

STEVE TSHWETE LOCAL MUNICIPALITY

MINUTES

OF THE

ORDINARY COUNCIL

MEETING HELD ON

28 January 2025

09:08 am



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**MINUTES OF THE ORDINARY COUNCIL MEETING HELD
IN THE COUNCIL CHAMBER, MIDDELBURG ON
TUESDAY, 28 JANUARY 2025 AT 09:08**

PRESENT

Cllr PM Masilela (Executive Mayor)
Cllr ST Mathunyane
Cllr CS Mashiloane
Cllr BC Shabangu
Ald MJ Sekgwele
Cllr GNB Mathibela – arrived 09:21
Cllr LE Nkwana
Cllr MC Mphego – arrived 09:14
Cllr MG Amigo
Cllr I Mahlangu
Cllr ME Nyambi
Cllr WMM Phetla
Cllr LN Sibanda
Cllr JM Shongwe
Ald J Skosana
Cllr PE Williams
Cllr LJJ Zondo
Cllr SW Zulu– arrived 09:17
Cllr P Mnisi
Cllr EM Bruiners
Cllr H G De Klerk
Ald J Dyason
Ald AS Grobler
Cllr CS Smith
Ald H F Niemann
Ald P Mobango - arrived 09:11

Ald SM Mogola
Cllr LS Qoka
Ald GHE Romijn
Cllr CM Soko
Ald A Struwig - arrived 09:17
Cllr DA Stuurman
Cllr AO Thabatha
Cllr DJ van der Merwe
Cllr EW Vermooten
Ald S Wait
Cllr N Bottoman
Cllr A Chego - arrived 09:14
Cllr OA Cossa - left 12:09
Cllr EP Mahlangu - arrived 09:19
Cllr P Malinga
Cllr JN Mthombeni
Cllr ZJ Ngubeni
Cllr BC Mashabela
Cllr MP Mogola
Cllr NZO Motla
Cllr H Pilodia
Cllr MC Skosana
Cllr JC Haaroff
Cllr J Mentz
Cllr CJ Wolmarans
Cllr TR Mpye

ABSENT

None

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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 D Philip	(Acting Chief Administrative Officer)
Ms P Stuurman	(Clerk Grade 1)
Ms P Japal	(Clerk Grade 2)
Mr M Matlala	(Admin Aide)

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

Name of Cllr	From	To	Item
Cllr CS Mashiloane	10:46	10:53	C06/01/2025
	Temporary adjournment	12:00	Temporary adjournment
Ald MJ Sekgwele	10:35	10:41	C05/01/2025
Cllr LE Nkwana	10:38	10:52	C05/01/2025
Cllr I Mahlangu	11:28	11:30	C13/01/2025
Cllr ME Nyambi	10:51	10:56	C07/01/2025
Ald J Skosana	09:20	09:25	Motions
	10:07	10:15	Point 7
	11:38	11:43	C16/01/2025
Cllr PE Williams	10:32	10:34	C03/01/2025
Cllr LJV Zondo	09:41	09:50	Motions
	11:22	11:32	C09/01/2025
Cllr EM Bruiners	11:27	11:35	C10/01/2025
Cllr H G De Klerk	10:22	10:25	C17/01/2025
	13:06	13:08	C30/01/2025
Ald J Dyason	11:20	11:29	C09/01/2025
Cllr CS Smith	11:35	11:37	C16/01/2025
Ald H F Niemann	10:33	10:35	C03/01/2025
Ald P Mobango	10:13	10:16	Presentation
	12:29	12:36	C22/01/2025
Ald SM Mogola	10:27	10:44	Presentation
	13:10	13:15	C32/01/2025
Cllr DA Stuurman	10:27	10:28	C17/01/2025
	10:35	10:37	C04/01/2025
Cllr DJ van der Merwe	09:33	09:37	Motions
Cllr EW Vermooten	11:20	11:25	C09/01/2025

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Ald S Wait	11:19	11:26	C09/012025
Cllr N Bottoman	11:48	11:52	C09/01/2025
Cllr A Chego	10:00	10:06	Point 5.1
Cllr OA Cossa	09:38	09:42	Motions
	12:08	12:09	C20/01/2025
Cllr EP Mahlangu	09:35	09:42	Presentation
	10:10	10:13	Motions
	10:48	10:49	C06/01/2025
Cllr P Malinga	09:37	09:41	Motions
Cllr JN Mthombeni	11:01	11:06	C08/01/2025
Cllr ZJ Ngubeni	10:55	10:57	C07/01/2025
Cllr BC Mashabela	10:20	10:24	C17/01/2025
	12:45	12:50	C29/01/2025
Cllr H Pilodia	10:11	10:21	Presentation
Cllr MC Skosana	09:54	09:56	Motions
	11:02	11:06	C08/01/2025
Cllr J Mentz	10:40	10:43	C05/01/2025
Cllr CJ Wolmarans	10:33	10:41	C03/01/2025
	13:07	13:12	C31/01/2025
Cllr TR Mpye	10:25	10:28	C17/01/2025
	11:31	11:35	C16/01/2025

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1. OPENING AND WELCOME

- 1.1 The Speaker welcomed everyone present; he then extended a special word of welcome to the Executive Mayor, the Chief Whip of Council, the MPAC Chairperson, the media, the team from the Office of the Auditor General, the Officials and declared the meeting opened.

Furthermore, he afforded Mr Z Gardee from the Office of the Auditor General an opportunity to present the report on the Annual Financial Statements for the year ended 2024, under Item C17/01/2025.

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 J Segage and Cllr PV Malinga 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 Cllr JF Sithole, Cllr NT Tshoane, Cllr MJ Mapheto and Cllr ML Shabangu have applied for leave of absence due to other obligations and they were approved.

3. DECLARATION OF INTERESTS

None

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

With the consideration of this matter, the Speaker informed Councillors that all Motion of Sympathy and Congratulations forms must be submitted 6 hours before an Ordinary Council meeting as stipulated under Section 1 of the Rules of Order in order to speak on this item.

- 4.1 Motions and sympathy and congratulations by other Councillors:

- 4.1.1 Cllr ST Mathunyane

Expressed a motion of sympathy to one of the soldiers that was based at 4SAI in Middelburg who lost his/her life in the Democratic Republic of Congo.

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4.1.2 Ald GHE Romijn

Raised concerns about the Department of Education on the 53% pass rate of matriculants in 2024.

Passed a motion of congratulations to Ms Gugu Pioneer Libambo, a grade 12 learner from Mphanama Secondary School who achieved overall best Grade 12 learner in the class of 2024.

He furthermore congratulated all matriculants on their pass as well as the 100% pass rate at Middelburg Muslim School, Kanonkop Hoërskool and Eastdene Combined School.

Ald GHE Romjin extended a motion of condolences to the Residents of Uitkyk for the shortage of water and lack of sanitation facilities.

4.1.3 Cllr DA Stuurman

Passed a motion of sympathy to the families of the 9 (nine) SANDF Soldiers who lost their lives in the Democratic Republic of Congo.

4.1.4 Cllr P Malinga

Passed a motion of congratulations to all learners on passing their matric in 2024.

She furthermore passed a motion of congratulations to the overall best Grade 12 learner in the class of 2024, Ms Gugu Libambo from Mphanama Secondary School.

