



EMALAHLENI LOCAL MUNICIPALITY

COUNCIL RESOLUTIONS :

JANUARY - JULY 2009

DATE : 31st COUNCIL : 29 JANUARY 2009

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
A.001/09	PROOF OF RESIDENCE – CURRENT STATUS AND CHALLENGES	<ol style="list-style-type: none"> 1. That it be noted that Council can only certify “Proof of Residence” for those that are registered with the Municipality; 2. that it be noted that residents staying in informal and unproclaimed areas as well as those staying in the backyards of other owners are not registered on Council’s financial system and will be referred back to the banks; 3. that it be noted that Ward Councillors are currently still assisting in the issuing of the forms for “Proof of Residence” which may result in legal claims against Council; 4. that it be clearly noted that where Councillors issue these forms for residents staying in informal settlements or in backyards of other owners / tenants (not registered on the financial system) no accountability can be taken by the Municipality; 5. that it be noted that the SA Police Service is currently busy with an investigation on alleged fraudulent issuing of “Proof of Residence” certificates and that extreme caution will have to be exercised by all involved from Council’s side in the issuing of these certificates; 6. that Ward Councillors inform the community that Council will no longer issue “Proof of Residence” if a person is not registered on the financial system; 7. that it be noted that the banks have a facility to assist community members who require a bank account and who is in possession of a valid ID document; 8. that it be noted that the banks will only allow the deposit and withdrawal of money in respect of point (7) above; and 9. that a system be developed by Council to register 	CFO	<p>POINTS 1 – 8 NOTED</p> <p>POINT 9 FOR OFFICE OF THE SPEAKER</p>	ITEM FINALIZED

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		residents staying in informal and unproclaimed areas by not later than June 2009.			
A.002/09	MONTHLY FINANCIAL REPORT – NOVEMBER 2008	<ol style="list-style-type: none"> 1. That the November 2008 Financial Report as submitted by the Chief Financial Officer be noted; 2. that the cash flow projection for December 2008 be approved; 3. that the bank reconciliation statement as at 30 November 2008 (total entity) in terms of sub-regulation 3(1)(f) of the Financial Regulations, be noted; 4. that the arrear consumer accounts (debtor balances, payment levels) in respect of Kwaguqa, eMalahleni, Ogies/Phola and Ganala/Thubelihle for the period November 2007 – November 2008, be noted; 5. that the cut-off actions for the period November 2007 – November 2008 (all entities), as well as the new cut-off program and its results, be noted; 6. that the consumer account payment levels for the period November 2007 – November 2008, be noted; 7. that the turnover rate on outstanding debtors for the period November 2007 – November 2008 (all entities); as well as the worsening effect it has on the cash flow position of Council, be noted; 8. that the legal action against consumers and its improved results (eMalahleni), for the period October/November 2007 to October /November 2008, be noted; 9. that the age analysis for consumer debtors be noted; and 10. that the 20 highest creditors be noted. 	CFO	REPORT NOTED	ITEM FINALIZED
A.003/09	MONTHLY FINANCIAL REPORT – DECEMBER 2008	<ol style="list-style-type: none"> 1. That the December 2008 Financial Report as submitted by the Chief Financial Officer be noted; 2. that the cash flow projection for January 2009 be approved; 3. that the bank reconciliation statement as at 31 	CFO	POINTS 1 – 10 NOTED. POINTS 11 – 13 FOR IBS	ITEM FINALIZED

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>December 2008 (total entity) in terms of sub-regulation 3(1)(f) of the Financial Regulations, be noted;</p> <p>4. that the arrear consumer accounts (debtor balances, payment levels) in respect of Kwaguqa, eMalahleni, Ogies/Phola and Ganala/Thubelihle for the period December 2007 - December 2008, be noted;</p> <p>5. that the cut-off actions for the period December 2007 – December 2008 (all entities), as well as the new cut-off program and its results, be noted;</p> <p>6. that the consumer account payment levels for the period December 2007 – December 2008, be noted;</p> <p>7. that the turnover rate on outstanding debtors for the period December 2007 – December 2008 (all entities); as well as the worsening effect it has on the cash flow position of Council, be noted;</p> <p>8. that the legal action against consumers and its improved results (eMalahleni), for the period November/December 2007 to November/ December 2008, be noted;</p> <p>9. that the age analysis for consumer debtors be noted;</p> <p>10. that the 20 highest creditors be noted;</p> <p>11. that the Directorate: Infrastructure and Basic Services inform the service provider dealing with the cut – off action regarding the expiring of their Contract in May 2009;</p> <p>12. that possible ways of employing more than one (1) service provider to deal with cut – off actions be investigated and a report be submitted to the Committee;</p> <p>13. that specifications should be thoroughly looked at in future before awarding a contract to service providers; and</p> <p>14. that awareness programs be developed with regard to payment of services by encouraging all consumers to pay their accounts.</p>			

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
A.004/09	REQUEST FOR FINANCIAL ASSISTANCE RADIO KRAGBRON EASTER RESCUE HELICOPTER PROJECT 2009	<ol style="list-style-type: none"> That it be noted that Radio Kragbron will undertake an Emergency/ Rescue Project during the Easter Weekend of 2009; that the request of Radio Kragbron for financial assistance to the amount of R57 000.00 for financing the Easter Rescue Helicopter Project be noted and approved; and that line item number 0510/20/1/06/6301 (Council General: Valuation Costs Insurance) be decreased with an amount of R57,000.00 and these funds be transferred in terms of the virement policy to line item 0510/20/1/05/4507 (Council General: Publicity). 	<p>LED</p> <p>CFO</p>	PAYMENT MADE	ITEM FINALIZED
A.005/09	MUNICIPAL COUNCILLORS PENSION FUND (MCPF)	That the report on the Municipal Councillors Pension Fund be noted.	ARM	Noted.	Item finalized
A.006/09	CIRCULAR ON THE PROVINCIALISATION OF PRIMARY HEALTH SERVICES	That the report on the Provincialisation of Primary Health Services be noted.	DP		Finalised
A.007/09	<i>Moved to the C-section</i>	Moved to the C-Section			
A.008/09	PROGRESS REPORT : SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN : DIRECTORATE ADMINISTRATION & RESOURCE MANAGEMENT: QUARTER ENDING 31 DECEMBER 2008	<ol style="list-style-type: none"> That the progress report with regard to the SDBIP for the period 1 October 2008 – 31 December 2008 for the Directorate: Administration & Resource Management be noted; that the actual amount spent in relation to the budget be included in future reports; and that the Service Delivery and Budget Implementation Plan be submitted by all Directorates on a quarterly basis. 	ARM	Noted.	Item finalized
A.009/09	CIRCULAR – HOME OWNER ALLOWANCE	That the Circular – Home Owner Allowance Scheme: Adjustment of Home Owner Allowance with effect from 01	ARM	Noted.	Item finalized

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
	SCHEME: ADJUSTMENT OF HOME OWNER ALLOWANCE WITH EFFECT FROM 01 OCTOBER 2008	October 2008, be noted.			
A.010/09	DIRECTORATE : ADMINISTRATION & RESOURCE MANAGEMENT : CAPITAL PROJECT PROGRESS REPORT AS AT 30 NOVEMBER 2008	That cognizance be taken of the Capital Projects Progress Report for the 2008/2009 financial year as at 30 November 2008.	ARM	Noted.	Item finalized
A.011/09	DIRECTORATE : ADMINISTRATION & RESOURCE MANAGEMENT : CAPITAL PROJECT PROGRESS REPORT AS AT 31 DECEMBER 2008	That cognizance be taken of the Capital Projects Progress Report for the 2008/2009 financial year as at 31 December 2008.	ARM	Noted.	Item finalized
A.012/09	APPROVAL OF THE PROPERTY RATES BY-LAWS	<ol style="list-style-type: none"> 1. That Council takes note that the Draft Property Rates By-laws have been advertised for public comments in terms of Section 12 of the Local Government Municipal Systems Act, No. 32 of 2000 from 1 November to 1 December 2008; 2. that it be noted that no comments were received from the community in respect of the Draft Property Rates By-laws; 3. that the Property Rates By-laws be approved; and 4. that the Property Rates By-laws be gazetted. 	CFO	Noted.	PROPERTY RATES BY-LAWS GAZETTED
A.013/09	FILLING OF VACANCY : PROPORTIONAL	That it be noted that Councillor Mxolisi Lucky Mnguni, being the candidate at the top of the party list for the DA, has been	MM	Noted.	Item finalized

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS								
	SEAT : DEMOCRATIC ALLIANCE (DA)	declared elected to the Emalahleni Local Municipality.											
A.014/09	ADJUSTMENT BUDGET 2008/2009 FINANCIAL YEAR:	<p>1. That it be noted that the estimated cash flow of which an Adjustment Budget must be submitted to Council will be as follows:</p> <table border="1" data-bbox="920 459 1435 643"> <thead> <tr> <th></th> <th>'R</th> </tr> </thead> <tbody> <tr> <td>Operating Revenue</td> <td>919,658,902</td> </tr> <tr> <td>Operating Expenditure</td> <td>943,845,250</td> </tr> <tr> <td>Cash flow deficit</td> <td>(24,186,348)</td> </tr> </tbody> </table> <p>2. that the Capital Budget financed out of own Income and other sources attached as Annexure "E" to the amount of R31 014 281-00 be utilized to finance the cash flow deficit;</p> <p>3. that the balance on the cash flow deficit be financed pro-rata from repair and maintenance and general expenditure in accordance with the budget allocation per sub-vote;</p> <p>4. that all critical vacant positions be filled and should include Directors and Heads of Departments;</p> <p>5. that the adjustment budget attached as Annexure "F" amounting to R6,127,933 be approved; and</p> <p>6. that the capital budget be approved as per Annexure "G".</p>		'R	Operating Revenue	919,658,902	Operating Expenditure	943,845,250	Cash flow deficit	(24,186,348)	CFO	The budget was amended accordingly	Item finalized
	'R												
Operating Revenue	919,658,902												
Operating Expenditure	943,845,250												
Cash flow deficit	(24,186,348)												

DATE : 32ND COUNCIL : 26 FEBRUARY 2009

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
A.015/09	APPLICATION TO UTILISE A PORTION OF THE REMAINDER OF PORTION 270 OF THE FARM ZEEKOE WATER 311 JS FOR A SPORT ACADEMY MULTI PURPOSE FACILITY	That the item be referred to the Mayoral Committee for further investigation.	DP	Report to be tabled at next Mayoral REP150/09	
A.016/09	WATER LOSSES: PROGRESS, CHALLENGES AND ACTION PLAN AIMED AT REDUCING WATER LOSSES	<ol style="list-style-type: none"> 1. That Council takes note of the report regarding water losses, progress, challenges and action plan aimed at reducing water losses as at end of October 2008, received from the Directorate: Infrastructure and Basic Services; and 2. that the Directorate : Finance should take responsibility for fixing the backlog on water meters; and 3. that the Department undertakes an investigation into alternative water sources for Ogies/Phola. 	IBS		
A.017/09	WATER QUALITY PROBLEMS	<ol style="list-style-type: none"> 1. That Regen Waters continue with the assistance it renders in monitoring the water; 2. that Waterlab monitors the GaNala area; 3. that operators receive training as a matter of urgency; 4. that the contents of the report is noted; 5. that this item be dealt with through the Section 78 process for further investigation and assistance; 6. that Directors be appointed as a matter of urgency; and 7. that a communiqué be sent to the community informing them about the water quality problems. 	IBS		
A.018/09	SKILLS DEVELOPMENT AMENDMENT ACT	That Government Gazette No.37 of 01 December 2008: Skills development Amendment Act, 2008 be noted.	ARM	Noted.	Item finalized

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
	NO.37 OF 2008				
A.019/09	IMPLEMENTATION OF THE INTERGOVERNMENTAL RELATIONS FRAMEWORK ACT: AN INAUGURAL REPORT 2005/06-2006/07	That the Implementation of the Intergovernmental Relations Framework Act: An Inaugural Report 2005/06 – 2006/07 be noted.	ARM	Noted.	Item finalized
A.020/09	DIRECTORATE : ADMINISTRATION & RESOURCE MANAGEMENT : CAPITAL PROJECT PROGRESS REPORT AS AT 31 JANUARY 2009	<ol style="list-style-type: none"> 1. That cognizance be taken of the Capital Projects Progress Report for the 2008/2009 financial year as at 31 January 2009; and 2. that future reports should have a column indicating the Directorate for which the vehicles were bought 	ARM	Noted.	Item finalized
A.021/09	AMENDMENTS TO THE EMPLOYMENT EQUITY REGULATIONS	That the report on amendments to the Employment Equity Regulations be noted.	ARM	Noted.	Item finalized
A.022/09	LABOUR COURT EMALAHLENI LOCAL MUNICIPALITY / SAMWU, IMATU & MEMBERS	<ol style="list-style-type: none"> 1. That Council takes cognizance of the Labour Court Order against SAMWU/IMATU and members and that it should be implemented in full; 2. that Council congratulates Ndhlovu Attorneys for the way they presented the matter on instructions given by Emalahleni Local Municipality; and 3. that a report regarding the manhandling of personnel and damage to municipal property be submitted at the next meeting. 	ARM		
A.023/09	COLLECTIVE AGREEMENT ON CONDITIONS OF SERVICE FOR THE	<ol style="list-style-type: none"> 1. That cognizance be taken on the Draft Collective Agreement on Conditions of Service for the Mpumalanga Division; 2. that Council supports the Draft Collective Agreement on 	ARM	Noted.	Item finalized

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
	MPUMALANGA DIVISION	<p>the Conditions of Service for the Mpumalanga Division and urge SALGA to conclude a collective agreement on Conditions of Service for the Mpumalanga Division with parties involved in the SALGBC; and</p> <p>3. that the Draft Collective Agreement on Conditions of Service for the Mpumalanga Division be adopted by Council as a guideline for negotiations with Unions in the Local Labour Forum on standby allowance, shift allowance and night work allowance.</p>			
A.024/09	A 12-MONTH PROPOSED SUBSCRIPTION TO THE GLOBAL INSIGHT REGIONAL EXPLORER	<p>1. That the proposed subscription to the Global Insight not be approved ; and</p> <p>2. that Global Insight be informed accordingly.</p>	LED		
A.025/09	LOCAL ECONOMIC DEVELOPMENT PLAN FOR LAKESIDE COLLIERY AND LEEUWFORTEIN COLLIERY FOR THE SOCIAL AND LABOUR PLAN SUBMITTED IN TERMS OF REGULATION 42(1) (a) OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (MPRDA) (ACT 28 OF 2002)	<p>1. That the proposed project to be carried out by Shanduka Coal be noted; and</p> <p>2. that a letter of appreciation be submitted to Shanduka Coal for their contribution towards community upliftment.</p>	LED		
A.026/09	CONSTRUCTION OF HAWKER CUBICLES: XSTRATA:	That the progress report on construction of Hawker Cubicles: XSTRATA GOEDGEVONDEN MINE: OGIES be noted.	LED		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
	GOEDGEVONDEN MINE: OGIES				
A.027/09	MONTHLY FINANCIAL REPORT – JANUARY 2009	<ol style="list-style-type: none"> 1. That the January 2009 Financial Report as submitted by the Chief Financial Officer be noted; 2. that the cash flow projection for February 2009 be approved; 3. that the bank reconciliation statement as at 31 January 2009 (total entity) in terms of sub-regulation 3(1)(f) of the Financial Regulations, be noted; 4. that the arrear consumer accounts (debtor balances, payment levels) in respect of Kwaguqa, eMalahleni, Ogies/Phola and Ganala/Thubelihle for the period January 2008 - January 3. 2009, be noted; 5. that the cut-off actions for the period January 2008 – January 2009 (all entities), as well as the new cut-off program and its results, be noted; 6. that the consumer account payment levels for the period January 2008 – January 2009, be noted; 7. that the turnover rate on outstanding debtors for the period January 2008 – January 2009 (all entities); as well as the worsening effect it has on the cash flow position of Council, be noted; 8. that the legal action against consumers and its improved results (eMalahleni), for the period December 2007/January 2008 to December 2008/January 2009, be noted; 9. that the age analysis for consumer debtors be noted; 10. that the 20 highest creditors be noted. 	CFO	Noted.	Item finalized
A.028/09	SPECIAL REPORT OF THE AUDITOR GENERAL ON FINANCIAL STATEMENTS AND	That the reasons given by the Auditor General for not submitting an Audit Report for 2007/2008 financial year timeously, be noted.	CFO	Noted.	Item finalized

