



STEVE TSHWETE LOCAL MUNICIPALITY

MINUTES

OF THE

ORDINARY COUNCIL

MEETING HELD ON

26 November 2024

09:05 am



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**MINUTES OF THE ORDINARY COUNCIL MEETING HELD
IN THE COUNCIL CHAMBER, MIDDELBURG ON
TUESDAY, 26 NOVEMBER 2024 AT 09:05**

PRESENT

Cllr PM Masilela (Executive Mayor)
Cllr ST Mathunyane
Cllr CS Mashiloane
Cllr BC Shabangu
Ald MJ Sekgwele
Cllr GNB Mathibela
Cllr LE Nkwana
Cllr MC Mphego
Cllr I Mahlangu
Cllr PV Malinga
Cllr WMM Phetla
Cllr LN Sibanda
Cllr JF Sithole
Cllr ML Shabangu
Cllr JM Shongwe
Ald J Skosana
Cllr PE Williams
Cllr LJV Zondo
Cllr SW Zulu
Cllr P Mnisi
Cllr EM Bruiners
Cllr H G De Klerk
Ald J Dyason
Ald AS Grobler
Ald H F Niemann
Ald P Mobongo

Ald SM Mogola – left 12:04
Cllr LS Qoka
Ald GHE Romijn
Cllr CM Soko
Cllr DA Stuurman
Cllr AO Thabatha
Cllr EW Vermooten
Ald S Wait
Cllr N Bottoman
Cllr A Chego
Cllr OA Cossa
Cllr EP Mahlangu
Cllr P Malinga
Cllr JN Mthombeni
Cllr ZJ Ngubeni
Cllr NT Tshoane
Cllr BC Mashabela
Cllr NZO Motla
Cllr H Pilodia
Cllr J Segage
Cllr MC Skosana
Cllr JC Haaroff
Cllr J Mentz
Cllr CJ Wolmarans
Cllr TR Mpye

ABSENT

None

Officials

Dr EK Tshabalala	(Acting Municipal Manager)
Ms L Silolo	(Acting Executive Director: Infrastructure Services)
Ms P Magutle	(Acting Executive Director: Corporate Services)
Mr S Mahlangu	(Acting Executive Director: Financial Services)
Mr T Mokoena	(Acting Director: Governance and Council Support)
Ms B Mabena	(Acting Chief Administrative Officer)
Ms P Stuurman	(Clerk Grade 1)
Ms P Japal	(Clerk Grade 2)

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

Name of Cllr	From	To	Item
Cllr BC Shabangu	11:22	11:24	C11/11/2024
Cllr P Mnisi	09:47	09:49	C10/10/2024
	12:28	12:31	C22/11/2024
Cllr PV Malinga	09:52	09:57	C10/10/2024
	10:51	10:55	C18/10/2024
	11:27	11:30	Temporary adjournment C11/11/2024
Cllr ML Shabangu	11:40	11:42	C11/11/2024
Ald J Skosana	11:00	11:04	C09/09/2024
Cllr LJJ Zondo	09:24	09:28	Motions
Cllr H G De Klerk	09:50	09:53	C24/09/2024
Ald H F Niemann	11:27	11:29	C11/11/2024
Ald P Mobango	12:06	12:09	C07/09/2024
Ald SM Mogola	09:24	09:28	Motions
Cllr DA Stuurman	12:30	12:34	Temporary adjournment
Cllr AO Thabatha	09:37	09:47	Motions
	11:00	11:02	C03/11/2024
Cllr EW Vermooten	10:09	10:26	Temporary adjournment
	10:01	10:04	C07/09/2024
	11:05	11:16	C20/09/2024
Cllr N Bottoman	10:04	10:09	C12/10/2024
	12:01	12:26	C20/11/2024

Cllr A Chego	10:26	10:35	C13/10/2024
	12:23	12:26	C18/11/2024
Cllr OA Cossa	12:20	12:24	C18/11/2024
Cllr EP Mahlangu	10:07	10:09	C12/10/2024
	12:14	12:17	C15/11/2024
Cllr P Malinga	12:20	12:22	C18/11/2024
Cllr JN Mthombeni	09:50	09:55	C10/10/2024
	11:40	11:42	C11/11/2024
Cllr ZJ Ngubeni	12:36	12:40	C24/11/2024
Cllr NT Tshoane	10:09	10:23	Temporary adjournment C12/10/2024
	11:40	11:42	C11/11/2024
Cllr H Pilodia	11:36	12:02	C11/11/2024
Cllr J Segage	09:44	09:47	C09/10/2024
	11:36	12:02	C11/11/2024
Cllr MC Skosana	09:56	10:00	C11/10/2024
	11:36	12:02	C11/11/2024
Cllr JC Haaroff	10:01	10:03	C11/10/2024
	11:25	11:26	C11/11/2024
	11:35	11:35	C11/11/2024
Cllr J Mentz	11:17	12:02	C11/11/2024
Cllr CJ Wolmarans	10:01	10:05	C11/10/2024
	11:27	11:30	C11/11/2024
	11:36	12:02	C11/11/2024

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1. **OPENING AND WELCOME**

1.1 The Speaker welcomed everyone present and declared the meeting opened.

2. **APPLICATIONS FOR LEAVE OF ABSENCE**

2.1 **Application for leave of absence in terms of Section 13(1) of the Rules of Order**

2.1.1 **THAT** note be taken that Cllr DJ van der Merwe, Cllr MP Mogola, Cllr CS Smith and Cllr ME Nyambi have applied for leave of absence due to other obligations and they were approved.

2.2 **Application for leave of absence in terms of Section 13(2) of the Rules of Order**

2.2.1 **THAT** note be taken that Ald A Struwig, Cllr MG Amigo and Cllr MJ Mapheto have applied for leave of absence due to other obligations and they were approved.

3. **DECLARATION OF INTERESTS**

Item C11/11/2024 - Cllr J Mentz
Item C20/11/2024 - Cllr H G De Klerk
Item C22/11/2024 - Dr EK Tshabalala

4. **ANNOUNCEMENTS (MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER AND BY OTHER COUNCILLORS)**

4.1 The Speaker expressed the following Motions of Sympathy or Congratulations:

4.1.1 The Speaker requested that a moment of silence be observed for all the departed souls including Cllr JN Mthombeni's mother and Pastor Ray McCauley.

4.2 Motions and sympathy and congratulations by other Councillors:

4.2.1 **Cllr OA Thabatha**

Congratulated the South African Rugby Team (Springboks) for their exceptional performance especially against Wales. Furthermore, he extended congratulations to the South African Football Team (Bafana Bafana) for qualifying for the African Cup of Nations (AFCON), acknowledging their dedication, perseverance and talent.

4.2.2 **Ald S Wait**

Raised concerns about the health and safety risks faced by communities due to some Spaza Shops selling contaminated food, often caused by expired products or improper storage.

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These practices present serious health hazards, including food poisoning, long-term illnesses and even fatalities. While Spaza Shops play an essential role in communities, particularly in townships and rural areas, by providing affordable food, supporting the local economy and creating job opportunities, Ald Wait highlighted that many spaza shop owners are unaware of food safety standards. She emphasized the need to raise awareness to ensure compliance and called for stricter regulations and regular inspections by local health authorities to be implemented.

4.2.3 Cllr BC Shabangu

Expressed gratitude to the Executive Mayor, Cllr Mhlonishwa Masilela and the MMC for Spatial Development and Human Settlement, Cllr LE Nkwana for attending the South African Inter-Municipal Sports National Awareness Programme (SAIMSA) in East London. Cllr Shabangu also extended appreciation to the Council for their contribution, which ensured the success of the trip. She also expressed gratitude to the Executive Committee of Steve Tshwete Local Municipality Sports Creation for their efforts in successfully organising the trip.

Cllr Shabangu passed a motion of congratulations to the Steve Tshwete Local Municipality the team, which competed against 42 municipalities from across the country, who secured second and third places in their respective categories as follows:

- Cricket - 2nd position (obtained silver medal)
- Single Men's table tennis - 2nd position (obtained silver medal)
- Men table tennis – 2nd position (obtained silver medal)
- Male 10km marathon – 2nd position (obtained silver medal)
- Soccer - 3rd position (obtained bronze medal)
- Tug-of-war – 3rd position (obtained bronze medal)
- Ladies table tennis - 3rd position (obtained bronze medal)
- Volleyball team - 3rd position (obtained bronze medal)

Cllr Shabangu encouraged all Councillors to participate in future sport events.

Additionally, Cllr Shabangu congratulated Steve Tshwete Local Municipality for their participation in the Health Awareness Tournament held on 9 November 2024, The STLM teams achieved 1st place and received trophies and gold medals in the following sporting codes: Netball, Tug of War, and Soccer. Sibonisiwe Team secured 2nd place, followed by Nkangala District Municipality in 3rd place. She also congratulated Nomfanelo for being the overall player of the tournament.

