided by the owner.

2. **THAT** illegal car washes be granted a window period to apply to legalise their businesses.

C36/11/2012

LONG-TERM AGREEMENT FOR TENDER BA10/03/2012: APPOINTMENT AS SHORT-TERM INSURANCE BROKER

3/2/5 (J)/yb

RESOLVED BY COUNCIL

1. **THAT** Council takes note that no written comments or representations were received in respect of the proposed contract to be entered into.
2. **THAT** the Municipal Manager signs the proposed Service Level Agreement (contract) on behalf of the municipality.
3. **THAT** Council confirms the appointment of Aon South Africa (Pty) Limited as Council's short-term insurance broker for a period of five (5) years.

C41/11/2012

FINANCES: MONTHLY REPORT FOR SUPPLY CHAIN MANAGEMENT: SECTION 42 : JULY 2012

9/2/2 (B)/wm

RESOLVED BY COUNCIL

1. **THAT** the report by the Executive Director: Financial Services on the monthly report for Supply Chain Management in terms of Section 42 for July 2012, be noted.

C42/11/2012

FINANCIAL: MONTHLY REPORT FOR SUPPLY CHAIN MANAGEMENT : SECTION 42 : OCTOBER 2012

9/2/2 (B)/wm

RESOLVED BY COUNCIL

1. **THAT** the report by the Executive Director: Financial Services on the monthly report for Supply Chain Management in terms of Section 42 for October 2012, be noted.

CC43/11/2012

EXPIRY OF THE CONTRACT OF THE MUNICIPAL MANAGER

4/5/1/2; 4/1/3/1 (N)/adk

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

The Executive Mayor submitted the following recommendation on the matter:

1. **THAT** the employment contract of the current Municipal Manager be renewed for a period of 3 months with effect from 01 January 2013, subject to the following:
 - 1.1 That the current terms and conditions as per existing contract remains the same.
 - 1.2 That during this period the necessary skills transfer be concentrated on.

The recommendation by the Executive Mayor was opposed by Cllr H F Niemann who submitted the following proposal which was seconded by Cllr P Mobango:

1. That the verbal recommendation of the Executive Mayor not be accepted.
2. That in view of the fact that it was known for years that the contract of the Municipal Manager will expire on 31 December 2012 and nothing has been done to date to fill the vacancy, the contract not be extended.
3. That one of the Section 57 Managers be appointed to act as Municipal Manager as from 1 January 2013.
4. That the position of Municipal Manager be advertised not later than 4 January 2013.
5. That the short listing of applicants be completed as a matter of extreme urgency and that interviews be conducted by 29 January 2013.
6. That the successful applicant be informed of his/her appointment by 31 January 2013.
7. That at least 2 members from opposition parties be included on the interview panel to ensure transparency with the appointment of the Municipal Manager.

The proposal by Cllr HF Niemann was put to vote and the results were as follows:

In favour of the proposal by Cllr HF Niemann = 17
 Against the proposal by Cllr HF Niemann = 38

The proposal was therefore not accepted.

Cllr S J Roos then requested a division on the vote and the results were as follows:

<i>In favour of the proposal by Cllr J P Pretorius</i>	<i>Against the proposal by Cllr J P Pretorius</i>
1) Cllr B H Mokoena	1. Cllr M A Masina
2) Cllr G H E Romijn	2. Cllr N J Mahlangu
3) Cllr S Wait	3. Cllr E F Mathebula
4) Cllr T G Ndlangamandla	4. Cllr D J Motsepe
5) Cllr S M Mogola	5. Cllr E A Jele
6) Cllr A S Grobler	6. Cllr E O Motsepe
7) Cllr J P Pretorius	7. Cllr T B Mahlangu
8) Cllr E A Swarts	8. Cllr B Nene
9) Cllr S J Roos	9. Cllr S D Nkadimeng
10) Cllr H F Niemann	10. Cllr S S Zitha

11) Cllr D M Longman	11. Cllr M T E Mnguni
12) Cllr M C Nkosi	12. Cllr E P Nkosi
13) Cllr A Struwig	13. Ald H Pilodia
14) Cllr P Mobango	14. Cllr L I Manzini
15) Cllr K P J Uys	15. Cllr Z D Mtshweni
16) Ald E du Toit	16. Cllr J Skosana
17) Cllr J Dyason	17. Cllr P P Tau
	18. Cllr P I Thwala
	19. Cllr B P Ndala
	20. Cllr M S Motebu
	21. Cllr S M Mnguni
	22. Cllr S A Lukhele
	23. Cllr M T Selala
	24. Cllr P M Hadebe
	25. Cllr M R Mnguni
	26. Cllr P J Masilela
	27. Cllr B C Skosana
	28. Cllr O Malinga
	29. Cllr K N Monareng
	30. Cllr J Matshiane
	31. Cllr N J Nkambule
	32. Cllr L E Mkhuma
	33. Cllr M E Nyambi
	34. Cllr D J Skosana
	35. Cllr P M Shongwe
	36. Cllr M J Selala
	37. Cllr R M Xaba
Total = 17	Total = 37

The recommendation by the Executive Mayor on this item was put to vote.