4.1.5 Cllr MP Mogola

On behalf of MHRF, Cllr MP Mogola passed a motion of condolences to the family of the late Mr Paul Oupa Ramajane.

He also congratulated all matriculants on passing their matric in 2024.

4.1.6 Cllr JN Mthombeni

Expressed a motion of sympathy to those affected by the water shortage in the Steve Tshwete Municipal area.

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4.1.7 Ald P Mobango

Expressed a motion of sympathy to the community of Tokologo and other affected areas that were affected by the water shortage.

4.1.8 Cllr ZJ Ngubeni

Passed a motion of congratulations to all learners that were placed in schools in the MP313 area for the academic year.

Expressed a motion of sympathy to those affected by the water shortage in the Steve Tshwete Municipal area.

4.1.9 Ald AS Grobler

Passed a motion of congratulation to the learners, Principal, teachers, support system as well as the parents of Mkulu Combined School on the matric results obtained.

4.1.10 Cllr EM Bruiners

Extended a motion of congratulations to the party for invoking Clause 19 of the GNU Statement of Intent.

4.1.11 Ald SM Mogola

Congratulated Ald P Mobango on her admission as a practicing attorney of the High Court of South Africa.

4.1.12 Cllr TR Mpye

Expressed gratitude to the Executive Mayor, the Speaker, the Acting Municipal Manager, Management and all Officials for the Service Delivery rendered in Hendrina.

For the messages of sympathy, a moment of silence was observed.

5. **CONFIRMATION OF MINUTES FROM THE PREVIOUS MEETING**

5.1 Ordinary Council meeting held on 26 November 2024.

5.2 Special Council meeting held on 18 December 2024.

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RESOLVED BY COUNCIL

5.1.1 **THAT** the minutes of the Ordinary Council meeting held on 26 November 2024, be approved.

5.1.2 **THAT** the minutes of the Special Council meeting held 18 December 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 28 JANUARY 2025**

8.1 **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.

8.2 **THAT** note be taken of the question submitted by Ald HF Niemann 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.

8.3 **THAT** note be taken of the question submitted by Cllr CS Smith as well as the reply which was prepared by the Executive Director: Community Services on behalf of the Executive Mayor as contained in the Council Agenda.

CS

**REPORT OF THE 21ST /2024 ORDINARY MEETING OF THE
MAYORAL COMMITTEE WHICH WAS HELD AT THE MAYOR'S
BOARDROOM ON TUESDAY, 10 DECEMBER 2024**

DELEGATED POWERS

Upon request by the Executive Mayor, it was

RESOLVED BY THE EXECUTIVE MAYOR

THAT Council take note of Resolution M01/12/2024 taken by the Executive Mayor in terms of Delegated Powers.

M01/12/2024

FINANCES: FINANCIAL MONTHLY REPORT: NOVEMBER 2024

9/3/1 (A)

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the monthly in-year report for November 2024, be noted.
2. **THAT** permission be granted to the Acting Executive Director: Financial Services to submit the monthly in-year report for November 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 November 2024 on the Municipal website.
4. **THAT** an item be submitted to Council in January 2025 on challenges experienced with tuckshops in the Steve Tshwete area.
5. **THAT** the schools which owes the municipality substantial amount of money be contacted to establish reasons for non-payment and that the Department of Public Works be engaged on ways these monies can be recovered inclusive of clinics, hospitals, license department as well as Public Works houses at 101, thereafter a report be submitted to Council in January 2025 of the outcome and a way forward.

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**REPORT OF THE 01ST/2025 ORDINARY MEETING OF THE
MAYORAL COMMITTEE WHICH WAS HELD AT THE MAYOR'S
BOARDROOM ON TUESDAY, 14 JANUARY 2025**

DELEGATED POWERS

Upon request by the Executive Mayor, it was

RESOLVED BY THE EXECUTIVE MAYOR

THAT Council take note of Resolution M01/01/2025 taken by the Executive Mayor in terms of Delegated Powers.

M01/01/2025

FINANCES: FINANCIAL MONTHLY REPORT FOR DECEMBER 2024

9/3/1 (S)

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the monthly in-year report for December 2024, be noted.
2. **THAT** permission be granted to the Acting Executive Director: Financial Services to submit the monthly in-year report for December 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 December 2024 on the Municipal website.

LS

REPORT OF THE 02ND/2025 ORDINARY MEETING OF THE MAYORAL COMMITTEE WHICH WAS HELD AT THE MAYOR'S BOARDROOM ON THURSDAY, 23 JANUARY 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; C23 & C24/01/2025 be considered.

C02/01/2025

COUNCIL ARRANGEMENTS: DETERMINATION OF THE NUMBER OF COUNCILLORS: LOCAL GOVERNMENT ELECTIONS, 2026

1/1/15 (C)/tn

RESOLVED BY COUNCIL

1. **THAT** Council take note of the determination as published in the Provincial Gazette Extraordinary, attached herein as **ANNEXURE A**.

C03/01/2025

COUNCIL ARRANGEMENTS: SCHEDULE FOR THE MAYORAL OUTREACH MEETINGS FOR THE FINANCIAL YEAR 2024/2025

3/2/23 (S)

RESOLVED BY COUNCIL

1. **THAT** the following scheduled dates for Mayoral Outreach meetings for 2024/2025, be approved:

Month	Mayoral Outreach Meetings
July 2024	
August 2024	18 August 2024
September 2024	
October 2024	20 October 2024
November 2024	
December 2024	08 December 2024

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January 2025	
February 2025	16 February 2025
March 2025	
April 2025	20 April 2025
May 2025	
June 2025	22 June 2025

C04/01/2025

COUNCIL ARRANGEMENTS: 03RD 2024/2025 FINANCIAL SERVICES MONITORING COMMITTEE REPORT FOR DECEMBER 2024

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

RESOLVED BY COUNCIL

- 1 **THAT** the activities planned for December 2024 & January 2025 be within the relevant Portfolio, be noted subject to the following:
 - 1.1 **That** the Valuation Roll be advertised in all media platforms as well as the municipal website in order to reach all members of the community.
 - 1.2 **That** Financial Services related policies be submitted to Section 80 for reviewal.
- 2 **THAT** the progress made with the achievement of key performance targets as determined by the performance plan in respect of the Acting Executive Director: Financial Services, be noted.
- 3 **THAT** the report on vacant positions, be noted subject to the following:
 - 3.1 **That** note be taken that due to financial constraints, the municipality to prioritise filling of crucial vacant positions.
- 4 **THAT** the progress made with the implementation of capital projects and with the SDBIP in respect of the relevant Portfolio, be noted.
- 5 **THAT** the progress made with the implementation of Council Resolutions referred to the relevant Portfolio, be noted provided that the following resolutions be regarded as finalized and be removed from the outstanding list:

RESOLUTION NUMBER	HEADING
C20/07/2021	DONATION OF ERF 226 TOKOLOGO MHLUZI
C32/01/2023	REPORT: 2021/2022 DRAFT ANNUAL REPORT
M01/06/2024	FINANCES: FINANCIAL MONTHLY REPORT FOR MAY 2024
SC03/06/2024	FINANCE: SUPPLY CHAIN MANAGEMENT: MONTHLY REPORT SECTION 36 DEVIATION REPORT FOR MAY 2024

