



STEVE TSHWETE LOCAL MUNICIPALITY

AGENDA

OF THE

COUNCIL

MEETING

DATE - 27 NOVEMBER 2012

TIME - 17:15



STEVE TSHWETE LOCAL MUNICIPALITY

VISION

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

MISSION

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

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

STEVE TSHWETE LOCAL MUNICIPALITY

NOTICE IS HEREBY GIVEN THAT AN
ORDINARY MEETING OF THE COUNCIL
WILL BE HELD IN THE COUNCIL CHAMBER, MUNICIPAL
BUILDINGS, MIDDELBURG ON
THURSDAY, 29 NOVEMBER 2012 AT 17:15



MUNICIPAL MANAGER

AGENDA

- 1 OPENING
- 2 APPLICATIONS FOR LEAVE OF ABSENCE
- 3 OFFICIAL ANNOUNCEMENTS
- 4 REPORTS BY THE SPEAKER IN TERMS OF SECTION 15(1) OF THE RULES OF ORDER

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

3/2/1/4 (W)

Report by the Speaker

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

Section 80 Committee	Date recorded absent
Administration, Human Resource and Education Portfolio Committee	15/03/2012
Administration, Human Resource and Education Portfolio Committee	10/05/2012
Administration, Human Resource and Education Portfolio Committee	12/06/2012

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

FOR CONSIDERATION BY THE COUNCIL

- 5 APPLICATIONS AND APPEALS FROM COUNCILLORS IN TERMS OF SECTION 14 OF THE RULES OF ORDER
- 6 MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER

7 MOTIONS OF SYMPATHY AND CONGRATULATIONS BY OTHER COUNCILLORS

8 DISCLOSURE OF INTERESTS

9 MINUTES OF THE PREVIOUS MEETING OR MEETINGS

9.1 *Ordinary Meeting of the Council held on 27 September 2012*

9.2 *Special Meeting of the Council held on 25 October 2012*

10 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

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

“At stand 434 Fortnapier Street Nazareth the premises is used as a panel beating shop. The premises are not complying with the Council’s bylaws due to the fact that no toilet facilities are provided for the workers on the premises. This creates a great concern to the residents and the children in the area because the people are relieving themselves in the open veldt and street.

For many years this area was a peace full place to live in and to give your children a save haven to grow up in. After the business was open on stand 434 Fort Napier Street Nazareth the peacefulness of the area became a high crime area. This business attracts bad elements and on 9 August 2012 and 7 September 2012 there were break-ins at one house. The safety of the residents are at risk.

Two letters were submitted to Council dated 2 May 2012 and 7 September 2012 in this regard and no reply was received by the complaint. During a Mayoral community outreach meeting at Nazareth the question was put to the Mayor and he agreed that this area was a peaceful area but he also did not attend to the unacceptable conditions.

The Council is requested to take notice of the questions here below, raised by the undersigned Councillor:

1. *Why did the responsible officials not reply on the letters submitted to Council?*
2. *Why did the Mayor not take any action to solve the problem? (The Mayoural out reach purpose is been questioned)*
3. *Is the premises rezoned for the business that is conducted on the mentioned site?*

4. *If not what is Councils intention to resolve the problem and close down the business due to the fact that Councils by-laws are been transgressed?*
5. *What steps is Council going to take that all Councils by-laws is enforced. (Cleanliness of business and premises, providing of sufficient toilet facilities, refuse removal, general hygiene, applying to occupational health requirements. ect)*
6. *What steps in going to be taken to the illegal usage of the premises other than the purpose as permission is been give to trade as the approved business? (According to the correspondence submitted to Council).*

(sic)”

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

1. The letters of the complaint were replied. A transgression notice was issued to the property owner by the Town Planning Department on 29/05/2012. The second letter of the complainant was replied on 3/10/2012.
2. A transgression notice was issued to the property owner because the subject property is not zoned for industrial purposes.
3. A founding affidavit for the purpose of obtaining a court order was sent to Van Deventer and Campher Attorneys on 13/09/2012.
4. This matter has been before the Magistrate on 16 November 2012 and we are only awaiting his decision.
5. Subject to the availability of resources, all Council By-laws are enforced.
6. The court order will be implemented as soon as it is issued by the Magistrate.

10.2 THE FOLLOWING QUESTION WAS RECEIVED FROM CLLR J P PRETORIUS OF THE DA:

“The Banquet hall remains a questionable project. Although the Municipal Manager is the accountable official for the Banquet hall project it remains a problem to gather information on the project. It seems that the details regarding the finalization of the project and the cost of the project is withheld from Council and the relevant Portfolio Committees.

At a meeting held on 25 September 2012 the Infrastructure Development and Service Delivery Political Monitor Committee requested the Municipal

Manager to provide a full report on the breakdown and the number of local businesses that benefit from the project.

At the meeting held on 30 October 2012 of the Infrastructure Development and Service Delivery Political Monitor Committee on report was submitted by the Municipal Manager.

According to my knowledge the mentioned Portfolio Committee is a Monitoring and oversight committee and that questions raised and information needed by the Portfolio committee must be supplied with the necessary administration, cost and if the project is on schedule.

It seems that the Municipal Manager is above all Councils institutional rules.

- 1. Why did the Municipal Manager not supply comments or report to the Infrastructure Development and Service Delivery Political Monitor Committee as requested?*
- 2. Supply a full breakdown of the tender cost of the erection of the Banquet hall? In this regard we would like to have a full breakdown of all cost as per the original Bill of Quantities and other appointments indicating for instance the following which serves just as an example:*

<i>1. Architect fees</i>	<i>Original amount</i>	<i>Amount paid</i>	<i>Outstanding</i>
<i>2. Construction cost</i>			
<i>broken down into:</i>			
<i>a Professional and General charges</i>	<i>Original amount</i>	<i>Amount paid</i>	<i>Outstanding</i>
<i>b Construction work (brickworks)</i>	<i>Original amount</i>	<i>Amount paid</i>	<i>Outstanding</i>
<i>c Flooring</i>	<i>Original amount</i>	<i>Amount paid</i>	<i>Outstanding</i>
<i>d Electrical work</i>	<i>Original amount</i>	<i>Amount paid</i>	<i>Outstanding</i>
<i>f Plumbing work</i>	<i>Original amount</i>	<i>Amount paid</i>	<i>Outstanding</i>
<i>g Storm water and earth works</i>	<i>Original amount</i>	<i>Amount paid</i>	<i>Outstanding</i>
<i>3. Supervision cost:</i>			
<i>a Quantity Surveyors</i>	<i>Original amount</i>	<i>Amount paid</i>	<i>Outstanding</i>
<i>b De Leeuw and Associates</i>	<i>Original amount</i>	<i>Amount paid</i>	<i>Outstanding</i>

- 3. What is the amount of the additional cost over the above the tender amount?*
- 4. What is the amount that resulted in a saving on the additional amount required to complete the project?*
- 5. What are the outstanding works to be done to finalize the project?*
- 6. What is the number and names of local businesses that benefit from the project?*
- 7. What were the obstacles that delayed the project to be completed?*
- 8. Is the problem of the over flow of sewer in the ablution facilities solved?*

9. *When will the project be completed?*
10. *What else does the Council needs to know about any construction obstacles and any other problems with the erection of the Banquet hall up to date?*

(sic)"

THE FOLLOWING REPLY WAS PREPARED BY THE MUNICIPAL MANAGER ON BEHALF OF THE EXECUTIVE MAYOR:

1. The Monitoring Committees do not have the powers to issue instructions to the administration or to individuals including the Municipal Manager.

