

STEVE TSHWETE LOCAL MUNICIPALITY

AGENDA

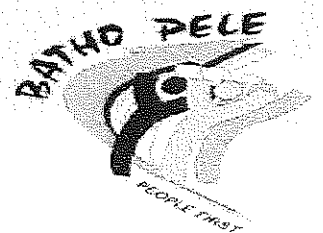
OF THE

SPECIAL COUNCIL

MEETING

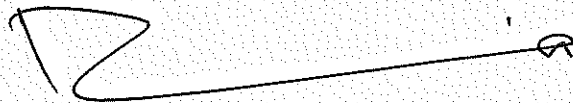
DATE - 29 MARCH 2018

TIME: 09:00



STEVE TSHWETE LOCAL MUNICIPALITY

NOTICE IS HEREBY GIVEN THAT A SPECIAL COUNCIL MEETING WILL BE HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, MIDDELBURG ON THURSDAY, 29 MARCH 2018 AT 09:00



ACTING MUNICIPAL MANAGER

AGENDA

- 1 OPENING
- 2 APPLICATION FOR LEAVE OF ABSENCE
- 3 DISCLOSURE OF INTEREST
- 4 REPORTS OF EXECUTIVE MAYOR
 - 4.1 SPECIAL MAYORAL COMMITTEE HELD ON 27 MARCH 2018
- 5 CLOSURE

REPORT OF THE

**SPECIAL MEETING OF THE MAYORAL COMMITTEE
WHICH WAS HELD IN THE COUNCIL CHAMBER,
MUNICIPAL BUILDINGS, MIDDELBURG MPUMALANGA,
ON**

2018/03/27

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**NON
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POWERS**

SC23/03/2018

LAND: PROPOSAL FOR DISCOUNT ON PURCHASING PRICE OF PORTION 219 OF ERF 5629 MHLUZI EXTENSION 2

7/2/3/2/3 (E)mlm

[MM 110264]

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** Council take note of the report by the Executive Director: Infrastructure Services.
2. **THAT** the Town Planning & Human Settlement service budget to purchase Erf 175/5629 Mhluzi Extension 2 from the applicant.
3. **THAT** a discount be approved and that the applicant be allowed to pay a purchase price amounting to R15 000 Vat exclusive.

SC24/03/2018

FINANCES: REQUEST FOR WRITING OFF OF OUTSTANDING RATES AND TAXES: ERF 7755 MIDDELBURG EXTENSION 24

5/12/1 (L)/nm

RECOMMENDATION BY THE EXECUTIVE MAYOR

1. **THAT** the account of Stand 7755 Middelburg Extension 24 be credited with an amount of R13 346,63 being the incorrect purchase price and interest levied incorrectly.
2. **THAT** the remaining outstanding balance of R2 314,12 being water consumption on excess of the 10 litre per month allowed to indigent consumers, be paid by the occupier.

SC27/03/2018

MPAC: OVERSIGHT REPORT ON THE 2016/2017 ANNUAL REPORT

9/1/2 (G)

RECOMMENDATION BY THE EXECUTIVE MAYOR

1. **THAT** Council take note of the 2016/2017 draft Annual Report.
2. **THAT** the Oversight Report on the 2016/2017 Annual Report be approved without reservations.
3. **THAT** the following comment made by MPAC, be noted:

- 3.1 **That** in future proper description on the capital projects output, be included in the Annual Report.
4. **THAT** in terms of Section 127(5)(b) and Section 129(2)(b) of the MFMA, permission be granted to the Office of the Municipal Manager to submit the Oversight Report to the relevant Departments within a prescribed period.

SC28/03/2018

DRAFT: REVIEW OF THE ORGANISATIONAL STRUCTURE: APPROVAL OF STAFF ESTABLISHMENT

4/1/2 (L)

RECOMMENDATION BY THE EXECUTIVE MAYOR

1. **THAT** Council take note of the report by the Acting Executive Director: Corporate Services on the review of the Organisational structure.
2. **THAT** the Draft Organisational Structure be approved in principle and that consultation with labour in the Local Labour Forum and other stakeholders be done and the final draft be submitted to Council for consideration and approval together with the approval of the budget May 2018.