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
	PERFORMANCE INFORMATION FOR THE YEAR ENDED 30 JUNE 2008 – REASONS FOR THE DELAY IN COMPLETING THE AUDIT				
A.029/09	DIRECTORATE : DEVELOPMENT PLANNING : CAPITAL PROJECTS PROGRESS REPORT AS AT 31 JANUARY 2009	That note be taken of the Directorate: Development Planning's capital projects progress report as at 31 January 2009.	DP		Item finalised
A.030/09	LOCAL GOVERNMENT PENSION FUND	That Council takes note of the contents of circular 43/2008 dated 17 November 2008 on the status of the Local Government Pension Fund.	ARM	Noted.	Item finalized
A.031/09	JOINT TRADE UNION WAGE DEMANDS : 2009/10 FINANCIAL YEAR	That Council takes note of the contents of circular 02/2009 dated 6 February 2009 received from SALGA, regarding the Joint Trade Union Wage Demands.	ARM	Noted.	Item finalized
A.032/09	CAPITAL EXPENDITURE AS AT 31 JANUARY 2009 : DIRECTORATE FINANCE	That the progress on capital items from the Directorate: Finance be noted.	CFO	Noted.	Item finalized
A.033/09	CONSTITUTION FIFTEENTH AMENDMENT ACT OF 2008	That Council notes that in terms of the 15 th Amendment to the Constitution of the Republic of South Africa : 1. a member of a Municipal Council is prohibited to become a member of another political party; 2. an existing political party will no longer be able to merge with another political party, or to subdivide into more than one political party or to subdivide anyone	ARM	Noted.	Item finalized

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<ol style="list-style-type: none"> 3. subdivision to merge with another political party; a political party will no longer be able to change the name of the party in the Municipal Council at any time it chooses; and 4. any vacancies in Council will have to be filled in terms of National Legislation. 			
A.034/09	REPORT ON THE USAGE OF THE ATLANTIC STADIUM	<ol style="list-style-type: none"> 1. That Council notes the High Court Application received from the Mpumalanga Black Aces; 2. that the Municipal Manager together with the Executive Mayor be delegated to continue the mediation process between the parties in order to reach an amicable resolution to the matter; 3. that a further report be submitted to Council with regards to the computation of the fees charged by the Rugby Union and any other clause inhibiting access to the Stadium by the community; and 4. that the proposed review of the contract be submitted at the next Council meeting. 	ARM		
A.035/09	DRAFT REVIEWED INTEGRATED DEVELOPMENT PLAN : 2009/2010	<ol style="list-style-type: none"> 1. That the draft reviewed Integrated Development Plan for the 2009/2010 financial year be published for public comments in terms of legislation; and 2. that it be noted that an IDP indaba will be held on 12 March 2009. 	MM IDP MAN	Noted.	Item finalized
A.036/09	NEW PROJECTS FOR 2009/2010 : NKANGALA DISTRICT MUNICIPALITY	That the list of projects attached hereto as Annexure "A" page 1 submitted to Nkangala District Municipality for funding be noted.	MM IDP MAN	Noted.	Item finalized
A.037/09	ADDITIONAL FUNDING BY THE NKANGALA DISTRICT MUNICIPALITY FOR 2008/2009:	<ol style="list-style-type: none"> 1. That the list of projects attached hereto as Annexure "A1" page 2 submitted to Nkangala District Municipality for funding be noted, and 2. that it be noted that R500, 000. 00 will be deducted from the additional funding for the purpose of funding the cleaning campaign in the municipality. 	MM IDP MAN	Noted.	Item finalized
A.038/09	NKANGALA DISTRICT	<ol style="list-style-type: none"> 1. That the report on the 2009 Nkangala District 	MM	Noted.	Item finalized

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
	MUNICIPALITY : WARD COMMITTEE CONFERENCE 2009	2. Municipality Ward Committee Conference be noted; that it be noted that the Nkangala District Municipality will host its 2009 Ward Committee Conference on the Saturday, 07 March 2009; and 3. that the Municipal Manager be authorized to finalise all matters incidental thereto.	IDP MAN		
A.039/09	IMPLEMENTATION AND MONITORING OF IDP PROJECTS	1. That the report on the Implementation Monitoring of IDP Projects be noted; 2. that Sector Departments, Parastatals and other key stakeholders be further requested to provide implementation progress reports in terms of all projects contained in the 2008/9 IDP of the District; 3. that Sector Departments, Parastatals and other key stakeholders note that all projects being or to be implemented in local municipalities must be contained in the respective municipal IDPs; and 4. that only projects for Emalahleni Local Municipality should be submitted to the IDP Indaba.	MM IDP MAN	Noted.	Item finalized
A.040/09	RECOMMENDATION OF THE MUNICIPAL DEMARICATION BOARD IN TERMS OF THE 2008 ADJUSTMENT OF POWERS AND FUNCTIONS BETWEEN DISTRICT AND LOCAL MUNICIPALITIES	1. That the report on the Recommendations of the Municipal Demarcation Board in terms of the 2008 Adjustment of Powers and Functions between District and Local Municipalities be noted; 2. that comments in terms of the Municipal Demarcation Resolutions be forwarded to MEC for Local Government in the Province; and 3. that it be suggested to the MEC for Local Government in the Province that the frequency of the reviewal of adjustment of powers and functions between district and local municipalities be conducted once in three years than annually.	ARM		
A.041/09	REPORT ON IDP AND SECTOR DEPARTMENTS PROJECTS (NDM)	1. That the report on the Nkangala District Municipality's 2008-2009 IDP and Sector Departments' Projects be noted; 2. that the institutions that have not submitted their reports	MM IDP MAN	Noted.	Item finalized

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>3. for scrutiny by the Nkangala District Municipality be engaged and encouraged to submit the documents; and that continuous monitoring of projects funded by government departments be one of the key focus areas by the Nkangala District Municipality and the 6 local municipalities.</p>			

DATE : 9TH EXTRAORDINARY COUNCIL : 19 MARCH 2009

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
A.053/09	APPROVAL OF THE REVIEWED INTEGRATED DEVELOPMENT PLAN FOR 2009/2010	<ol style="list-style-type: none">1. That the reviewed IDP for 2009/10 submitted herewith under separate cover, be approved;2. that any additions to the IDP be effected by the office of the Municipal Manager in consultation with the office of the Executive Mayor; and3. that a copy of the approved IDP be forwarded to the MEC for Local Government and Housing for comments as required in terms of Section 32 of the Municipal Systems Act 32 (Act 32 of 2000) as amended.	MM IDP MAN	Noted.	Item finalized

DATE : 33RD COUNCIL : 26 MARCH 2009

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
A.042/09	APPLICATION TO LEASE/PURCHASE VARIOUS PROPERTIES IN THE TOWNSHIP KWAGUQA AND EXTENSIONS	<p>1. That Erven 2065 and 1596, KwaGuqa Extension 4, as well as Erf 11185, KwaGuqa Extension 15 be alienated by means of a public bid in terms with Section 14 of the Municipal Finances Management Act, 2003, read with Section 3.1 of the Disposal and Acquisition of Immovable Properties Policy of the Council (A.058/2008) by means of a public bid process subject to the following conditions:</p> <p>1.1 that a registered valuator be appointed to determine the selling price to the approval of the Chief Financial Officer;</p> <p>1.2 that the standard financial conditions of the Council will be applicable;</p> <p>1.3 that the provision of all municipal services will be for the account of the purchaser;</p> <p>1.4 that the cost to provide any service connections to the property will be for the account of the purchaser;</p> <p>1.5 that the property be developed within 24 months from date of registration in the name of the purchaser;</p> <p>1.6 that the development is subject to the approval of a Site Development Plan;</p> <p>1.7 that the development be of the same standard as the surrounding neighbourhood;</p> <p>1.8 that it be noted that the zoning of the erf is "Business", and should it be necessary to change the zoning all costs pertaining to the rezoning will be for the account of the purchaser;</p> <p>1.9 that it be noted in terms of the provisions of Section 14 of the Municipal Finance Act, 2003 that Erf 2065 and 1596, Kwa-Guqa Extension 4, as well as Erf 11185, KwaGuqa Extension 15 are</p>	DP	<p>Letters to all applicants written</p> <p>Valuator appointed</p> <p>Bid documentation and notices being compiled</p>	

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		<p>not required for the provision of basic services;</p> <p>2. that the applicants be informed accordingly, and</p> <p>3. that Mama Africa Construction be informed that their alternative options to lease various stands in the KwaGuqa area were not successful due to the fact that the zoning of the relevant properties applied for does not allow for business activities such as a car wash.</p>			
A.043/09	APPOINTMENT OF CONTRACTORS – EMSAGWENI TAKEOVERS	<p>1. That the units, initially allocated to Ubuhle Besithembiso and Nandipha Women Empowerment of 335 subsidies each, to build houses in Emsagweni / Empumelelweni, have been reduced to 191 and 218, respectively;</p> <p>2. that Tinkomotabo Trading and High Echelon have been appointed by the Provincial Department of Housing to takeover from Ubuhle Besithembiso and Nandipha Women Empowerment, respectively. Tinkomotabo Trading has been allocated 144 units, and High Echelon, 117 units; and</p> <p>3. that the appointments are with effect from 20 January to 31 March 2009.</p>	DP		Contractors on site
A.044/09	DIRECTORATE : DEVELOPMENT PLANNING : CAPITAL BUDGET PROGRESS REPORT	That note be taken of the progress made on the implementation of the Capital Projects of the Directorate: Development Planning.	DP		Item finalised.
A.045/09	LAND AVAILABILITY AGREEMENT – UTHINGO PARK	<p>1. That Council notes that only 1131 housing units were constructed, of which 211 remain incomplete;</p> <p>2. that Council notes that the Construction agreement between the Department and Witbank Housing Corporation (WHC) has been terminated;</p> <p>3. that Council serves the Developer (Witbank Housing Corporation) with a written notice to comply with its obligations, a response of which should be received within a period of no longer than 30 days after receipt thereof; and</p>	DP	Letter as per resolution sent to WHC.	

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		4. that should the Developer not respond within the aforementioned time period, Council may terminate the agreement.			
A.046/09	INSTALLATION OF ENERGY SAVING STREETLIGHTS	1. That the contents of the report be noted; and 2. that Council's Supply Chain processes be followed to install energy saving streetlights.	IBS		
A.047/09	POLICY ON LEGAL REPRESENTATION	The policy on Legal Representation in terms of Section 109A of the Municipal Systems Act 32 of 2000 be approved by Council.	ARM	Noted.	Item finalized
A.048/09	SALARY AND WAGE NEGOTIATIONS 2009 – 2014 FINANCIAL YEAR REQUEST FOR MANDATES FOR MUNICIPALITIES	1. That cognizance be taken of the contents of circular 4/2008 as contained in the report; and 2. that Council mandates Salga in writing to negotiate on the key aspects contained in circular 4/2008, as follows: <ul style="list-style-type: none"> • A multi-year agreement with a duration of 3 years. • CPI must be the primary factor in determining the increases in salaries. • Increases must be equal to CPI or a percentage of the CPI. • Factors including affordability and compatibility must be considered. • Any dispute arising from the process of negotiations on salaries must be resolved through a process of arbitration. • Salary and wages must be linked and implemented simultaneously with the Wage Curve Draft Collective Agreement. 	ARM		
A.049/09	MUNICIPAL COUNCILLORS PENSION FUND	1. That Circular 01/2009 on the Municipal Councillors Pension Fund from SALGA, be noted; and 2. that the Task Team be invited to make a presentation to Council regarding the MCPF.	ARM		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
A.050/09	DIRECTORATE : ADMINISTRATION & RESOURCE MANAGEMENT : CAPITAL PROJECT PROGRESS REPORT AS AT 28 FEBRUARY 2009	That cognizance be taken of the Capital Projects Progress Report for the 2008/2009 financial year as at 28 February 2009.	ARM	Noted.	Item finalized
A.051/09	LEASE OF PORTION 4 OF THE FARM NOOITGEDACHT 300 JS TO A CO- OPERATIVE	<p>1. That the application of the Genesis Co-operative for the rental of portion 4 of the Farm Nooitgedacht, in extent 73.0356H, for agricultural purposes, for a period of 3 years, in terms of the Disposal and Acquisition of Immovable Property Policy of the Council, be approved subject to the following conditions:</p> <p>1.1 that a registered valuator be appointed to determine the lease to the approval of the Chief Financial Officer;</p> <p>1.2 that a 3-month cancellation clause be included in the lease agreement;</p> <p>1.3 that the lease amount is subject to an annual escalation equal to the CPIX rate;</p> <p>1.4 that the provision and or the upgrading of all municipal services will be for the account of the co-operative;</p> <p>1.5 that should it be necessary for any municipal services to be moved or re-routed, such expenditure will be for the account of the co-operative;</p> <p>1.6 that the construction of any new roads will be for the account of the co-operative, as well as the upgrading of any existing roads, to the approval of the Director: Infrastructure and Basic Services;</p> <p>1.7 that access to the property be determined in conjunction with the Directorate: Infrastructure</p>	DP		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>and Basic Services;</p> <p>1.8 that no permanent structures may be erected on the property without the written consent of the council of which the costs will be for the co-operative;</p> <p>1.9 that building plans must be submitted to Council for approval prior to the commencement of any building activities;</p> <p>1.10 that it be noted that all improvements to the property will become the property of the Council upon expiry of the lease agreement, and that the Council can not be held liable to compensate the lessee for such improvements upon expiry of the lease agreement;</p> <p>1.11. that the co-operative be responsible for fencing off the area which all costs will be for the account of the co-operative;</p> <p>1.12 that the co-operative be compliant with the legal prescriptions regarding the prevention of veld fires and soil erosion;</p> <p>1.13 that Council monitors compliance to 1.12 as well as scientific farming practices;</p> <p>2. that the Directorate: Administration and Resource Management, Legal Section, finalize the relevant lease agreement in this regard.</p>			
A.052/09	BRAND IQ : OUTDOOR : ADVERTISING : ECOBINS	<p>1. That supply, installation and maintenance of the Eco-bins at the cost of Brand IQ be approved;</p> <p>2. that a submission must be made to the CFO for the inclusion of the line item in the 2009/2010 budget;</p> <p>3. that the location of the bins should be strategically planned to avoid damage and vandalization, and</p> <p>4. that a letter of appreciation be sent to Brand IQ.</p>	LED		
A.054/09	ADMINISTRATIVE ASSISTANCE BY NKANGALA DISTRICT	That this item referred to the next Mayoral Committee meeting.	ARM	Noted	Item referred to next meeting.