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4.2.4 Cllr ZJ Ngubeni

Congratulated the EFF, under the leadership of Julius Malema, for picketing at the Constitutional Court on 26 November 2024, contesting Parliament's decision not to adopt the Independent Panel's Recommendations on President Cyril Ramaphosa's Phala Phala matter. Councillor Ngubeni further emphasized the EFF's commitment to upholding Pillar Seven (7), which advocates for open, accountable and corruption-free government in government and municipalities. He also commended the EFF for successfully holding its Provincial People's Assembly in all nine (9) provinces and for its preparations to hold its 3rd National People's Assembly scheduled for 13 to 15 December 2024.

4.2.5 Cllr Mpye

Extended a motion of condolence for the passing of Pastor Ray McCauley, Senior Pastor of Rhema Bible Church, President of the International Federation of Christian Churches, and co-chairperson of the National Interfaith Council of South Africa, who passed away on 08 October 2024.

On behalf of the Kwazamokuhle community, Cllr Mpye expressed gratitude for the opening of the Thusong Centre. While the hall is already operational, the community requests a pay point, library, Home Affairs facilities and SASSA services.

He also congratulated Councillor GNB Mathibela on being found not guilty by the Magistrate's Court on 14 November 2024.

4.2.6 Cllr CS Mashiloane

Congratulated Steve Tshwete Local Municipality for receiving the following Awards from SALGA during the Mpumalanga Municipal Excellence Awards 2024/2025:

- Award in Recognition of Gender-Based Violence and Femicide
- Award Recognition of Excellence Performance for 2023 Blue Drop Score

4.2.7 Cllr WMM Phetla

Congratulated the African National Congress, under the leadership of President Cyril Ramaphosa for passing the Basic Education Laws Amendment (BELA) Bill on 13 September 2024, which aims to transform and enhance the education sector in the country. The bill makes Grade R compulsory, requiring children aged 5 to 6 to be enrolled in the education system, the Bill also seeks to address the language policy.

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5. CONFIRMATION OF MINUTES FROM THE PREVIOUS MEETING

- 5.1 Ordinary Council meeting held on 26 September 2024
- 5.2 Special Council meeting held on 09 October 2024
- 5.3 Special Council meeting held on 29 October 2024

RESOLVED BY COUNCIL

- 5.1.1 **THAT** the minutes of the Ordinary Council meeting held on 26 September 2024, be approved.
- 5.1.2 **THAT** the minutes of the Special Council meeting held 09 October 2024, be approved.
- 5.1.3 **THAT** the minutes of the Special Council meeting held 29 October 2024, be approved.

6. REPORTS OF THE SPEAKER IN TERMS OF RULES 15(1) AND 96(4)

None

7. APPLICATIONS AND APPEALS FROM COUNCILLORS IN TERMS OF RULES 14(1), 66 AND 71

None

8. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN**QUESTIONS RECEIVED TO BE INCLUDED IN THE COUNCIL AGENDA DATED 26 NOVEMBER 2024**

- 8.1 **THAT** note be taken of the question submitted by Cllr EM Vermooten as well as the reply which was prepared by the Acting Executive Director: Corporate Services on behalf of the Executive Mayor as contained in the Council Agenda.
- 8.2 **THAT** note be taken of the question submitted by Cllr M Bruiners as well as the reply which was prepared by the Acting Executive Director: Infrastructure Services on behalf of the Executive Mayor as contained in the Council Agenda.
- 8.3 **THAT** note be taken of the question submitted by Cllr D Stuurman as well as the reply which was prepared by the Acting Executive Director: Infrastructure Services behalf of the Executive Mayor as contained in the Council Agenda.
- 8.4 **THAT** note be taken of the question submitted by Ald GHE Romijn as well as the reply which was prepared by the Acting Executive Director: Infrastructure Services on behalf of the Executive Mayor as contained in the Council Agenda.
- 8.5 **THAT** note be taken of the question submitted by Cllr TR Mpye as well as the reply which was prepared by the Acting Executive Director: Infrastructure Services on behalf of the Executive Mayor as contained in the Council Agenda.

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**REPORT OF THE 17TH/2024 ORDINARY MEETING OF THE
MAYORAL COMMITTEE WHICH WAS HELD VIA VIRTUAL
CONNECTION ON THURSDAY, 10 OCTOBER 2024**

DELEGATED POWERS

Upon request by the Executive Mayor, it was

RESOLVED BY THE EXECUTIVE MAYOR

THAT Council take note of Resolution M01/10/2024 taken by the Executive Mayor in terms of Delegated Powers.

M01/10/2024

**FINANCES: IN-YEAR REPORTS: FINANCIAL MONTHLY REPORT FOR SEPTEMBER
2024**

9/3/1 (A)

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the monthly in-year report for September 2024, be noted.
2. **THAT** permission be granted to the Acting Executive Director: Financial Services to submit the report in both electronic and hard copy to the National and Provincial Treasure.
3. **THAT** permission be granted to the Acting Executive Director: Financial Services to place the monthly in-year report for September 2024 on the municipal website.

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EXTRACT OF THE REPORT OF THE 18TH/2024 ORDINARY MEETING OF THE MAYORAL COMMITTEE WHICH WAS HELD AT THE MAYOR'S BOARDROOM ON THURSDAY, 24 OCTOBER 2024

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 C08; C09; C10; C11; C12; C13; C14; C15; C16; C17; C18 & C19/10/2024, be considered.

C08/10/2024

COUNCIL ARRANGEMENTS: ELECTION OF CLLR MP MNISI AS A WARD COUNCILLOR FOR THE AFRICAN NATIONAL CONGRESS

3/1/3/2 (A)

RESOLVED BY COUNCIL

1. **THAT** the report by the Office of the Municipal Manager regarding the election of Cllr MP Mnisi, a Ward Councillor for the African National Congress (ANC) in Ward 10, be noted.

C09/10/2024

COUNCIL ARRANGEMENTS: 02ND 2024/2025 FINANCIAL SERVICES MONITORING COMMITTEE REPORT FOR OCTOBER 2024

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

RESOLVED BY COUNCIL

- 1 **THAT** the activities planned for October 2024 & November 2024 be within the relevant Portfolio, be noted subject to the following:
 - 1.1 **That** note be taken that the Auditor General report on the bank reconciliation will be submitted to Council once they are done with the auditing.
 - 1.2 **That** it be noted that the municipality is currently engaging with the government institutions that are owing rates and taxes to the municipality (schools, clinics, etc.)
- 2 **THAT** the progress made with the achievement of key performance targets as determined by the performance plan in respect of the Executive Director: Financial Services, be noted.

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- 3 **THAT** the report on vacant positions, be noted.
- 4 **THAT** the progress made with the implementation of capital projects and with the SDBIP in respect of the relevant Portfolio, be noted.
- 5 **THAT** the progress made with the implementation of Council Resolutions referred to the relevant Portfolio, be noted subject to the following:
- 5.1 **That** the following resolutions be regarded as finalized and be removed from the outstanding list:

RESOLUTION NUMBER	HEADING
C13/05/2024	FINANCES: SECTION 19: CAPITAL PROJECTS 2024/2025
C16/05/2024	APPROVAL OF METHODOLOGY FOR THE CLASSIFICATION AND TREATMENT OF LAND POLICY

- 5.2 **That** the Acting Executive Director: Financial Services be requested to follow up on the report on bridged electricity meters with the Acting Executive Director: Infrastructure Services for the implementation of paragraph 6 of Resolution C04/05/2024 (*Finances: Debtors Analysis Report 31 January 2024*).
- 6 **THAT** the progress provided on the Ward Committee report, be noted.
- 7 **THAT** the progress provided on the Complaints and Suggestions report, be noted.
- 8 **THAT** the Acting Executive Director: Financial Services, be requested to submit a report providing a detailed breakdown of electricity consumption for households, businesses, the industrial area and municipal buildings.

C10/10/2024

**COUNCIL ARRANGEMENTS: 02ND 2024/2025 CORPORATE AND SUPPORT SERVICES
MONITORING COMMITTEE REPORT FOR OCTOBER 2024**

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

RESOLVED BY COUNCIL

- 1 **THAT** the activities planned for October & November 2024 within the relevant Portfolio, be noted subject to the following:
- 1.1 **That** staff wellness programs such as team building activities be arranged to motivate employees within the municipality.
- 2 **THAT** the progress made with the achievement of key performance targets as determined by the performance plan in respect of the Executive Director: Corporate Services, be noted subject to the following:
- 2.1 **That** a list of all active suspensions be provided to the office of the MMC: Corporate and Support Services.