SC29/03/2018

LAND: PROPOSAL FOR PURCHASING OF ALL RESIDENTIAL STANDS IN AERORAND TOWNSHIP

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

RECOMMENDATION BY THE EXECUTIVE MAYOR

1. **THAT** Council confirm that the remainder of the residential stands in Aerorand South that will be left after the other stands are sold for the expansion of the Middelburg Mall ("the properties") are not needed to provide the minimum level of basic municipal services and will not be required for the municipality's own use at a later stage.
2. **THAT** the proposal for the purchasing of the properties be approved subject to the following conditions:
 - 2.1 **THAT** the Accounting Officer be authorised to alienate the properties as an unsolicited bid.
 - 2.2 **That** the stands be utilised only for the developing of an integrated residential development.

- 2.3 **That** the applicant be allowed to sell the stands to the public in two forms of packages which are as follows:
- 2.3.1 stands to be sold to individuals to build houses according their own design specifications; and
- 2.3.2 stands to be sold as building packages to be constructed by the applicant/developer.
3. **THAT** the stands zoned "Institutional" and other zonings beside residential stands not be part of the purchase proposal.
 4. **THAT** the affordable housing programme be part of the development package.
 5. **THAT** note be taken that issues raised in the comments by the Executive Director: Financial Services under the Item 08/12/2014 have been addressed in the report.
 6. **THAT** the stands be sold "as is" and the applicant/developer be responsible for the installation of all services according to Council's standards.
 7. **THAT** the applicant/developer be responsible for the payment of the main service contributions.
 8. **THAT** the amount incurred by the municipality for the plan, design and network analysis be recovered from the applicant/developer.
 9. **THAT** the applicant as part of their social responsibility develop an institutional stand with an early childhood centre which will be donated to the municipality with three (3) years from occupation and should be part of the Deed of Sale.
 10. **THAT** the development be required to have at least 15% of BEE (preferable female) partner for the acquisition and development of the land.
 11. **THAT** the sale of the residential stands be subject to the following suspensive conditions:
 - 11.1 **That** the municipality be allowed 18 (eighteen) months to finalise the environmental impact assessment ("EIA") application, review and conduct all the specialist studies required by the Department of Rural Development, Agriculture, Land and Environmental Affairs in order to be able to obtain the "Record of Decision "for the EIA application which will make it possible to proclaim the Aerorand South Township.

- 11.2 **That** the studies mentioned in 11.1 above be conducted by the municipality and that all studies required but not limited to the studies mentioned in 11.1 above be undertaken by the municipality in order to be able to proclaim the said township.
12. **THAT** all the required studies be conducted at the cost of the municipality and the the necessary budget provision be made.
13. **THAT** the further report regarding the valuation of the properties to determine the purchase price thereof be made by the municipal valuer once all the required studies have been positively finalised.
14. **THAT** the applicant be required to provide documentary proof of their needs before Aerorand South Township is proclaimed.
15. **THAT** the provision of proof of payment for the properties and submission of the site development plans by the applicant be dealt together with the further report required per paragraph 13 above.
16. **THAT** the duration in terms of which the applicant will be required to develop the stands be dealt with together with the further report required per paragraph 13 above.
17. **That** a further report be submitted regarding the conclusion of the Service Level Agreement addressing inter alia the following matters:
- 17.1 Payment of the main service contribution fees.
- 17.2 Confirmation of the municipal valuation of the total market value of all the properties involved.
- 17.3 The envisaged profit or loss to Council.
18. **THAT** a clause be included in the agreement that the rights obtained may not be transferred to any party until such time that all services have been installed or prior written approval from Council has been obtained
19. **THAT** Council Resolution C19/01/2018, be rescinded.

SC30/03/2018

FINANCES: ANNUAL FINANCIAL STATEMENTS 2016/2017: UNAUTHORISED EXPENDITURE (SPECIAL ADJUSTMENT BUDGET 2016/2017)

5/1/1/10 (M) /dp

RECOMMENDATION BY THE EXECUTIVE MAYOR

1. **THAT** Council take note of the reasons for the unauthorized expenditure by vote to the amount of R16,1-million on the operating budget and R69,6-million on the capital budget which realized on 30 June 2017.
2. **THAT** Council note and approve the overspending of R12-million on the capital projects which is due to the increase on NDM projects.
3. **THAT** Council approves the unauthorized expenditure for the 2016/2017 financial year as prescribed in terms of Section 32 (2)(a)(i) of the MFMA.
4. **THAT** permission be granted to the Executive Director: Financial Services to forward the report to National Treasury and relevant Provincial Treasury.