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
	MUNICIPALITY TO EMALAHLENI LOCAL MUNICIPALITY				
A.055/09	APPOINTMENT OF CONTRACT ENGINEERS	That this item be referred to the next Mayoral Committee meeting.	ARM	Noted	Item referred to next meeting.
A.056/09	INTERIM COLLECTIVE AGREEMENT : STAND-BY DUTY ALLOWANCE	That this item be referred to the next Mayoral Committee meeting.	ARM		
A.057/09	DIRECTORATE : PUBLIC SAFETY : CAPITAL PROJECTS PROGRESS REPORT AS AT 31 JANUARY 2009	<ol style="list-style-type: none"> 1. That the Capital Projects Progress Report from the Directorate Public Safety for the 2008/2009 financial year as at 31 January 2009 be noted; and 2. that a report on the establishment of the Modal Transport Facility suspended by Province be submitted at the next meeting. 	PS		
A.058/09	MONTHLY FINANCIAL REPORT – FEBRUARY 2009	<ol style="list-style-type: none"> 1. That the February 2009 Financial Report as submitted by the Chief Financial Officer be noted; 2. that the cash flow projection for March 2009 be approved; 3. that the bank reconciliation statement as at 28 February 2009 (total entity) in terms of sub-regulation 3(1)(f) of the Financial Regulations, be noted; 4. that the arrear consumer accounts (debtor balances, payment levels) in respect of Kwaguqa, eMalahleni, Ogies/Phola and Ganala/Thubelihle for the period February 2008 - February 2009, be noted; 5. that the cut-off actions for the period February 2008 – February 2009 (all entities), as well as the new cut-off program and its results, be noted; 6. that the dome project be continued and budgeted for, in the 2009/2010 budget; 	FIN	Noted.	Item finalized

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>7. that the consumer account payment levels for the period February 2008 – February 2009, be noted;</p> <p>8. that the turnover rate on outstanding debtors for the period February 2008 – February 2009 (all entities); as well as the worsening effect it has on the cash flow position of Council, be noted;</p> <p>9. that the legal action against consumers and its improved results (eMalahleni), for the period January/February 2008 to January 2009/February 2009, be noted;</p> <p>10. that the age analysis for consumer debtors be noted; and</p> <p>11. that the 20 highest creditors be noted.</p>			
A.059/09	APPLICATION FOR ELECTRIFICATION FUNDING BY LICENSED MUNICIPALITY DISTRIBUTORS DURING THE GOVERNMENT FINANCIAL YEAR 2009/2010	That Council takes note of the contents of a letter dated 22 January 2009 received from the Department of Minerals and Energy regarding the application for electrical funding by licensed Municipality Distributors during the Government financial year 2009/2010.	CFO	Noted.	Item finalized
A.060/09	PROGRESS REPORT – MUNICIPAL INFRASTRUCTURE GRANT (MIG) FUNDED PROJECTS	That this report be referred back for a progress report from the Directorate : Infrastructure & Basic Services.	IBS		
A.062/09	ESTABLISHMENT OF AN APPEAL COMMITTEE:	1. That an Appeal Committee be established in terms of Section 62(4)(c)(ii) of the Municipal Systems Act, Act 32 of 2000 to deal with appeals lodged against the decisions of the Land Use Committee related to items E.150/08 dated 25 November 2008 and E.10/09 dated 10 February 2009,	DP	Letter to DA Report in progress E-mails to relevant members to	

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		2. that the Executive Mayor, the Speaker, the Whip, the MMC : Administration & Resource Management and one DA Councillor be elected as members of the Appeal Committee; 3. that the Appeal Committee will have the right to co-opt non-voting outside members to provide specific professional advice, as required.		finalise a suitable date. Further report to be tabled REP152/09	
A.061/09	DRAFT BUDGET: 2009/2010 FINANCIAL YEAR AND FORECASTS 2010/2011 AND 2011/2012		CFO	Noted	1. Indaba held during May 2009. 2. Adverts placed for comments from communities.

1. That the following Draft Budget (Annexure "C") for the 2009/2010 financial year be approved in terms of Section 160(2)(3)(b) of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996), read with Section 16(2) of the Municipal Finance Management Act, (Act No. 56 of 2003) as amended as follows:

- 1.1 Operating budget, expenditure to the amount of R1,036,897,625;
- 1.2 Capital program (vote) to the amount of R159,437,000 (Annexure "B");
- 1.3 Revenue to the amount of R1,036,897,625 broken down as follows:

	R'000	R'000	R'000
VOTE	OPERATING	CAPITAL	REVENUE

Executive & Council	58,020	0	12
Finance	122,238	0	312,112
Administration	63,434	0	329
Planning & Development	28,755	1,000	8,404
Health	13,753	0	6,683
Community & Social Services	20,254	900	1,175
Housing	10,369	0	976
Public Safety	55,254	0	15,987
Sport & Recreation	20,834	16,181	29,094
Environmental Protection/ Management	3,539	0	18
Waste Management	44,039	3,800	39,642
Waste Water Management	35,498	40,775	68,614
Roads, Storm water	30,403	36,250	20,468
Water	119,708	23,440	146,845
Electricity	397,732	36,981	381,658
Other (Market)	13,067	0	4,881
TOTAL	1,036,898	159,437	1,036,898

1.4 that the following sub-functions under the abovementioned votes, be noted:

Executive & Council:

- Mayor's Office
- Mayoral Committee
- Speaker
- Council General Expenditure
- Municipal Manager
- Community participation & communication
- Internal Auditing
- P M S & I D P

- LED & Marketing
- PMU

Finance:

- Administration
- Property Rates & Grants
- Expenditure & Financial Planning
- Revenue

Administration:

- Administration
- Human Resources
- Stores & Asset Management
- Information Technology
- Fleet
- Property Services

Planning & Development:

- Spatial Planning
- Land Use Management
- Administration

Health:

- Primary Health Care Clinics

Community & Social Services:

- Cultural Centre
- Community Halls
- Libraries
- Cemeteries
- Administration

Housing:

- Housing

Public Safety:

- Administration
- Licensing
- Traffic
- Security
- Fire
- Disaster Management

Sport & Recreation:

- Parks, Recreation & Sport
- Parks & Sport fields

Environmental Protection/Management:

- Environmental Management

Waste Management:

- Solid Waste

Waste Water Management:

- Sewerage Purification
- Sewerage Network
- Public Toilets

Roads, Storm water:

- Roads & Storm water

Water:

- Water (Purification/Storage)
- Water Network/Distribution
- Administration

Electricity:

- Electricity Distribution
- Street lighting
- Administration

Other:

- Nature Reserve & Resort
- Market
- Aerodrome
- Building Control

2. that the following be noted and confirmed:

2.1 that electricity tariffs are proposed in line with the guidelines from the National Electricity Regulator (NER);

- 2.2 that provision of R79,212,095 has been made for possible irrecoverable debts on the understanding that strict legal measures will continue to be implemented to curb losses and non-payment for services;
- 2.3 that it be noted that the total provision for irrecoverable debts will amount to R327,050,441 being 89.77 % of outstanding debtors of R364,304,427 as at 28 February 2009 ;
- 2.4 that provision was made for a general salary increase of 10% across the board with effect from 1 July 2009;
- 2.5 that provision was made for a possible increase of 10% in the allowances of Councillors. Municipal Manager and Section 57 Employees (Directors);
- 2.6 that an amount of R113,700,000 million has been provided as “Equitable Share” (National Government);
- 2.7 that the amount in 2.6 has been allocated as follows:

R'000

2.7.1 Free Basic Water – 6 Kl	R 14,040
2.7.2 Poverty relief	R 31,591
2.7.3 Job Creation	R 2,000
2.7.4 Operational Budget	<u>R 66,069</u>
	<u>R113,700</u>

- 2.8 that capital items (furniture, machinery, tools, computers, etc.) below R6,000 each, were provided for on the operational budget as inventory items, in line with the “GAMAP-principles” and also for reasons of simplification of the budget;
- 3. that normal legal action still be implemented to recover arrear debts, including:
 - 3.1 sales in execution;
 - 3.2 eviction orders in respect of unpaid rentals/installments on agreements;

4. that the tariff of charges with reference to the Determination of taxable land values and assessment rates payable (2009/2010) contained in Annexure “D”, be noted;
5. that the tariff of charges, with reference to the under mentioned services, be amended in terms of Section 75A (as amended) of the Local Municipal Systems Act, 32 of 2000 (as amended), read with section 10(g)(7)(a) and (b) of the Local Government Transition Act, No. 209 of 1993 (as amended), with effect from 1 July 2009 and with regard to Annexures “F “ to “Z”:

ANNEXURE F	Electricity
ANNEXURE G	Water
ANNEXURE H	Water (GaNala Entity)
ANNEXURE I	Refuse Removal
ANNEXURE J	Drainage Services
ANNEXURE K	Parking areas
ANNEXURE L	Approval of building plans
ANNEXURE M	Cultural Centre
ANNEXURE N	Rental for community halls in Lynnville and Schoongezicht
ANNEXURE O	Fire Brigade services
ANNEXURE P	Recreation resort
ANNEXURE Q	Market services
ANNEXURE R	Railway service lines and private sidings
ANNEXURE S	Cemetery Fees
ANNEXURE T	Issuing of certificates and the furnishing of information
ANNEXURE U	Library Services
ANNEXURE V	Rental of stadiums
ANNEXURE W	Service Contributions
ANNEXURE X	Rental Hawkers
ANNEXURE Y	Spatial Planning
ANNEXURE Z	Rental Tariffs – business properties and

	flats
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6. that the tariff for assessment rates be fixed and amended in terms of section 14(1) of the Municipal Property Rates Act, and section 75 (A)1)(a) of the Systems Act, as from 1 July 2009 and with regard to Annexure “D”;
7. that the assessment rates, which are to be levied in terms of (6) above, be payable in 12 equal monthly installments;
8. that in terms of section 46(2)(a) of the Municipal Finance Management Act (Act No. 56 of 2003) as amended, approval be granted to take up a loan to the amount of R68,550,000 for capital expenditure;
9. that the execution/purchase of capital projects/items, as contained in the Capital budget be approved in terms of section 19 of the Municipal Finance Management Act, No 56 of 2003 as per Annexure “B”;
10. that Council continue striving to control expenditure to the absolute minimum, consistent with approved service delivery levels, during the 2009/2010 financial year, but overall limited to the amount of realisable income achieved;
11. that income levels be raised during the coming financial year, by maintaining the actions currently undertaken by Council (including cut off actions, etc. and the normalization process);
12. that reports be submitted to the relevant National and Provincial Departments in accordance with the Act and associated regulations;
13. that both the capital and operational budgets be presented to the relevant National and Provincial Departments for the necessary approvals;
14. that the budget framework as required by the Municipal Finance Management Act (Act No. 56 of 2003) Section 17(3) as amended per budget tables and supporting tables (Annexure “ZZ”), be noted;
15. that the Operating MTEF for the period 2009/2010 – 2011/2012 as per Annexure “C”, be approved;
16. that the requirements of the Municipal Finance Management Act (Act No. 56 of 2003) as amended, and actions taken, be noted; and

17. that all Directorates submit their comments in writing to the Chief Financial Officer before Friday 27 March 2009.

DATE : 34th COUNCIL : 30 APRIL 2009

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
A.063/09	CAPITAL EXPENDITURE AS AT 31 MARCH 2009 : DIRECTORATE FINANCE	That the progress on capital items from the Directorate: Finance be noted.	CFO		Report noted
A.064/09	<i>Moved to the C-section</i>				
A.065/09	VALUATION ROLL 2009 - 2013 : SUBSTITUTE MUNICIPAL VALUER	<ol style="list-style-type: none"> That Council takes note that Mr. Johan Theron has resigned from Valuers Afrika and also as Substitute Municipal Valuer for Emalahleni Local Municipality; and that Council approves the appointment of Mr. Sebastiaan Kastras as Substitute Municipal Valuer for Emalahleni Local Municipality in line with Section 35(2) of the Municipal Property Act, 2004 (Act 6 of 2004). 	CFO	M Sebastian Kastras Appointed	
A.066/09	SUPPLY CHAIN MANAGEMENT – REPORT ON CAPITAL PROJECTS : 2008/2009 FINANCIAL YEAR (FEBRUARY 2009)	<ol style="list-style-type: none"> That the progress report on the execution of capital projects (appointment of consultants and contractors) for the period 1 – 28 February 2009 be noted; and that the criteria applied and the analysis of the specific goals in the awarding of tenders to consultants and contractors attached as Annexure “B”, be noted. 	CFO		Report noted
A.067/09	MONTHLY FINANCIAL REPORT : MARCH 2009	<ol style="list-style-type: none"> That the March 2009 Financial Report as submitted by the Chief Financial Officer be noted; that the cash flow projection for April 2009 be approved; that the bank reconciliation statement as at 31 March 2009 (total entity) in terms of sub-regulation 3(1)(f) of the Financial Regulations, be noted; that the arrear consumer accounts (debtor balances, payment levels) in respect of KwaGuqa, eMalahleni, 	CFO		Report noted

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>Ogies/Phola and Ganala/Thubelihle for the period March 2008 - March 2009, be noted;</p> <p>5. that the cut-off actions for the period March 2008 – March 2009 (all entities), as well as the new cut-off program and its results, be noted;</p> <p>6. that the consumer account payment levels for the period March 2008 – March 2009, be noted;</p> <p>7. that the turnover rate on outstanding debtors for the period March 2008 – March 2009 (all entities); as well as the worsening effect it has on the cash flow position of Council, be noted;</p> <p>8. that the legal action against consumers and its improved results (eMalahleni), for the period February/March 2008 to February/March 2009, be noted;</p> <p>9. that the age analysis for consumer debtors be noted;</p> <p>10. that the 20 highest creditors be noted.</p>			
A.068/09	REQUEST FOR APPROVAL FOR AN ARBITRATION AGREEMENT BETWEEN COUNCIL AND ROEPERSFONTEIN BEDIENINGE	<p>1. That Council accepts the arbitration process to solve the dispute regarding the account of Roepersfontein Bedieninge as contained in Annexure “D” (recommendation of Mr. Le Roux acting attorney on behalf of Council);</p> <p>2. that the arbitration agreement between Council and Roepersfontein Bedieninge be signed (contained as Annexure “E”); and</p> <p>3. that a further report be submitted to indicate the costs as a percentage of the amount to be paid by Roepersfontein after the arbitration award.</p>	CFO	Arbitration Agreement signed	
A.069/09	REPORT ON THE AUDITOR-GENERAL ON FINANCIAL STATEMENTS AND PERFORMANCE INFORMATION FOR THE YEAR ENDED 30	That the report of the Auditor-General to the Municipal Council and the Mpumalanga Provincial Legislature on the financial Statements and Performance Information of the Emalahleni Local Municipality for the year ended 30 June 2008, be noted, with the proviso that all the issues raised by the Auditor – General are resolved.	CFO	Risk Register, Policy, Framework, Strategy Developed Outstanding	Unqualified report. Noted