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- 3 **THAT** the report on vacant positions, be noted subject to the following:
- 3.1 **That** the process of restructuring the organizational structure be fast tracked in order for vacant positions to be filled.
- 4 **THAT** note be taken that there are no new Capital Projects for the 2024/2025 financial year relevant to this Portfolio .
- 5 **THAT** the progress made with the implementation of Council Resolutions referred to the relevant Portfolio, be noted subject to the following:
- 5.1 **That** the following resolutions be regarded as finalized and be removed from the outstanding list:

Corporate and Support Services:

RESOLUTIONS NUMBER	HEADINGS
C18/09/2013	HOUSING: MEMORANDUM OF AGREEMENT: ACCREDITATION TO PERFORM HOUSING FUNCTIONS ON LEVEL 2
SC22/08/2014	LAND : APPLICATION TO PURCHASE STANDS AT ROCKDALE FOR RESIDENTIAL PURPOSES : BHP BILLITON
SC02/01/2016 M16/11/2016	SERVICES: PROVISION OF BASIC SERVICES AT DOORNKOP TOWN PLANNING: OBJECTIONS AGAINST CONSENT USE APPLICATION FOR THE PROPOSED ERECTION OF A TELECOMMUNICATION MAST ON THE REMAINING EXTENT OF ERF 9866 MIDDELBURG EXTENSION 18
M17/07/2017	COUNCIL ARRANGEMENTS: 3 RD /2017 POLITICAL MONITORING COMMITTEE REPORT FOR THE CORPORATE AND SUPPORT SERVICES PORTFOLIO : JUNE 2017
M11/09/2017	COUNCIL ARRANGEMENTS : 04 TH /2017 POLITICAL MONITORING COMMITTEE REPORT FOR THE CORPORATE AND SUPPORT SERVICES PORTFOLIO : AUGUST 2017
M18/02/2018	COUNCIL ARRANGEMENTS : 04 TH /2017 POLITICAL MONITORING COMMITTEE REPORT FOR THE CORPORATE AND SUPPORT SERVICES PORTFOLIO : AUGUST 2017
M24/02/2018	COUNCIL ARRANGEMENTS: 06 TH /2017 POLITICAL MONITORING COMMITTEE REPORT FOR THE CORPORATE AND SUPPORT SERVICES PORTFOLIO: DECEMBER 2017
C22/05/2018	DONATIONS : GOEDEHOOP COLLIERY SOCIAL LABOUR PLAN 2015-2019: PROJECT COMMITMENT TO THE STEVE TSHWETE LOCAL MUNICIPALITY FIRE AND DISASTER MANAGEMENT SERVICES DEPARTMENT
M35/05/2018	COUNCIL ARRANGEMENTS : 2 ND /2018 POLITICAL MONITORING COMMITTEE REPORT FOR THE CORPORATE AND SUPPORT SERVICES PORTFOLIO : APRIL 2018
C36/07/2018	COUNCIL ARRANGEMENTS : 03 RD /2018 POLITICAL MONITORING COMMITTEE REPORT FOR THE CORPORATE AND SUPPORT SERVICES PORTFOLIO : JUNE 2018
SC07/10/2018	LAND: RE-ALLOCATION OF STANDS FOR BUILDING LOW COST HOUSES AT ROCKDALE
C29/05/2019	COUNCIL ARRANGEMENTS: 5 TH 2018/2019 POLITICAL MONITORING COMMITTEE REPORT FOR THE CORPORATE AND SUPPORT SERVICES PORTFOLIO: APRIL 2019
C55/05/2019	REVIEW OF HUMAN RESOURCES POLICIES FOR STEVE TSHWETE LOCAL MUNICIPALITY
C03/07/2019	COUNCIL ARRANGEMENTS: 06 TH /2018/2019 POLITICAL MONITORING COMMITTEE REPORT FOR THE CORPORATE AND SUPPORT SERVICES PORTFOLIO: JUNE 2019
SC30/10/2019	ALLOCATION OF ERF 7731 MIDDELBURG EXTENSION 23 FOR CONSTRUCTING COMMUNITY RESIDENTIAL UNITS

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RESOLUTIONS NUMBER	HEADINGS
M47/01/2020	RECORDS MANAGEMENT: INSPECTION REPORT ON RECORDS MANAGEMENT: 21 NOVEMBER 2019
C03/07/2021	AMENDMENT OF THE STEVE TSHWETE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK OF 2018 BY AMENDMENT OF URBAN EDGE TO INCORPORATE PORTION 11 (A PORTION OF PORTION 2) OF THE FARM UITKYK 290 JS
SC04/08/2021	LAND: APPLICATION TO ENTER INTO A FURTHER LEASE AGREEMENT FOR THE OLD CLINIC BUILDING ON ERF 249 HENDRINA
C03/01/2022	POLICIES: REVIEW OF CONTRACT MANAGEMENT POLICY: PROCUREMENT CONTRACTS
C12/03/2022	RECORDS MANAGEMENT: INSPECTION REPORT ON RECORDS MANAGEMENT: 05 NOVEMBER 2021
C17/03/2022	LAND: IDENTIFICATION OF LAND FOR RESETTLING OF INFORMAL DWELLERS ON VARIOUS STANDS AT MIDDELBURG EXTENSIONS 22 AND 36 RESPECTIVELY
C31/09/2022	FURTHER REPORT ON THE IMPLEMENTATION OF THE REVIEWED SETTLEMENT AGREEMENT SEPTEMBER 2022
C16/10/2022	COUNCIL ARRANGEMENTS: 01ST 2022/2023 ARTS, CULTURE & ENVIRONMENTAL HEALTH MONITORING COMMITTEE REPORT FOR AUGUST 2022
C31/01/2023	RECORDS MANAGEMENT: PROVINCIAL ARCHIVES ANNUAL INSPECTION REPORT: 07 NOVEMBER 2022
C22/07/2023	LAND: CONSTRUCTION OF A PEDESTRIAN PASSAGE AT KWAZAMOKUHLE STADIUM
C27/07/2023	IMSSA EMPLOYEES PHYSICAL WELLNESS PROGRAM GAMES FOR 2023 IN BOTSWANA AS FROM 03 – 09 SEPTEMBER 2023
C14/09/2023	COUNCIL ARRANGEMENTS: 01ST 2023/2024 CORPORATE AND SUPPORT SERVICES MONITORING COMMITTEE REPORT FOR AUGUST 2023
C32/11/2023	DRAFT REVIEW: CEMETERY BY-LAWS
SC05/04/2024	PERSONNEL: APPOINTMENT OF THE EXECUTIVE DIRECTOR: COMMUNITY SERVICES
SC13/04/2024	COUNCIL ARRANGEMENTS: SCHEDULE FOR ORDINARY COUNCIL, MAYORAL COMMITTEE AND COUNCIL COMMITTEE MEETINGS FOR THE 2024/2025 FINANCIAL YEAR
C18/05/2024	PERSONNEL: PROPOSED CORRECTION OF BENCHMARKING AND GRADING DISCREPANCIES IMPACTING ON EMPLOYEES SALARIES AND PLACEMENT
C19/05/2024	PERSONNEL: BASIC CONDITIONS OF EMPLOYMENT ACT (BCEA) EARNING THRESHOLD 2024
C26/05/2024	MPAC: REPORT OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE MEETING WHICH WAS HELD ON 24 APRIL 2024

Office of the MM:

RESOLUTIONS NUMBER	HEADINGS
C35/11/2023	DRAFT ANNUAL REPORT FOR 2022/2023 FINANCIAL YEAR
C03/03/2024	MPAC: OVERSIGHT REPORT ON THE ANNUAL REPORT 2022-2023
C15/05/2024	REPORT ON THE TABLED FINAL INTEGRATED DEVELOPMENT PLAN FOR THE 2024/2025 FINANCIAL YEAR AND THE CORE COMPONENTS
C26/05/2024	MPAC: REPORT OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE MEETING WHICH WAS HELD ON 24 APRIL 2024

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- 5.2 **That** it be noted that the court case regarding declaring Steve Tshwete Housing Association as the municipality's entity is expected to be finalized before the end of the 2024/25 financial year.
- 5.3 **That** a meeting be arranged with Town Planning and Human Settlement Department to discuss resolutions which must be referred to them for implementation.
- 5.4 **That** the employees be informed on the status of the Provincial Audit Committee results of the Job Evaluation process.
- 5.5 **That** a report to rescind Council Resolution C24/03/2021 (*Implementation of Shift System for waste collection*), be submitted to Council as it no longer serve the initial purpose.
- 6 **THAT** note be taken of the progress provided on the Ward Committee report.
- 7 **THAT** note be taken of the progress provided on the Complaints and Suggestions report.

C11/10/2024

COUNCIL ARRANGEMENTS: 02ND 2024/2025 SPATIAL DEVELOPMENT & HUMAN SETTLEMENT MONITORING COMMITTEE REPORT FOR OCTOBER 2024

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

RESOLVED BY COUNCIL

- 1 **THAT** the activities planned for October and November 2024 within the relevant Portfolio, be noted subject to the following:
- 1.1 **That** note be taken that 153 new lease agreements for occupation of municipal stands at Newtown informal settlement has been entered into and signed.
- 1.2 **That** follow-up be done with the Department of Human Settlement regarding conducting a survey on RDP houses with structural defects.
- 1.3 **That** a follow-up letter be written to the Department of Public Works, Roads and Transport regarding the removal of asbestos structures at Aerorand.
- 1.4 **That** a follow-up be done with the Department of Human Settlements regarding the repair of houses damaged by the storm in 2023 at Kwazamokuhle.
- 2 **THAT** the progress made with the achievement of key performance targets as determined by the performance plan in respect of the Director: Town Planning and Human settlement, be noted.
- 3 **THAT** the report on vacant positions, be noted.