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RESOLUTION NUMBER	HEADING
SC12/06/2024	FINANCIAL SERVICES: SUPPLY CHAIN MANAGEMENT: MONTHLY REPORT SECTION 36 DEVIATION REPORT FOR APRIL 2024
C23/06/2024	COUNCIL ARRANGEMENTS: 04TH 2023/2024 FINANCIAL SERVICES MONITORING COMMITTEE REPORT FOR FEBRUARY 2024
C29/06/2024	COUNCIL ARRANGEMENTS: 05TH 2023/2024 FINANCIAL SERVICES MONITORING COMMITTEE REPORT FOR APRIL 2024
M01/07/2024	FINANCES: FINANCIAL MONTHLY REPORT FOR JUNE 2024
M01/08/2024	FINANCES: FINANCIAL MONTHLY REPORT FOR JULY 2024
C03/08/2024	FINANCES: FINANCIAL QUARTERLY REPORT: JUNE 2024
C04/08/2024	FINANCES: DRAFT APPROVAL OF ELECTRICITY TARIFFS FOR 2024/2025 FINANCIAL YEAR BY NATIONAL ENERGY REGULATOR OF SOUTH AFRICA (NERSA)
C17/08/2024	COUNCIL ARRANGEMENTS: 06TH 2023/2024 FINANCIAL SERVICES MONITORING COMMITTEE REPORT FOR JUNE 2024
C32/08/2024	FINANCES: BUDGET PREPARATION TIMETABLE: 2025/2026 FINANCIAL YEAR
C33/08/2024	FINANCES: SUPPLY CHAIN MANAGEMENT: MONTHLY REPORT SECTION 36 DEVIATION REPORT FOR JULY 2024
C34/08/2024	TRAFFIC FINES RECEIVABLES NOT PAID FOR THE PERIOD OF THREE (3) YEARS TO BE WRITTEN OFF AS BAD DEBTS
C35/08/2024	FINANCES: ROLL OVER AND ADJUSTMENT BUDGET FOR THE 2024/2025 FINANCIAL YEAR: AUGUST 2024
C36/08/2024	FINANCES: STORES STOCKTAKING AT YEAR END 2023/2024
C40/08/2024	MPAC: FRUITLESS, WASTEFUL, IRREGULAR AND UNAUTHORIZED EXPENDITURE - APRIL 2024
C41/08/2024	MPAC: UNFORESEEN AND UNAVOIDABLE EXPENDITURE - APRIL 2024
C42/08/2024	MPAC: FRUITLESS, WASTEFUL, IRREGULAR & UNAUTHORIZED EXPENDITURE - MAY 2024
C43/08/2024	MPAC: UNFORESEEN & UNAVOIDABLE EXPENDITURE - MAY 2024
C44/08/2024	MPAC: UNFORESEEN & UNAVOIDABLE EXPENDITURE - JUNE 2024
C45/08/2024	MPAC: FRUITLESS, WASTEFUL, IRREGULAR & UNAUTHORIZED EXPENDITURE - JUNE 2024
M01/09/2024	FINANCES: FINANCIAL MONTHLY REPORT FOR AUGUST 2024
C07/09/2024	FINANCES: ASSESSMENT RATES REBATES FOR MHLUZI MALL
C08/09/2024	PERSONNEL: PROPOSED SALARY AND WAGE INCREASE FOR THE PERIOD 01 JULY 2024 TO 30 JUNE 2025
C18/09/2024	COUNCIL ARRANGEMENTS: 01ST 2024/2025 FINANCIAL SERVICES MONITORING COMMITTEE REPORT FOR AUGUST 2024
C27/09/2024	FINANCES: SUPPLY CHAIN MANAGEMENT: MONTHLY REPORT SECTION 36 DEVIATION REPORT FOR AUGUST 2024
C29/09/2024	SEPTEMBER ADJUSTMENT BUDGET FOR THE 2024/2025 FINANCIAL YEAR: IUDG GRANT
C30/09/2024	FINANCES: REQUEST APPROVAL TO CORRECT RECOMMENDATIONS INCLUDED ON AN APPROVED REPORT AS PER COUNCIL RESOLUTION SC27/05/2024: ANNUAL BUDGET 2024/2025 FINANCIAL YEAR
C33/09/2024	MPAC: FRUITLESS, WASTEFUL, IRREGULAR & UNAUTHORIZED EXPENDITURE - JULY 2024 (ESKOM)
C34/09/2024	MPAC: UNFORESEEN & UNAVOIDABLE EXPENDITURE - JULY 2024
C37/09/2024	MPAC: FINANCES: FINANCIAL QUARTERLY REPORT: APRIL TO JUNE 2024
C38/09/2024	MPAC: FRUITLESS, WASTEFUL, IRREGULAR & UNAUTHORIZED EXPENDITURE - AUGUST 2024
C39/09/2024	MPAC: UNFORESEEN & UNAVOIDABLE EXPENDITURE - AUGUST 2024

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

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C05/01/2025

COUNCIL ARRANGEMENTS: 03RD 2024/2025 CORPORATE AND SUPPORT SERVICES MONITORING COMMITTEE REPORT FOR DECEMBER 2024

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

RESOLVED BY COUNCIL

- 1 **THAT** the activities planned for December 2024 & January 2025 within the relevant Portfolio, be noted subject to the following:
 - 1.1 **That** it be noted that the mid-year report on performance assessments will be submitted to Council in January 2025.
- 2 **THAT** the progress made with the achievement of key performance targets as determined by the performance plan in respect of the Acting Executive Director: Corporate Services, be noted subject to the following:
 - 2.1 **That** a detailed report on the functionality of Ward Committees in line with relevant regulations, be submitted to the committee at the next meeting in February 2025.
- 3 **THAT** the report on vacant positions, be noted subject to the following:
 - 3.1 **That** note be taken that due to financial constraints, the municipality to prioritise filling of only crucial positions.
- 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 that the following resolutions be regarded as finalized and be removed from the outstanding list:

Corporate and Support Services:

RESOLUTIONS NUMBER	HEADINGS
C19/07/2023	LAND: APPLICATION TO LEASE THE REMAINING EXTENT OF PORTION 189 OF THE FARM MIDDELBURG TOWN AND TOWNLANDS 287 FOR THE PURPOSES OF INSTALLATION OF A TELECOMMUNICATION MAST
C06/09/2023	LAND: APPLICATION TO LEASE VOLLEYBALL HALL OPPOSITE NDONDO MAMPANE FIRE STATION
SC06/06/2024	AMENDMENT OF CONTRACT MANAGEMENT POLICY: PROCUREMENT CONTRACTS
C13/06/2024	RECORDS MANAGEMENT: INSPECTION REPORT ON RECORDS MANAGEMENT - 07 NOVEMBER 2023
C14/06/2024	SUPPORT SERVICES: TERMS OF REFERENCE FOR THE RECORDS MANAGEMENT COMMITTEE
C15/06/2024	LAND: APPLICATION TO LEASE WITH AN OPTION TO PURCHASE A PORTION OF THE REMAINDER OF PORTION 27 OF THE FARM MIDDELBURG TOWN AND TOWNLANDS 287 JS FOR DEVELOPING PURPOSES