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
	JUNE 2008		INTERNAL AUDIT		
A.070/09	ANNUAL REPORT 2007/2008	<ol style="list-style-type: none"> 1. That the annual report of Council for the 2007/2008 financial year be approved in terms of section 127(2) of the Municipal Finance Management Act, No. 56 of 2003, for submission to the Oversight Committee; 2. that the public be invited to submit representations on the annual report within a period of 30 days after date of the Council Resolution; 3. that the Oversight Committee, referred to in (1) above, submit their report on the annual report to Council during June 2009, and 4. that it be noted that the draft annual report (except the Auditor General Report) for 2007/2008 was submitted to the Auditor General on 29 August 2008 in terms of clause 4 of the Public Audit Act, General Notice 646 of 2007, Government Gazette No. 29919 of 25 May 2007. 	CFO	Report submitted to the Oversight Committee	
A.071/09	APPLICATION TO PURCHASE OR TO LEASE PORTION 277 AND PORTION 219 OF THE FARM ZEEKOEWATER 311 JS	<p>That the application received from TownScape Planning Solutions, the authorized agent of Fine Asset Investments 72 PTY (LTD) to lease or purchase Portions 277 and Portion 219 of the farm Zeekoewater 311JS in terms with the provisions of Section 14 of the Municipal Finance Management Act, 2003, not be approved but that proposals for the alienation and development of Portions 277 and Portion 219 of the farm Zeekoewater 311 JS (approximately 1,6582 ha en extent) in terms of the provisions of Section 14 of the Municipal Finance Management Act, 2003 read with Section 3.1.1 of the Disposal and Acquisition of Immovable Properties Policy of the Council (A.058/08 dated 27 March 2008) be obtained by means of a public bid subject to the following conditions:</p> <ol style="list-style-type: none"> 1. that a registered valuator be appointed to determine the selling price of the stand, to the approval of the Chief Financial Officer; 	DP	<p>Letters to applicant</p> <p>Valuator appointed</p> <p>Bid documentatio n and notices being compiled</p>	

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<ol style="list-style-type: none"> 2. that the normal financial conditions of Council will be applicable; 3. that the necessary town planning processes be followed by the purchaser to obtain the land use rights for the intended development, of which all costs will be for the account of the purchaser; 4. that exemptions or authorization to undertake a listed activity be obtained in terms with Section 22 of the Environment Conservation Act, 1989, (if applicable) by the purchaser at his own cost; 5. that all costs for the installation of external and internal municipal services will be for the account of the applicant; 6. that engineering design layout plans must be submitted for the approval of the Director: Infrastructure and Basic Services before building activities may commence; 7. that Council must have access to all municipal services situated on the property or effected by the development of the property; 8. that should it be necessary to re-route any existing municipal services or register servitudes for the purpose of municipal services, such re-routing and registration shall be the responsibility of the purchaser at his own cost; 9. that the development of the property will be in accordance with a Site Development Plan that must be submitted for the approval of the Chief City Planner prior the commencement of any building activities on the site, and 10. that the purchaser shall within a period of twenty four (24) months from date of registration of the property develop the property, in lieu of which the property shall revert to the Council. 			
A.072/09	ALIENATION AND DEVELOPMENT OF	That the item be referred back for a comprehensive report and be re-submitted to Council during June 2009.	DP	Further	

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
	TSWELOPELE JUNCTION SITUATED ON THE REMAINDER OF PORTION 121, PORTION 125 AND PORTION 189 OF THE FARM ZEEKOEWATER 311 J.S. – VARIOUS APPLICANTS			report compiled. Obtaining comments from IBS REP146	
A.073/09	APPLICATION TO LEASE A PORTION OF THE REMAINDER OF THE FARM KWAGUQA 313 JS SITUATED NEXT TO THE OLD COUNCIL BUILDINGS, ADJACENT TO BOTHA STREET, LYNNVILLE : KHENSANI CAR WASH	<ol style="list-style-type: none"> 1. That the application received from B.J. Mdaka to a lease portion of the Remainder of the farm KwaGuqa 313 JS situated east of the electrical workshop, adjacent to Botha Street, Lynnville Extension 11 at a lease amount of R290-00 per month (VAT Excl) for a period of nine year eleven months, not be approved; and 2. that Mr. B.J. Mdaka be advised to apply for a suitable site. 	DP	Applicant informed Memo to CFO to cancel old lease account Applicant advised as per resolution.	
A.074/09	GEOTECHNICAL STUDY: THUSHANANG AND KWA THOMAS MAHLANGUVILLE WAY FORWARD	<ol style="list-style-type: none"> 1. That the Council for Geoscience review of the work done by Global Resource Exploration and Mining (PTY) Ltd be noted, 2. that the review declares the work done to be inadequate, 3. that Global Resource Exploration and Mining (PTY) Ltd be informed of the review outcome, 4. That Global Resource Exploration and Mining (PTY) Ltd be placed in mora and given 30 days to complete the 	DP	Letter written to consultant.	

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>study to the acceptable standards;</p> <p>5. that if Global Resource Exploration and Mining (PTY) Ltd fail to fulfil the tender requirements, the contract is then terminated and the necessary action be taken to recoup the R321 000 spent on the project; and</p> <p>6. that the process of establishing the developability of the site be resumed by means of an appropriate geotechnical study to be undertaken in the new financial year.</p>			
A.075/09	<p>APPLICATION TO AMEND TITLE DEED CONDITIONS: PORTIONS 257 OF THE FARM ZEEKOEWATER 311 JS</p>	<p>That the application received from TownScape Planning Solutions, the authorised agent of the owner of Portion 257 of the farm Zeekoewater 311JS to remove or amend restrictive title deed condition D as contained in title deed T152048/06 be approved, subject to the following:</p> <ol style="list-style-type: none"> 1. that the township establishment process for President Park (eMalahleni) Extension 5 be finalised; 2. that Erf 16, President Park (eMalahleni) Extension 5 then be subdivided to the satisfaction and approval of the Chief City Planner to create a separate erf with a new erf number for the proposed business uses; 3. that Title Deed condition D in Title Deed, T152048/06 be amended and be reworded to reflect the property description and area that will retain the restrictive title deed condition, and 4. that all cost pertaining to the amendment of the restrictive title deed conditions will be for the cost of the applicant. 	DP	Applicant Informed	
A.076/09	eMALAHLENI SPORTING FACILITIES DRAFT BY-LAWS	<ol style="list-style-type: none"> 1. That Council take note of the public participation process undertaken in order to effect the promulgation of the proposed By-Laws for eMalahleni Sporting Facilities; 2. that the draft By-Laws of Sport and recreation Facilities be approved and adopted; 3. that the Draft By-Laws be advertised in the Provincial 	DP	Directorate: ARM requested to proclaim by-laws.	

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		4. Gazette for public notice; and that the Directorate: Administration and Resource Management be delegated to translate the promulgated By-Laws into the spoken local official languages.			
A.077/09	ASSESSMENT OF DIRECT AND INDIRECT COST BENEFIT AND SUSTAINABILITY OF THE OPERATION AND MAINTENANCE OF THE LEEUWPOORT WASTE DISPOSAL SITE	<ol style="list-style-type: none"> 1. That Council takes note of the report on the evaluation of internal delivery options for the operation and maintenance of the Leeuwpoort Waste Disposal Site; 2. that the investigation of External Delivery Options be continued with so as to enable Council to take an informed decision on the suitable option; 3. that the views of the community and local labour be obtained and recorded in the report external delivery options; and 4. that a consolidated report consisting of recommendations on both the internal and external delivery options be submitted for a final decision to be taken by Council. 	DP	<p>Item on report to be tabled before the Labour Forum.</p> <p>Consultant continuing with his work.</p>	
A.078/09	APPLICATION TO LEASE A PORTION OF PARKSTAND 1600, TASBETPARK EXTENSION 2 - VARIOUS APPLICANTS	<ol style="list-style-type: none"> 1. That the application received from L.D. Mabena in terms with the provisions of Section 14 of the Municipal Finance Management Act, 2003, read with Section 3.2.1(b) of the Disposal and Acquisition of Immovable Properties Policy of the Council (A058/2008) to lease a portion of Parkstand 1600, Tasbetpark Extension 2 (40 m² in extent) for the purpose of selling fruits and vegetables for a period of 9 years and eleven months at an amount of R168-00 (excl. VAT) per month, be approved, subject to the following conditions: <ol style="list-style-type: none"> 1.1. that an escalation equal to the CPIX at the end of a 12 month period be applicable; 1.2. that a cancellation clause of 6 months be applicable; 1.3. that the exact location of the proposed portion be determined in conjunction with and to the approval of the Spatial Planning Section; 1.4. that it be noted that service can be made 	DP	<p>Applicants informed</p> <p>The LED Unit of municipality engaged on illegal car wash businesses.</p>	

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>available to the property of which the cost will be for the account of the lessee;</p> <p>1.5 that the provision of any internal services and all services connection fees will be for the account of the lessee;</p> <p>1.6 that the property be used for the purposes of selling fruit and vegetables only;</p> <p>1.7 that no permanent structures may be erected on the property,</p> <p>1.8 that the maintenance of the property be the responsibility and for the account of the lessee;</p> <p>1.9 that sufficient refuse bins be provided on site;</p> <p>2. that the applications received from B.R. Mashaba and C.S. Matla to lease a portion of Parkstand 1600, Tasbetpark Extension 2 (approximately 100 m² in extent), for the purposes of a Public Phone Container, in terms with the provisions of Section 14 of the Municipal Finance Management Act, 2003, read with Section 3.2.1.1(b)i of the Disposal and Acquisition of Immovable Properties Policy of the Council (A058/08 dated 27 March 2008) be leased for a period of 9 years and eleven months by means of a private treaty, subject to the following conditions:</p> <p>2.1 that a monthly rental of R280-00 (excl. VAT) as determined by the Chief Financial Officer in terms with the approved rental tariffs in the current budget, be taken as the reserve rental amount;</p> <p>2.2 that an escalation equal to the CPIX at the end of a 12 month period be applicable;</p> <p>2.3 that a cancellation clause of 3 months be applicable;</p> <p>2.4 that the exact location of the proposed portion be determined in conjunction with and to the approval of the Spatial Planning Section;</p> <p>2.5 that it be noted that service can be made</p>			

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>available to the property of which the cost will be for the account of the lessee;</p> <p>2.6 that the provision of any internal services and all services connection fees will be for the account of the lessee;</p> <p>2.7 that the property be used for the purposes of erecting a public cell phone container only;</p> <p>2.8 that no permanent structures may be erected on the property,</p> <p>2.9 that the maintenance of the property be the responsibility and for the account of the lessee;</p> <p>3. that the application received from M.M. Ramateletsu to lease a portion of Parkstand 1600, Tasbetpark Extension 2 (approximately 100 m² in extent), for the purposes of a Public Phone Container, in terms with the provisions of Section 14 of the Municipal Finance Management Act, 2003, read with Section 3.2.1.1(b)i of the Disposal and Acquisition of Immovable Properties Policy of the Council (A058/08 dated 27 March 2008) be leased for a period of 9 years and eleven months by means of a private treaty, subject to the following conditions:</p> <p>3.1 that a monthly rental of R280-00 (excl. VAT) as determined by the Chief Financial Officer in terms with the approved rental tariffs in the current budget, be taken as the reserve rental amount;</p> <p>3.2. that an escalation equal to the CPIX at the end of a 12 month period be applicable;</p> <p>3.3 that a cancellation clause of 3 months be applicable;</p> <p>3.4 that the exact location of the proposed portion be determined in conjunction with and to the approval of the Spatial Planning Section;</p> <p>3.5 that it be noted that service can be made available to the property of which the cost will be</p>			

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>for the account of the lessee;</p> <p>3.6 that the provision of any internal services and all services connection fees will be for the account of the lessee;</p> <p>3.7 that the property be used for the purposes of erecting a public cell phone container only;</p> <p>3.8 that no permanent structures may be erected on the property,</p> <p>3.9 that the maintenance of the property be the responsibility and for the account of the lessee;</p> <p>4. that the applications received from F.G. Tlou to lease a portion of Parkstand 1600, Tasbetpark Extension 2 (approximately 100 m² in extent), for the purposes of a Public Phone Container, in terms with the provisions of Section 14 of the Municipal Finance Management Act, 2003, read with Section 3.2.1.1(b)i of the Disposal and Acquisition of Immovable Properties Policy of the Council (A058/08 dated 27 March 2008) be leased for a period of 9 years and eleven months by means of a private treaty, subject to the following conditions:</p> <p>4.1 that a monthly rental of R280-00 (excl. VAT) as determined by the Chief Financial Officer in terms with the approved rental tariffs in the current budget, be taken as the reserve rental amount;</p> <p>4.2. that an escalation equal to the CPIX at the end of a 12 month period be applicable;</p> <p>4.3 that a cancellation clause of 3 months be applicable;</p> <p>4.4 that the exact location of the proposed portion be determined in conjunction with and to the approval of the Spatial Planning Section;</p> <p>4.5 that it be noted that service can be made available to the property of which the cost will be for the account of the lessee;</p> <p>4.6 that the provision of any internal services and all</p>			

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>services connection fees will be for the account of the lessee;</p> <p>4.7 that the property be used for the purposes of erecting a public cell phone container only;</p> <p>4.8 that no permanent structures may be erected on the property,</p> <p>4.9 that the maintenance of the property be the responsibility and for the account of the lessee;</p> <p>5. that the illegal car wash be investigated and be addressed by the Zoning Inspectors of the Directorate Development Planning.</p>			
A.079/09	APPLICATION TO PURCHASE ERF 2169, BENFLEUR EXTENSION 9	<p>1. That Erf 2169, Benfleur Extension 9, in terms with the provisions of Section 14 of the Municipal Finance Management Act, 2003 read with the provisions of Section 3.1.2.1 of the Disposal and Acquisition of Immovable Property Policy of the Council be alienated by means of a Fixed Price Public Bid, subject to the following conditions:</p> <p>1.1 that the property be subdivided into two equal portions of approximately 4082m² and be sold at an amount of R922 532-00 excl VAT) each;</p> <p>1.2 that it be noted that the price can be subject to a discount as determined in terms with the provisions of Clause 3.1.2.2 of the Disposal and Acquisition of Immovable Property Policy of the Council;</p> <p>1.3 that the normal financial conditions of Council will be applicable;</p> <p>1.4 that all costs for the installation of internal services will be for the account of the applicant;</p> <p>1.5 that all cost for the connection of municipal services will be for the account of the purchaser;</p> <p>1.6 that engineering design layout plans must be submitted for the approval of the Director: Infrastructure and Basic Services before building</p>	DP	<p>Letters to all applicants</p> <p>Valustor appointed</p> <p>Subdivision requested</p>	

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>activities may commence;</p> <p>1.7 that the development must comply with the development conditions applicable to the zoning of the erf as set out in the eMalahleni Town Planning Scheme, 1991;</p> <p>1.8 that the development of the property be subject to the approval of building plans by the Building Control section of the Council and that it be noted that no construction will be allowed on the property prior to such approval of the building plans;</p> <p>1.9 that the purchaser shall within a period of twelve (24) months from date of registration of the property develop the property, in lieu of which the property shall revert to the Council;</p> <p>1.10 that a pre-emptive right of 5 years be applicable to all erven that receives a discount on the selling price;</p> <p>1.11 that the property may only be used for the purposes as approved by Council and that it be noted that a restrictive title deed condition stipulating the use of the property will be included in the new Title Deed of the property;</p> <p>1.12 that it be noted in terms with the provisions of Section 14 of the Municipal Finance Management Act that Erf 2169, Benfleur Extension 9 is not required for the provision of basic services,</p> <p>2. that all the applicants be informed accordingly;</p> <p>3. that the application letter be attached before submission to Council; and</p> <p>4. that a report which contain all Church applicants be submitted to Council.</p>			
A.080/09	REPORT ON THE CHOLERA OUTBREAK IN MPUMALANGA	<p>1. That the report on the status of Cholera outbreak in Mpumalanga be noted;</p> <p>2. that a local joint operation team be established, consisting</p>	DP	NDM informed of	