The Monitoring Committee monitors the activities of the respective member of the Mayoral Committee in accordance with terms of reference as determined by Council.

Should information be required from Members of the Mayoral Committee such information should be requested in writing from the Member of Mayoral Committee for inclusion in the Monitoring Committee Agenda under the appropriate term of reference

2. A full report regarding the Banquet Hall project will be submitted to the Mayoral Committee and Council after it has been fully completed.

11 REPORTS BY THE EXECUTIVE MAYOR

11.1 Report of the 21th/2012 Meeting of the Mayoral Committee held on 11 OCTOBER 2012:

Non Delegated Powers : -
Delegated Powers : M01 & 02/10/2012

11.2 Report of the 22th/2012 Meeting of the Mayoral Committee held on 14 NOVEMBER 2012:

Non Delegated Powers : C09; 14; 15; 16; 19; 22; 23; 26 & 37/10/2012
Delegated Powers: : 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

11.3 Report of the 23rd/2012 Meeting of the Mayoral Committee held on 14 November 2012:

Non Delegated Powers : C 01; 02; 06; 07; 09 & 10/11/2012

*Delegated Powers : M03; 04; 05; 08; 11; 12; 13; 14; 15; 16; 17; 18;
20; 21; 22; 23; 24 & 25/11/2012*

11.4 Report of the 24th/2012 Meeting of the Mayoral Committee held on 23 November 2012:

Non Delegated Powers : C26; 30; 33; 36; 41; 42; 43; 45 & 47/11/2012

*Delegated Powers : M27; 28; 29; 31; 32; 34; 35; 37; 38; 39; 40;
44; 46; 48; 49 & 50/11/2012*

12 MOTIONS

13 DEFERRED ITEMS

14 CLOSURE

REPORT OF THE

21st/2012

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

2012/10/11

M01/10/2012

**TOWN PLANNING: TOWNSHIP ESTABLISHMENT ON A PORTION OF THE
REMAINDER OF THE FARM TOEVLUGT 320 JS : BOTSHABELO RURAL VILLAGE**

15/3/75 (F)/yb

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** an application to establish a township on a portion of the Remainder of the farm Toevlugt 320 JS to be known as Botshabelo Rural Village be approved by Council subject to the following:
 - 1.1 **That** the proposed township be proclaimed only after a positive "record of decision" has been issued by the department of Economic Development, Environment and Tourism.
 - 1.2 **That** the consultants be informed to submit a set of conditions of establishment for scrutiny and approval by Council.
 - 1.3 **That** all the precautionary measures recommended in the geotechnical report be adhered to.
 - 1.4 **That** the recommendations made by the respective government departments and relevant stakeholders be adhered to.
2. **THAT** concerns raised by the Department of Water Affairs be attended to.
3. **THAT** a traffic impact study be conducted and submitted to the South African Roads Agency.
4. **THAT** the Developer apply to Eskom for the provision of electricity.
5. **THAT** a suitable area, measuring not less than 120m x 90m, be made available for a soccer field.
6. **THAT** areas created for storm water not be zoned as "public open space" but rather "institutional" or "community facility".
7. **THAT** all areas identified as "Public Open Space" be of a reasonable size and suitable to enable proper park development.
8. **THAT** a refuse disposal facility be incorporated in the layout of the township.
9. **THAT** waste removal services be introduced after the township has been developed and there is occupation of at least 50% of the houses.
10. **THAT** if possible an alternative solution for sewer reticulation be investigated to avoid the challenges encountered with biological toilets.

M02/10/2012

FINANCES: FINANCIAL MONTHLY REPORT FOR SEPTEMBER 2012

9/3/1 (P)

RESOLVED BY THE EXECUTIVE MAYOR

- 1 **THAT** the monthly report for September 2012, which includes the status of assets in support of Clean Audit 2014, be noted.
- 2 **THAT** permission be granted to the Executive Manager: Finance to submit the report in both electronic and hard copy format to the National and Provincial Treasury.
- 3 **THAT** permission be granted to the Executive Manager: Finance to place the monthly in-year report for September 2012 on the municipal website.

REPORT OF THE

22nd/2012

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

2012/11/14

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delegated
powers**

C09/10/2012

FINANCES: ANNUAL YEAR PLAN - MPAC

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

RECOMMENDATION BY THE EXECUTIVE MAYOR

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 be dates 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]

RECOMMENDATION BY THE EXECUTIVE MAYOR

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

RECOMMENDATION BY THE EXECUTIVE MAYOR

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

RECOMMENDATION BY THE EXECUTIVE MAYOR

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

RECOMMENDATION BY THE EXECUTIVE MAYOR

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

RECOMMENDATION BY THE EXECUTIVE MAYOR

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

RECOMMENDATION BY THE EXECUTIVE MAYOR

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 61% and that he be remunerated accordingly.

C26/10/2012

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

9/2/2 (M)

RECOMMENDATION BY THE EXECUTIVE MAYOR

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]

RECOMMENDATION BY THE EXECUTIVE MAYOR

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.
 - 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**

M03/10/2012

ESTABLISHMENT OF FLEA MARKET ON WEEKENDS

14/1/1/1/1 (F)/yb

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** Council approve the establishment of a flea market on weekends on Erf 33/871 (Van Blerk Park) Middelburg Town.
2. **THAT** indemnity forms be signed by each hawker indemnifying the Council of any injury, loss, death or damage that may occur.
3. **THAT** a rental amount of R30,00 (Thirty Rand) per day be charged and an additional fee for electricity.
4. **THAT** the approval of permits be done on a first come, first serve basis.
5. **THAT** enough bins or containers be provided to deal with waste and that the toilets and running water be provided.
6. **THAT** provision be made for fire extinguishers on site for immediate attack in case of a fire.
7. **THAT** hawkers provide refuse bags for the storage or refuse for collection each Monday by the Solid Waste Department.
8. **THAT** wherever electricity is needed, that each hawker enter into a consumer account with Council, pay a deposit and consumption on electricity as per Option 2 of the comments by the Executive Manager : Finance.
9. **THAT** the public also be informed that they enter the flea market at own risk.