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RESOLUTIONS NUMBER	HEADINGS
C19/06/2024	LAND: APPLICATION TO LEASE VOLLEYBALL HALL OPPOSITE NDONDO MAMPANE FIRE STATION
C35/06/2024	RULES AND ETHICS: REPORT ON ALLEGATIONS AGAINST COUNCILLOR TR MPYE FOR BREACH OF THE CODE OF CONDUCT FOR COUNCILLORS (CODE OF CONDUCT
SC36/06/2024	RULES & ETHICS: LATE AND NON-SUBMISSION OF THE 2023/2024 ANNUAL DECLARATION OF INTEREST BY COUNCILLORS IN TERMS OF SECTION 8(2) OF THE COUNCILLORS' CODE OF CONDUCT
C37/06/2024	LAND: APPLICATION TO LEASE PORTION 43 OF ERF 7744 MIDDELBURG EXT 23
C09/08/2024	COUNCIL ARRANGEMENTS: VACANCY IN COUNCIL: THE LATE CLLR MG MASEKO
C10/08/2024	COUNCIL ARRANGEMENTS: RESIGNATION OF CLLR DD KLOPPER AS A PR COUNCILLOR: 13 JUNE 2024
C22/08/2022	PERSONNEL: REPORT ON THE WARM BODY VERIFICATION, WHICH WAS CONDUCTED IN FEBRUARY 2024
C24/08/2024	COUNCIL ARRANGEMENTS: ELECTION OF CLLR CS SMITH AS A PR COUNCILLOR FOR THE DEMOCRATIC ALLIANCE
C27/08/2024	COUNCIL ARRANGEMENTS: VACANCIES ON SECTION 79 AND SECTION 80 COUNCIL COMMITTEES: RESIGNATION OF THE PR CLLR D D KLOPPER
C39/08/2024	MPAC: ANNUAL DECLARATION OF INTEREST BY COUNCILLORS IN TERMS OF SECTION 8(2) OF THE COUNCILLORS' CODE OF CONDUCT
C08/09/2024	PERSONNEL: PROPOSED SALARY AND WAGE INCREASE FOR THE PERIOD 01 JULY 2024 TO 30 JUNE 2025
C12/09/2024	RESCISSION OF APPLICATION TO LEASE THE REMAINING EXTENT OF PORTION 189 OF THE FARM MIDDELBURG TOWN AND TOWNLANDS 287 FOR THE PURPOSES OF INSTALLATION OF A TELECOMMUNICATION MAST
C16/09/2024	LAND: APPLICATION TO PURCHASE A PORTION OF ERF 3892 MHLUZI EXTENSION 1 FOR RESIDENTIAL PURPOSES
C35/9/2024	MPAC: QUARTERLY REPORT: DISCIPLINARY ACTIONS INSTITUTED IN TERMS OF MFMA: 01 APRIL 2024 – 30 JUNE 2024
C36/09/2024	MPAC: PROGRESS REPORT ON THE SELLING OF RESIDENTIAL STANDS FOR MEMBERS OF THE COMMUNITY, COUNCILLORS AND COUNCIL EMPLOYEES

Office of the MM:

RESOLUTIONS NUMBER	HEADINGS
SC22/06/2024	THE SERVICE DELIVERY & BUDGET IMPLEMENTATION PLAN (SDBIP) 2024/2025 FINANCIAL YEAR AND THE DRAFT PERFORMANCE AGREEMENTS FOR SECTION 55(A) AND 56 MANAGERS
M02/08/2024	SERVICE DELIVERY & BUDGET IMPLEMENTATION PLAN (SDBIP) 2024/2025 FINANCIAL YEAR
C06/08/2024	END OF TERM FOR OFFICE BEARERS: LED FORUM EXECUTIVE COMMITTEE
C23/08/2024	PERFORMANCE PLAN FOR SECTION 54(A) AND 56 MANAGERS FOR THE 2024/2025 FINANCIAL YEAR
C28/08/2024	INTERNAL AUDIT CHARTER 2024/2025 FINANCIAL YEAR
C29/08/2024	REVIEW OF ICT POLICY: APPLICATIONS SOFTWARE PROGRAMS POLICY
C30/08/2024	AUDIT & PERFORMANCE COMMITTEE REPORT FOR 4TH QUARTER 2024/2025 TO MAYORAL COMMITTEE
C31/08/2024	REPORT ON THE AMENDMENT OF THE TABLED FINAL INTEGRATED DEVELOPMENT PLAN FOR THE 2024/2025 FINANCIAL YEAR
C32/08/2024	FINANCES: BUDGET PREPARATION TIMETABLE: 2025/2026 FINANCIAL YEAR
M02/09/2024	THE ROLLOVER BUDGET AND ADJUSTMENT OF THE INTEGRATED DEVELOPMENT PLAN (IDP), SERVICE DELIVERY & BUDGET IMPLEMENTATION PLAN (SDBIP) 2024-2025 FINANCIAL YEAR
C05/09/2024	ALLOCATION OF LOCAL ECONOMIC DEVELOPMENT (LED) PROJECTS AND LEASING OF MUNICIPAL SMALL, MEDIUM AND MICRO ENTERPRISES (SMMEs) PROPERTIES

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C09/09/2024	TERMS OF REFERENCE FOR OPERATION CLEAN AUDIT COMMITTEE (OPCA) 2024-2025 FINANCIAL YEAR
C10/09/2024	REVIEW OF ICT POLICY: CYBER SECURITY POLICY

- 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.

C06/01/2025

COUNCIL ARRANGEMENTS: 03RD 2024/2025 SPATIAL DEVELOPMENT & HUMAN SETTLEMENT MONITORING COMMITTEE REPORT FOR DECEMBER 2024

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

RESOLVED BY COUNCIL

- 1 **THAT** the activities planned for December 2024 and January 2025 within the relevant Portfolio, be noted subject to the following:
- 1.1 **That** Portion 16, 17 and 18 of the Farm Mooiplaas in Hendrina be investigated to determine whether it can be developed for human settlement purposes.
- 1.2 **That** the lease agreement for Portion 4 of the Farm Elandspruit at Somaphepha be corrected and restricted to 30 hectares so that the remaining land can be made available to others.
- 1.3 **That** the industrial area next to Chromeville be reviewed to form part of Mhluzi precinct plan which will promote aesthetic features and promote local market for the surrounding community.
- 1.4 **That** a report on the request from the Provincial Department of Human Settlement on identification of RDP houses with structural defects be submitted to Council.
- 1.5 **That** the Town Planning and Human Settlement Department, together with the LED Unit should identify a suitable land for agricultural projects (crop and livestock farming) for the benefit of youth within the community.
- 1.6 **That** a comprehensive/ progress report on Sustainable and Integrated Human Settlement projects which have a challenge on bulk infrastructure, be submitted to Council for intervention, particularly Rondebosch Integrated Human Settlement, Kwazamokuhle and Newtown projects.