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
	PROVINCE AND THE STATUS OF eMALAHLENI	<p>of: Finance – Expenditure Section Development Planning – Environmental, Waste and Social Services. IBS – Water and Sewerage Services. Public Safety – Disaster Management Unit. Community Development Workers (CDWS). Communications Manager; and</p> <p>3. that the various water and sewerage purification plants be upgraded to meet the required standards.</p>		the resolution. Local Joint Operating Team in the process of being established.	
A.081/09	PROPOSED NEW ROUTE PLANNING FOR REFUSE COLLECTION VEHICLES: SECTION WASTE MANAGEMENT	<p>1. That Council takes note of the report on the proposed new route plan; 2. that Council approve in principle the implementation of the proposed new route plan; 3. that a public participation process be done to ensure that the residents of eMalahleni becomes part of the changes in refuse collection routes; 4. that provision for one truck and five additional utility workers be made in the budget every two years; 5. that a report be submitted for final adoption of the new route plan once the public consultation process has been completed; and 6. that the establishment of the transfer station be speeded up.</p>	DP	Preparation for public participation process.	
A.082/09	DIRECTORATE : DEVELOPMENT PLANNING: CAPITAL BUDGET PROGRESS REPORT : MARCH 2009	That note be taken of the progress made with the implementation of the Capital Projects of the Directorate: Development Planning as at 31 March 2009.	DP		Item finalised.
A.083/09	OFFER TO ESTABLISH A FAN PARK: ANGLOCOAL	<p>1. That the offer by Anglocoal to establish a Fan Park along Brugspruit be approved in principle; 2. that a further report be submitted to Council once full</p>	DP	Letter written to AngloCoal informing	

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>details become available;</p> <p>3. that note be taken that the area is prone to flooding; and</p> <p>4. that other venues like Sy Mthimunye and Lynnville Stadium be considered.</p>		them of the resolution.	
A.084/09	SPATIAL DEVELOPMENT FRAMEWORK 2009 APPROVAL	That Council approves and adopts the Emalahleni Spatial Development Framework dated January 2009 as a component of the Integrated Development Plan in terms of Sections 26 and 35 of the Municipal Systems Act (Act 32 of 2000).	DP		Item finalised.
A.085/09	APPLICATION TO PURCHASE A PORTION OF VAN DEVENTER STREET DIRECTLY NORTH OF ELIZABETH STREET: EMALAHLENI EXTENSION 1	<p>1. That a portion of Van Deventer Street situated between Elizabeth and Allenby street, eMalahleni (as indicated in Annexure "B" to the agenda) be closed subject to the following conditions namely:</p> <p>1.1 that a notice regarding the closure of the portion of Van Deventer Street be advertised in terms of the provision of Section 67 of the Local Government ordinance 1939 of which the cost will be for the account of St Thomas Aquinas school;</p> <p>1.2 that the applicant publish an article in the Witbank News to the approval of the Director: Development Planning explaining the reason for the closure and inviting comments and/or objections from the public, at is own cost;</p> <p>1.3 that the school be allowed to close the road temporarily for the duration of the objection period applicable to 1.1 and 1.2 above and until Council has made a final decision regarding the final closure;</p> <p>1.4 that the closure be done to the approval of the Director: Infrastructure and Basic Services and Director: Public Safety; and</p> <p>2. that a further report be table to Council upon expiry of the relevant objection period.</p>	DP	<p>Applicant informed</p> <p>Notices in process of being finalised</p>	
A.086/09	REPORT ON THE	1. That Mr J.J. Lubcker be congratulated on his election to	PS		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
	ELECTION OF MR. J.J. LUBCKER AS MEMBER OF THE EXECUTIVE COMMITTEE OF THE INSTITUTE OF LICENSE OFFICIALS OF SOUTHERN AFRICA	<p>the Executive Committee of the Institute of License Officials of Southern Africa;</p> <p>2. that Mr. Lubcker be granted the opportunity to attend the meetings of the Executive Committee of the Institute of License Officials of Southern Africa;</p> <p>3. that the normal subsistence and travelling be paid to him for attending the meetings; and</p> <p>4. that a letter be written to the Institute of License Official of Southern Africa as per the Constitution adopted in 1999 to include Councillors in the Executive Committee of the said Institute.</p>			
A.087/09	REPORT ON THE ITMPO OF SA EXECUTIVE COMMITTEE MEETING	<p>1. That the report about the Executive Committee meeting of the ITMPO OF SA which was held in Namibia be noted; and</p> <p>2. that the resolutions of the Executive Committee from RTMC be noted.</p>	PS		
A.088/09	REPORT ON THE APPOINTMENTS OF MR. C.J. MNISI & MR. L.M. MAMPURU	That the report on the appointments of Mr. C.J. Mnisi and Mr. L.M. Mampuru to attend to Traffic representations be noted.	PS		
A.089/09	REPORT ON NATIONAL ELECTION DAY CONTINGENCY PLAN	That the Emalahleni Disaster Management Contingency Plan for the National and Provincial elections be noted.	PS		
A.090/09	REPORT ON PROGRESS OF THE MULTI-MODAL PUBLIC TRANSPORT FACILITY	<p>1. That the progress report on Multi-Modal Public Transport Facility be noted; and</p> <p>2. that the budgeted amount of R1.3m be utilised for other capital projects.</p>	PS		
A.091/09	REPORT ON CCTV PROJECT AT EMALAHLENI	<p>1. That the progress report be noted; and</p> <p>2. that an investigation be conducted regarding the current infrastructure of the CCTV cameras and a report be tabled in this regard.</p>	PS		
A.092/09	CAPITAL PROJECTS	That the Capital Projects Progress Report from the Directorate:	PS		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS																											
	PROGRESS REPORT AS AT 31 MARCH 2009	Public Safety for the 2008/2009 financial year as at 31 March 2009, be noted.																														
A.093/09	COMMONWEALTH LOCAL GOVERNMENT CONFERENCE – 11 – 14 May 2009 – GRAND BAHAMAS	<ol style="list-style-type: none"> That the Executive Mayor or her nominee and the Municipal Manager or his nominee be delegated to attend the Commonwealth Local Government Conference in Grand Bahamas from 11 – 14 May 2009; and that the costs associated with the trip be paid out of line item 0510/05/1/05/5705 (Executive Mayor's Office: Travelling and Delegation Costs) and line item number 0510/20/1/05/5705 (Council & Executive : Travelling and delegation costs). 	ARM																													
A.094/09	APPROVAL OF MIG PROJECTS FOR 2009/2010:	<ol style="list-style-type: none"> That the following MIG funded projects for 2009/2010, be approved for implementation: <table border="1" data-bbox="712 794 1460 1337"> <thead> <tr> <th>No</th> <th>Project Description</th> <th>Budget Amount</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Construction of Roads in Emsagweni</td> <td>8,000,000</td> </tr> <tr> <td></td> <td>Construction of Roads and S/W in Thubelihle</td> <td>8,178,075</td> </tr> <tr> <td>2</td> <td>Installation Highmast and str lights at Kwa Guqa</td> <td>1,278,140</td> </tr> <tr> <td>3</td> <td>Installation Highmast and str lights at Phola</td> <td>828,358</td> </tr> <tr> <td>4</td> <td>Construction of Soccer field and Conc. palisade fencing</td> <td>6,000,000</td> </tr> <tr> <td>5</td> <td>Upgrading Ward 6 Regional park in Kwa Guqa Extension</td> <td>7,377,616</td> </tr> <tr> <td>6</td> <td>Upgrading of open field to Soccer field at Empumelelweni</td> <td>2,500,000</td> </tr> <tr> <td>7</td> <td>Upgrading of Existing soccer field at Phola</td> <td>2,300,000</td> </tr> </tbody> </table> 	No	Project Description	Budget Amount	1	Construction of Roads in Emsagweni	8,000,000		Construction of Roads and S/W in Thubelihle	8,178,075	2	Installation Highmast and str lights at Kwa Guqa	1,278,140	3	Installation Highmast and str lights at Phola	828,358	4	Construction of Soccer field and Conc. palisade fencing	6,000,000	5	Upgrading Ward 6 Regional park in Kwa Guqa Extension	7,377,616	6	Upgrading of open field to Soccer field at Empumelelweni	2,500,000	7	Upgrading of Existing soccer field at Phola	2,300,000	IBS		
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		8	Installation Highmast and str lights at Klarinet	1,131,165				
		9	Installation Highmast and str lights at Thubelihle	1,015,911				
		10	Upgrading of Pine Ridge Community Stadium	4,385,295				
		11	Installation Highmast and str lights at Thala, Twala	1,131,168				
		12	Installation of conc. Palisade fencing at Rietspruit	491,286				
		13	Construction of Pavilion at Sy Mthimunye Stadium phase 2	10,000,000				
		2.	that approval be granted for the invitation of tenders for appointment of consultants to prepare specifications, scopes of work and invitation of tenders for the appointment of contractors in respect of the abovenamed MIG – funded projects in order to fast track spending on MIG for the 2009/2010 Financial Year.					

DATE : 35th COUNCIL : 2 JULY 2009

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
A.095/09	APPLICATION TO LEASE OR PURCHASE VARIOUS PROPERTIES SITUATED WITHIN LYNNVILLE AND EXTENSIONS	<p>1. That the application received from G.L. Nkgowe, T.J. Tshabalala, S. Tlou & B. Mabhena, and S.H. Sebilwane to lease the building situated in road reserve adjacent to Erf 5158, Lynnville Extension 1 not be approved, due to the following:</p> <p>1.1 that the building is actually situated within the splay area of Erf 5158, at this intersection and is therefore considered to be a traffic risk;</p> <p>1.2 that the surrounding buildings are of a good quality and this building undermines the aesthetic value of this central location;</p> <p>1.3 that the building must be demolished and that the Directorate Infrastructure and Basic Services makes the necessary arrangements in this regard;</p> <p>2. that Erven 1589 and 1590, Lynnville Extension 1, be alienated by means of a public bid in terms with Section 14 of the Municipal Finances Management Act, 2003, read with Section 3.1 of the Disposal and Acquisition of Immovable Properties Policy of the Council (A.058/2008) by means of a public bid process subject to the following conditions:</p> <p>2.1 that a registered valuator be appointed to determine the selling price to the approval of the Chief Financial Officer;</p> <p>2.2 that the standard financial conditions of the Council will be applicable;</p> <p>2.3 that the provision of all municipal services will be for the account of the purchaser;</p> <p>2.4 that the cost to provide any service</p>	DP		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>connections to the property will be for the account of the purchaser;</p> <p>2.5 that the property be developed within 24 months from date of registration in the name of the purchaser;</p> <p>2.6 that the development is subject to the approval of a Site Development Plan;</p> <p>2.7 that the development be of the same standard as the surrounding neighbourhood;</p> <p>2.8 that it be noted that the zoning of the erf is "Business", and should it be necessary to change the zoning all costs pertaining to the rezoning will be for the account of the purchaser;</p> <p>2.9 that it be noted in terms with the provisions of Section 14 of the Municipal Finance Act, 2003 that Erven 1589 and 1590, Lynnville Extension 1, are not required for the provision of basic services, and</p> <p>3. that the applicants be informed accordingly.</p>			
A.096/09	<p>FURTHER REPORT : APPLICATION FOR SUBSTITUTION : ERF 142, EMALAHLENI SITUATED AT THE CORNER OF SMUTS AVENUE AND NORTHEY STREET</p>	<p>1. That resolution A.132/06 dated 28 September 2006 be rescinded;</p> <p>2. that the building situated on Stand 142, eMalahleni (corner of Smuts Avenue & Northey Street) be leased to Scripture Union for a lease period of 9 year and 11 months for offices and for training of youth in terms of Section 14 of the Municipal Finance Management Act, 2003, read with Section 3.2.1.2(b) of the Disposal and Acquisition of Immovable Properties Policy of the Council (A.058/08 dated 27 March 2008, subject to the following conditions:</p> <p>2.1 that the monthly lease amount be determined at a reduced rental of R1548-00 (excl. VAT) per month, subject to compliance of the following conditions:</p>	<p>DP</p>		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>2.1.1 that the organization/institution submits proof that it is a registered entity ;</p> <p>2.1.2 that the organization/institution submits a business plan;</p> <p>2.1.3 that the organization/institution submits proof that it is opened to all members of the community;</p> <p>2.1.4 the organization submits its constitution to the Council;</p> <p>2.2 that a 6-month cancellation clause be included in the lease agreement;</p> <p>2.3 that the lease amount is subject to an annual escalation equal to the CPIX rate;</p> <p>2.4 that all intended improvements to the building be for the account of the lessee to the approval of the Directorate Infrastructure and Basic Services;</p> <p>2.5 that the lessee will be responsible for the services account of the building and if necessary, for the provision of separate water and electricity meters;</p> <p>2.6 that the lessee accepts the responsibilities for the maintenance of the building and the yard;</p> <p>2.7 that all improvements to the building will become the property of the Council upon expiry of the lease agreement;</p> <p>2.8 that the provision of all services will be the responsibility of the lessee and for their account, and</p> <p>3. that the lease agreement between the Council and Manna for Youth for Stand 142 Witbank (corner of Smuts Avenue and Northey Street) be cancelled; and</p> <p>4. that the other conditions of Resolution A.132/06 dated 28 September 2006 remain in force.</p>			

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
A.097/09	APPLICATION TO LEASE THE HOUSE SITUATED ON PORTION 156 OF THE FARM BLESBOKLAAGTE 296 J.S.	<p>1. That the double storey building situated on Portion 156 of the farm Blesboklaagte 296 JS be leased to the Ukuzwana Primary School for a period of 5 years for school purposes in terms with Section 14 of the Municipal Finance Management Act, 2003, read with Section 3.2 of the Disposal and Acquisition of Immovable Properties Policy of the Council (A.058/08 dated 27 March 2008), subject to the following conditions:</p> <p>1.1 that a registered valuator be appointed to determine the monthly lease amount, to the approval of the Chief Financial Officer;</p> <p>1.2 that the monthly rental will be subject to a yearly escalation equal to the CPIX rate;</p> <p>1.3 that a 3-month cancellation clause be included in the lease agreement; and</p> <p>1.4 that the Lessee will be responsible for the services account of the building and if necessary, for the provision of separate water and electricity meters;</p> <p>1.5 that the provision of all services will be the responsibility of the Lessee and for his account;</p> <p>1.6 that the Lessee accepts the responsibilities for the maintenance of the building and the yard at his own cost,</p> <p>1.7 that all intended improvements to the building be for the account of the Lessee to the approval of the Director Infrastructure and Basic Services;</p> <p>1.8 that all improvements to the building become the property of the Council upon expiry of the lease agreement, and that the Council is not liable to compensated the Lessee for any such improvements upon expiry of the lease agreement;</p>	DP		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>2. that the residential units (excluding the double storey building) situated on Portion 156 of the farm Blesboklaagte 296 JS be leased to the current occupants for a period of 5 years for residential purposes in terms with Section 14 of the Municipal Finance Management Act, 2003, read with Section 3.2 of the Disposal and Acquisition of Immovable Properties Policy of the Council (A.058/08 dated 27 March 2008), subject to the following conditions:</p> <p>2.1 that a registered valuator be appointed to determine the monthly lease amount, to the approval of the Chief Financial Officer;</p> <p>2.2 that the monthly rental will be subject to a yearly escalation equal to the CPIX rate;</p> <p>2.3 that a 3-month cancellation clause be included in the lease agreement; and</p> <p>2.4 that the Lessee will be responsible for the services account of the building and if necessary, for the provision of separate water and electricity meters;</p> <p>2.5 that the provision of all services will be the responsibility of the Lessee and for his account;</p> <p>2.6 that the Lessee accepts the responsibilities for the maintenance of the building and the yard at his own cost,</p> <p>2.7 that all intended improvements to the building be for the account of the Lessee to the approval of the Director Infrastructure and Basic Services, and</p> <p>2.8 that all improvements to the building become the property of the Council upon expiry of the lease agreement, and that the Council is not liable to compensated the Lessee for any such improvements upon expiry of the lease agreement.</p>			