M04/10/2012

TECHNICAL SERVICES: DOWNGRADING OF POST ID 4428: SUPERVISOR CLEANING OF MUNICIPAL BUILDINGS

4/3/1; 4/1/3/5/5 (B)/wm

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** Council take note of the report by the Chief: Municipal Building Services regarding the downgrading of Post ID 4428 (Supervisor Cleaning of Municipal Building).
2. **THAT** the above-mentioned post be downgraded and the following new positions be created in the Municipal Building Services:
 - (a) Job Title : Supervisor Cleansing
 - Job level : 10
 - Salary scale : R121 818/R126 933/R132 396/R138 447 p.a.

	Requirements	:	Qualification equal to NQF level 4. C1 Drivers license with PDP, Computer literacy, OHS training and knowledge of the OHS Act. First Aid certificate, Multilingual.
	Experience	:	2 – 3 years Supervisory experience (Supervisory training will be a recommendation).
	Functions	:	Supervision of cleaning team
(b)	Job Title	:	Worker Grade 3
	Level	:	20/19
	Salary	:	R69 111 per annum
	Function	:	Messenger, tea making, carrying/delivering of files and other manual labour duties as and when required.
	Requirements	:	Must be fit to do physical manual work. Grade 8 and/or 2 -3 years experience.

3. **THAT** the positions be advertised and filled accordingly.
4. **THAT** the organogram of the Municipal Building Services Department be amended accordingly.

M05/10/2012

FINANCES: FRUITLESS, WASTEFUL, IRREGULAR AND UNAUTHORISED EXPENDITURE

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

RESOLVED BY THE EXECUTIVE MAYOR

THAT note be taken that no new cases of fruitless, wasteful, irregular and unauthorised expenditure were referred by Council.

M06/10/2012

FINANCES: ROBBERY AT KOMATI PAYPOINT

17/17/1 (X)/tn

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** Council take note of the report by the Executive Director : Financial Services on the robbery at Komati paypoint on September 2012.
2. **THAT** the Executive Director : Financial Services be granted permission to report the loss of money to the Auditor-General in terms of Consolidated Circular 13 dated 13 April 1983.
3. **THAT** the Security System at Komati Paypoint be improved.
4. **THAT** an inspection in loco be arranged for members of the Mayoral Committee to visit other paypoints.

5. **THAT** the Acting Executive Manager: Community Services be requested to investigate and where necessary to intensify security systems at paypoints.

M07/10/2012

COUNCIL ARRANGEMENTS: MTWANA EDUCATIONAL TRANSPORT SERVICES ASSOCIATION (PTY) LTD

17/3/1/1 (X)/tn

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the presentation which was made by Mtwana Education Transport Services Association (Pty) Ltd (METSA), be noted.
2. **THAT** the Senior Manager: Traffic & Security Services be requested to do a thorough investigation on their request to be added on the Council's list of approved service providers within the Steve Tshwete Local Municipality jurisdiction, as well as the identification of holding areas after dropping off learners.

M08/10/2012

POLICY: HEALTH CARE AND HAZARDOUS WASTE POLICY FOR STEVE TSHWETE LOCAL MUNICIPALITY

17/1/P (C)iec

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** Council take note of the report by the Senior Manager: Solid Waste Management on the Health Care and Harzadous Waste Policy.
2. **THAT** Council approve the Health Care Harzadous Waste Policy for Steve Tshwete Local Municipality attached as **ANNEXURE A** to the Agenda of the Mayoral Committee.

M10/10/2012

CONFERENCES: CONFERENCE OF WOMEN IN LAW ENFORCEMENT

4/4/3 (B)/tn

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the report by the Senior Manager: Traffic and Security Services regarding the Conference of Women in Law Enforcement held at the Gallagher Estate in Midrand on 06 August 2012, be noted.

M11/10/2012

COUNCIL ARRANGEMENTS: TAXI LOADING AREAS - DOORKOP AND SOMAPHEPHA VILLAGE

17/3/3/1(X)/ls

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the Council take note of the report by the Senior Manager: Traffic & Security Services regarding the request for the loading areas for Doornkop and Somaphepha Village.
2. **THAT** the Senior Manager: Traffic and Security Services negotiate with Doornkop CPA to make a portion of Erf 443 at Doornkop available as a taxi loading area.
3. **THAT** the loading and dropping off of commuters at Somaphepha Village be done at the township and not along the R555 road.

M12/10/2012

PUBLIC SERVICES: UPGRADING OF VACANT POSTS OF COMMUNITY HEALTH NURSES – HEALTH SERVICES

4/1/3/4/2 (B)/tn

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** Council take note of the report by the Senior Manager: Health Services on the upgrading of vacant posts of Community Health Nurses.
2. **THAT** Council approve the upgrading of the existing 4 (four) vacant posts (post ID's 4011, 4034, 4036 and 4020) to the level 8/7 Senior Community Health Nurses, at the following clinics:
 - 2.1 Eastdene Clinic
 - 2.2 Nasaret Clinic
 - 2.3 Kwazamokuhle Clinic
 - 2.4 Hendrina Clinic
3. **THAT** the organogram be amended accordingly.
4. **THAT** the positions be advertised and filled as soon as possible.
5. **THAT** the additional expenditure be paid from the savings which will be realized on the salary budget as a result of the vacancies.

M13/10/2012

SUPPORT SERVICES: PROCEDURE ON IMPLEMENTATION OF INCOMING CORRESPONDENCE AS WELL AS RESOLUTION MANAGEMENT

12/2/1/12 ; 3/2/1/3 (G)

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the report by the Senior Manager: Legal & Administration on the procedure with regards to the implementation of incoming correspondence and resolution management, be noted.
2. **THAT** the Procedure on Incoming Correspondence and Resolution Management attached as **ANNEXURE A** to the Agenda of the Mayoral Committee, be adopted.

M17/10/2012

PERSONNEL: STATUS OF SALGBC COLLECTIVE AGREEMENTS

12/2/2/4 (X)

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the content of the letter from SALGA with regard to the extension of the SALGBC Main Collective Agreement and the SALGBC Disciplinary Procedures and Code Agreement until 31 December 2012 or such earlier date when the new agreements may be finalized, be noted.

M18/10/2012

PERSONNEL: CHANGE OF ORGANOGRAM : PROPERTY VALUATIONS

4/1/3/3/4 (X)/tn

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** an additional post for a Candidate Valuer/ Junior Valuer/ Senior Valuer on post level 8/7/6, be created.
2. **THAT** promotion within the newly created post be coupled to the conditions stipulated in Resolution M53/06/2007 as follows:
 - 2.1. **THAT** promotion from post level 8 to post level 7 be coupled with at least 2 years experience in the post of Candidate Valuer, the obtaining of a National Diploma: Property Valuations or equivalent and the successful completion of the practical work school presented by the South African Council for the Property Valuers Profession.
 - 2.2. **THAT** promotion from post level 7 to post level 6 be coupled to a further 2 years experience and to the successful completion of the board examinations of the South African Council for the Property Valuers Profession.