1.5

- 1.7 **That** progress reports on the allocation and relocation of qualifying beneficiaries to the 86 allocated stands at Kwazamokuhle Extension 9 and Rondebosch Integrated Development be submitted to the committee and Council for consideration.
- 1.8 **That** the guidelines on building structures using containers be developed, and container construction method be piloted and prioritized for building offices, business and tuckshops.
- 1.9 **That** development standards and design guidelines for Dennesig North urban area, be developed.
- 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 subject to the following:
- 3.1 **That** note be taken that due to financial constraints, the municipality to prioritise filling of crucial vacant positions.
- 3.2 **That** a Biometric Clocking System be implemented to monitor and deal with the late coming and early leaving of employees.
- 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 provided that the follow resolution be regarded as finalized and be removed form the outstanding list:

RESOLUTION NUMBER	HEADING
C30/06/2024	COUNCIL ARRANGEMENTS: 05TH 2023/2024 SPATIAL DEVELOPMENT & HUMAN SETTLEMENT MONITORING COMMITTEE REPORT FOR APRIL 2024

- 6 **THAT** the progress provided on the Ward Committee report, be noted.
- 7 **THAT** the progress given on the Complaints and Suggestions report, be noted.

S.T

C07/01/2025

COUNCIL ARRANGEMENTS: 03RD 2024/2025 INFRASTRUCTURE DEVELOPMENT SERVICES MONITORING COMMITTEE REPORT FOR DECEMBER 2024

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

With the consideration of this matter, Cllr J Dyason submitted the following proposal, which was seconded by Cllr HG De Klerk:

"THAT THE MUNICIPAL MANAGER INVESTIGATE AND PROVIDE FOR IN THE ADJUSTMENT BUDGET TO IMPLEMENT A BIOMETRIC SYSTEM WHEREBY EMPLOYEES SIGN ON AND OFF AT WORK BY MEANS OF A THUMB PRINT"

In view of the fact that no other counter proposals were received, the proposal by Cllr J Dyason was therefore accepted.

RESOLVED BY COUNCIL

- 1 **THAT** the activities planned for December 2024 & January 2025 within the relevant Portfolio, be noted subject to the following:
 - 1.1 **That** the non-functional streetlights in Ward 16 be attended to by the Electrical Department.
 - 1.2 **That** the roof gutters in all municipal buildings be cleaned and that the roof leakages at the Sydney Choma Banquet hall be attended to.
 - 1.3 **That** the traffic lights at corner Verdoorn and Zuid Street, be replaced.
 - 1.4 **That** the overflowing drains at corner Jeppe and Vos Street near Ok Foods, Jeppe and Kogel Street, be attended to.
 - 1.5 **That** the fringe drain at Erf 583 and 575 in Hendrina that is continuously blocked be upgraded with the new system.
 - 1.6 **That** the Municipal Manager investigate and provide for in the adjustment budget to implement a biometric system whereby employees sign on and off at work by means of a thumb print.
 - 1.7 **That** the Acting Executive Director: Infrastructure Services be requested to arrange a meeting by the week ending 13 December 2024 with the MMC for Infrastructure Development Services including the managers and supervisors, as well as the members of the committee to address issues relating to the working conduct of the employees within the Infrastructure Services Directorate.
 - 1.8 **That** the issue of inappropriate behavior of employees at the Call Centre towards service delivery related complaints be attended to.

T.S

2. **THAT** the progress made with the achievement of key performance targets as determined by the performance plan in respect of the Acting Executive Director: Infrastructure Services, be noted subject to the following:
 - 2.1 **That** the bridged water meters be replaced so that correct readings can be billed accordingly.
 - 2.2 **That** all copper meters be replaced with PVC meter boxes.
- 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** a report be provided to the committee detailing areas wherein sewer lines were replaced and still need to be replaced in terms of Project P008049: Replacement of Sewer Lines in Middelburg/Mhluzi: WIP.
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** it be noted that the matter concerning the donation of Naledi and Lesedi Villages has been brought to the attention of the Minister of Mineral Resources and Energy for intervention.
- 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.

C08/01/2025

COUNCIL ARRANGEMENTS: 03RD 2024/2025 COMMUNITY SAFETY MONITORING COMMITTEE REPORT FOR DECEMBER 2024

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

RESOLVED BY COUNCIL

- 1 **THAT** the activities planned for December 2024 & January 2025 within the relevant Portfolio, be noted subject to the following:
 - 1.1 **That** verification of business licenses at Iraq taxi rank be conducted to confirm whether those businesses are operating in line with the approved license.

S.F

- 1.2 **That** an action plan be implemented for the visibility of law enforcement together with the SAPS in the community during the December holidays.
- 1.3 **That** feedback/ progress report on the undertaken previously planned activities within the directorate, including the portfolio of evidence be submitted to the committee.
- 1.4 **That** the Executive Director: Community Services be requested to liaise with the Director: Town Planning to provide the committee with a comprehensive report of all approved businesses including tuck shops, taverns, wholesalers, scrapyards and salons operating within the MP313 boundaries.
- 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 resolutions be regarded as finalized and be removed from the outstanding list:

RESOLUTION NUMBER	HEADING
SC08/06/2024	PROGRESS REPORT AND POSSIBLE IMPACT ON THE IMPLEMENTATION OF THE ADMINISTRATIVE ADJUDICATION OF ROAD TRAFFIC OFFENCES ACT 46 OF 1998 (AARTO ACT 46 of 1998) FOR STEVE TSHWETE LOCAL MUNICIPALITY
C27/06/2024	COUNCIL ARRANGEMENTS: 04TH 2023/2024 COMMUNITY SAFETY MONITORING COMMITTEE REPORT FOR FEBRUARY 2024
C32/06/2024	COUNCIL ARRANGEMENTS: 05TH 2023/2024 COMMUNITY SAFETY MONITORING COMMITTEE REPORT FOR APRIL 2024
C12/08/2024	COUNCIL ARRANGEMENTS: 06TH 2023/2024 COMMUNITY SAFETY MONITORING COMMITTEE REPORT FOR JUNE 2024
C03/09/2024	DRAFT SPAZA/ TUCK SHOP BY-LAWS

- 6 **THAT** the progress provided on the Ward Committee report, be noted.
- 7 **THAT** the progress given on the complaints and Suggestions report, be noted.

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C09/01/2025

COUNCIL ARRANGEMENTS: 03RD 2024/2025 ARTS, CULTURE & ENVIRONMENTAL HEALTH MONITORING COMMITTEE REPORT FOR DECEMBER 2024

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

RESOLVED BY COUNCIL

- 1 **THAT** the activities planned for December 2024 and January 2025 within the relevant Portfolio, be noted subject.
- 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 subject to the following:
 - 3.1 **That** it be noted that 35 (thirty-five) Expanded Public Works Programme positions were advertised to assist with litter picking and illegal dumping.
 - 3.2 **That** the Executive Director: Community Services be requested to follow up with the Acting Executive Director: Corporate Services regarding the appointment of seasonal workers.
- 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 1 (one) front end loader was received by Environmental and Solid Waste Department in October 2024.
- 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
C28/06/2024	COUNCIL ARRANGEMENTS: 04TH 2023/2024 ARTS, CULTURE & ENVIRONMENTAL HEALTH MONITORING COMMITTEE REPORT FOR FEBRUARY 2024
C33/06/2024	COUNCIL ARRANGEMENTS: 05TH 2023/2024 ARTS, CULTURE & ENVIRONMENTAL HEALTH MONITORING COMMITTEE REPORT FOR APRIL 2024
C14/08/2024	COUNCIL ARRANGEMENTS: 06TH 2023/2024 ARTS, CULTURE & ENVIRONMENTAL HEALTH MONITORING COMMITTEE REPORT FOR JUNE 2024
C23/09/2024	COUNCIL ARRANGEMENTS: 01ST 2024/2025 ARTS, CULTURE & ENVIRONMENTAL HEALTH MONITORING COMMITTEE REPORT FOR AUGUST 2024

S.F

- 5.2 **That** it be noted that the implementation of adopt a spot policy is under-way, and the department is busy compiling a report as some of the applied spots are privately owned.
- 6 **THAT** the progress provided on the Ward Committee report, be noted subject to the following:
- 6.1 **That** note be taken that concerns were raised regarding the high rate of illegal dumping which causes environmental damage and poses a health risk to the community.
- 7 **THAT** the progress given on the Complaints and Suggestions report, be noted.