The results were as follows:

In favour of the recommendation by the Executive Mayor = 37
 Against the recommendation by the Executive Mayor = 17

The recommendation by the Executive Mayor was therefore accepted.

RESOLVED BY COUNCIL

2. **THAT** the employment contract of the current Municipal Manager be renewed for a period of 3 months with effect from 01 January 2013, subject to the following:
 - 1.1 That the current terms and conditions as per existing contract remains the same.
 - 1.2 That during this period the necessary skills transfer be concentrated on.

C45/11/2012

**COUNCIL ARRANGEMENTS: RULING OF SPEAKER ON MOTION 80
CONTESTED BY CLLR B H MOKOENA**

3/2/1/1 (M)/ wm

RESOLVED BY COUNCIL

THAT although the matter was considered by the Rules and Ethics Committee, the matter be held in abeyance pending further investigation and consideration.

C47/11/2012

**FINANCES: ADJUSTMENT BUDGET FOR THE 2012/2013 FINANCIAL YEAR :
NOVEMBER 2012**

5/1/1/6 (B)/ wm

RESOLVED BY COUNCIL

1. **THAT** the report by the Executive Director: Financial Services regarding the 2012/2013 adjustment budget, be noted.
2. **THAT** the adjustment budget for the 2012/2013 financial year as permitted in terms of Section 28 (2) (b) and (c) of the MFMA be approved as set out in the following adjustment budget tables:
 - 2.1 Table B1 : Adjustments budget summary
 - 2.2 Table B2 : Adjustments budget on financial performance by vote (standard classification)
 - 2.3 Table B3 : Adjustments budget on financial performance by vote (municipal vote)
 - 2.4 Table B4 : Adjustments budget on financial performance revenue by source and expenditure by type
 - 2.5 Table B5 : Adjustments capital expenditure budget by vote and funding
 - 2.6 Table B6 : Adjustments budget on financial position
 - 2.7 Table B7 : Adjustments budget on cash flow
 - 2.8 Table B8 : Cash backed reserves/accumulated surplus reconciliation
 - 2.9 Table B9 : Asset management
 - 2.10 Table B10 : Basic service delivery management
3. **THAT** the adjusted service delivery and budget implementation plan and targets as set out in the following supporting tables under **ANNEXURE A**, attached as Annexure to the Agenda of the Mayoral Committee, be approved:

- 3.1 Supporting table SB15 : Adjustments budget monthly cash flow
- 3.2 Supporting table SB16 : Adjustments budget on monthly capital expenditure (municipal vote)
- 3.3 Supporting table SB17 : Adjustments budget on monthly capital expenditure by vote (standard classification)
- 3.4 Supporting table SB18a : Adjustments budget on capital expenditure on new assets by asset class
- 3.5 Support table SB18b : Adjustments budget on capital expenditure on renewal of existing assets by asset class
4. **THAT** the adjustment budget for 2012/2013 financial year with the amended service delivery and budget implementation plan and targets be submitted to the National Treasury and Provincial Treasury within 10 working days after being tabled in the Municipal Council.
5. **THAT** the adjustment budget for 2012/2013 financial year be made public in accordance with Section 21A of the Municipal Systems Act within 10 working days after approval by Council and be placed on the municipal website.

DELEGATED POWERS

Upon request by the Executive Mayor, it was

RESOLVED BY COUNCIL

THAT Council take note of resolution M27; 28; 29; 31; 32; 34; 35; 37; 38; 39; 40; 44; 46; 48; 49 & 50/11/2012 taken by the Executive Mayor in terms of Delegated Powers with the following amendments to M37/11/2012:

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** Council notes that the fixed term contracts of the Senior Managers, Heads of Departments and Managers reporting directly to the Municipal Manager will come to an end as follows:

Designation	Name of Official	Termination date
Senior Manager : Property Valuation	Mr J Victor	28 Feb 2013
Senior Manager : Town Planning	Mr MM Mahamba	28 Feb 2013
Senior Manager : Health Services	Ms M Skosana	28 Feb 2013
Senior Manager : Licensing	Mr ASI Seedat	28 Feb 2013
Senior Manager : Fire & Rescue	Mr GB Stoltz	28 Feb 2013