3. **THAT** a 550km vehicle allowance be coupled to the newly created post.
4. **THAT** the newly created post be advertised on the entry level for a candidate valuer and be filled as a matter of urgency.
5. **THAT** the organogram be amended accordingly.
6. **THAT** the budget votes be amended under the delegation of authority to allow for the creation of a new post as follows:

		<u>Increase</u>	<u>Decrease</u>
100/133	(Council General : Medical Aid)		R65 000
100/136	(Council General : Cell Allowance)		R25 000
100/470	(Council General : Pensioners Medical)		R20 000
123/290	(Property Valuations : Travelling)		R20 000
123/110	(Property Valuation : Salaries)	<u>R130 000</u>	<u> </u>

M20/10/2012

FINANCES: MPAC: MINUTES OF AUDIT COMMITTEE - 10 MAY 2012

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

RESOLVED BY THE EXECUTIVE MAYOR

THAT the report on the Minutes of the Audit Committee held on 10 May 2012 as submitted by the Executive Director : Financial Services, be noted.

M21/10/2012

COUNCIL ARRANGEMENTS : ROLES AND RESPONSIBILITIES OF THE MEMBERS OF THE MAYORAL COMMITTEE

3/P & 3/R (M)

RESOLVED BY THE EXECUTIVE MAYOR

- 1 **THAT** the Portfolios of the Members of the Mayoral Committee be amended as follows:

<i>Members of Mayoral Committee</i>	<i>Portfolio</i>
Cllr N J Mahlangu	MMC for Infrastructure Development and Service Delivery
Cllr E F Mathebula	MMC for Financial Services
Cllr D J Motsepe	MMC for Environmental Health and Public Facility Services
Cllr S D Nkadimeng	MMC for Spatial Development and Human Settlement
Cllr E P Nkosi	MMC for Community Protection Services
Ald H Pilodia	MMC for Corporate Services

- 2 **THAT** the Members of the Mayoral Committee monitor the administrative functions as mentioned in the report.
- 3 **THAT** the job description for Members of the Mayoral Committee attached as **ANNEXURE A** to the Agenda, be adopted.

- 4 **THAT** note be taken that the activities and functions performed by the officials within the Offices of the Executive Mayor and Municipal Manager are not included in the portfolios mentioned in 1 above and the monitoring of such functions will be done by the said offices.

M24/10/2012

LAND: PIENAARDAM RESORT : LION PERMIT

1/3/1/22 (L)/iec

[MM 70051]

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the application by Pienaardam Resort to Mpumalanga Tourism and Parks Agency (MTPA) for a permit to keep lions in enclosures for the purpose of public display and education be supported by Council subject to the following:
- 1.1 **That** the Pienaardam Resort indemnifies the Municipality against any claim, death, injury, loss or what ever which may arise as a result of the permit to keep lions.
- 1.2 **That** the conditions which may be imposed by the Mpumalanga Tourism and Parks Agency be complied with regarding the permit to keep lions.
- 1.3 **That** the agreement between the Municipality and the resort owner is entered into stipulating clearly that the owner of the resort will accept full responsibility for any claims or actions that may arise from the lion enclosure and that compliance with the relevant legislation / authority requirements are fully adhered to.
- 1.4 **That** Pienaardam Resort should ensure that the limit of liability is sufficient to cater for any claims that may arise.
- 1.5 **That** the limit of liability should at least be R10 000 000,00 and the resort's owner must on a yearly basis provide proof to the municipality that their liability policy is active.

M25/10/2012

ASSETS : VEHICLE DONATION: UNIMOG FIRE ENGINE REGISTRATION NUMBER BZH127MP

14/1/1/2/2 (C)/yb

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the request for the donation of fire engine to Kranspoort Vakansiedorp owners committee not be acceded to and that the possibility to establish a satellite fire station that will service all the surrounding areas be investigated.
2. **THAT** the applicant be informed accordingly.

M27/10/2012

DELEGATIONS: SOUTH AFRICAN MUNICIPAL SPORTS AND RECREATION ASSOCIATION: NATIONAL EXECUTIVE COMMITTEE MEMBER

12/2/1/9 (M)/wm

[MM70243]

RESOLVED BY THE EXECUTIVE MAYOR

THAT SAMSRA be informed that in view of the fact that the activities they perform are by nature a Corporate function, the name of Cllr D Motsepe be replaced by the name of the MMC for Corporate Services, Ald H Pilodia as member of their National Executive Committee.

M28/10/2012

COUNCIL ARRANGEMENTS: 9TH/2012 POLITICAL MONITORING REPORT FOR THE ADMINISTRATION, HUMAN RESOURCES AND EDUCATION PORTFOLIO COMMITTEE: 20 SEPTEMBER 2012

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

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the monitoring report for the Administrative Monitoring Committee held on 5 September 2012, be noted.
2. **THAT** a workshop be arranged for all Councillors on the terms and reference of the Section 79 Monitoring Committees.

M29/10/2012

COUNCIL ARRANGEMENTS: 9TH/2012 POLITICAL MONITORING COMMITTEE REPORT FOR ECONOMIC DEVELOPMENT, FINANCE AND AUDITING PORTFOLIO: 25 SEPTEMBER 2012

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

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the monitoring report for the Administrative Monitoring Committee held on 18 September 2012, be noted.
2. **THAT** the matters raised by the Committee be dealt with by the relevant MMC.

M30/10/2012

COUNCIL ARRANGEMENTS: 8TH/2012 POLITICAL MONITORING REPORT FOR THE TRAFFIC, EMERGENCY, TRANSPORT, SAFETY & SECURITY PORTFOLIO COMMITTEE: 02 OCTOBER 2012

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

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the Monitoring report for the Administrative Monitoring Committee held on 6 September 2012, be noted.

2. **THAT** the matters raised by the Committee be dealt with by the relevant MMC.

M31/10/2012

COUNCIL ARRANGEMENTS: 6TH/2012 POLITICAL MONITORING REPORT FOR THE HUMAN SETTLEMENT AND AGRICULTURE PORTFOLIO COMMITTEE: 02 OCTOBER 2012

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

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the monitoring report for the Administrative Monitoring Committee held on 6 September 2012, be noted.
2. **THAT** the matters raised by the Committee be dealt with by the relevant MMC.

M32/10/2012

COUNCIL ARRANGEMENTS: 8TH/2012 POLITICAL MONITORING REPORT FOR THE HEALTH, SOCIAL SERVICES, CULTURE, SPORT & RECREATION PORTFOLIO COMMITTEE: 2 OCTOBER 2012

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

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the Monitoring report for the Administrative Monitoring Committee held on 6 September 2012, be noted.
2. **THAT** the matters raised by the Committee be dealt with by the relevant MMC.