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- 4 **THAT** note be taken that there are no Capital Projects for 2024/2025 financial year relevant to this Portfolio.
- 5 **THAT** the progress made with the implementation of Council Resolutions referred to the relevant Portfolio, be noted subject to the following:
- 5.1 **That** the following resolutions be regarded as finalized and be removed from the outstanding list:

RESOLUTION NUMBER	HEADING
M11/11/2017	TOWN PLANNING: TOWNSHIP ESTABLISHMENT ON A PORTION OF PORTIONS 26, 27 AND 189 OF THE FARM MIDDELBURG TOWN AND TOWNLANDS 287 TO BE KNOWN AS NEWTOWN EXTENSION 01
C31/03/2023	LAND: AMENDMENT OF RESOLUTION C04/11/2019 ON CONSTRUCTION OF LOW COST HOUSES AT KWAZAMOKUHLE IN HENDRINA BY EXXARO COAL CENTRAL (ECC)
C27/09/2023	PROPOSED ALLOCATION OF FULLY - SERVICED STANDS AT SOMAPHEPHA IN STEVE TSHWETE LOCAL MUNICIPALITY

- 5.2 **That** follow-up be done with the CEO's of EXXARO and Forzando to enquire about their commitment to implement the Social Labour Plan projects and if their responses are dissatisfactory, the matter be escalated to the Department of Mineral Resources and Energy for intervention.
- 5.3 **That** it be noted that a report will be submitted to Council regarding the management and maintenance of the Reabota residential units.
- 6 **THAT** the progress provided on the Ward Committee report, be noted.
- 7 **THAT** note be taken that there are no new matters received in the Complaints and Suggestions boxes relevant to this Directorate.

C12/10/2024

COUNCIL ARRANGEMENTS: 02ND 2024/2025 COMMUNITY SAFETY MONITORING COMMITTEE REPORT FOR OCTOBER 2024

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

RESOLVED BY COUNCIL

- 1 **THAT** the activities planned for October & November 2024 within the relevant Portfolio, be noted subject to the following:
- 1.1 **That** it be noted that the Municipal Pound Committee has been revived and the SAPS was requested to remove all the stolen vehicles.
- 1.2 **That** it be noted that a written request was forwarded to the Department of Community Safety, Security and Liaison on exemption of debts for vehicles that has to be sold to the public.

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- 1.3 **That** it be noted that benchmarking on pound management, will be arranged with Ekurhuleni Municipality.
 - 1.4 **That** it be noted that the reviewing of Disaster Management Plan is budgeted for and is in progress.
 - 1.5 **That** it be noted that installation of city cameras is in progress.
 - 1.6 **That** a meeting will be arranged between Steve Tshwete Local Municipality officials and the Liquor Board to address issues of concern in the MP313 area.
 - 1.7 **That** the Executive Director: Community Services engage with the Provincial Department of Transport to request for speed humps to be erected on the N11 road, on the side of Hlalamnandi, Extension 24, Nasareth, Rockdale as well as Hendrina.
 - 1.8 **That** bi-monthly report on traffic operations conducted be provided to the committee.
 - 1.9 **That** lack of law-enforcement & traffic officials visibility in Hendrina be addressed.
 - 1.10 **That** consequence management be implemented on officials responsible for the approval of the application of the Genesis Pub.
 - 1.11 **That** the Executive Director: Community Services interact with the South African Police Services (SAPS) regarding the illegal operation of the scrapyard at Gogo Nambuyisa Street and the closure of it thereof.
 - 1.12 **That** the continuous operation of Mosotho Tavern after the court order was issued, be investigated and further be attended to.
 - 1.13 **That** the Executive Director: Community Services be requested to arrange a jointed inspection in loco to Genesis Pub on Friday, 11 October 2024 with SAPS and law enforcement.
- 2 **THAT** the progress made with the achievement of key performance targets as determined by the performance plan in respect of the Executive Director: Community Services, be noted.
 - 3 **THAT** the report on vacant positions, be noted.
 - 4 **THAT** note be taken that there are no new Capital Projects for the 2024/2025 financial year relevant to this Portfolio.
 - 5 **THAT** the progress made with the implementation of Council Resolutions referred to the relevant Portfolio, be noted provided that the following resolution be regarded as finalized and be removed from the outstanding list:

RESOLUTION NUMBER	HEADING
C09/03/2024	PERSONNEL: TAKEOVER OF MUNICIPAL REGISTRATION AND LICENSING SERVICES THE PROVINCIAL DEPARTMENT OF COMMUNITY SAFETY, SECURITY AND LIAISON

5

- 6 **THAT** the progress provided on the Ward Committee report, be noted.
- 7 **THAT** note be taken that there are no new matters received in the Complaints and Suggestions boxes relevant to this Directorate.

The speaker requested for a temporary adjournment from 10:09, the meeting resumed at 10:23.

C13/10/2024

COUNCIL ARRANGEMENTS: 02ND 2024/2025 INFRASTRUCTURE DEVELOPMENT SERVICES MONITORING COMMITTEE REPORT FOR OCTOBER 2024

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

RESOLVED BY COUNCIL

- 1 **THAT** the activities planned for October & November 2024 within the relevant Portfolio, be noted subject to the following:
 - 1.1 **That** Electrical Department should conduct meter inspections at Chromeville flats and the flats owned by the Steve Tshwete Housing Association.
 - 1.2 **That** a meeting be arranged between Electrical and Finance Departments to discuss and verify the accounts and meters for Extension 24.
 - 1.3 **That** all planned electricity and water cut-overs be communicated with the relevant Ward Councillors in advance.
 - 1.4 **That** note be taken that a report entailing the outcome on the negotiations between the municipality and the mines regarding the donation of Naledi and Lesedi Villages, the outcome of the study on the said villages as well as possible recommendations, be submitted to the committee for deliberation before taken to Council.
 - 1.5 **That** the issue of non availability of water in Mhluzi Extension 6 and low water pressure in Dennesig be attended to.
- 2 **THAT** the progress made with the achievement of key performance targets as determined by the performance plan in respect of the Executive Director: Infrastructure Services, be noted.
3. **THAT** the report on vacant positions, be noted.
- 4 **THAT** the progress made with the implementation of capital projects and with the SDBIP in respect of the relevant Portfolio, be noted.
- 5 **THAT** the progress made with the implementation of Council Resolutions referred to the relevant Portfolio, be noted subject to the following:

S.T

5.1 That the following Resolutions be regarded as finalized and be removed from the outstanding list:

RESOLUTION NUMBER	HEADING
M06/03/2017	ELECTRICITY DISTRIBUTION NETWORK MASTER PLAN
C41/03/2017	SERVICE LEVEL FOR AREA LIGHTING INSTALLATION IN THE MP313 SUPPLY AREA
C01/05/2017	LETTER OF INTENT TO PURCHASE ENERGY FROM INDEPENDENT POWER PRODUCERS
C20/01/2024	COUNCIL ARRANGEMENTS: 03RD 2023/2024 INFRASTRUCTURE DEVELOPMENT SERVICES MONITORING COMMITTEE REPORT FOR DECEMBER 2023

5.2 That the Acting Executive Director: Infrastructure Services be requested to follow up with the Municipal Manager regarding the submission of the Forensic Investigation report for Mhluzi Substation to Council.

5.3 That a report on the implementation of paragraph 4 of Resolution SC17/10/2023 regarding the theft of TV, portraits and stove at Banquet Hall, paragraph 6 Resolution SC11/08/2023 as well as paragraph 2 of Resolution C48/09/2023 regarding the bridged electricity meters, be submitted at the next committee meeting.

5.4 That a progress reports on the implementation of the SCADA system be submitted to the committee.

5.5 That clarity be given on the frequent electricity outages in Dennesig, Kanonkop as well as parts of CBD and Mhluzi.

6 THAT the progress provided on the Ward Committee report, be noted.

7 THAT note be taken of the progress provided on the Complaints and Suggestions report.

C14/10/2024

COUNCIL ARRANGEMENTS: 02ND 2024/2025 ARTS, CULTURE & ENVIRONMENTAL HEALTH MONITORING COMMITTEE REPORT FOR OCTOBER 2024

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

RESOLVED BY COUNCIL

1 THAT the activities planned for October & November 2024 within the relevant Portfolio, be noted subject to the following:

1.1 That it be noted that Environmental and Solid Waste will be celebrating Transport month by conducting vehicle emission tests.

1.2 That it be noted that September is the Arbour month and trees will be planted at the Multi Purpose Community Centre and stadium at Kwazamokuhle.