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
A.098/09	APPLICATION TO LEASE A PORTION OF COUNCIL'S PROPERTY : A PORTION OF STAND 6654, KWAGUQA EXTENSION 10	<p>That the application received from Tebugo Mabula to lease a portion of Erf 6654, Kwa-Guqa Extension 10 measuring approximately 1500 m² in extent for a period of 3 years at an amount of R750-00 (VAT excl.) per month be approved, subject to the following conditions:</p> <ol style="list-style-type: none"> 1. that a cancellation clause of three months be applicable; 2. that the lease amount is subject to an annual escalation equal to the CPIX rate; 3. that a portion of Stand 6654 Kwa-Guqa Extension 10, 1500 m² in extent be closed permanently in terms with the provisions of Section 68 of which the cost will be for the account of the applicant; 4. that the provision and / or upgrading of all municipal services will be for the account of the applicant; 5. that any damage to existing services will be for the account of the applicant; 6. that should it be necessary for any municipal services to be moved or re-routed, all costs will be for the account of the applicant; 7. that access to the property be determined in conjunction with the Directorate Infrastructure and Basic Services; 8. that any road entrance and other connections to the existing stand will be done to the approval of the Directorate Infrastructure and Basic Services, and all costs will be for the account of the applicant; 9. that no permanent structure may be erected without the consent of Council of which the cost will be for the account of the applicant; 10. that building plans must be submitted to the Council for approval prior to the commencement of any building activities, and 11. that it be noted that all improvements to the property will become the property of the Council upon expiry of the lease agreement, and that the Council can not be held 	DP		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		liable to compensate the lessee for such improvements upon expiry of the lease agreement.			
A.099/09	APPLICATION FOR A MAINTENANCE AGREEMENT FOR A PORTION OF THE ROAD RESERVE OF MANDELA STREET ADJACENT TO PRESIDENT PARK EXTENSION 1 – LOMBRO TRUST	That the item be referred back for policy guidelines.	DP		
A.100/09	APPLICATION TO PURCHASE A PORTION OF THE ROAD RESERVE OF O.R. TAMBO STREET, SITUATED ADJACENT TO ERF 1119, EMALAHLENI EXTENSION 8	<p>That the application to purchase a portion of the road reserve of O.R Tambo Street as situated adjacent to Erf 1119, eMalahleni Extension 8 received from SBN Architectural, the authorized agent of EMCAF Graphic Manufacturies CC not be approved but that it be alienated by means of a public bid in terms of Section 14 of the Municipal Finances Management Act, Act 56 of 2003, read with Section 3.1 of the Disposal and Acquisition of Immovable Properties Policy of the Council, subject to the following conditions:</p> <ol style="list-style-type: none"> 1. that a registered valuator be appointed to determine the selling price for the portion of the road reserve situated adjacent to Erf 1119, eMalaheni Extension 8, to the approval of the Chief Financial Officer; 2. that the standard financial conditions of the Council will be applicable; 3. that the portion of the road reserve of O.R Tambo Street be closed permanently in terms of the provisions of Section 67 of the Local Government Ordinance, 1939, of which the cost will be for the account of the purchaser; 4. that the portion of the road reserve of O.R Tambo Street be subdivided, of which the cost 	DP		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>will be for the account of the purchaser.</p> <ol style="list-style-type: none"> 5. that the subdivided portion of the road reserve of O.R Tambo be rezoned to an appropriate zoning by the purchaser of which all costs will be for his account; 6. that the provision of all municipal services will be for the account of the purchaser; 7. that the cost to provide any service connections to the property will be for the account of the purchaser; 8. that the upgrading of the existing municipal services or any re-routing of the existing network will be for the purchaser's account; 9. that engineering drawings by a professional engineer be submitted for the approval of the Directorate Infrastructure and Basic Services before any construction commences; 10. that if it is necessary to register servitudes over the property for any existing municipal services such cost will be for the account of the purchaser; 11. that the property be developed within 24 months from date of registration in the name of the purchaser; 12. that the development is subject to the approval of a Site Development Plan, and 13. that the development be of the same standard as the surrounding neighbourhood. 			
A.101/09	APPLICATION TO PURCHASE AND PERMANENT CLOSE THE PORTION OF THE ROAD SITUATED BETWEEN ERVEN 24 AND 25, MARELDEN	<ol style="list-style-type: none"> 1. That the application received from SFP Town Planning (Pty) Ltd not be approved; 2. that the structure be demolished and public access must be re-instated; and 3. that a feasibility study be conducted to ascertain the viability of the stand. 	DP		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
A.102/09	EXTENSION 4 APPLICATION TO LEASE THE SANITARY LANE SITUATED BETWEEN ERVEN 269 AND 362, EMALAHLENI EXTENSION 1	That the item be referred back for proper restructuring.	DP		
A.103/09	APPLICATION TO LEASE A PORTION OF UNDEVELOPED LAND : HOËVELDPARK PROPER	That the application received from Stanley Nkomo and Thabo Monareng to lease a portion of the undeveloped land situated at Hoëveldpark proper be approved subject to the following conditions; <ol style="list-style-type: none"> 1. that a registered valuator be appointed to determine the monthly lease amount, to the approval of the Chief Financial Officer; 2. that a 3-month cancellation clause be included in the lease agreement; 3. that the lease amount is subject to an annual escalation equal to the CPIX rate; 4. that the applicant signs a three years lease agreement with the Council; 5. that in the event of the area getting developed before the expiry of the lease, the lease will automatically terminate and clause 2 in this regard will be effected; 6. that Council is not obliged to renewal of the contract after expiry; 7. that the applicant is not allowed to make improvements to the property; 8. that the lessee accepts the responsibilities for the maintenance of the property, and 9. that the applicant fences the area into which the cattle will be grazing. 	DP		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
A.104/09	DIRECTORATE : ADMINISTRATION & RESOURCE MANAGEMENT : CAPITAL PROJECT PROGRESS REPORT AS AT 31 MARCH 2009	<ol style="list-style-type: none"> 1. That cognizance be taken of the Capital Projects Progress Report for the 2008/2009 financial year as at 31 March 2009; and 2. that a hand over for all capital projects be conducted by the Executive Mayor. 	ARM	Noted	Matter finalized
A.105/09	MINIMUM SERVICE COLLECTIVE AGREEMENTS	That the Minimum Service Collective Agreement be used as a draft for consultation with the unions at the Local Labour Forum.	ARM		
A.106/09	APPLICATION TO LEASE MINUS TWO GYM SPACE AT CIVIC CENTRE MUNICIPAL BUILDING: BOPHELO FITNESS BUSINESS	That a feasibility study be conducted in respect of the current status of the area concerned versus the actual needs.	ARM	Noted	
A.107/09	ESTABLISHMENT OF AN ETHICS COMMITTEE	<ol style="list-style-type: none"> 1. That an Ethics committee be established in terms of Schedule 1 of the Code of Conduct in the Municipal Systems Act 32 of 2000; 2. that the quorum of the Ethics committee based on 6 members be 4 (excluding the chairperson); 3. that decisions at the Ethics Committee be taken on the basis of a majority of votes of the members present, and the chairperson shall exercise a casting vote in the case of an equality of votes; 4. that the Ethics committee report to the Mayoral Committee and Council; 5. that members serving on the Ethics committee will not be entitled to additional remuneration; 6. that the frequency of and venues for meetings of the Ethics committee to be determined by the Chairperson; 7. that this rescinds all previous resolutions herein; and 8. that the following members be appointed by Council as 	ARM	Noted	Matter finalized

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		members of the Ethics Committee : <ul style="list-style-type: none"> • Councillor H. Sithole. • Councillor S.E. Baloi. • Councillor P.L. Mokwena. • The Whip – Councillor D.A. Skhosana. • Councillor L.M. Nhlapho. • The Speaker - Councillor Van Castle • The Councillor nominated by the Democratic Alliance. 			
A.108/09	MONTHLY FINANCIAL REPORT – APRIL 2009	<ol style="list-style-type: none"> 1. That the April 2009 Financial Report as submitted by the Chief Financial Officer be noted; 2. that the cash flow projection for May 2009 be approved; 3. that the bank reconciliation statement as at 30 April 2009 (total entity) in terms of sub-regulation 3(1)(f) of the Financial Regulations, be noted; 4. that the arrear consumer accounts (debtor balances, payment levels) in respect of Kwaguqa, eMalahleni, Ogies/Phola and Ganala/Thubelihle for the period April 2008 - April 2009, be noted; 5. that the cut-off actions for the period April 2008 – April 2009 (all entities), as well as the new cut-off program and its results, be noted; 6. that the consumer account payment levels for the period April 2008 – April 2009, be noted; 7. that the turnover rate on outstanding debtors for the period April 2008 – April 2009 (all entities); as well as the worsening effect it has on the cash flow position of Council, be noted; 8. that the legal action against consumers and its improved results (eMalahleni), for the period March/April 2008 to March/April 2009, be noted; 9. that the age analysis for consumer debtors be noted; and 10. that the 20 highest creditors be noted. 	FIN		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
A.109/09	SUPPLY CHAIN MANAGEMENT – REPORT ON CAPITAL PROJECTS : 2008/2009 FINANCIAL YEAR (MARCH 2009)	<ol style="list-style-type: none"> 1. That the progress report on the execution of capital projects (appointment of consultants and contractors) of Council for the period 01 – 31 March 2009 be noted; and 2. that the criteria applied and the analysis of the specific goals in the awarding of tenders to consultants and contractors is attached as Annexure “Y”, be noted. 	FIN		
A.110/09	REPORT ON CAPITAL PROJECT PROGRESS FOR DIRECTORATE: INFRASTRUCTURE AND BASIC SERVICES	<ol style="list-style-type: none"> 1. That the contents of the report on the progress of Capital Projects for the Directorate: Infrastructure and Basic Services be noted; 2. that changes to the budget can only be approved by Council; and 3. that all projects from donors must first be approved by Council and that the Directorate: Infrastructure and Basic Services be involved from the initial stage of execution of the project. 	FIN		
A.111/09	PROVINCIAL SANITATION WEEK CELEBRATION 2009	<ol style="list-style-type: none"> 1. That the Municipality establishes an Events Steering Committee to develop an itinerary of plenary meeting towards the main event together with officials from the Department of Water Affairs and Forestry; and 2. that the content of the report be noted. 	IBS		
A.112/09	PLANNED MAINTENANCE: PATCHING OF POTHOLES AND CONSTRUCTION OF TRAFFIC CALMING DEVICES	<ol style="list-style-type: none"> 1. That the report from the Acting Director: Infrastructure and Basic Services on patching of potholes and construction of traffic calming devices be noted; and 2. that a cost benefit analysis be done for the resealing of roads and patching of potholes in terms of the internal and external mechanisms. 	IBS		
A.113/09	PETITION ON POTHOLES - DEL JUDOR 4	<ol style="list-style-type: none"> 1. That Council notes the measures taken to attend to the repair of potholes; 2. that a service provider be appointed to investigate and recommend the installation of speed humps throughout the Municipality; 	IBS		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<ol style="list-style-type: none"> 3. that the installation of traffic calming measures be addressed and included in the 2009/2010 Capital Budget; and 4. that Council be pro-actively involved with service delivery. 			
A.114/09	DRAFT GUIDELINES REGARDING APPLICATION FOR ROAD TANKER DISCHARGE TO WASTE WATER TREATMENT WORKS	<ol style="list-style-type: none"> 1. That disposal of sewage from within the Emalahleni Municipal Council, delivered by private road tankers to Council facilities be charged as follows: 5c per litre + VAT 2. that disposal of sewage from without the Emalahleni Municipal Council delivered by private road tankers to Council facilities be charged as follows: 10c per litre + VAT; and 3. that an income vote number be created to receive the charges. 	IBS		
A.115/09	INSTALLATION OF SOLAR POWER AT TRAFFIC LIGHTS	<ol style="list-style-type: none"> 1. That the report be noted; 2. that permission be given to Invico, to install the solar powered traffic light controller system at the entrance to Highveld Mall in Mandela street; 3. that it be noted that the installation, management and removal of the system will be for the costs of Invico; 4. that It be noted that the system will not interfere with the normal operations of the traffic light equipment, but will only supply electricity powered up by the solar units; 5. that it be noted that the aim of the pilot project is to assist Council in future decision making on the efficient use of alternative sources of electricity; 6. that it be noted that the project will also assist Council in participating in the effort to reduce the consumption of electricity on the national network grid; and 7. that recommendation 1 to 6 be approved in principle but be subject to a written letter of request from Invico. 	IBS		
A.116/09	RE-ORIENTATION OF KUSILE	<ol style="list-style-type: none"> 1. That the report on Re-Orientation of Kusile Stakeholder Forum be noted; and 	IBS		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
	STAKEHOLDER FORUM	2. that a meeting be held with the Mayoral Committee so that they be taken on board regarding the Corporate Social Investment issue.			
A.117/09	THE STATE OF ENVIRONMENT (SOER) RECOMMENDATIONS	That the State of Environment report within the Nkangala District be noted.	LED		
A.118/09	ALIGNMENT BETWEEN THEN NKANGALA DISTRICT TOURISM DEVELOPMENT AND BRANDING STRATEGY AND MPUMALANGA TOURISM & PARKS AGENCY TOURISM GROWTH STRATEGY	That alignment between the Nkangala District Tourism Development and Branding strategy and Mpumalanga Tourism & Parks Agency Tourism Growth Strategy be noted.	LED		
A.119/09	PROGRESS REPORT OF MULTI-STAKEHOLDER CONSULTATIVE PROCESS ON KHULIS'UMNOTHO PROJECT : REGIONAL INDUSTRIAL ROADMAP	That the progress report on the multi-stakeholder consultative process of Khulis'umnotho project, Regional Industrial Roadmap, be noted	LED		
A.120/09	PUBLIC SECTOR SMME PAYMENT ASSISTANCE HOTLINE	1. That the public sector SMME Payment Assistance Hotline be noted; and 2. that the name of contact person within the Finance Section be provided to SEDA as requested.	LED		
A.121/09	HISTORICAL SITE : KING GEORGE PARK	That the item be referred back for proper restructuring and submission to Council.	LED		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
	FACE-LIFT PROPOSAL				
A.122/09	EMALAHLENI BUSINESS COLLEGE : ENTREPRENEURIAL DEVELOPMENT PARTNERSHIP	<ol style="list-style-type: none"> 1. That the provisional accreditation of Emalahleni Business College from 1 October 2008 and 30 September 2009 be noted; 2. that an entrepreneurial development partnership between Emalahleni Business College and Emalahleni Local Municipality be considered; and 3. that Emalahleni Business College forward to the Municipality the outcome of its annual monitoring report to be submitted to Umalusi by 31 May 2009 for demonstration of its full compliance with provisional accreditation criteria. 	LED		
A.123/09	ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF A MARKET DEVELOPMENT / CONSUMER EDUCATION LEVIES ON PLUMS	That establishment of statutory measure and determination of a market development/consumer education levies on plums be noted.	LED		
A.124/09	APPOINTMENT OF CONTRACT ENGINEERS	That the item be referred to the Extraordinary Mayoral Committee meeting.	ARM	Noted	See item A 160/09 dd 02/07/2009
A.125/09	ADMINISTRATIVE ASSISTANCE BY NKANGALA DISTRICT MUNICIPALITY TO EMALAHLENI LOCAL MUNICIPALITY	That the item be referred to the Extraordinary Mayoral Committee meeting.	ARM	Noted	See item A 160/09 dd 02/07/2009
A.127/09	APPLICATION TO LEASE ERF 1369,	<ol style="list-style-type: none"> 1. That the application received from Joseph Mabiya to lease Erf 1369, Hlalanikahle Extension 3, approximately 	DP		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
	HLALANIKAHLE EXTENSION 3	<p>914 m² in extent for the purposes of storage and selling of building material and a take away café not be approved; and</p> <p>2. that Erf 1369 Hlalanikahle Extension 3 be rezoned to Community Facility and be incorporated within the existing Clinic site on this erf for parking and other purposes.</p>			
A.128/09	APPLICATION TO LEASE OR PURCHASE ERF 2061 AND A PORTION OF THE REMAINDER OF ERF 2066, TASBETPARK EXTENSION 3 FOR CHURCH PURPOSES	<p>1. That the applications received from Forward in Faith Church and the International Evangelical Christian Church to lease Erf 2061 and a portion of the Remainder of Erf 2066, Tasbetpark Extension 3 not be approved;</p> <p>2. that the Erf 2061 and a portion of the Remainder of Erf 2066, Tasbetpark Extension 3 (approximately 3400m² in extent), in terms with the provisions of Section 14 of the Municipal Finance Management Act, 2003 read with the provisions of Section 3.1.2.1 of the Disposal and Acquisition of Immovable Property Policy of the Council be alienated by means of a Fixed Price Public Bid, subject to the following conditions:</p> <p>2.1 that a registered valuator be appointed to determine a market related purchase price, to the approval of the Chief Financial Officer;</p> <p>2.2 that it be noted that the price can be subject to a discount as determined in terms with the provisions of Clause 3.1.2.2 of the Disposal and Acquisition of Immovable Property Policy of the Council;</p> <p>2.3 that the normal financial conditions of Council will be applicable;</p> <p>2.4 that a portion of Erf 2066, Tasbetpark Extension 3 (approximately 3400m² in extent) be closed permanently in terms with the provisions of Section 68 of the Local</p>	DP		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>2.5 Government Ordinance, 1939; that exemption or approval be obtained from the Mpumalanga Department of Agriculture, Conservation, Environment and Land Affairs in terms of Section 22 of the Environmental Conservation Act (Act 73 of 1986);</p> <p>2.6 that all costs for the installation of internal services will be for the account of the applicant;</p> <p>2.7 that all cost for the connection of municipal services will be for the account of the purchaser;</p> <p>2.8 that engineering design layout plans must be submitted for the approval of the Director: Infrastructure and Basic Services before building activities may commence;</p> <p>2.9 that the development must comply with the development conditions applicable to the zoning of the erven as set out in the eMalahleni Town Planning Scheme, 1991;</p> <p>2.10 that the development of the property be subject to the approval of a Site Development Plan by the Aesthetic Committee of the Council and building plans by the Building Control section of the Council and that it be noted that no construction will be allowed on the property prior to such approvals;</p> <p>2.11 that the purchaser shall within a period of twenty four (24) months from date of registration of the property develop the property, in lieu of which the property shall revert to the Council;</p> <p>2.12 that a pre-emptive right of 5 years be applicable to all erven that receives a discount on the selling price;</p> <p>2.13 that the property may only be used for the purposes as approved by Council and that it be noted that a restrictive title deed condition</p>			