M33/10/2012

COUNCIL ARRANGEMENTS: 7TH/2012 POLITICAL MONITORING REPORT FOR THE INFRASTRUCTURE DEVELOPMENT AND SERVICE DELIVERY PORTFOLIO COMMITTEE: 25 SEPTEMBER 2012

3/2/4/1/22/2/1/6 (G)

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the Monitoring report for the Administrative Monitoring Committee held on 18 September 2012, be noted.
2. **THAT** the matters raised by the Committee be dealt with by the MMC.

M34/10/2012

PERSONNEL : CASCADING PERFORMANCE MANAGEMENT SYSTEM DOWN TO LOWER LEVELS OF MANAGEMENT

4/5/1/2 (B)/wm

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** Council take note of the report by the Senior Manager: Human Resources on cascading Performance Management System down to lower levels of Management.
2. **THAT** the Performance Management System be cascaded down to Level 1, 2 and 3 in the Financial year 2012/2013 and thereafter to lower levels.
3. **THAT** note be taken that the Performance Management System is not linked to a bonus system.

M35/10/2012

TOWN PLANNING: REZONING OF ERF 481 HENDRINA TOWN AMENDMENT SCHEME 152 : 31 SCHEEPERS STREET

15/4/R (L)/yb

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the rezoning of Erf 481 Hendrina Town ("the property") from "Residential 1" to "Residential 2" be approved subject to the following conditions:
 - 1.1 **That** the erf is subject to the standard conditions for an erf zoned "Residential 2" as contained in the Steve Tshwete Town Planning Scheme 2004.
 - 1.2 **That** the height of the buildings on the erf shall be restricted to two storeys.
 - 1.3 **That** the coverage of the buildings on the erf shall not exceed 25% of the area of the erf.
 - 1.4 **That** the floor area ratio shall not exceed 0,40.
 - 1.5 **That** not more than 6 units shall be erected on the erf.
 - 1.6 **That** the building lines applicable to the erf may be amended by means of the submission and approval of a site development plan.
 - 1.7 **That** the drainage of storm water shall be to the satisfaction of the Civil Town Engineer.
 - 1.8 **That** the loading and off-loading of goods shall take place only within the boundaries of the erf.

- 1.9 **That** no parking of vehicles shall be allowed in Scheepers Street.
- 1.10 **That** effective, paved parking places, together with necessary maneuvering area, shall be provided on the erf to the satisfaction of the Senior Manager : Town Planning Services in the following ratio:
- 1.10.1 Covered parking space per unit.
- 1.10.2 Parking space per 2 dwelling units for visitors
- 1.11 **That** a site development plan that depicts the entire development on the erf shall be submitted for approval to the Senior Manager: Town Planning Services.
- 1.12 **That** Council reconfirm the rescinding of Resolution M08/03/2008.
- 1.13 **That** the words "on condition that the illegal structures on the erf are removed" as appearing on Paragraph 2 of Resolution M16/02/2009 be deleted.
- 1.14 **That** the amendment scheme of the property need to be proclaimed in the Mpumalanga Provincial Gazette.
- 1.15 **That** the application lodged by this Municipality's attorneys against the owner of the property for the demolition of the illegal structures be withdrawn and that this Municipality tender costs for withdrawal of the application.

M36/10/2012

SERVICES: KRANSPOORT HOLIDAY TOWN

15/3/10 (E)/yb

RESOLVED BY THE EXECUTIVE MAYOR

THAT the Council take note of the implementation regarding Resolution M39/11/2011.

REPORT OF THE

23rd/2012

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

2012/11/14

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**NON
delegated
powers**

C01/11/2012

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

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

RECOMMENDATION BY THE EXECUTIVE MAYOR

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

RECOMMENDATION BY THE EXECUTIVE MAYOR

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.

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]

RECOMMENDATION BY THE EXECUTIVE MAYOR

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

RECOMMENDATION BY THE EXECUTIVE MAYOR

- 1.1.1.1 **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 - Kwazam	17:30
Special Council	28 February 2013	Council Chamber – Civic Centre	17:30
Ordinary Council	28 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	Council Chamber - Civic Centre	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>
02/01/2013	10/01/2013	15/01/2013	22/01/2013
01/02/2013	14/02/2013	12/02/2013	21/02/2013
05/03/2013	14/03/2013	14/03/2013	19/03/2013
02/04/2013	11/04/2013	10/04/2013	18/04/2013
29/04/2013	09/05/2013	14/05/2013	21/05/2013
05/06/2013	13/06/2013	13/06/2013	20/06/2013
01/07/2013	11/07/2013	10/07/2013	16/07/2013
30/07/2013	08/08/2013	07/08/2013	15/08/2013
03/09/2013	12/09/2013	11/09/2013	18/09/2013
01/10/2013	10/10/2013	17/10/2013	24/10/2013
06/11/2013	14/11/2013	14/11/2013	19/11/2013
03/12/2013	12/12/2013		

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]

RECOMMENDATION BY THE EXECUTIVE MAYOR

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 applicants 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:
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]

RECOMMENDATION BY THE EXECUTIVE MAYOR

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**

M03/11/2012

**COUNCIL ARRANGEMENTS: RECOMMENDATIONS MADE BY THE
INFRASTRUCTURE DEVELOPMENT AND SERVICE DELIVERY POLITICAL
MONITORING COMMITTEE FOR THE PERIOD JANUARY 2012 TO AUGUST 2012**

3/2/4/1/22/2/1/6 (G)

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the reports for the Infrastructure Development and Service Delivery Administrative Monitoring Committee which were held on the following dates, be noted:

- 1.1 10 January 2012
- 1.2 14 February 2012
- 1.3 11 April 2012
- 1.4 29 May 2012
- 1.5 26 July 2012
- 1.6 20 August 2012

2. **THAT** the matters raised by the Committee be dealt with by the relevant MMC.

M04/11/2012

PERSONNEL : ACCIDENT AND INCIDENT REPORTING GUIDELINES

4/6/9; 5/9/2 (X)/tn

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the Accident and Incident Reporting Guidelines attached as **ANNEXURE A**, be approved.
2. **THAT** the procedure be communicated to all municipal employees using the full range of communication methods available in the municipality.

M05/11/2012

REQUEST FOR ASSISTANCE : APOSTLES CHURCH

15/1/5/4 (B)/lb

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** it be noted that the item was withdrawn by the Municipal Manager.

M08/11/2012

LAND: APPLICATION TO PURCHASE PORTION 154 OF ERF 6321 MHLUZI PROPER FOR BUSINESS PURPOSES

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

[MM 48520]

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** Council take note of the report by the Senior Manager : Town Planning Services.
2. **THAT** the application to purchase Portion 154 of Erf 6321 Mhluzi Proper for business purposes not be approved due to the fact that the property will be needed in the future.
3. **THAT** the applicant be informed accordingly.