1.3 That it be noted that the swimming pool facilities were opened from 29 August 2024.

- 1.4 **That** note be taken that Community Services has started with the process of identifying bridges to be repainted and once the process is completed, a draft report will be submitted to Council.
- 1.5 **That** any delays on the waste collection be communicated through SMS to the affected community in time.
- 2 **THAT** the progress made with the achievement of key performance targets as determined by the performance plan in respect of the Executive Director: Community Services, be noted subject to the following:
 - 2.1 **That** the Assets Verification Report be submitted to the committee at the next meeting.
- 3 **THAT** the report on vacant positions, be noted.
- 4 **THAT** the progress made with the implementation of capital projects and with the SDBIP in respect of the relevant Portfolio, be noted subject to the following:
 - 4.1 **That** it be noted that the project on the development of the stadium in Ward 1 is done by the Municipal Building Services, and only studies and designs will be done for this financial year.
 - 4.2 **That** follow up be done with the LED office regarding the progress on fencing of Kwazamokuhle Cemetery.
- 5 **THAT** the progress made with the implementation of Council Resolutions referred to the relevant Portfolio, be noted subject to the following:
 - 5.1 **That** the following resolution be regarded as finalized and be removed from the outstanding list:

RESOLUTION NUMBER	HEADING
C32/11/2023	DRAFT REVIEW: CEMETERY BY-LAWS
 - 5.2 **That** follow-up be done regarding the progress on fencing of the Middelburg Landfill Site as per Resolution C31/06/2023.
- 6 **THAT** the progress provided on the Ward Committee report, be noted.
- 7 **THAT** note be taken of the progress provided on the Complaints and Suggestions report.

S.T

C15/10/2024

ADOPTION OF DRAFT DENSIFICATION AND COMPACTION POLICY FOR URBAN AREAS

15/1/1 (C)

RESOLVED BY COUNCIL

1. **THAT** this matter be referred to the Spatial Development and Human Settlement Portfolio Committee for consideration.

C16/10/2024

COUNCIL ARRANGEMENTS: REPORT ON THE STRATEGIC PLANNING LEKGOTLA HELD AT THE LAKE UMUZI LODGE IN SECUNDA FROM 17 – 20 MARCH 2024

3/4 (A)

RESOLVED BY COUNCIL

1. **THAT** the report by the Director: Development and Strategic Support on the Strategic Lekgotla of 17-20 March 2024 at the Lake Umuzi Lodge in Secunda, be noted.
2. **THAT** the final report on the Strategic Lekgotla 2024-2025 held at the Lake Umuzi Lodge, Secunda attached as **ANNEXURE A** to the report be noted.
3. **THAT** the Strategic Lekgotla Resolutions taken at the Lekgotla of 17-20 March 2024 at the Lake Umuzi Lodge in Secunda, that resulted from the conclusions from the KPA Commission deliberations attached as **ANNEXURE B** to the report be adopted by Council.
4. **THAT** the progress on the implementation of the Lekgotla Resolutions 2024/2025 be reported on a quarterly basis.
5. **THAT** in future, the recommendations made at Strategic Lekgotla be submitted immediately for consideration by Council.

C17/10/2024

LAND: ERVEN 574 & 579 HENDRINA LYING BELOW THE FLOOD LINE

7/2/3/2/8 (Z)

[MM 165667]

With the consideration of this matter Cllr CJ Wolmarans submitted the following proposal which was seconded by Cllr JC Haarhoff:

"THE FF PLUS SUPPORT REQUEST TO EXCHANGE PROPERTIES FOR OTHER PROPERTIES STAND 574 + 579.

PROPOSE THAT RIVERFRONT OF 5 BLOCKS BE CLEANED OF DEBRIS YEARLY BEFORE RAINS WHICH WILL PREVIEW FLOODING OF EXISTING PROPERTIES.

5

FRENCH DRAIN SYSTEMS OF TWO PROPERTIES (STANDS) 575 + 583 BE UPGRADED TO PREVENT SPORADIC SEWERAGE CONTAMINATION OF KOSMOS DAM HENDRINA"

The proposal by Cllr CJ Wolmarans was rejected by the Speaker.

RESOLVED BY COUNCIL

1. **THAT** Erven 574 and 579 Hendrina are owned by the Applicant, zoned "Residential 1" and are situated under the 1:50 and 1:100 year flood line, making it impossible to develop.
2. **THAT** Erf 574 Hendrina is measuring 2858m² in extent and Erf 579 Hendrina is measuring 2848m² in extent.
3. **THAT** Erven 449 and 450 Hendrina has been identified as alternative properties.
4. **THAT** both Erven 449 and 450 Hendrina is measuring 2855m² in extent, is zoned "Residential 1" and is not required by the Municipality to provide the minimum level of basic services and that the Erven will not be required for the municipality's own use at a later date.
5. **THAT** the subject properties are all equal in size and in value.
6. **THAT** the Accounting Officer be authorized to alienate the properties as an unsolicited bid.
7. **THAT** the proposal to exchange Erven 449 and 450 Hendrina with Erven 574 and 579 Hendrina be approved subject to the following conditions:
 - 7.1 **That** all services to be installed and costs for all town planning applications, such as subdivision, consolidation and rezoning, be for the account of the Applicant.
 - 7.2 **That** all advertisement costs, as well as registration costs be paid by the applicant.
 - 7.3 **That** the applicant be responsible for all costs concerning this transaction.
 - 7.4 **That** the recommended market value for ERF 574 Hendrina be R315 000 (Three Hundred and Fifteen Thousand Rand) excluding VAT.
 - 7.5 **That** the recommended market value for ERF 579 Hendrina be R315 000 (Three Hundred and Fifteen Thousand Rand) excluding VAT.
 - 7.6 **That** the recommended market value for ERF 449 Hendrina be R315 000 (Three Hundred and Fifteen Thousand Rand) excluding VAT.
 - 7.7 **That** the recommended market value for ERF 450 Hendrina be R315 000 (Three Hundred and Fifteen Thousand Rand) excluding VAT.

S-T

- 7.8 **That** a new valuation be obtained should a transaction not be concluded within 12 months from date of the valuation (25 July 2023).
- 7.9 **That** an agreement be entered into for the simultaneous acquisition and disposal of immovable property.
- 7.10 **That** upon possible re-valuation and in the event that the Municipality's properties (Erven 449 and 450 Hendrina) become higher in monetary value, than the Applicant's properties, a cash payment, equivalent to the shortfall and in line with the Municipality's Supply Chain Policy, is payable to the Municipality.
- 7.11 **That** Erven 449 and 450 Hendrina, once alienated be de-registered from the asset Register.
- 7.12 **That** the Erven 574 and 579 Hendrina be taken up in the asset register at the current replacement cost, upon registration.
8. **THAT** the proposed exchange be advertised in terms of the Local Government Ordinance 17 of 1939, as amended, read together with the Municipal System Act 32 of 2000, as amended, the Municipal Finance Management Act 56 of 2003 and Council's Supply Chain Management Policy.
9. **THAT** the expected accounting gain/loss be recognized in the statement of financial performance.

C18/10/2024

UTILIZATION OF CHILD-CARE FACILITY BUILT ON ERF 293-297 AT SIKHULULIWE VILLAGE

7/2/1/3(C)

RESOLVED BY COUNCIL

1. **THAT** Council take note of the report by the Acting Executive Directors: Corporate Services on the utilization of child-care facility built on Erven 293-297 at Sikhululiwe Village.
2. **THAT** Council confirm that Erven 293-297 Sikhululiwe Village are not needed to render a minimum level of basic municipal services and that the erven will not be required by the Municipality's own use at a later stage.
3. **THAT** the Accounting Officer be authorized to alienate Erven 293-297 Sikhululiwe Village as an unsolicited bid for purposes of child-care facility (creche)/ Early childhood development (ECD) centre.
4. **THAT** the Accounting Officer be authorized to lease Erven 293-297 Sikhululiwe Village for creche/ECD purpose, subject to the following conditions:

5-1

- 4.1 That a nominal lease amount of R500.00 (Five Hundred Rand) per month inclusive of VAT be payable by the applicant.
- 4.2 That the lease amount escalate by 5% on 1 July every year.
- 4.3 That the applicant be responsible for the maintenance of the infrastructure (building) and the payment of municipal services.
- 4.4 That the lease period be limited to 3(three) years, with an option to renew.
5. **THAT** the proceeds from the lease be allocated to segment description (171/555) Leased Properties: Rental Land (171/020).
6. **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 Council's Supply Chain Management Policy.

C19/10/2024

RECTIFICATION/CORRECTION OF HOUSE NUMBERS NOT CORRESPONDING WITH STAND NUMBERS ON THE APPROVED GENERAL PLAN AT SOMAPHEPHA VILLAGE IN STEVE TSHWETE LOCAL MUNICIPALITY

7/2/3/2/9 (A)

RESOLVED BY COUNCIL

1. **THAT** Council take note of the report on the rectification/correction of house numbers not corresponding with stand numbers on the approved general plan at Somaphepha Village.
2. **THAT** the Provincial Department of Human Settlement be requested to conduct a field survey to identify the mismatch of house numbers and stand numbers as reflected on the approved General Plan.
3. **THAT** the Provincial Department of Human Settlement be requested to de-register the wrong stand numbers and re-register the beneficiaries on the Housing Subsidy System according to the stand numbers reflected on the approved General Plan.
4. **THAT** the details of the 102 properties be provided to the Finance Department once validated by the Provincial Department of Human Settlements.
5. **THAT** the Finance Department conduct a data cleansing on all affected municipal accounts with accrued arrears on this subject matter, and rectify the relevant consumer accounts according to the correct stand numbers.

S-T

6. **THAT** the Municipal Housing Services Department submit a further report addressing the current debt, as to who should be held responsible for the services provided by council.