C10/01/2025

**COUNCIL ARRANGEMENTS: REPORT ON WARD COMMITTEE MEETINGS:
DECEMBER 2024**

3/2/2/3 (S)

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 November 2024.
2. **THAT** out of 29 Wards, only 03 Wards did not submit their Ward Committee and Community minutes.

C11/01/2025

REVIEW OF THE COUNCIL FILE PLAN

2/5/1/1 (U)/am

RESOLVED BY COUNCIL

1. **THAT** Council take note of the report by the Acting Executive Director: Corporate Services regarding amendments and additions made to the File Plan as well as the approval obtained from the Provincial Archivist in this regard.
2. **THAT** the amended File Plan as approved by the Provincial Archivist on 05 June 2024 be utilised for the classification of the municipality's records by all Departments.

1
2

C12/01/2025

**FINANCES: SUPPLY CHAIN MANAGEMENT: MONTHLY REPORT SECTION 36
DEVIATION REPORT FOR NOVEMBER 2024**

9/2/2 (Q)

RESOLVED BY COUNCIL

1. **THAT** Council take note that there are no Section 36 deviation incurred during the month of November 2024.

C13/01/2025

**RESCISSION OF RESOLUTION: MEMORANDUM OF UNDERSTANDING WITH
MPUMALANGA ECONOMIC GROWTH AGENCY (MEGA)**

8/2/1 (T)

RESOLVED BY COUNCIL

1. **THAT** Council Resolution SC23/10/2021 be rescinded.

C14/01/2025

**FINANCES: SUPPLY CHAIN MANAGEMENT: MONTHLY REPORT SECTION 36
DEVIATION REPORT FOR DECEMBER 2024**

9/2/2 (R)

RESOLVED BY COUNCIL

1. **THAT** Council take note of the Section 36 Deviation Report for December 2024.

C15/01/2025

**FINANCES: QUARTERLY REPORT FOR SUPPLY CHAIN MANAGEMENT: SECOND
QUARTER OCTOBER TO DECEMBER 2024 FOR 2024/2025 FINANCIAL YEAR**

9/2/2 (A)

RESOLVED BY COUNCIL

1. **THAT** the quarterly report on the implementation of Supply Chain Management Policy of the municipality for the Second Quarter ending 31 December 2024, be noted.

S-T

2. **THAT** permission be granted to the Acting Executive Director: Financial Services to publish the quarterly report in terms of Supply Chain Management Regulation 6(3) and (4).

C16/01/2025

MUNICIPAL AUDIT ACTION PLAN TO ADDRESS THE AUDITOR GENERAL FINDINGS FOR 2023/2024 FINANCIAL YEAR

2/4/12 (S)

With the consideration of this matter, Cllr CS Mashiloane requested for a 15-minute temporary adjournment, which was granted by the Speaker from 11:42 to 11:57.

RESOLVED BY COUNCIL

1. **THAT** the Municipal Audit Action Plan to address issues raised by the Auditor-General of South Africa for 2023/2024 financial year be considered and adopted.

C17/01/2025

REPORT OF THE AUDITOR GENERAL ON THE ANNUAL FINANCIAL STATEMENTS

2/4/12 (A)

With the consideration of this matter, the Speaker requested Mr Zubair Gardee from the office of the Auditor – General to make a presentation on the report of the Auditor - General.

RESOLVED BY COUNCIL

1. **THAT** the report by the Auditor-General of South Africa, be noted.
2. **THAT** it be noted that the Municipality received a Qualified Audit Opinion with findings for the financial year ended 30 June 2024.
3. **THAT** the audited Annual Financial Statements, Annual Performance Report and Audit Report be included in the Annual Report and be submitted to MPAC & Audit and Performance Committee for oversight.
4. **THAT** a Municipal Audit Action Plan be submitted to Council.

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C18/01/2025

LAND: APPLICATION TO LEASE WITH AN OPTION TO PURCHASE ERVEN 13165 AND 13166 MIDDELBURG EXT 49 FOR INDUSTRIAL PURPOSES

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

[MM 12397]

RESOLVED BY COUNCIL

1. **THAT** Council confirms that Erven 13165 and 13166 Middelburg Extension 49 are not needed to render a minimum level of basic municipal services and the erven will not be required for the municipality's own use in the future.
2. **THAT** all the engineering and contribution costs, all engineering services and contribution costs shall be borne by the applicant.
3. **THAT** all the advertisement and registration costs shall be paid by the applicant.
4. **THAT** an environmental management plan for the intended use must be submitted to the municipality for consideration prior to the commencement of any proposed activity.
5. **THAT** it be noted that the Market Value of Properties is:
 - 5.1 ERF 13165 Middelburg Extension 49: R4,020,000.
 - 5.2 ERF 13166 Middelburg Extension 49: R3,500,000.
6. **THAT** the Lease amount of the properties be as follows:
 - 6.1 ERF 13165 Middelburg Extension 49: R16,750 per month.
 - 6.2 ERF 13166 Middelburg Extension 49: R14,583 per month.
7. **THAT** the Council confirms that 2,011 m² of Erf 13165 and ERF 13166 Middelburg Extension 49, as listed above, is recorded in the Municipal Asset Register and should be alienated for industrial purposes. Once alienated, these properties should be deregistered from the Property, Plant, and Equipment Register.
8. **THAT** the expected accounting gain of R5,739,021.06 (VAT inclusive) related to the alienation of the above-mentioned properties must be recognized in the Statement of Financial Performance.
9. **THAT** the purchase price shall be paid in full, in cash, as determined by the Council's Supply Chain Management Policy.

8.7

C19/01/2025

FINANCES: FINANCIAL QUARTERLY REPORT: DECEMBER 2024

9/2/1 (S)

RESOLVED BY COUNCIL

1. **THAT** the quarterly in-year report for the first quarter, be noted.
2. **THAT** permission be granted to the Acting Executive Director: Financial Services to upload the quarterly in-year report on the National and Treasury portal.
3. **THAT** permission be granted to the Acting Executive Director: Financial Services to place the quarterly in-year report December 2024 on the municipal website.

C20/01/2025

REPORT: 2023-2024 ANNUAL REPORT

9/1/1 (S)

RESOLVED BY COUNCIL

1. **THAT** the Annual Report 2023/2024, be noted.
2. **THAT** the 2023/2024 Annual Report be tabled to Council as required by Section 127 (2) of the Local Government Municipal Finance Management Act, No 56 of 2003.
3. **THAT** the tabling of the 2023/2024 Annual Report by the Executive Mayor in term of Section 127(2) be approved for publication in terms of Section 127(5) (a) (i) and (ii) of the MFMA.
4. **THAT** the 2023/2024 Annual Report must be submitted to Auditor General, the relevant Provincial Treasury, National Treasury and Provincial department responsible for local government in the province.
5. **THAT** the annual report be submitted to Audit Committee and MPAC for oversight.