M11/11/2012

SALE IN EXECUTION OF STAND 2466 KWAZAMOKUHLE EXTENSION 2

5/12/1 (J)/yb

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** an amount of R7 498,42 (Seven Thousand Four Hundred and Ninety Eight Rand Forty Two Cents) outstanding for Stand 2466 Kwazamokuhle Extension 2 together with any excess amount be written off against vote number 945/040 (Debtors : Debt Impairment : Consumer Debtors).
2. **THAT** the amount of R100,00 (One Hundred Rand) be paid against vote number 120/500 (Council's General : Legal Costs).
3. **THAT** one of Council's Attorneys be instructed to re-transfer the stand into Council's name and the costs thereof be allocated to vote number 120/500 (Council's General : Legal Fees).

M12/11/2012

INSTITUTES: ELECTION TO EXECUTIVE COMMITTEE OF THE INSTITUTE OF MUNICIPAL FINANCE OFFICERS

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

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** Council take note of the report by the Executive Director: Financial Services regarding the election of the Assistant Town Treasurer: Treasury Office to the Executive Committee of the Institute of Municipal Finance Officers.
2. **THAT** permission be granted for the Assistant Town Treasurer: Treasury Office to serve as the branch chairperson and Institute Council member.
3. **THAT** a special leave be granted for attendance of branch and Institute Council meetings.

4. **THAT** necessary payment of travelling and subsistence for attending branch and Institute Council meetings be granted.

M13/11/2012

TOWN PLANNING: APPLICATION TO REPLACE AN EXISTING MUNICIPAL MAST LOCATED OF ERF 7752 MIDDELBURG EXTENSION 23: TORBIOUSE SOLUTION

15/4/1 (F)/yb

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** Council approve the application to replace an existing Municipal mast located on Erf 7752 Middelburg Extension 23 subject to the following conditions:
 - 1.1 **That** positive comments on the visual impact of the proposed new structures on the surroundings be obtained from the Department of Economic Development, Environment and Tourism particularly by the applicant before any replacement work can be commenced with.
 - 1.2 **That** a lease agreement for upgrading and sharing of the existing infrastructure be entered into between Council and the applicant before any construction work can be commenced with.
 - 1.3 **That** the proposed cellular phone masts should not exceed 30 metres in height.
 - 1.4 **That** the proposed development for the cellular phone masts be constructed on the subject properties as a secondary use.
 - 1.5 **That** the cellular telephone mast be constructed in a way that it blends in well with the surrounding environment to the satisfaction of the Council.
 - 1.6 **That** site development plans together with the building plans be submitted for approval prior to any construction work.
 - 1.7 **That** the identified location were the cellular telephone masts will be erected be fenced off and locked at all times.
2. **THAT** rental and electrical costs be included in the lease agreement.
3. **THAT** the applicant meets all costs related to the dismantling, removal and proper storage of the existing mast at the Municipal stores.
4. **THAT** a project implementation plan with relevant environmental authorisations and dates/ milestones be submitted to the Senior Manager: Town Planning Services prior to execution.
5. **THAT** the mast be accessible at all times to perform maintenance and repairs.
6. **THAT** the new mast be in place before the equipment is moved from the existing tower to the new tower.

7. **THAT** the movement of equipment take place over a weekend between Saturday 2 pm to Sunday 5 pm to ensure that no services of the Municipality are effected in normal office hours.
8. **THAT** the mast be divided into two sections and the first section from the ground to 20 metres will be used by the Municipality and the other part above 20 metres to 30 metres will be used by the applicant.
9. **THAT** a proposition be made to the applicant to allow the Municipality to use the infrastructures of the applicant in the MP313 area for the extension of its Municipality's radio and data services, in such an instance no service fee will be charged.
10. **THAT** a working relationship agreement be entered into with the applicant.
11. **THAT** the applicant must decommission the current mast and transport it to the municipal stores.

M14/11/2012

SUPPORT SERVICES: ELECTION OF RECORDS MANAGER TO SERVE ON THE MPUMALANGA RECORDS MANAGEMENT FORUM EXECUTIVE COMMITTEE

12/2/1/12 (Q) /tn

RESOLVED BY THE EXECUTIVE MAYOR

THAT the report by the Senior Manager: Legal and Administration regarding the election of Records Manager to serve in the Mpumalanga Records Management Forum Executive Committee, be noted and that special leave be granted to the Records Manager to attend these meetings.

M15/11/2012

PERSONNEL: MEDICAL AID SCHEMES ACCREDITATION

4/5/6/1 (X) /tn

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the report by the Senior Manager: Human Resources regarding the Medical Aid Scheme Accreditation for the year 2013, be noted.
2. **THAT** permission be granted to the Senior Manager: Human Resources to bring the circular on Medical Scheme Accreditation to the attention of the Employees.

M16/11/2012

FINANCES: FINANCIAL MONTHLY REPORT FOR OCTOBER 2012

9/3/1 (P)

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the monthly report for October 2012, which includes the status of assets in support of Clean Audit 2014, be noted.
2. **THAT** permission be granted to the Executive Director: Financial Services to submit the report in both electronic and hard copy format to the National and Provincial Treasury.
3. **THAT** permission be granted to the Executive Director: Financial Services to place the monthly report for October 2012 on the municipal website.

M17/11/2012

FINANCES: FOURTH QUARTER AUDIT COMMITTEE REPORT : 30 JUNE 2012

3/2/7/1 (B)/wm

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the fourth quarter Audit Committee report of the financial year ended 30 June 2012 attached as **ANNEXURE A** to the report of the Executive Director: Financial Services, be noted.
2. **THAT** a further report with inputs from all relevant stakeholders be submitted to the Executive Mayor for consideration.

M18/11/2012

COUNCIL ARRANGEMENTS: RECOMMENDATIONS MADE BY THE ECONOMIC DEVELOPMENT, FINANCE AND AUDITING POLITICAL MONITORING COMMITTEE FOR THE PERIOD JANUARY 2012 TO AUGUST 2012

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

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the monitoring reports for the Administrative Monitoring Committee held on the following dates, be noted:
 - 1.1 19 January 2012
 - 1.2 22 February 2012
 - 1.3 23 March 2012
 - 1.4 19 April 2012
 - 1.5 17 May 2012
 - 1.6 19 June 2012
 - 1.7 17 July 2012
 - 1.8 22 August 2012
2. **THAT** the matters raised by the Committee be dealt with by the relevant MMC.

