

STEVE TSHWETE LOCAL MUNICIPALITY

MINUTES

OF A

SPECIAL COUNCIL

MEETING

DATE - 25 AUGUST 2014

STEVE TSHWETE LOCAL MUNICIPALITY

MINUTES OF A SPECIAL MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDINGS, MIDDELBURG, MPUMALANGA ON MONDAY, 25 AUGUST 2014 AT 17:38

PRESENT

Councillors

Cllr T B Mahlangu (Acting Speaker)
Cllr M A Masina (Executive Mayor)
Cllr E F Mathebula
Cllr D J Motsepe
Cllr S D Nkadimeng
Ald H Pilodia
Cllr E A Jele
Cllr E O Motsepe
Cllr B Nene
Cllr I Thwala
Cllr M J Sekgwele
Cllr M T E Mnguni
Cllr L I Manzini
Cllr Z D Mtshweni
Cllr J Skosana
Cllr M J Selala
Cllr B P Ndala
Cllr M S Motebu
Cllr S M Mnguni
Cllr S A Lukhele
Cllr M T Selala
Cllr P M Hadebe
Cllr P J Masilela

Cllr M Mbatiwe
Cllr B C Skosana
Cllr O Malinga
Cllr J Matshiane
Cllr L E Mkhuma
Cllr M E Nyambi
Cllr D J Skhosana
Cllr P M Shongwe
Cllr G H E Romijn
Cllr T N Van Zyl
Cllr A S Grobler
Cllr S M Mogola
Cllr A Struwig
Cllr J P Pretorius
Cllr T R Langeveld
Ald E du Toit
Cllr S J Roos
Cllr H F Niemann
Cllr N J Mlambo
Cllr J Dyason
Cllr P Mobango
Cllr S Wait
Cllr K P J Uys

Absent

Cllr P P Tau
Cllr M R Mnguni
Cllr N J Nkambule
Cllr B H Mokoena
Cllr T G Ndlangamandla

Officials:

Mr W Fouchè (Municipal Manager)
Mr S M Mnguni (Deputy Municipal Manager)
Mr J Victor (Acting Executive Director: Corporate Services)
Ms E Wassermann (Executive Director: Financial Services)
Mr N B Thobela (Executive Director: Infrastructure Services)
Ms C Hlatshwayo (Executive Director: Community Services)
Mr S Mthethwa (Acting Director: Legal & Administration)
Mr J Zulu (Chief Administrative Officer)
Mr P Mokoena (Senior Clerk)
Ms W Machinini (Clerk Grade 1)

1. OPENING

Election of Acting Speaker

The Municipal Manager informed the meeting that the Speaker, Cllr R M Xaba was not present and Council therefore has to elect an Acting Speaker.

Proposals for an Acting Speaker was then requested. Cllr MTE Mnguni proposed the name of Cllr TB Mahlangu. The proposal was seconded by Cllr M J Sekgwele and Cllr TB Mahlangu accepted the nomination.

In view of the fact that no further nominations were received, Cllr TB Mahlangu was elected Acting Speaker for the Special Council meeting held on 25 August 2014.

2. APPLICATION FOR LEAVE OF ABSENCE

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

RESOLVED

THAT it be noted that Cllr's, N J Mahlangu, E P Nkosi, and D M Longman have applied for leave of absence due to other obligations and the applications were approved.

2.3 Application for leave of absence in terms of Section 13(2) of Rules of Order

Cllr K N Monareng
Cllr R M Xaba
Cllr S S Zitha

3. DISCLOSURE OF INTEREST

None

4. CONSIDERATION OF THE ATTACHED REPORTS

[Handwritten signature]

REPORT OF A MEETING OF THE SPECIAL MAYORAL COMMITTEE
HELD ON 21 AUGUST 2014

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 SC17; SC18; SC19; SC20; SC21; SC22; SC23/08/2014 be considered.

SC17/08/2014

FINANCES : ASSETS NOT VERIFIED ON FINANCIAL YEAR END : TO BE WRITTEN OFF

5/1/3 (D)/Is

RESOLVED BY COUNCIL

- 1 THAT it be noted that the Executive Director : Financial Services and the Municipal Manager informed the Mayoral Committee as follows:
 - 1.1 That large numbers of the items to be written off are smaller items which, when they become broken or redundant are discarded by Departments without realizing that it should in fact be written off by Council;
 - 1.2 That it is difficult to ensure that chairs and other pieces of furnisher are properly stored after it gets broken or delapidated;
 - 1.3 That the book value of the items to be written off are relatively low;
 - 1.4 That should any of the items be found, a further report will be submitted to Council for such items to be reinstated on the assets register.
 - 1.5 That in terms of the Accounting Standards only assets in used should be recognised on the asset registers.
- 2 THAT Council take note of the report by the Executive Director: Financial Services regarding the assets not verified.
- 3 THAT the assets not verified as per ANNEXURE A be written off from the asset register as on 30 June 2014.
- 4 THAT the loss from the disposal of the assets be recognised in the statement of financial performance.