S-7

**REPORT OF THE 19TH/2024 ORDINARY MEETING OF THE
MAYORAL COMMITTEE WHICH WAS HELD VIA VIRTUAL
CONNECTION ON TUESDAY, 12 NOVEMBER 2024**

DELEGATED POWERS

Upon request by the Executive Mayor, it was

RESOLVED BY THE EXECUTIVE MAYOR

THAT Council take note of Resolution M01/11/2024 taken by the Executive Mayor in terms of Delegated Powers.

M01/11/2024

FINANCES: FINANCIAL MONTHLY REPORT: OCTOBER 2024

9/3/1 (A)

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the monthly in-year report for October 2024 as submitted by the Acting Executive Director: Financial Services, be noted.
2. **THAT** permission be granted to the Acting Executive Director: Financial Services to submit the monthly in-year report for October 2024 in both electronic and hard copy format to the National and Provincial Treasury.
3. **THAT** permission be granted to the Acting Executive Director: Financial Services to place the monthly in-year report for October 2024 on the municipal website.

**REPORT OF THE 20TH/2024 ORDINARY MEETING OF THE
MAYORAL COMMITTEE WHICH WAS HELD AT THE MAYOR'S
BOARDROOM ON WEDNESDAY, 20 NOVEMBER 2024**

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 C02; C03; C04; C05; C06; C07; C08; C09; C10; C11; C12; C13; C14; C15; C16; C17; C18; C19; C20; C21; & C22/11/2024, be considered.

C02/11/2024

COUNCIL ARRANGEMENTS: VACANCIES ON SECTION 79 AND 80 COUNCIL COMMITTEES: CLLR NGUBENI

3/2/3/1 (G)

RESOLVED BY COUNCIL

1. **THAT** Council take note of the following vacancies created duly by the appointment of Cllr Z J Ngubeni as a Member of the Executive Committee and be filled accordingly:
 - 1.1 Section 79 Financial Services Monitoring Committee.
 - 1.2 Section 79 Rules and Ethics Committee.
2. **THAT** the Whip of the Economic Freedom Fighters be requested to nominate Councillor/s to fill the vacancies as mentioned above.
3. **THAT** once the Whip of the Economic Freedom Fighters has submitted the nomination, Council confirms that the following Councillor/s replace Cllr Z J Ngubeni on the following Council Committees:

Name of Committee	Name of Councillor
Section 79 Financial Services Monitoring Committee	Cllr JN Mthombeni
Section 79 Rules and Ethics Committee	Cllr NT Tshoane

4. **THAT** Council approve that Cllr JN Mthombeni be replaced by Cllr A Chego on the Arts, Culture & Environmental Health Section 79 Monitoring Committee.

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5. **THAT** Council take note that Cllr Z J Ngubeni serves as the Chairperson of Section 80 Community Safety by virtue of his appointment as a Member of Mayoral Committee responsible for Community Safety, which implies that EFF has one more seat and ANC has one less seat in terms of party representation in the Committee.
6. **THAT** in view of paragraph 5 above, Council to take note that except for MPAC, all political parties are represented as follows in both Section 79 & Section 80 Council Committees:
- ANC: 3 seats
DA: 2 seats
EFF: 1 seat
MHRF: 1 seat
FF+: 1 seat
7. **THAT** once the Whip of the African National Congress has submitted the nomination, Council confirms that the following Councillor replaces Cllr N Bottoman of the Economic Freedom Fighters on the Section 80 Community Safety in order for each party to have a fair representation in the committee:

Name of Committee	Name of Councillor
Section 80 Community Safety	Cllr MP Mnisi

C03/11/2024

COUNCIL ARRANGEMENTS: REPORT ON WARD COMMITTEE AND COMMUNITY MEETINGS: OCTOBER 2024

3/2/2/3 (A)

RESOLVED BY COUNCIL

1. **THAT** Council take note of the report regarding Ward Committee meetings that took place after the Ordinary Council meeting which was held on 26 September 2024.
2. **THAT** out of 29 wards, all wards did convene Ward Committee and Community meetings.

C04/11/2024

ADMINISTRATION AGREEMENT: MIDDELBURG AIRFIELD

8/2/1 (T)

RESOLVED BY COUNCIL

1. **THAT** a new Administration Agreement be entered into between the Municipality and the Middelburg Aeroclub in respect of the Middelburg Airfield.
2. **THAT** the agreement be for a period not exceeding 5 years.

S-T

3. **THAT** the Municipality remain:
 - 3.1 The Aerodrome License Holder and be responsible for the annual license renewal fee; and
 - 3.2 Responsible for the insurance of the aerodrome.
4. **THAT** due to the Municipality not currently being able to recover maintenance expenses, the Middelburg Aero Club be responsible for the maintenance of the airfield, which will include roads / runway, boundary fence, all dwelling facilities (Caretaker's dwelling house) and electrical infrastructure.
5. **THAT** it be noted that the land falls under the Eskom supply area and that Eskom should be contacted directly should electricity be required.
6. **THAT** the Middelburg Aero Club be responsible for the payment of the electrical bill of the caretaker's dwelling and electrical consumption of the hangars at the Airfield.
7. **THAT** the Municipal Manager be authorised to negotiate any other terms and conditions and sign the Agreement on behalf of the Municipality.

C05/11/2024

RECOMMENDATION FOR THE APPOINTMENT OF A MUNICIPAL ELECTORAL OFFICER: STEVE TSHWETE LOCAL MUNICIPALITY

4/3/R(C)/mm

RESOLVED BY COUNCIL

1. **THAT** Mandla Stanley Mnguni in his capacity as Municipal Manager be recommended for appointment as the Municipal Electoral Officer (MEO) in terms of Section 12 of the Local Government: Municipal Electoral Act 27 of 2000 for the Steve Tshwete Local Municipality.
2. **THAT** the Municipal Manager as mentioned in 3.1. above, be permitted to exercise the powers and perform the duties assigned to him under Act.

C06/11/2024

RENEWAL: LEASE WITH OPTION TO PURCHASE STANDS AT MIDDELBURG EXT 33 FOR INDUSTRIAL PURPOSES

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

RESOLVED BY COUNCIL

1. **THAT** Council take note of the report by the Acting Executive Director: Corporate Services.

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2. **THAT** an amendment to Council resolution C30/11/2022 be made to include the following conditions:
 - 2.1 **That** only the lessee that notified the lessor in writing at any time during the lease period, but at least 3 (three) months prior to the termination date of option to purchase, but could not settle the purchase price within the 21 (twenty one) calendar day period be considered for an extension of 3 (three) years.
 - 2.2 **That** if the lessee wants to extend the period of purchase as per C30/11/2022 that the property be revalued by the property valuation department and the purchase price therefore be recalculated in accordance to this when the revised deed of lease with an option to purchase is prepared.
 - 2.3 **That** in respect of the new market value being implemented the 10% deposit initially paid not be included as a penalty only if the purchase price is paid within the extended 3 (three) year period.
 - 2.4 **That** should the 3 (three) year extended period also lapse without the purchase price being settled, no further extension be allowed and the total 10% deposit paid be forfeited by the lessee.
 - 2.5 **THAT** the lapsed deed of lease contracts whereby the agreement and the option to purchase the property expire simultaneously, will not be included as per the resolved C30/11/2022, as their conditions exclude an option to further lease at the end of the 3-year contract.
3. **THAT** in future, if the property related lease agreements are in arrears for a six (6) months period, be terminated.

C07/11/2024

**RESCISSION OF APPLICATION TO PURCHASE A PORTION OF THE FARM
MIDDELBURG TOWN AND TOWNLANDS 287 JS FOR RESIDENTIAL, TRADITIONAL
HEALING AND SMALL SCALE FARMING PURPOSES**

7/2/3/2 (T)

RESOLVED BY COUNCIL

1. **THAT** Council Resolution C25/12/2021 be rescinded.

S.T

C08/11/2024

LAND: PROPOSAL TO LEASE A PORTION OF PRESIDENT STREET OF PRESIDENTSRUS

16/3/1/3/2 (C/tn)

RESOLVED BY COUNCIL

1. **THAT** Council take note of the report on proposal to lease a portion of President Street at Presidentsrus.
2. **THAT** the proposal not be approved since the Department of Civil Engineering Services has plans to build the road in future.