M20/11/2012

COUNCIL ARRANGEMENTS: RECOMMENDATIONS MADE BY THE HEALTH, SOCIAL SERVICES, CULTURE, SPORT & RECREATION POLITICAL MONITORING MEETINGS FOR THE PERIOD JANUARY 2012 TO AUGUST 2012

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

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the monitoring reports for Health, Social Services, Culture, Sport & Recreation Administrative Monitoring Committee held on the following dates, be noted:
 - 1.1 8 December 2011
 - 1.2 15 February 2012
 - 1.3 02 April 2012
 - 1.4 14 May 2012
 - 1.5 15 June 2012
 - 1.6 19 July 2012
 - 1.7 15 August 2012

2. **THAT** the matters raised by the Committee be dealt with by the relevant MMC.

M21/11/2012

ADMINISTRATION, HUMAN RESOURCES AND EDUCATION MONITORING MEETINGS FOR THE PERIOD JANUARY 2012 TO AUGUST 2012

3/2/8 (G)

RESOLVED BY THE EXECUTIVE MAYOR

- 1 **THAT** the monitoring reports for the Administration, Human Resources and Education Administrative Monitoring Committee held on the following dates, be noted:
 - 1.1 24 November 2011
 - 1.2 10 January 2012
 - 1.3 14 February 2012
 - 1.4 13 March 2012
 - 1.5 10 April 2012
 - 1.6 17 May 2012
 - 1.7 12 June 2012
 - 1.8 12 July 2012
 - 1.9 14 August 2012

- 2 **THAT** the matters raised by the Committee be dealt with by the relevant MMC.

M22/11/2012

COUNCIL ARRANGEMENTS: RECOMMENDATIONS MADE BY THE HUMAN SETTLEMENT & AGRICULTURE POLITICAL MONITORING COMMITTEE FOR THE PERIOD JANUARY 2012 TO AUGUST 2012

3/2/4/1/22/2/1/5 (G)

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the monitoring reports for Human Settlement and Agriculture Administrative Monitoring Committee held on the following dates, be noted:

- 1.1 19 January 2012
- 1.2 15 February 2012
- 1.3 02 April 2012
- 1.4 06 May 2012
- 1.5 12 June 2012
- 1.6 23 July 2012
- 1.7 20 August 2012

2. **THAT** the matters raised by the Committee be dealt with by the relevant MMC.

M23/11/2012

COUNCIL ARRANGEMENTS: RECOMMENDATIONS MADE BY THE TRAFFIC, EMERGENCY, TRANSPORT, SAFETY & SECURITY POLITICAL MONITORING COMMITTEE FOR THE PERIOD JANUARY 2012 TO AUGUST 2012

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

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the monitoring reports for Traffic, Emergency, Transport, Safety & Security Administrative Monitoring Committee held on the following dates, be noted:

- 1.1 07 December 2011
- 1.2 19 January 2012
- 1.3 15 February 2012
- 1.4 02 April 2012
- 1.5 15 May 2012
- 1.6 12 June 2012
- 1.7 19 July 2012
- 1.8 15 August 2012

2. **THAT** the matters raised by the Committee be dealt with by the relevant MMC.

M24/11/2012

TECHNICAL SERVICES: MECHANICAL REFURBISHMENTS AT BOSKRANS WATER TREATMENT PLANT

16/1/1/R (M)/ wm

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** in terms of Section 29 of the MFMA Council approves the urgent acquisition of a second belt press for Boskrans as a replacement for the new one at stores currently intended for Phase 1 upgrading of the Wastewater Treatment plant at approximately R 4 000 000 subject to a variation order being issued and accepted by the engineer and the contractor respectively.
2. **THAT** in order to avoid a lengthy procurement process, the Contractor for the Mechanical Equipment installations, be asked to install the additional belt-press as a Variation Order.

M25/11/2012

REPORT ON THE UPDATE AND STATUS QUO FOR BOSKRANS WATER TREATMENT WORKS

16/1/1/R (M)/ wm

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** Council take note of the contents of the report in particular the completion dates for the civil works (**March 2013**) and the commissioning date (**June 2013**).
2. **THAT** existing equipment be maintained and refurbished until the second phase is complete (upgrading of capacity to 45 ML/day).

REPORT OF THE

24th/2012

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

2012/11/23

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**NON
delegated
powers**

C26/11/2012

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

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

RECOMMENDATION BY THE EXECUTIVE MAYOR

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

RECOMMENDATION BY THE EXECUTIVE MAYOR

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

RECOMMENDATION BY THE EXECUTIVE MAYOR

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

RECOMMENDATION BY THE EXECUTIVE MAYOR

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

RECOMMENDATION BY THE EXECUTIVE MAYOR

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

RECOMMENDATION BY THE EXECUTIVE MAYOR

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

CONFIDENTIAL ITEM : NOT FOR PUBLICATION

(This item is distributed under separate cover)

RECOMMENDATION BY THE EXECUTIVE MAYOR

THAT note be taken that the Executive Mayor indicated that he will submit a recommendation on the matter at the Council meeting.

C45/11/2012

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

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

RECOMMENDATION BY THE EXECUTIVE MAYOR

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

RECOMMENDATION BY THE EXECUTIVE MAYOR

1. **THAT** the report by the Executive Director: Financial Services regarding the 2012/2013 adjustment budget, be noted.
2. **THAT** the 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**

M27/11/2012

**LEGAL ACTION: STEVE TSHWETE LOCAL MUNICIPALITY / MIDMALANGA X 105
CC AND OTHERS**

13/4/11 (C)/yb

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** Council take note of the report by the Senior Manager : Legal Administration.
2. **THAT**, based on the legal opinion, no legal action be instituted herein and the matter be considered finalised.

M28/11/2012

**PUBLIC SERVICES: JOINT LAW ENFORCEMENT AT HENDRINA AND
KWAZAMOKUHLE TAXI RANKS**

17/3/3/2 (X)/tn

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the report by the Senior Manager: Traffic & Security Services regarding the operation "hlasela", be noted.
2. **THAT** similar operations be conducted randomly at the other taxi ranks.

M29/11/2012

LAND: PORTION 26 OF ERF 523 NASARET - 17 CERES STREET

7/2/3/2 (C)/em

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** Council take note of the report by the Senior Manager : Legal & Administration on the dispute over Erf 173 Nasaret.
2. **THAT** the dispute between the parties regarding Erf 173 Nasaret be considered a private matter and that the parties be informed to institute a civil claim to resolve the dispute.
3. **THAT** previous Council resolutions in this regard be rescinded.

M31/11/2012

**LAND: APPLICATION TO LEASE A PORTION OF PORTION 27 OF THE FARM
MIDDELBURG TOWN AND TOWNLANDS 287 FOR INFORMAL GARDENS
PURPOSES : NASARET**

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

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** Council take note of the report by the Senior Manager : Town Planning Services on the application for a portion of Portion 27 of the farm Middelburg Townlands 287 JS for informal gardens.
2. **THAT** a portion of Portion 27 of the Middelburg Town and Townlands 287 JS be made available to the applicant and interested community members for informal garden purposes.
3. **THAT** the LED Manager be responsible to allocate garden allotments measuring 10 m x 10 m to interested community members.
4. **THAT** no permanent structures be erected on the subject property.
5. **THAT** the identified property only be used for garden purpose.