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>2.14 stipulating the use of the property will be included in the new Title Deed of the property; that it be noted in terms with the provisions of Section 14 of the Municipal Finance Management Act that Erf 2061 and a portion of the Remainder of Erf 2066, Tasbetpark Extension 3 is not required for the provision of basic services, and</p> <p>3. that all the applicants be informed accordingly.</p>			
A.129/09	IMPLEMENTATION / COMPILATION OF THE NATIONAL HOUSING DEMAND DATABASE	<ol style="list-style-type: none"> 1. That Council takes note of the appointment of Yimeka Trading cc by the Mpumalanga Human Settlements Department, to survey 5000 households within Emalahleni Local Municipality under the National Housing Demand Database program; 2. that the costs for the project are for the account of the Provincial department; 3. that Council approves that the survey be conducted in Wards 25, 26, 27, 28, 29, 30, and 31; and 4. that Council notes that the remaining wards will be surveyed as part of the review of the Municipal Housing Development Plan. 	DP		
A.130/09	MANAGEMENT ARRANGEMENTS FOR COMMUNITY RESIDENTIAL UNITS PROGRAMME	<ol style="list-style-type: none"> 1. That Council takes note that transitional accommodation is provided for the residents for the duration of the project; 2. that the units in Phase 1 are allocated to people who have lived in the hostel for at least a period of 10 years, as at the date of the compilation of the socio-economic survey, provided they meet CRU eligibility criteria; 3. that the rentals for these units be based on the rent calculation formula contained in the Community Residential Units' Strategy which entails cost recovery rentals; 4. that Council considers subsidizing tenants who will qualify to participate in the Council's indigent scheme as defined in the indigent policy; 	DP		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<ol style="list-style-type: none"> 5. that in line with resolution A. 191/08, the CRU stock be managed internally; and 6. that such rental strategy be submitted at the next Council meeting. 			
A.131/09	<p>REQUEST PERMISSION TO EFFECT AMENDMENTS TO THE HLALANIKAHLE EXTENSION 2 TO LAYOUT</p>	<p>That the application to amend the layout plan of Hlalanikahle Extension 2 to create an additional 115 residential erven be approved subject to the following conditions:</p> <ol style="list-style-type: none"> 1. that the new proposed layout plan accommodates 115 residential erven, 2 business erven, a “Public Open Space” and one road reserve after subdivision as per the proposed layout plan (Annexure B to the agenda); 2. that any roads that needs to be closed, be closed permanently in terms of the provisions of Section 67 of the Local Government Ordinance, 1939; 3. that it be noted that the application must be submitted to the Provincial Department of Agriculture and Land Administration for final approval, and 4. that the Directorate: Infrastructure and Basic Services budget in a future budget for the supply of the required services for the township. 	DP		
A.132/09	<p>EXCHANGE OF LAND FOR THE ERECTION OF PUBLIC TOILET FACILITIES IN OGIES</p>	<ol style="list-style-type: none"> 1. That the content of this report be noted; 2. that a Portion of Portion 28 of the farm Klipfontein3 IS owned by Davidor Pty Ltd, be exchanged for a Portion of Park erf 105 Ogies owned by Council in terms of Section 14 of the Municipal Finance Management Act, 2008 for the purposes of erecting public toilets facilities in Ogies; 3. that a registered valuator be appointed to determine the value of the land to be exchanged between Council and Davidor Pty Ltd to the approval of the Chief Financial Officer; 4. that it be noted that approximately 100m² are required 	DP		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>for the erection of the public toilets and that taken this into account and the valuation obtained portions in value be exchanged;</p> <ol style="list-style-type: none"> 5. that the relevant portions be subdivided by the Council; 6. that a Portion of park erf 105 Ogies then be closed permanently in terms of the provisions of Sections 68 of the Local Government Ordinance, 1939; 7. that exemption for or authorization to undertake a listed activity in terms of Section 22 of the Environment Conservation Act 1989 be obtained from the Department of Agriculture Conservation and Environment by Council; 8. that a Portion of the Portion 28 of the farm Klipfontein 3 IS be rezoned to an applicable zoning to accommodate the proposed use, if necessary; and 9. that the Spatial Planning Section assist to get these portions transferred as resolved. 			
A.133/09	APPLICATION TO PURCHASE VARIOUS COUNCIL PROPERTIES SITUATED IN THE FOLLOWING AREAS: ERIC LIBERTY, LYNNVILLE, KWA-THOMAS MAHLANGUVILLE AND KWA-GUQA EXTENSION	<ol style="list-style-type: none"> 1. That the applications received from the Royal Kingdom Worship Church, St. Moses Apostolic Church, O.B.F. Mabuza and Seome Trading cc to purchase Erf 494, Eric Liberty for the purposes as indicated in the report, not be approved but that the property be alienated for development as community facilities and residential purposes by means of a Fixed Price Public Bid/Public Bid in terms of the provisions of Section 14 of the Municipal Finance Management Act, 2003, read with the provisions of Section 3.1.2.1 (b)(i) and Section 3.1.1 subsection 3.1.1.1 (2) of the Disposal and Acquisition of Immovable Property Policy of the Council, subject to the following conditions; <ol style="list-style-type: none"> 1.1 that a registered valuator be appointed to determine the reserve price of the erf, to the approval of the Chief Financial Officer; 1.2 that the normal financial conditions of Council will be applicable; 	DP		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>1.3 that the provisions of all municipal services be for the account of the applicant;</p> <p>1.4 that the engineering design layout plans must be submitted for the approval of the Director: Infrastructure and Basic Services;</p> <p>1.5 that it be noted that any upgrading of existing services will be for the account of the applicant;</p> <p>1.6 that should it be necessary for any municipal services to be moved or re-routed, all costs will be for the account of the applicant;</p> <p>1.7 that any damage to the services will be for the account of the applicant;</p> <p>1.8 that the development of the property will be in accordance with a Site Development Plan that must be submitted for the approval of the Chief City Planner prior the commencement of any building activities on site;</p> <p>1.9 that the development must comply with the development conditions applicable to the "Community Facility" zoning of the erf;</p> <p>1.10 that the purchaser shall within a period of twenty four (24) months from date of registration of the property develop the property, in lieu of which the property shall revert to the Council;</p> <p>1.11 that access to the property be addressed in the Site Development Plan to the approval of the Directorate: Infrastructure and Basic Services;</p> <p>1.12 that the rehabilitation of the land be done at the cost of the successful applicant, to the approval of the Directorate: Infrastructure and Basic Services;</p> <p>2. that the application received from Seome Trading cc to purchase various Erven namely: Erven 4588 and 5961, Kwa-Thomas Mahlanguville Extension 12 and 17 respectively, Erven 131, 297, 5551, 5552, 5553, 5554,</p>			

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>5555, 5556, 5557, 5558, 5559, 5550 and 5548, Lynnville Extension 12 and 17 respectively and Erven 8780, 8784, 8785, Kwa-Guqa Extension 2, not be approved as per the comments of the Chief City Planner in the report; and</p> <p>3. that a further register on vacant serviced stands owned by Council be submitted at the next Council meeting.</p>			
A.134/09	APPLICATION TO LEASE ERVEN 185 AND 186, KWA-GUQA EXTENSION 2	<p>1. That the applications received from Extension 2 Youth League, Rockland Ministries and M.N. Mnisi to lease Erven 185 and/or 186, Kwa-Guqa Extension 2 not be approved;</p> <p>2. that Erf 186, KwaGuqa Extension 2 be alienated by means of a public bid in terms with Section 14 of the Municipal Finances Management Act, 2003, read with Section 3.1 of the Disposal and Acquisition of Immovable Properties Policy of the Council (A.058/2008) subject to the following conditions:</p> <p>2.1 that a registered valuator be appointed to determine the selling price to the approval of the Chief Financial Officer;</p> <p>2.2 that the standard financial conditions of the Council will be applicable;</p> <p>2.3 that the provision of all municipal services will be for the account of the purchaser;</p> <p>2.4 that the cost to provide any service connections to the property will be for the account of the purchaser;</p> <p>2.5 that the property be developed within 24 months from date of registration in the name of the purchaser;</p> <p>2.6 that the development is subject to the approval of a Site Development Plan;</p> <p>2.7 that the development is subject to the approval of building plans by the Building Control section</p>	DP		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>of the Council;</p> <p>2.8 that development can only commence on site after the approval of the above mentioned Site Development Plan and the building plans;</p> <p>2.9 that the development be of the same standard as the surrounding neighbourhood;</p> <p>2.10 that it be noted that the zoning of the erf is "Business", and should it be necessary to change the zoning all costs pertaining to the rezoning will be for the account of the purchaser;</p> <p>2.11 that it be noted in terms of the provisions of Section 14 of the Municipal Finance Act, 2003 that Erf 186, KwaGuqa Extension 2 are not required for the provision of basic services;</p> <p>3. that Erf 185, Kwa-Guqa Extension 2, in terms with the provisions of Section 14 of the Municipal Finance Management Act, 2003 read with the provisions of Section 3.1.2.1 of the Disposal and Acquisition of Immovable Property Policy of the Council be alienated by means of a Fixed Price Public Bid, subject to the following conditions:</p> <p>3.1 that a registered valuator be appointed to determine a market related purchase price, to the approval of the Chief Financial Officer;</p> <p>3.2 that it be noted that the price can be subject to a discount as determined in terms with the provisions of Clause 3.1.2.2 of the Disposal and Acquisition of Immovable Property Policy of the Council;</p> <p>3.3 that the normal financial conditions of Council will be applicable;</p> <p>3.4 that all costs for the installation of internal services will be for the account of the applicant;</p> <p>3.5 that all cost for the connection of municipal</p>			

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>3.6 services will be for the account of the purchaser; that engineering design layout plans must be submitted for the approval of the Director: Infrastructure and Basic Services before building activities may commence;</p> <p>3.7 that the development must comply with the development conditions applicable to the zoning of the erven as set out in the eMalahleni Town Planning Scheme, 1991;</p> <p>3.8 that it be noted that the zoning of the erf is "Municipal Future Development", and should it be necessary to change the zoning all costs pertaining to the rezoning will be for the account of the purchaser;</p> <p>3.9 that the development of the property be subject to the approval of a Site Development Plan by the Aesthetic Committee of the Council and building plans by the Building Control section of the Council and that it be noted that no construction will be allowed on the property prior to such approvals;</p> <p>3.10 that the purchaser shall within a period of twenty four (24) months from date of registration of the property develop the property, in lieu of which the property shall revert to the Council;</p> <p>3.11 that a pre-emptive right of 5 years be applicable to all erven that receives a discount on the selling price;</p> <p>3.12 that the property may only be used for the purposes as approved by Council and that it be noted that a restrictive title deed condition stipulating the use of the property will be included in the new Title Deed of the property;</p> <p>3.13 that it be noted in terms with the provisions of Section 14 of the Municipal Finance</p>			