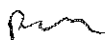
SC18/08/2014

FINANCES : ROLL-OVER ADJUSTMENT BUDGET: 2014/2015 FINANCIAL YEAR

5/1/17 (B)/ls

RESOLVED BY COUNCIL

- 1 THAT the report by the Executive Director : Financial Services regarding the Roll-Over Adjustment Budget for 2014/2015 financial year, be approved.
- 2 THAT the roll-over projects from the 2013/2014 financial year be approved and be included in the 2014/2015 capital budget according to the following attached adjusted budget tables and supporting information:
 - 2.1.1 Table B1 – Adjusted Budget Summary
 - 2.1.2 Table B2 – Adjusted Budget Financial Performance (standard classification)
 - 2.1.3 Table B3 – Adjusted Budget Financial Performance
 - 2.1.4 Table B4 – Adjusted Budget Financial Performance (revenue and expenditure)
 - 2.1.5 Table B5 – Adjusted Capital Expenditure by vote and funding
 - 2.1.6 Table B6 – Adjusted Budget Financial Position
 - 2.1.7 Table B7 – Adjusted Budget Cash Flows
 - 2.1.8 Table B8 – Cash back Reserves / Accumulated surplus Reconciliation
 - 2.1.9 Table B9 – Asset Management
 - 2.1.10 Table B10 – Basic Service Delivery Measurement
 - 2.1.11 Part 2 - Supporting tables SB1 – SB20
 - 2.1.12 Part 3 – Total adjustment capital SDBIP including Roll over projects.
- 3 THAT the roll-over adjustment budget be submitted to the National Treasury and the relevant Provincial Treasury in terms of Section 28 (7) consisting out of the three parts containing the required tables and headings to the particular adjustment budget.
- 4 THAT the revised monthly and quarterly targets as reflected under part 3 be approved and be included in the Service Delivery and Budget Implementation Plan for the 2014/2015 financial year.
- 5 THAT the adjustment budget with the revised service delivery targets attached as ANNEXURE A be advertised within 10 working days after approval by Council in accordance with Section 21A of the Municipal Systems Act.
- 6 THAT the roll-over adjustment budget be made public in terms of Section 26(1) of the Municipal Budget and Reporting Regulations approved by Council.
- 7 THAT the roll-over adjustment budget be placed on the Municipal website within 10 working days after approval by Council.



SC19/08/2014

**PERSONNEL : APPOINTMENT OF SELECTION PANEL AND APPROVAL OF
SHORTLISTED CANDIDATES : EXECUTIVE DIRECTOR : CORPORATE SERVICES**

4/1/3/3 (M)

With the consideration of this item, upon request by the Executive Mayor the following amendments were made:

1. The name of the Executive Mayor – Cllr MA Masina under point 1.2 was replaced by the Municipal Manager or the Acting Municipal Manager of Nkangala District Municipality.
2. The shortlisted candidates were withdrawn, and compiling shortlist of applicants referred to the new panel to deal with it in accordance with the Regulation on Appointment and Conditions of Employment of Senior Managers.

RESOLVED BY COUNCIL

- 1 THAT the following Selection Panel be constituted for the position of Executive Director : Corporate Services:
 - 1.1 The Municipal Manager - Mr W D Fouche (Chairperson)
 - 1.2 The Municipal Manager or the Acting Municipal Manager – Nkangala District Municipality
 - 1.3 The MMC for Corporate Services - Ald H Pilodia
 - 1.4 The Municipal Manager – Mr J Sindane of Thembisile Hani Municipality or the former Municipal Manager of Emakhazeni Municipality - Mr O Nkosi and should one of the aforementioned not be available, at least one other person who is not a Councillor or a staff member of this municipality, whom the Municipal Manager deems fit for appointment.
- 2 THAT the shortlisting of the candidates be dealt with in accordance with the Regulations on Appointment and Conditions of Employment of Senior Managers.

SC20/08/2014

COUNCIL ARRANGEMENTS: DECLARATION OF INTERESTS BY COUNCILLORS : 2014

3/R (W)

RESOLVED BY COUNCIL

- 1 THAT the possibility to review the official form which is used by Councillors to declare their interests, be referred to the Rules and Ethics Committee for consideration, whereafter a further report be submitted to Council.
- 2 THAT Council to note that all Councillors submitted the required declaration forms for 2014.
- 3 THAT it be noted that a Register was compiled by the Municipal Manager on the annual declarations for 2014.
- 4 THAT in terms of Section 67 of the Rules of Order, Council took note of the declaration forms submitted by Councillors.