C21/01/2025

MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT: 2024/2025 FINANCIAL YEAR

5/1/4 (S)

RESOLVED BY COUNCIL

1. **THAT** the 2024/2025 Mid-year Budget and Performance Assessment as tabled by the Acting Executive Director: Financial Services, be noted.
2. **THAT** in light of the financial assessment and forecasting of figures on the annual budget based on the first six months of the financial year, it is recommended that the approved budget for the 2024/2025 financial year be adjusted in line with Section 72 of the Municipal Finance Management Act, Act 56 of 2003.
3. **THAT** it is further recommended that revenue and expenditure for the financial year be revised for the various votes to account for the projected increases / decreases in collection or spending, and to utilize projected savings on capital or operational spending to supplement the shortfall of funds in other planned projects.
4. **THAT** the proposed adjustment be tabled to Council by no later than the 28 of February 2025, in line with Section 28 of the Municipal Finance Management Act, Act 56 of 2003.
5. **THAT** capital budget be re-prioritised in line with a project implementation to accelerate spending capital expenditure.
6. **THAT** the 2024/2025 Mid-year Budget and Performance Assessment as tabled by the Acting Executive Director: Financial Services, be noted and Mid-Term Adjusted Performance Plans for Section 54(a) and 56 managers, as contained in **ANNEXURE A – F**, are noted and implemented in Quarter 1 and for the remainder of the Financial year.
7. **THAT** all adjustments be implemented in the adjusted in the Third quarter performance report 2024/2025.
8. **THAT** the Mid-Term Adjusted Performance Plans of Section 54(a) and 56 managers be published on the Municipal website and local newspaper.
9. **THAT** the Mid-Term Adjusted Performance Plans of Section 54(a) and 56 managers and Adjustment IDP 2024/2025 be submitted to the MEC of COGTA, District and Provincial Treasury with 10 working days after approval.

S.T

10. **THAT** the Mid-Term Adjusted Performance Plans for Section 54(a) and 56 managers, as contained in **ANNEXURE A – F** to the Agenda, be noted and implemented in quarter 2 and for the remainder of the Financial year.
11. **THAT** permission be granted to the Director: Development and Strategic Support to publish the Mid-Term Adjusted Performance Plans of Section 54(a) and 56 managers on the Municipal website and submitted to the MEC of COGTA, District and Provincial Treasury with 10 working days after approval.

C22/01/2025

LAND: LEASE OF PORTIONS OF PORTION 1 AND 4 OF THE FARM RIETFontein 286 JS AND THE REMAINDER OF PORTION 27 OF THE FARM MIDDELBURG TOWN AND TOWNLANDS 287 JS FOR MINING PURPOSES

7/2/1/3 (T)

RESOLVED BY COUNCIL

1. **THAT** Council confirm that the following portions are 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 assets is to be granted:
 - 1.1 45,7592 (forty-five comma seven five nine two) hectares of a portion of Portion 4 (previously described as a portion of portion 1) of the Farm Rietfontein 286 JS;
 - 1.2 610,5286 (six one zero comma five two eight six) hectares of the Remaining Extent of Portion 27 of the farm Middelburg Town and Townlands 287 JS; and
 - 1.3 538,2482 (five three eight comma two four eight two) hectares a portion of the Remaining Extent of Portion 1 of the Farm Rietfontein 286 JS.
2. **THAT** the application for lease of the properties be approved and the Accounting Officer be authorized to deal with the application as an unsolicited bid, subject to the following conditions:
 - 2.1 **That** a Lease Agreement be entered into with the Applicant in respect of the properties;
 - 2.2 **That** the duration of the said agreement be 6 (six) years and 6 (six) months effective from 01 June 2025 to 30 November 2031, with an option to renew for a further period of 3 (three) years, subject to the applicant having been granted the necessary mining rights and authorisations;

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- 2.3 **That** the applicant obtains a renewal of its current Mining Rights from the Minister of Mineral Resources upon expiry thereof and furnish the Municipality with a copies thereof, by failure of which the Municipality will have the right to terminate the Agreement;
 - 2.4 **That** the rental amount to be paid by the lessee be determined at R1 413 938.24 VAT exclusive per month, subject to an annual escalation of 5%;
 - 2.5 **That** the applicant shall be responsible for any other conceivable costs which may emanate from the agreement, including but not limited to, costs incurred in the drafting, compilation, execution and/or registration of the agreement (if required);
 - 2.6 **That** should services be required all cost relating to the provision of those services be for the cost of the applicant; and
 - 2.7 **That** the property be used for mining- and related purposes only.
3. **THAT** the proposed lease or granting of the right to use, control or manage 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.
 4. **THAT** the proceeds from the leased be allocated to segment description: (171/555) Leased Properties: Rental Land (171/005).

C23/01/2025

FINANCES - ANNUAL FINANCIAL STATEMENTS 2023/2024: UNAUTHORISED EXPENDITURE

5/3/1 (A)

RESOLVED BY COUNCIL

1. **THAT** Council take note of the unauthorized expenditure to an amount of R95 377 134 on the operating budget which realized on 30 June 2024.
2. **THAT** Council approves the unauthorized expenditure for the 2023/2024 financial year as prescribed in terms of Section 32 (2) (a) (i) of the MFMA.
3. **THAT** permission be granted to the Acting Executive Director: Financial Services to forward the report to the National and Provincial Treasury.

S-T

C24/01/2025

LAND: APPLICATION TO LEASE A PORTION OF THE REMAINDER OF PORTION 27 OF THE FARM MIDDELBURG TOWN AND TOWNLANDS 287 JS FOR COAL DISTRIBUTION FACILITY

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

[MM 180538]

RESOLVED BY COUNCIL

1. **THAT** Council confirm that a 5-hectare portion of the Remainder of Portion 27 of the farm Middelburg Town and Townland 287 JS 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 lease the subject property as an unsolicited bid.
3. **THAT** the application to lease a portion of the Remainder of Portion 27 of the farm Middelburg Town and Townlands 287 JS be approved subject to the following conditions:
 - 3.1 **That** the lease period be limited to 5 years.
 - 3.2 **That** the property be leased solely for coal distribution facility.
 - 3.3 **That** all the relevant town planning processes shall be conducted by the applicant at his own costs.
 - 3.4. **That** the applicant shall obtain an Environmental Authorization prior to commencement with any activity.
 - 3.5. **That** the exact position of the entrance/exit point shall be assessed and approved by the Provincial Department of Roads and Transport prior to commencement with any activity.
 - 3.6 **That** the market value be R1 600 000 (One Million Six Hundred and Six Thousand Rand) and the market rental be R5 000 (Five Thousand Rand Only) per month, VAT exclusive.
 - 3.7 **That** the escalation be 5% per annum for a period of 3 years.
 - 3.8 **That** the market value be reviewed should the purchase agreement not be concluded within 12 months from the date of valuation.
 - 3.9 **That** no permanent structures be erected on the property.
 - 3.10 **That** should services be required all cost relating to the provision of those services be for the cost of the applicant.

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3.11 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.