M32/11/2012

INSTALLATION OF TENTS ON THE PUBLIC ROAD

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

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** Council take note of the report by the Senior Manager : Traffic & Security Services on the erection of tents on public roads.
2. **THAT** the Department of Traffic & Security Services develop a policy to regulate such activity.
3. **THAT** the said policy, amongst other things, address the following:
 - 3.1 Procedure for applying;
 - 3.2 Applicable tariffs;
 - 3.3 Refundable or non-refundable deposits;
 - 3.4 Liability for damage to the road surface; and /or
 - 3.5 Fines for contravention of the policy.
4. **THAT** a further report be submitted by the Senior Manager : Traffic & Security Services for consideration of the policy mentioned in point 2 above.

M34/11/2012

FACILITIES: REQUEST TO UTILISE BANQUET HALL BY MPUMALANGA BASKETBALL ASSOCIATION

17/7/2 (K)nm

[MM73612]

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the request by Mpumalanga Basketball Association to utilise the Banquet Hall to host National Basketball Championships on 16 to 22 December 2012 be approved subject to the following conditions:
 - 1.1 **THAT** the hall be made available free of charge provided the deposit is paid and that no entrance fee is charged.
 - 1.2 **THAT** the applicant be responsible for all costs including construction and erection of the poles, painting and placing of the courts and the score boards under the supervision of the Council's responsible official.
 - 1.3 **THAT** Council be indemnified against any possible liability.

M35/11/2012

FINANCES: REQUEST FOR FINANCIAL AND LOGISTIC SUPPORT: IPSOMATE

5/16/R (N)/wm

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the report by the Executive Director: Corporate Services regarding a request by Ipsomate for financial and logistic support, be noted.
2. **THAT** Ipsomate be informed that although Council supports a campaign for VCCT/HCT testing and counseling, Council can unfortunately not adhere to their request as no provision for such an amount was budgeted for.
3. **THAT** in view of the fact that entrance fees will be charged to the event, the Kees Taljaard facilities not be made available free of charge.
4. **THAT** Council note that free testing and counseling are performed at Council Clinics.

M37/11/2012

TERMS OF CONDITIONS: HEADS OF THE DEPARTMENTS AND MANAGERS REPORTING DIRECTLY TO THE MUNICIPAL MANAGER

4/2/2 (N)/adk

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the status of employment of the Heads of Department and Managers reporting directly to the Municipal Manager be changed from fixed term to permanent at the levels approved by Council;
2. **THAT** changing of the status thereof will be effective upon the expiry of their current contracts.
3. **THAT** all the relevant contractual positions be advertised on a permanent basis before they are filled.
4. **THAT** the positions be advertised and filled at level 1 for the Senior Managers and level 3 for Managers reporting directly to the Municipal Manager respectively, subject to the signing of a performance contract.

M38/11/2012

PUBLIC SERVICES: REQUEST TO MOVE LONG DISTANCE TAXI RANK INTO TOWN (M27/07/2012)

17/3/3/2 (X)

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the report by the Senior Manager: Traffic & Security regarding the request to move long distance Taxi Rank into town, be noted.
2. **THAT** the possible construction of a multi modal taxi rank be referred to the next IDP and Budget for consideration.
3. **THAT** permission be granted to the Executive Director: Community Services to interact with Nkangala District Municipality regarding the possible funding of the multi modal taxi rank.

M39/11/2012

TECHNICAL SERVICES : PAYMENT ESKOM: AERORAND SUBSTATION

5/10/2 (B)/wm

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** Council take note of the report by the Town Electrical Engineer regarding the payment to Eskom for Aerorand Substation.
2. **THAT** the amount of R4 000 000 (excluding VAT) be paid to Eskom from vote 700/369 (Eskom: Connection Fees)

3. **THAT** the additional amount of R2 083 000 (excluding VAT) be referred to the adjustment budget in February 2013.
4. **THAT** the remainder of R2 083 000 (excluding VAT) be paid to Eskom after the approval of the adjustment budget.

M40/11/2012

PUBLIC SERVICES: TAXI RANK : NAZARETH TAXI ASSOCIATION (M28/07/2012)

17/3/3/2 (X)/tn

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the report by the Senior Manager: Traffic & Security regarding the upgrading of Nazareth Taxi Rank, be noted.
2. **THAT** the possible construction of a multi modal taxi rank be referred to the next IDP and Budget for consideration.

M44/11/2012

REPORT ON WARD COMMITTEE AND WARD COMMUNITY MEETINGS OCTOBER 2012

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

RESOLVED BY THE EXECUTIVE MAYOR

THAT Council take note of the Ward Committee and Ward Community Meetings that took place after the 27 September 2012 Ordinary Council Meeting.

M46/11/2012

REVIEW OF THE ORGANISATIONAL STRUCTURE : APPROVAL OF THE STAFF ESTABLISHMENT : POST LEVEL 2 AND 3

4/1/2 (N)/adk

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** staff establishment up to level 3 as submitted be approved.
2. **THAT** due to insufficient budgetary provisions, the Municipal Manager make the necessary budget provisions in the forthcoming financial years for the prioritized posts as per organisational priority needs.
3. **THAT** the Municipal Manager commences with the placement of existing personnel as per approved functional framework.
4. **THAT** note be taken that no employee will be worse off by the process of placement and restructuring.
5. **THAT** the titles of Senior Managers, Deputy Senior Managers and Managers at level 3 be changed to Director, Deputy Director and Assistant Director respectively.

6. **THAT** the appointments of the Deputy Director and the Assistant Director Admin Support in the office of the Executive Mayor be aligned to the term of the Executive Mayor.

M48/11/2012

PUBLIC SERVICE: REQUEST FOR HAWKERS STORAGE AREA WITHIN THE CBD
(M16/01/2012)

14/1/1/1/1 (X)/tn

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the report by the Senior Manager: Traffic & Security regarding the request for Hawkers storage area within the CBD, be noted.
2. **THAT** with the design of the multi modal taxi rank provision be made for such a storage area.

M49/11/2012

PUBLIC SERVICES: QUARTERLY REPORT FROM JULY - SEPTEMBER 2012:
VEHICLE ACCIDENTS

9/2/3 (X)/tn

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the report by the Senior Manager: Traffic & Security Services on Vehicle Accidents from July to September 2012, be noted.

M50/11/2012

POLICIES: EXPANDED PUBLIC WORKS POLICY

1/2/1/3 (B)

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the draft EPWP policy attached as **ANNEXURE A** to the Agenda of the Mayoral Committee be adopted.
2. **THAT** the Executive Director : Infrastructure Services be requested to submit a report on the number of people that were employed with this program.