C09/11/2024

LAND: PROPOSAL TO LEASE A PORTION OF ERF 1872 MIDDELBURG TOWN FOR THE PURPOSE OF DEVELOPING A PADEL SPORTS FACILITY

7/2/1/3 (T)

RESOLVED BY COUNCIL

1. **THAT** Council confirm that a 2700m² portion of Erf 1872 Middelburg Extension 4 is not needed to render the basic level of municipal services and are not needed for the Municipality's own use during the period for which the right to use, control or manage the asset is to be granted.
2. **THAT** the Accounting Officer be authorised to lease the aforementioned property as an unsolicited bid in terms of Section 37 of the Council's Supply Chain Management Policy.
3. **THAT** the application for lease of the property be approved subject to the following conditions:
 - 3.1 **That** the lease not exceed a period of 3 (three) years with an option to renew;
 - 3.2 **That** rental be determined at R2 000.00 VAT exclusive per month, subject to an annual escalation of 5%;
 - 3.3 **That** the properties be used for purposes of padel sports facility only;
 - 3.4 **That** no permanent structures be erected on the property;
 - 3.5 **That** it be noted that there is a sewer line that runs through this property and that no structure should be built on top of this line.;
 - 3.6 **That** it be noted that there are Medium Voltage (MV) and Low Voltage (LV) electrical cables with mini-sub on the property and, should there be a need to re-route the cables, it will be at the cost of the applicant;

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- 3.7 **That** no activity should take place without the Electrical Department being informed so they may locate cables to ensure that no damage is done.
- 3.8 **That** the applicant will be responsible for all bulk service contributions and engineering connection fees.
- 3.9 **That** the proposed facility should be accessed through Impala Street.
- 3.10 **That** the number of parking bays for the development should be as per the requirements of the Steve Tshwete Land Use Scheme, 2019 and be provided for within the property as off-site parking is strictly prohibited.
- 3.11 **That** the applicant shall be responsible for costs associated with any road upgrading or stormwater infrastructure, including the erection of a speed hump or pedestrian crossing, if necessary.
- 3.12 **That** a final site development plan be submitted for approval by the Director: Town Planning and Human Settlements before a lease agreement is concluded that takes into account the existing sewer and electrical services on the property, the ingress to the property and the parking bays.
- 3.13 **That** it be noted that the primary uses for the current zoning of the property are public sports and recreation grounds, however a conditional use permit can be obtained for a kiosk in terms of the Steve Tshwete Land Use Scheme, 2019.
- 3.14 **That** all costs relating to the implementation be borne by the Application and that the Municipality will not make any financial contribution to the development.
4. **THAT** the proposed lease of the property be advertised in terms of Section 79(18) of the Local Government Ordinance 17 of 1939 as amended, read together with Section 21 of the Municipal Systems Act 32 of 2000 as amended, Section 113 of the Municipal Finance Management Act 56 of 2003 and Section 37 of the Council's Supply Chain Management Policy.
5. **THAT** the proceeds from the leased be allocated to segment description: (171/555) Leased Properties: Rental Land (171/020).

C10/11/2024

AMENDMENT OF COUNCIL RESOLUTION C26/09/2023 - LEASING OF WASTE DISPOSAL FACILITIES FOR WASTE MINIMISATION PURPOSES

16/5/1/3 (C/tn)

RESOLVED BY COUNCIL

THAT paragraph 2 of Council Resolution C26/09/2023 be replaced with the following:

S.T

- 2.1 **That** the management and/or leasing of the Middelburg Drop-off facility next to the Landfill Site and the Mhluzi Buy-Back Centre, in its entirety, for conducting waste minimisation activities by way of a competitive bidding process be approved.
- 2.2 **That** the leasing of the areas within the Dennesig, Sikhululiwe, Rockdale, Extension 49, Hendrina, Komati, Rietkuil, Doornkop, Mhluzi Extension 6 and Somaphepha waste transfer stations, which are reserved exclusively for waste recovery and waste minimisation purpose, for conducting waste minimisation activities by way of a competitive bidding process be approved.

C11/11/2024

FINANCES: ANNUAL GRANT TO MIDDELBURG SPCA: 2024/2025 FINANCIAL YEAR

5/16/2 (A)

With the consideration of this matter Cllr J Mentz recused herself from the meeting.

Ald GHE Romijn submitted the following proposal which was seconded by Cllr LS Qoka:

“that the Council will consider a further donation after 6 months from today’s date, if the STLM financial position improves.”

Ald MJ Sekgwele submitted the following counter proposal which was seconded by Cllr LE Nkwana:

“with regard to the proposal; made by Ald cllr Romijn GHE, I oppose the proposal and support the recommendation made by the executive mayor”

The proposal by Ald GHE Romijn was therefore put to vote and the result were as follows:

In favour of the Proposal by Ald GHE Romijn	=	15
Against the Proposal by Ald GHE Romijn	=	28
Abstain	=	4

The proposal by Ald MJ Sekgwele was then put to vote and the results were as follows:

In favour of the Proposal by Ald MJ Sekgwele	=	28
Against the Proposal by Ald MJ Sekgwele	=	15
Abstain	=	4

After the majority of Councillors voted against the proposal by Ald GHE Romijn, he requested for a division of vote.

Before the division of vote was called, the Acting Municipal Manager reminded Council that in February 2025 a budget adjustment will be conducted whereby the financial position of the municipality will be determined.

In view of the comments by the Acting Municipal Manager, the matter was closed without a division.

RESOLVED BY COUNCIL

1. **THAT** the report on an annual grant to the Middelburg SPCA, be noted.
2. **THAT** for the 2024/2025 financial year the Municipality has budgeted an amount of R1 862 795.00 under vote 130 (Grant-in-Aid: SPCA (595)), however, the municipality can only donate an amount of R1 000 000.00 due to cash flow constraints.
3. **THAT** the grant funding for an amount of R1 000 000.00 under vote 130 (Grant-in-Aid: SPCA (595)), be paid to Middelburg SPCA.
4. **THAT** the Middelburg SPCA submit monthly reports on the expenditure against the grant as required by Section 67 of the MFMA.
5. **THAT** note be taken that the Acting Municipal Manager informed Council that in February 2025, a budget adjustment will be conducted to determine the financial position of the Municipality when the shortfall amount can be relooked at.

C12/11/2024

**AUDIT & PERFORMANCE COMMITTEE REPORT FOR 1ST QUARTER 2024/2025
FINANCIAL YEAR**

5/14/1 (A)

RESOLVED BY COUNCIL

1. **THAT** the content of the Audit and Performance Committee 1st Quarter report, be adopted.

C13/11/2024

**LAND: APPLICATION TO LEASE A PORTION OF THE REMAINDER OF PORTION 27
OF THE FARM MIDDELBURG TOWN AND TOWNLANDS 287 JS FOR BUS PARKING
AND STORAGE PURPOSES**

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

[MM 159049, 159050, 184517, 185312]

RESOLVED BY COUNCIL

1. **THAT** Council confirm that 12000m² portion of the Remainder of Portion 27 of the farm Middelburg Town and Townlands 287 JS for parking and storage purposes will not be required for the Municipality's own use during the period of which the right is to be granted.
2. **THAT** the Accounting Officer be authorised to alienate 6 portions of land measuring 2000m² each as an unsolicited bid for parking and storage purposes.
3. **THAT** the application to lease portions of the subject property be approved subject to the following conditions:

S-T.

- 3.1 **That** the property will be utilised for parking and storage purposes only.
 - 3.2 **That** the lease be for a period of 3 years.
 - 3.3 **That** the rental amount be R4000 (Four Thousand Rand) excluding VAT per month per applicant.
 - 3.4 **That** an amount of R48 000.00 (V.A.T Exclusive) per annum will be levied during year one and a total amount of R151 712.04 for a three year period subject to an annual escalation of 5%.
 - 3.5 **That** no permanent structures be erected on the property.
 - 3.6 **That** should services be required all cost relating to the provision of those services be for the cost of the applicant.
 - 3.7 It is further recommended that the proceeds from the leased be allocated to segment description: (171/555) Leased Properties: Rental Land (171/020).
4. **THAT** the proposed leases 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.

C14/11/2024

LAND: APPLICATION TO PURCHASE ERF 13041 MIDDELBURG EXT 49 FOR INDUSTRIAL PURPOSES

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

[MM 179512]

RESOLVED BY COUNCIL

1. **THAT** Council confirm that Erf 13041 Middelburg Ext 49 is not needed to render a minimum level of basic municipal services and that the property will not be required for the Municipality's own use at a later date.
2. **THAT** the Accounting Officer be authorised to alienate Erf 13041 Middelburg Ext 49 as an unsolicited bid for industrial purposes.
3. **THAT** the subject property shall be utilised only for land uses permitted under "Industrial Zone 2" use zone as provided for by the Steve Tshwete Land Use Scheme, 2019.
4. **THAT** the alienation of the subject property should be done in-terms of the requirements of the Council Municipal Supply Chain Policy, Municipal Asset Transfer Regulations and the Municipal Finance Management Act No. 56 of 2003.

5

5. **THAT** due to the terrain, there will be a need for the applicant to install the sewer pump and proper assessment based on the activities the applicant intends to undertake must be done by professional engineer and the design of a pump line must be submitted to the Civil Engineering Services department for approval, all this will be to the account of the applicant.
6. **THAT** any necessary roads and storm water system upgrades shall be for the account of the applicant.
7. **THAT** all bulk service contribution fees and service connection fees will be at the cost of the applicant.
8. **THAT** the current market value is R2 310 000.00 (Two Millions Three Hundred Thousand and Ten Rand) excluding VAT.
9. **THAT** new valuations be obtained should the transaction not be concluded within 12 months from date of valuation (19 March 2024).
10. **THAT** Council confirm that one erven of 8616 m² of A Portion of Erf 13041 Middelburg Extension 49 be alienated for Industrial purposes and once alienated be deregistered from the Property Plant and Equipment Register.
11. **THAT** the expected accounting gain of R 2 303 968.80 (V.A.T Inclusive) in relation to the alienation of the above mentioned erven be recognised in the statement of financial performance.
12. **THAT** all advertisement costs as well as registration costs be paid by the applicant.
13. **THAT** the purchase price be paid in cash as determined by Council's Supply Chain Management Policy.