S.T

**REPORT OF THE 11TH/2024 MEETING OF THE
MUNICIPAL PUBLIC ACCOUNTS COMMITTEE
MEETING HELD IN THE COUNCIL CHAMBER ON
WEDNESDAY, 20 NOVEMBER 2024**

Upon request by the MPAC Chairperson, it was

RESOLVED BY COUNCIL

THAT the report by the Municipal Public Accounts Committee in respect of items C25; C26; C27; C28; C29; C30 & C31/01/2025, be considered.

C25/01/2025

MPAC: UNFORESEEN & UNAVOIDABLE EXPENDITURE – OCTOBER 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 October 2024.

C26/01/2025

MPAC: FRUITLESS, WASTEFUL, IRREGULAR & UNAUTHORIZED EXPENDITURE – OCTOBER 2024 (ESKOM ACCOUNT)

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

RESOLVED BY COUNCIL

1. **THAT** note be taken that an amount of R49 777.09 was identified as interest on Gholfsig Eskom account.
2. **THAT** the verbal explanation from the Acting Municipal Manager and the Acting Chief Financial Officer regarding the cash flow problem at 30 September 2024 resulting in the late payment of the Eskom account be noted.
3. **THAT** discussions with Eskom be continued to write off the interest of R49 777.09 due to the Municipality's good payment record and the fact that the account was settled within few days.

S.T

4. **THAT** should the discussions with Eskom not be successful, the amount of R49 777.09 be written off and that no steps be taken to recover the money from any official.

C27/01/2025

MPAC: DRAFT ANNUAL REPORT FOR THE 2023/2024 FINANCIAL YEAR

9/1/1 (A)

RESOLVED BY COUNCIL

1. **THAT** the above-mentioned report, be noted.

C28/01/2025

MPAC: REPORT AND INSPECTION IN LOCO: VAALBANK WATER PURIFICATION WORKS

17/4/R (A)

RESOLVED BY COUNCIL

1. **THAT** the report on the inspection in loco to the Vaalbank Water Purification Works, be noted.

C29/01/2025

MPAC: POSSIBLE FRUITLESS AND WASTEFUL EXPENDITURE: SALGA TRAINING

3/2/4/1/15 (A)

RESOLVED BY COUNCIL

1. **THAT** the matter be referred back to the Municipal Public Accounts Committee for further investigation and reporting.

S.T

C30/01/2025

MPAC: FREE GRAVES: PENSIONERS

16/6/R (A)

RESOLVED BY COUNCIL

1. **THAT** the report on the free graves for Pensioners, be noted.

C31/01/2025

MPAC: REPORT ON THE SCADA SYSTEM

8/1/1 (A)

RESOLVED BY COUNCIL

1. **THAT** the report on the SCADA system, be noted.
2. **THAT** the Acting Executive Director: Infrastructure Services be requested to submit a further report on this matter, outlining the target dates as well as the reasons for the delays.

15

**REPORT OF THE 12TH/2024 MEETING OF THE
MUNICIPAL PUBLIC ACCOUNTS COMMITTEE
MEETING HELD IN THE COUNCIL CHAMBER ON
WEDNESDAY, 11 DECEMBER 2024**

Upon request by the MPAC Chairperson, it was

RESOLVED BY COUNCIL

THAT the report by the Municipal Public Accounts Committee in respect of items C32; C33 & C34/01/2025, be considered.

C32/01/2025

**MPAC: AUDIT & PERFORMANCE COMMITTEE REPORT FOR 1ST QUARTER
2024/2025**

5/14/1 (A)

RESOLVED BY COUNCIL

1. **THAT** the content of the Audit and Performance Committee 1st Quarter Report, be noted.
2. **THAT** a report on all accounts overdue by more than 150 days, especially those owed by the private sector be submitted to Council.
3. **THAT** the Executive Mayor and the MPAC Chairperson as well as relevant officials be requested to do a special operation to disconnect electricity on businesses which are in arrears for a period longer than 150 days without payment arrangements.

C33/01/2025

MPAC: UNFORESEEN & UNAVOIDABLE EXPENDITURE – NOVEMBER 2024

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

RESOLVED BY COUNCIL

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

S.T

C34/01/2025

**MPAC: FRUITLESS, WASTEFUL, IRREGULAR & UNAUTHORIZED EXPENDITURE
– NOVEMBER 2024 (ESKOM ACCOUNT)**

3/2/4/1/18 (A)

RESOLVED BY COUNCIL

1. **THAT** note be taken that an amount of R268 433.47 was identified as interest on Gholfsig Eskom account.
2. **THAT** the verbal explanation from the Acting Municipal Manager and the Acting Chief Financial Officer regarding the cash flow problem resulting in the late payment of the Eskom account, be noted.
3. **THAT** discussions with Eskom be continued to write off the interest of R268 433.47 due to the Municipality's good payment record and the fact that the account was settled within few days.
4. **THAT** should the discussions with Eskom not be successful, the amount of R268 433.47 be written off and that no steps be taken to recover the money from any official.

**REPORT OF THE 01ST/2025 MEETING OF THE
MUNICIPAL PUBLIC ACCOUNTS COMMITTEE
MEETING HELD IN THE COUNCIL CHAMBER ON
WEDNESDAY, 15 JANUARY 2025**

Upon request by the MPAC Chairperson, it was

RESOLVED BY COUNCIL

THAT the report by the Municipal Public Accounts Committee in respect of items C35; C36 & C37/01/2025, be considered.

C35/01/2025

MPAC: UNFORESEEN & UNAVOIDABLE EXPENDITURE – DECEMBER 2024

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

RESOLVED BY COUNCIL

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

C36/01/2025

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

3/2/4/1/18 (A)

RESOLVED BY COUNCIL

1. **THAT** note be taken that an amount of R327 703,33 was identified as interest on Gholfsig Eskom account.
2. **THAT** the verbal explanation from the Acting Chief Financial Officer regarding the late payment of the Eskom account, be noted.
3. **THAT** discussions with Eskom be continued to write off the interest of R327 703,33 due to the Municipality's good payment record.
4. **THAT** should the discussions with Eskom not be successful, the amount of R327 703,33 be written off and that no steps be taken to recover the money from any official.

S-T

C37/01/2025

MPAC: QUARTERLY REPORT: DISCIPLINARY ACTIONS INSTITUTED IN TERMS OF MFMA: 01 OCTOBER 2024 – 31 DECEMBER 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 October 2024 to 31 December 2024.

11. NOTICE OF MOTION

Motion 151

With the consideration of Motion 151, The Speaker requested a caucus period from 13:18 to 13:25.

11.1 The following Motion was received from Ald HF Niemann:

Motion 151

“That the full forensic investigation report regarding the construction of the new substation in Mhluzi as envisaged under item SC03/11/2023, be submitted to Council during a special council meeting to be arranged by the Speaker in February 2025.

(sic)”

RESOLVED BY COUNCIL

1. **THAT** a full forensic investigation report regarding the construction of the new substation in Mhluzi as envisaged under item SC03/11/2023, be submitted to Council during a Special Council meeting to be arranged by the Speaker in February 2025.

12. DEFERRED ITEMS

None

13. IN-COMMITTEE MATTERS


None

1.3

14. CLOSURE

Meeting closed at 13:26

SIGNED AT MIDDELBURG ON: 31/03/2025


SPEAKER