SC31/03/2018

CHANGE OF THE WARD AND ERF NUMBER FOR DEVELOPMENT ON PROJECT P1800053 ON THE 2017/2018 FINANCIAL YEAR BUDGET

6/1/3/1/1/3 (C)

RECOMMENDATION BY THE EXECUTIVE MAYOR

1. **THAT** Council take note that although the project will still service the entire community the ward and erf number for the development of Bicycle and Running lanes on project P1800053 of the 2017/2018 budget will change from Ward 15 (Klein Olifants River) to Ward 12 erf RE/2464 Aerorand.
2. **THAT** Council take note of the possible further private development and business opportunities in line with sport and recreation practices.
3. **THAT** the area no longer be available for development other than what will be in line with a sport and recreation hub.
4. **THAT** the IDP and budget deliverables be amended accordingly.
5. **THAT** Council Resolution C20/04/2014 be rescinded as far as it relates to the Remainder of Erf 2464 Aerorand.

SC32/03/2018

FINANCES: TABLED ANNUAL BUDGET: 2018/2019 FINANCIAL YEAR

5/1/1/12 (B) /dp

RECOMMENDATION BY THE EXECUTIVE MAYOR

1. **THAT** the tabling of the draft Annual Budget (MTREF) for the 2018/2019 financial year, be noted.
2. **THAT** the draft SDBIP which is included in the tabled annual budget document under part 3, be noted.
3. **THAT** permission be granted to the Executive Director: Financial Services to make the tabled annual budget and supporting documents public in terms of Section 21A of the Municipal Systems Act.
4. **THAT** the tabled annual budget be made available for viewing at selected libraries, the main municipal offices, Hendrina satellite office and be placed on the municipal website.
5. **THAT** public input submitted until 3 May 2018 be evaluated and considered by Council with the final approval of the budget by 31 May 2018.
6. **THAT** permission be granted to the Executive Director: Financial Services to submit the tabled annual budget to the National and Provincial Treasury in both printed and electronic format by 6 April 2018.
7. **THAT** the mSCOA data strings be submitted to National Treasury.
8. **THAT** Council note that an application was made to NERSA for a 6,84% electricity tariff increase for 2018/2019 financial year.
9. **THAT** Council note that the new valuation roll will be implemented from 1 July 2018.

SC33/03/2018

REVIEWED DRAFT INTEGRATED DEVELOPMENT PLAN FOR THE 2018/19 FINANCIAL YEAR

3/4 (B) /dp

RECOMMENDATION BY THE EXECUTIVE MAYOR

1. **THAT** the report by the Acting Municipal Manager on the reviewed draft Integrated Development Plan for 2018/2019, be noted.

2. **THAT** the draft reviewed Integrated Development Plan for the 2018/2019 financial year attached as **ANNEXURE A** to the Agenda be considered and permission be granted to the office of the Municipal Manager to submit it to the public.
4. **THAT** the tabled reviewed draft Integrated Development Plan for 2018/2019 lie open for public inspection at the municipal libraries, municipal offices and website for a period of 21 days.
5. **THAT** the draft IDP be submitted to the MEC responsible for Local Government, Provincial Treasury and Nkangala District Municipality.

DELEGATED POWERS

SM25/03/2018

**LAND: APPLICATION TO LEASE A PORTION OF PORTION 296 OF THE FARM
MIDDELBURG TOWN AND TOWNLANDS 287 JS FOR THE CONSTRUCTION OF A
CELL-C BASE STATION AND A CELL-C CELLULAR TELEPHONE MAST**

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

[MM 133266]

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** the report by the Acting Executive Director: Corporate Services, be noted.
2. **THAT** the application to lease a portion of Portion 296 of the farm Middelburg Town and Townlands 287 JS for the construction of a Cell-C base station and a Cell-C cellular telephone mast not be approved due to reasons supplied in the report.
3. **THAT** the applicant be informed accordingly.

SM26/03/2018

FINANCES: AUDIT ACTION PLAN FOR 2017/2018 FINANCIAL YEAR

5/1/1/11 (B) /dp

RESOLVED BY THE EXECUTIVE MAYOR

1. **THAT** Council take note of the attached Audit Action Plan for 2017/2018.
2. **THAT** Council take note of the remedial actions/activities from the 2016/2017 final management letter to be undertaken to address weaknesses identified.