C15/11/2024

VEHICLE IMPOUNDMENT POLICY

10/2/P (C)/mm

RESOLVED BY COUNCIL

1. **THAT** Council takes note of the proposed Vehicles Impounding Policy for the Steve Tshwete Local Municipality.
2. **THAT** Council adopt and approves the Vehicles Impounding Policy for the Steve Tshwete Local Municipality, attached herein as **ANNEXURE A** to the Agenda.

S.T.

C16/11/2024

FUNCTIONALITY OF THE MUNICIPAL POUND AND DISPOSAL OF UNCLAIMED IMPOUNDED VEHICLES

10/2/P (C)/mm

RESOLVED BY COUNCIL

1. **THAT** Council take note of the report on the functionality of the Municipal vehicle pound and the disposal of unclaimed impounded vehicles.
2. **THAT** the impounded vehicles be disposed of by way of a public auction.
3. **THAT** the expenditure incurred by council herein be recovered from the proceeds.
4. **THAT** the sale/auction be advertised in terms of Section 21 of the Local Government Municipal Systems Act 32 of 2000.

C17/11/2024

CONTRACT MANAGEMENT: EXTENSION OF CONTRACT BA06/09/2023: HIRING AND MAINTENANCE OF SECURITY GUARD HOUSES AND ABLUTION FACILITIES FOR A PERIOD OF 12 MONTHS AS AND WHEN REQUIRED

8/2/1 (T)

RESOLVED BY COUNCIL

1. **THAT** the reasons for the extension of contract BA06/09/2023 for the hiring and maintenance of security guard houses and ablution facilities for a period of 6 (six) months effective from 01 January 2025 be noted.
2. **THAT** the intended amendment to the contract be published in the local media for public input as required in terms of Section 116(3)(b) of the MFMA.

C18/11/2024

THE UPGRADING OF JOHN MAGAGULA STREET OPPOSITE THE MIDWATER MALL

8/2/1 (T)

RESOLVED BY COUNCIL

1. **THAT** Council takes note of the completed John Magagula Street upgrades.
2. **THAT** paragraphs 2, 9, 13, 14 and 15 of Council Resolution C01/02/2020 be rescinded.
3. **THAT** the developer be reimbursed an amount of R6 371 209.19 VAT exclusive.

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4. **THAT** Council approves the compensation of Patricio and Sons Properties (Pty) Ltd through a lump sum payment for Council's costs, instead of implementing the discretionary rates rebate.
5. **THAT** provision be made for the lump sum payment during the February Adjustment budget.
6. **THAT** an Addendum be entered into to effect the necessary changes to the Memorandum of Understanding.

C19/11/2024

CONTRACT MANAGEMENT: EXTENSION OF CONTRACT FOR HIGH VOLTAGE CABLE UPGRADE FROM 88kV TO 132kV AS AND WHEN REQUIRED FOR A PERIOD OF 36 MONTHS (BA02/07/2021)

8/1/1 (C)/mm

RESOLVED BY COUNCIL

1. **THAT** the reason for the extension of contract BA02/07/2021 for high voltage cable upgrade from 88kv to 132kv as and when required for a period of 12 (twelve) months effective from 2 December 2024, be noted.
2. **THAT** the intended amendment to the contract be published in the local media for public input as required in terms of Section 116(3)(6) of the MFMA.
3. **THAT** the Acting Executive Director: Infrastructure Services be requested to investigate the possibilities of benchmarking with Polokwane and Elias Motsoaledi Municipalities regarding the conductor cable, which is not usable once removed from electrical connection.
4. **THAT** the processes in terms of paragraph 3 above, to commence by December 2024.

C20/11/2024

REBATE: REQUEST TO APPROVE REDUCTION OF TARIFF THROUGH REBATE TO B&B AND ACCOMMODATION PROPERTIES

5/12/1/1(C)/mm

With the consideration of this matter Cllr H G De Klerk recused herself from the meeting.

RESOLVED BY COUNCIL

1. **THAT** all the affected guest houses and accommodation be granted the relief in the tariff reduction.

2. **THAT** in phase one, B & B and Accommodations property owners currently affected be granted 50% tariff reduction in the current (2024 - 2025).
3. **THAT** the relief be implemented retrospective as from the 1st of July 2024.
4. **THAT** no interest should be charged to the affected property owners in relation to unpaid rates billed.
5. **THAT** should the affected not have settled their account / entered into payment arrangements any interest billed for non-payment of other services still be accountable for payment.

C21/11/2024

FIRST QUARTER PERFORMANCE REPORT 2024-2025 (30 SEPTEMBER 2024)

3/5(C)/mm

RESOLVED BY COUNCIL

1. **THAT** First Quarter Institutional Performance Report for 2024/2025 Financial Year (30 September 2024), attached herein as **ANNEXURE A** to the Agenda, be noted.

C22/11/2024

PERSONNEL: APPOINTMENT OF AN ACTING MUNICIPAL MANAGER - UPDATE

4/5/2/8 (C)/mm

With the consideration of this matter Dr EK Tshabalala recused herself from the meeting.

RESOLVED BY COUNCIL

1. **THAT** Council take note of the report by the Acting Municipal Manager.
2. **THAT** Council affirm the appointment of the Executive Director: Community Services as Acting Municipal Manager from 1 December 2024 to 31 January 2025 or upon resumption of duty by the Municipal Manager, whichever comes first
3. **THAT** Council take note of Chapter 4 of the Regulations on the Appointment and Conditions of Employment of Senior Managers, as outlined in Notice No. 21 published in Government Gazette No. 37245 of January 2014 regrading sick leave provisions, which determines inter alia as follows under Section 24(6)(a) and (b):

“(6) A senior manager whose-

- (a) Sick leave is depleted within a sick leave cycle may take annual leave in lieu of sick leave for the purpose of recovery
- (b) Sick leave and annual leave are depleted, may at the discretion of the municipality and to maximum of 30 days, be granted unpaid leave.

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4. **THAT** in reference to paragraph 3 above, and considering that the Municipal manager's sick leave has depleted, and the Municipal Manger be advised to take an annual leave in lieu of sick leave for the purpose of recovery.

The Speaker requested for a temporary adjournment from 12:30 to 12:32.

S.T

**REPORT OF THE 10TH/2024 MEETING OF THE
MUNICIPAL PUBLIC ACCOUNTS COMMITTEE MEETING
HELD VIA VIRTUAL CONNECTION ON WEDNESDAY, 16
OCTOBER 2024**

Upon request by the Executive Mayor, it was

RESOLVED BY COUNCIL

THAT the report by the Executive Mayor in respect of items C23; C24 & C36/09/2024, be considered.

C23/11/2024

MPAC: QUARTERLY REPORT: DISCIPLINARY ACTIONS INSTITUTED IN TERMS OF MFMA: 01 JULY 2024 – 30 SEPTEMBER 2024

4/6/8 (C)

RESOLVED BY COUNCIL

1. **THAT** note be taken that there were no disciplinary actions instituted in terms of the MFMA for the period 01 July 2024 to 30 September 2024.

C24/11/2024

MPAC: FRUITLESS, WASTEFUL, IRREGULAR & UNAUTHORIZED EXPENDITURE – SEPTEMBER 2024

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

RESOLVED BY COUNCIL

1. **THAT** note be taken that no new cases of fruitless, wasteful, irregular and unauthorised expenditure for September 2024.

C25/11/2024

UNFORESEEN & UNAVOIDABLE EXPENDITURE – SEPTEMBER 2024

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

RESOLVED BY COUNCIL

1. **THAT** note be taken that there were no new cases of unforeseen and unavailable expenditure for September 2024.

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11. NOTICE OF MOTIONMotion 150

11.1 Motion 150

With the consideration of this matter Motion 150 was introduced by Ald AS Globler and seconded by Cllr EM Bruiners.

"I, Councillor AS Grobler wish to put the following motion for consideration at the Council meeting for November 2024:

"That action be taken to utilise land already existing STLM land OR to purchase land for the establishment of new cemeteries in each area where the space is running out."

The cemeteries currently in use namely; Doornkop CPA, Rockdale, and Samora Machel street are all running out of space. The cemetery next to Tokologo has already reached its capacity and Somapepa has no cemetery.

I hereby call upon Council to agree upon investigating this issue on cemeteries, to take action, and to add it as an Item on the January 2025 agenda for the Ordinary Council meeting.

(sic)"

RESOLVED BY COUNCIL

1. **THAT** a progress report on the site identification and development of cemeteries be submitted to the Ordinary Council meeting in January 2025.

12. DEFERRED ITEMS

None

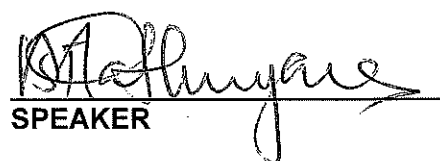
13. IN-COMMITTEE MATTERS

None

14. CLOSURE

Meeting closed at 12:45

SIGNED AT MIDDELBURG ON: 28 January 2025


SPEAKER