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>Management Act that Erf 185, Kwa-Guqa Extension 2 is not required for the provision of basic services, and</p> <p>4. that the applicants be informed accordingly.</p>			
A.135/09	APPLICATION FOR LAND FOR A MULTI PURPOSE COMMUNITY CENTRE - HLALANIKAHLE	<p>1. That Erf 1449, Hlalanikahle Extension 3, be made available to Siyanda Coal (Pty) Ltd for the purposes of a Thusong centre, subject to the following conditions:</p> <p>1.1 that Erf 1449, Hlalanikahle Extension 3 be closed permanently in terms with the provisions of section 68 of the Local Government Ordinance, 1939;</p> <p>1.2 that exemption from or authorization to undertake a listed activity in terms of Section 22 of the Environment Conservation Act, 1989, be obtained from the Department of Agriculture, Conservation and Environment by the Department of Housing;</p> <p>1.3 that Erf 1449, Hlalanikahle be rezoned from "Public Open Space" to "Community Facility" by the Council;</p> <p>1.4 that the provision of all municipal services will be for the account of the applicant;</p> <p>1.5 that the cost to provide any service connections to the property will be for the account of the applicant;</p> <p>1.6 that it be noted that should power be required, all costs for the installation of an electrical point of supply will be for the account of the applicant;</p> <p>1.7 that should it be necessary to re-route any existing municipal services or register servitudes for existing services, such cost will be for the account of the applicant;</p> <p>1.8 that the property be developed within 24 months from date of proclamation of the relevant zoning rights;</p>	DP		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>1.9 that the development is subject to the approval of a Site Development Plan by the Aesthetics Committee of the Council;</p> <p>1.10 that the development is subject to the approval of building plans by the Building Control Section of the Council, and</p> <p>1.11 that it be noted that no construction will be allowed on the site before approval of the above mentioned Site Development Plan and building plans.</p>			
A.136/09	APPLICATION TO PURCHASE THE REMAINING EXTENT OF ERF 6662 OR ALTERNATIVELY PURCHASE A PORTION OF ERF 6669 OR A PORTION OF ERF 6678, KWA-GUQA EXTENSION 6	<p>1. That the application received from Kusile Mining to purchase the remaining extent of Erf 6662 or alternatively a portion of Erf 6669, Kwa-Guqa Extension 6 for the purposes of developing a Shopping Complex not be approved;</p> <p>2. that a Portion of Erf 6669, Kwa-Guqa Extension 6 be alienated by means of a public bid in terms of Section 14 of the Municipal Finances Management Act, 2003, read with Section 3.1 of the Disposal and Acquisition of Immovable Properties Policy of the Council (A.058/2008) subject to the following conditions:</p> <p>2.1 that a registered valuator be appointed to determine the selling price to the approval of the Chief Financial Officer;</p> <p>2.2 that the standard financial conditions of the Council will be applicable;</p> <p>2.3 that the provision of all municipal services will be for the account of the purchaser;</p> <p>2.4 that the cost to provide any service connections to the property will be for the account of the purchaser;</p> <p>2.5 that the property be developed within 24 months from date of registration in the name of the purchaser;</p> <p>2.6 that the development is subject to the approval</p>	DP		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>2.7 of a Site Development Plan; that the development is subject to the approval of building plans by the Building Control section of the Council;</p> <p>2.8 that development can only commence on site after the approval of the above mentioned Site Development Plan and the building plans;</p> <p>2.9 that the development be of the same standard as the surrounding neighbourhood;</p> <p>2.10 that it be noted that Kwa-Guqa Extension is not proclaimed yet and that the alienation will therefore be subject to the successful proclamation of the said township, only where after transfer of the property can take place;</p> <p>2.11 that it be noted that the zoning of the erf is "Municipal Future Development", and should it be necessary to change the zoning all costs pertaining to the rezoning will be for the account of the purchaser;</p> <p>2.12 that it be noted in terms of the provisions of Section 14 of the Municipal Finance Act, 2003 that Erf 6669, Kwa-Guqa Extension 6 are not required for the provision of basic services;</p> <p>2.13 that the lease agreement with Mr. BG Maseko be cancelled once the property are being alienated by means of a public bid, and</p> <p>3. that the applicant be informed accordingly.</p>			
A.137/09	LAND: USE OF PORTION 197 BLESBOKLAAGTE 296 JS FOR ESTABLISHMENT OF NEW CEMETERY	<p>1. That Council approve the utilisation of portion 197 of the farm Blesboklaagte 296 JS for establishment of a new cemetery on the following conditions:</p> <p>1.1. that authorization or exemption in terms of Section 22 of the Environment Conservation Act, 1989 be obtained, from the Department of Agriculture, Conservation and Environment for the development of cemetery</p>	DP		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>on the relevant portions of the land; that a registered valuator be appointed to determine the value of the land, for the approval of the Chief Financial Officer; and</p> <p>2. that Council resolution A.176/07 dated 30 August 2007, be rescinded.</p>			
A.138/09	INSTALLATION OF TRAFFIC LIGHTS AND ROAD WIDENING AT THE RETAIL CITY ENTRANCE AND O.R. TAMBO	<p>1. That the report be noted;</p> <p>2. that it be noted that permission has been given for the installation of the traffic lights subject to the following conditions: 2.1 a competent traffic engineer is appointed for the designs; 2.2 a traffic volume count is executed to indicate the warrant for a traffic signal; 2.3 the designs are submitted to council engineers upon completion; 2.4 the supervision of the construction is done by the competent traffic engineer; 2.5 local labour is utilized for the construction; 2.6 the traffic signals / lights comply with the S.A.R.T.S.M volume three;</p> <p>3. that it be noted that a traffic light intersection is envisaged to return business activity to the complex, preventing the shutting down of shops which may result in job losses and loss of revenue by Council; and</p> <p>4. that after the traffic lights are installed an item be submitted to Council so that costing can be done in order to increase the Capital Budget.</p>	IBS		
A.139/09	INCREASE OF THE CAPITAL BUDGET 2008/2009 : INSTALLATION OF TRAFFIC LIGHTS AT THE N4/MANDELA INTERCHANGES	<p>1. That the report be noted;</p> <p>2. that it be noted that the donation by B.H.P Billiton has increased the 2008/2009 Capital Budget by R377,000; and</p> <p>3. that it be noted that a letter of gratitude and appreciation has been forwarded to B.H.P Billiton for the donation.</p>	IBS		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
A.140/09	FAULTY BULK ELECTRICAL METERS	<ol style="list-style-type: none"> 1. That the report be noted; 2. that service providers have been requested to assist Council with the investigations of faulty meters; and 3. that the repairs are essential to prevent further loss of revenue to the Council. 	IBS		
A.141/09	PROGRESS ON THE ENERGY EFFICIENT LIGHTING AND THE D.S.M.	<ol style="list-style-type: none"> 1. That the contents of the report be noted; 2. that an audit of all the lighting at Council buildings and street lighting was carried out and a report was submitted to Eskom; 3. that a second audit on the total current consumption of all Council buildings and streetlights was carried out and a report submitted to Eskom; 4. that feedback is awaited from Eskom regarding the approval of funding to install energy efficient lights at all streetlights and Council buildings; and 5. that incandescent globes in the Main Building should be replaced with energy saving globes during repair and maintenance. 6. 	IBS		
A.142/09	SUPPLY CHAIN MANAGEMENT – REPORT ON CAPITAL PROJECTS : 2008/2009 FINANCIAL YEAR (APRIL 2009)	<ol style="list-style-type: none"> 1. That the progress report on the execution of capital projects (appointment of consultants and contractors) of Council for the period 1 – 30 April 2009 be noted; and 2. that the criteria applied and the analysis of the specific goals in the awarding of tenders to consultants and contractors is attached as Annexure “A”, be noted. 	FIN		
A.143/09	DISRUPTIONS AND DAMAGE TO COUNCIL PROPERTY - PHOLA	That this item be referred back for a holistic report including quotations from various service providers as annexure.	FIN		
A.144/09	NATIONAL TREASURY QUARTERLY MFMA IMPLEMENTATION AND MONITORING	That the quarterly MFMA Implementation and Monitoring Checklist Implementation Priorities Report for the quarter ending 31 March 2009, be noted.	FIN		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
	CHECKLIST				
A.145/09	INCREASE IN THE MINIMUM NUMBER OF INTERNS WITHIN THE MFMIP TO 5 AS PER GAZETTE 32142 OF 17 APRIL 2009	<ol style="list-style-type: none"> 1. That Council take note of Government Gazette Number 32142 pg 176; 2. that the Financial Interns will be remunerated from the Financial Management Grant; 3. that the minimum number of interns be increased from 2 to 5; and 4. that a criteria be developed and recruitment policy be amended to evaluate interns performance after a year for possible permanent appointment if there are vacancies. 	FIN		
A.146/09	DIRECTORATE : ADMINISTRATION & RESOURCE MANAGEMENT : CAPITAL PROJECT PROGRESS REPORT AS AT 31 MAY 2009	That cognizance be taken of the Directorate : Administration & Resource Management Capital Projects Progress Report for the 2008/2009 financial year as at 31 May 2009.	ARM	Noted	Matter finalized
A.147/09	APPLICATION TO LEASE RECREATION CLUB AT STAND 222, RIETSPRUIT	<p>That the municipal building situated in Rietspruit on Stand number 222, known as Reedstream Park Club, be leased to Mr. Dan Sibiyi for the purpose of establishing a Library, Internet Café Conference Area, Training Centre, Sport field, Bar, Cafeteria, Catering Facility and Restaurant for a period of five (5) years subject to the following conditions :</p> <ol style="list-style-type: none"> 1. That a registered valuator be appointed to determine the monthly lease amount to be approved by the Chief Financial Officer; 2. that the lease amount be subjected to annual escalation equal to the CFIX rate; 3. that a 3 month cancellation Clause be included in the lease agreement; 4. that all intended improvements to the building will be for the account of the lessee to the approval of the Director : Infrastructure & Basic Services; 	DP		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		<p>5. that all improvements to the building will become the property of the Council upon expiry of the lease agreement, and Council will not compensate the lessee for any improvements upon the expiry date; and</p> <p>6. that the applicant be advised to apply for the rezoning of the property not covered in the application.</p>			
A.148/09	ADDITIONAL TIME OFF FOR WAGE NEGOTIATIONS COLLECTIVE AGREEMENT	That Council takes note of the contents of the South African Local Government Bargaining Council report on ADDITIONAL TIME OFF FOR WAGE NEGOTIATIONS COLLECTIVE AGREEMENT signed on 30 April 2009.	ARM		
A.149/09	PROGRESS REPORT ON FILLING OF VACANT POSITIONS AND TERMINATIONS	That the progress report on the filling of vacant positions and terminations for the period December 2008 to May 2009 as contained in the report be noted.	ARM		
A.150/09	FURTHER REPORT ON THE USAGE OF THE ATLANTIC STADIUM	<p>1. That the necessary processes as outlined in the opinion of Advocate Van Wyk SC be followed in terminating the lease agreement between Council and the Pumas;</p> <p>2. that a progress report be submitted on a monthly basis to Council; and</p> <p>3. that Sy Mthimunye Stadium be upgraded to PSL standards.</p>	ARM		
A.151/09	MINIMUM SERVICE COLLECTIVE AGREEMENTS	That the Minimum Service Collective Agreement be used as a draft for consultation with the unions at the Local Labour Forum.	ARM		
A.152/09	PROGRESS REPORT ON TRAINING OF EMPLOYEES AND COUNCILLORS FOR THE PERIOD JULY 2008 – MAY 2009	That the progress report regarding training of employees and councillors in terms of the Workplace Skills Plan for the period July 2008 to May 2009 as per annexure be noted.	ARM		
A.153/09	MUNICIPAL INFRASTRUCTURE	<p>1. That note be taken of 2009/2010 allocations as well as the indicative allocations for the 2010/2011 and</p>	FIN		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
	GRANT ALLOCATION FOR THE 2009/2010, 2010/2011 AND 2011/2012 FINANCIAL YEAR	2. 2011/2012 financial years; and that note be taken that comprehensive infrastructure plans will be necessary to access funds in the future.			
A.154/09	MONTHLY FINANCIAL REPORT – MAY 2009	<ol style="list-style-type: none"> 1. That the May 2009 Financial Report as submitted by the Chief Financial Officer be noted; 2. that the cash flow projection for June 2009 be approved; 3. that the bank reconciliation statement as at 31 May 2009 (total entity) in terms of sub-regulation 3(1)(f) of the Financial Regulations, be noted; 4. that the arrear consumer accounts (debtor balances, payment levels) in respect of Kwaguqa, eMalahleni, Ogies/Phola and Ganala/Thubelihle for the period May 2008 - May 2009, be noted; 5. that the cut-off actions for the period May 2008 – May 2009 (all entities), as well as the new cut-off program and its results, be noted; 6. that the consumer account payment levels for the period May 2008 – May 2009, be noted; 7. that the turnover rate on outstanding debtors for the period May 2008 – May 2009 (all entities); as well as the worsening effect it has on the cash flow position of Council, be noted; 8. that the legal action against consumers and its improved results (eMalahleni), for the period April/May 2008 to April/May 2009, be noted; 9. that the age analysis for consumer debtors be noted; 10. that the 20 highest creditors be noted; and 11. that all outstanding overtime schedules be submitted at the next Council meeting. 	FIN		
A.155/09	CREDIT CONTROL AND DEBT COLLECTION POLICY	<ol style="list-style-type: none"> 1. That the revised Credit Control and Debt Collection Policy and By-laws be adopted in terms of Section 97 and 98 of the Municipal Systems Act, No. 32 of 2000; 2. that the revised Credit Control and Debt Collection 	FIN		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
		Policy and By-laws be advertised for public comments; and 3. that a workshop be conducted for all Councillors regarding the Credit Control and Debt Collection Policy.			
A.156/09	BIOFUEL STRATEGY FOR MPUMALANGA	That Province be invited to make a presentation at the next meeting of the Section 79 : LED.	LED		
A.157/09	NKANGALA DISTRICT MUNICIPALITY REPORT ON THE FINAL DRAFT OF MULTI-STAKEHOLDER CONSULTATIVE PROCESS ON KHULIS'UMNOTH PROJECT: REGIONAL INDUSTRIAL ROADMAP	That the Nkangala District Municipality's report on the final draft of multi-stakeholder consultative process on Khulis'umnoth project, Regional Industrial Roadmap be noted.	LED		
A.158/09	REPORT ON THE NKANGALA DISTRICT LED SUMMIT	That the report on the Nkangala District LED summit be noted.	LED		
A.159/09	EMALAHLENI CENTRAL BUSINESS DISTRICT (CBD) DEVELOPMENT PLAN	That the eMalahleni Central Business District (CBD) Development Plan draft report be noted.	LED		
A.160/09	APPOINTMENT OF CONTRACT ENGINEERS	1. That the positions for the Director : Infrastructure & Basic Services be advertised and filled accordingly; 2. that a clear recruitment and retention strategy be developed; and 3. that DBSA be requested to deploy two engineers to assist in the interim; and 4. that a further report be submitted to Council.	ARM		
A.161/09	ADMINISTRATIVE	1. That staff be appointed to improve service delivery;	ARM		

RESOLUTION NUMBER	HEADING	RESOLUTION	RESPONSIBLE DIRECTORATE	ACTION TAKEN / PROGRESS	REMARKS / COMMENTS
	ASSISTANCE BY NKANGALA DISTRICT MUNICIPALITY TO EMALAHLENI LOCAL MUNICIPALITY	2. that a strategy be implemented to fill positions speedily; and 3. that it be noted that the Municipality is fully compliant.			
A.162/09	MUNICIPAL INFRASTRUCTURE GRANTS (MIG) PROJECTS FOR 2008/2009	That the contents of the report on the progress of Capital Projects in terms of Section 19 of the MFMA for the financial year 2008/2009 be noted.	FIN		