Rm

SC21/08/2014

FINANCES : BUDGET AND IDP PREPARATION TIMETABLE : 2015/2016

5/1/1/9 (B) /ls

RESOLVED BY COUNCIL

- 1 THAT the budget timetable for the 2015/2016 Annual Budget Process as submitted by the Executive Director : Financial Services be approved and implemented.
- 2 THAT the Public Participation process as suggested be noted and be implemented accordingly.
- 3 THAT the Budget and IDP processes for 2015/2016 be aligned.

SC22/08/2014

LAND: APPLICATION TO PURCHASE STANDS AT ROCKDALE FOR RESIDENTIAL PURPOSES : BHP BILLITON

7/2/3/2/14 (L)/yb

[MM 99797]

RESOLVED BY COUNCIL

- 1 THAT Council take note of the report by the Executive Director : Corporate Services.
- 2 THAT the Accounting Officer be authorised to alienate 12 (twelve) stands to BHP Billiton for residential purposes as an unsolicited bid.
- 3 THAT the applicant be allowed to choose stands in either Rockdale or Doornkop for the relocation of the farm dwellers provided that the number referred to in 2 above is not exceeded.
- 4 THAT the applicant be advised that the stands at Rockdale are serviced with water and sewerage and that the applicant will be responsible for the electricity installation.
- 5 THAT the purchase price of the identified stands in Rockdale be determined as follows:

ERF No.	AREA (m ²)	Purchase Price
2107	367	R18,500.00
2108	367	R18,500.00
2109	367	R18,500.00
2110	367	R18,500.00
2111	367	R18,500.00
2112	363	R18,500.00
2113	363	R18,500.00
2114	367	R18,500.00
2115	367	R18,500.00
2116	367	R18,500.00

2117	367	R18,500.00
2118	367	R18,500.00

6 THAT the applicant be advised that the stands at Doornkop have access to street water standpipes and biological toilets and that the applicant will be responsible for the installation of electricity.

7 THAT the purchase price of the stands in Doornkop be determined as follows:

ERF No:	Area (m ²)	Market Value
155	1 000	R11 000.00
156	1 000	R11 000.00
157	1 000	R11 000.00
158	1 000	R11 000.00
159	1 000	R11 000.00
160	1 000	R11 000.00
161	1 000	R11 000.00
162	1 000	R11 000.00
163	1 000	R11 000.00
164	1 000	R11 000.00
165	1 000	R11 000.00
166	1 000	R11 000.00

8 THAT the stands decided upon by the applicant be derecognised from the asset register.

9 THAT the proceeds received from the sale be allocated to the relevant vote numbers.

10 THAT the profit / loss from the sale be recognised in the Statement of Financial Performance.

11 THAT the purchase price be strictly cash in terms of the Supply Chain Management Policy.

12 THAT the applicant be responsible for the electricity servicing, connection and meter cost for both the stands in Rockdale and Doornkop.

13 THAT the proposed sale of the properties 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.

SC23/08/2014

**IMPLEMENTATION OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT
ACT NO.16 OF 2013**

1/1/1/7/4 (C)/yb

RESOLVED BY COUNCIL

- 1 THAT Council take note of the report by the Executive Director : Infrastructure Services on the implementation of Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA).
- 2 THAT the Independent Municipal Planning Tribunal model be adopted by Council.
- 3 THAT the existing tariffs be reviewed and implemented in the 2015/2016 financial year.
- 4 THAT the existing delegations be reviewed and implemented with immediate effect.
 - 4.1 That evaluation of category 1 Land Development applications, except amendment of an existing land use scheme, subdivision and consolidation applications, be delegated to the Municipal Planning Tribunal.
 - 4.2 That all category 2 and 3 Land Development applications be delegated to the Executive Director : Infrastructure Services who may sub-delegate some of the authority to the Director : Town Planning and Human Settlement.
- 5 THAT Council choose and establish the Internal Appeal Tribunal.
- 6 THAT the Land Use Management By-laws be prepared, adopted and published as soon as the Model Land Use Management By-laws to be developed by the National Department of Rural Development and Land Reform become available.

DELEGATED POWERS*Upon request by the Executive Mayor, it was****RESOLVED BY COUNCIL****THAT Council take note of resolution SM24/08/2014 taken by the Executive Mayor in terms of Delegated Powers.***4 CLOSURE**

Meeting adjourned at 17:51

SIGNED AT MIDDELBURG ON

09/10/2014S P E A K E R 

