



MINUTES OF THE 50TH ORDINARY COUNCIL MEETING OF THE EMFULENI LOCAL MUNICIPALITY HELD IN THE MAYOR'S PARLOUR, VANDERBIJLPARK ON THURSDAY, 1 OCTOBER 2009 AT 16:00

ATTENDANCE – COUNCILLORS:

HLONGWANE N G	(Speaker)		
MSHUDULU S A	(Executive Mayor)		
KUNENE M T	(Chief Whip)		
PITSO S E	(Housing)		
LETSOENYO M R	(Public Safety)		
MALISA D M	(Administration – including Corporate Services, Human Resources, IT and Legal)		
MOEPADIRA T S	(Sports, Recreation, Arts and Culture)		
MUIR M P	(Member of the Mayoral Committee: Local Economic Development, Tourism and Development Planning)		
RANAKE K J M	(Finance)		
RONYUZA M T	(Public Transport, Roads and Public Works)		
THABANE T J S	(Infrastructure, Electricity, Water and Sanitation)		
THULO N R	(Waste Management, Refuse and Landfill)		
VUNDISA F N	(Health and Social Development)		
BIKITSHA B M		MASODISA M D M	NXONGO P N G
BRITZ N D		MASHABELA M S	PHEKO M B
COERTZE Y		MATSEI N P	PLAATJIE D J
DE WEERD S H		MNCUBE B	POOE N S
GODOLI V M		MNGUNI F M A	QUPE D C
GQELOSHA M P		MOFOKENG P L	RADEBE A M
GROENEWALD R H		MOGOTSI K A	RAIKANE M D
HLANYANE S J		MOKALE B A	RAMASHAMOLE M T
HOFFMAN D C J		MOKONO S H	SALE M C
JANSEN VAN RENSBURG N M		MOLEKO A	SEEMELO H D
KARSTEN A S J		MOLLO D S	SKELM P C
KGOTLENG M G		MOOI N J	TSOARI J J
KHOMOEASERA M L		MOQOBANE N N	TSOTETSI M J
KOLISANG M S		MOROLONG A M	TSUNKE J N
LEBURU M M		MOSIA A N	VENTER M
LEHLAKE R J		MOTSIRI T S	WILLIAMS F V
LOUW P J		MUIR L A	ZONDO P
MADUNA A B		MXUNYA P S	ZWANE G M
MAHAO J M		NAKEDI M E	
MALHOU M L		NGUBANE L S	
MAQUTYANA M		NKHI T E	
MASEKO B P		NQUBA T S	

OFFICIALS

Mr T W Moeti	- Acting Municipal Manager
Mr A Ramokolo	- Deputy Municipal Manager: Basic Services
Mr A Lambat	- Chief Financial Officer
Dr H J Wiese	- Deputy Municipal Manager: Economic, Development Planning and IDP
Mr P Rakosa	- Acting Deputy Municipal Manager: Corporate Services
Mr D Mahlaba	- Manager: Employment Equity
Ms C Lerata	- Acting Manager: Secretariat and Admin Support
Mr V Mkhontwana	- Office of the Speaker
Mr M P Mazibuko	- Secretariat

Present per Invitation

Ms L Ikaneng	- Chairperson: Audit Committee
Miss Emfuleni	
2 nd Princess of Miss Emfuleni	

A. OPENING AND WELCOME

At the request of the Speaker, Councillor N G Hlongwane, Councillor M C Sale opened the meeting with a prayer, whereafter the Acting Manager: Secretariat and Administrative Support, Ms M C Lerata read the notice convening the Meeting.

B. APPLICATION FOR LEAVE OF ABSENCE

RESOLVED THAT

1. application for leave of absence be granted to Councillors:

Maduna L J
Mahomed C
Ntlele C P
Ntombela K
Rabie C
Ruele M N E
Senekal G M
Tshabalala D E
Xaba J N

2. it be noted that the following Councillors were absent without apologies:

Raphuti P

C. OFFICIAL ANNOUNCEMENTS

The Speaker, Councillor N G Hlongwane made the following announcements/comments:

- The Speaker informed members that security services provided to the Chief Whip have been withdrawn.

- She also welcomed the new member of Council, Councillor M S Mashabela.
- Lastly she welcomed Miss Emfuleni and the second princess to the Council Meeting.

D. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY THE CHAIRPERSON

The Speaker, Councillor N G Hlongwane expressed her condolences to the Molefe family who lost their loved one Mr Mthuthuzeli Molefe who was brutally gunned down in front of his house. She also expressed her condolences to the Mkhonza family who lost their loved ones in a shack fire. Finally the Speaker expressed her condolences to the Sindani family for the lost of their son during a soccer tournament.

E. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY OTHER MEMBERS

- Councillor G Zwane expressed her condolences for the loss of Mr Charlie.
- Councillor R J Lehlake expressed his condolences to the Manzi family for the passing away of their son, a former Councillor M S Manzi.

F. CERTIFYING OF CORRECTNESS OF MINUTES

RESOLVED THAT

1. the Minutes of the 49th Ordinary Council Meeting held on 26 June 2009 be confirmed as a true reflection of the proceedings;
2. the Separate Minutes of the 49th Ordinary Council Meeting held on 26 June 2009 be confirmed as a true reflection of the proceedings;
3. the Minutes of a Special Council Meeting held on 27 August 2009 be confirmed as a true reflection of the proceedings and
4. the Minutes of a Special Council Meeting held on 4 September 2009 be confirmed as a true reflection of the proceedings.

G. REPORT OF THE MUNICIPAL MANAGER

None.

H. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

The responses to questions which have been posed be placed at the next Council Agenda for consideration.

I. MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETINGS

None.

J. REPORTS OF THE MAYORAL COMMITTEE

The Executive Mayor, Councillor S A Mshudulu in presented the first and second part of the reports of the Mayoral Committee for consideration by Council.

FIRST PART - A REPORTS OF THE MAYORAL COMMITTEE ON MATTERS WHICH MUST BE CONSIDERED BY COUNCIL FOR THE PERIOD 26 JUNE 2009 TO 1 OCTOBER 2009

ITEM A1146

**DRAFT EMPLOYMENT EQUITY POLICY
(SEC 80 ADMIN 06-08-09) (MC 11-08-09)**

10/1/1

RESOLVED THAT

1. the Draft Employment Equity Policy be adopted as the official Policy for the Emfuleni Local Municipality and
2. note further be taken that the Local Labour Forum has adopted the draft Employment Equity Policy on 15 May 2009 at a Special LLF Meeting.

ITEM A1147

**PROGRESS IN RESPECT OF WAGE NEGOTIATIONS
FOR 2009/2010 FINANCIAL YEAR
(SEC 80 ADMIN 06-08-09) (MC 11-08-09)**

10/4/4

RESOLVED THAT

1. Council note the contents of the report on wage and salary negotiations;
2. Council endorse the implementation of the wage and salary negotiations agreement as concluded by the National Bargaining Council;
3. the Deputy Municipal Manager: Corporate Services compile a memorandum for circulation to all employees regarding the outcome of the salary negotiations and the impact thereof and
4. the Chief Financial Officer prepare a report for submission to the Mayoral Committee and Council regarding the full financial implications on the budget as soon as the impact thereof is known.

ITEM A1148

**PROGRESS REPORT ON DISPLACED (POOL) EMPLOYEES
(SEC 80 ADMIN 06-08-09) (MC 11-08-09)**

10/1/1 – 10/4/4

RESOLVED THAT

1. the content of the report on displaced employees be noted;
2. in the review of the Metsi-a-Lekoa organogram, pump station positions be created to deal with the shortfall;

3. in the case of Water Care Works and to ensure compliance with the Department of Water Affairs regulations, the organogram also be reviewed to accommodate the excess staff;
4. procedural measures be put in place and be circulated to all Managers with regard to the future removal/replacement of staff in positions;
5. the Deputy Municipal Manager: Corporate Services request the Manager: Information Technology to develop a programme in respect of 5 above to ensure access to the proposed measures and
6. **displaced employees be posted accordingly.**

ITEM A1149

**SOUTH AFRICAN LOCAL GOVERNMENT ASSOCIATION (SALGA) AND SOUTH AFRICAN GOVERNMENT BARGAINING COUNCIL (SALGBC)
(SEC 80 ADMIN 06-08-09) (MC 11-08-09) 1/4/39**

RESOLVED THAT

1. Council take note of the contents of reports emanating from SALGA Committees attached to the report as **Annexure (pages 45 - 88)**;
2. Council also note the various Committees and a list of delegates for both SALGA and SALGBC;
3. Emfuleni Local Municipality nominate Councillors to serve as alternatives on those Committees where no alternatives exist and
4. **the Whippyery finalizes the deployment of Councillors to Saga Sub-committees.**

ITEM A1150

**MUNICIPAL DEMARCATION BOARD (MDB) REPORT
(R-drive: MM/AA6-Reports 2009 for../Ps & cd/Municipal Demarcation Board)
(MC 11-08-09) 9/1/12**

RESOLVED THAT

1. the contents of the report regarding the delimitation of Ward Boundaries as explained in Circular 3/2009 attached to the report, received from the Municipal Demarcation Board be noted;
2. the Emfuleni Local Municipality submit proposals on ward delimitation for the Municipal Demarcation Board after consultation with stakeholders;
3. it be noted that the closing date for submission is 18 December 2009;
4. it be noted that where there is no consensus the submission date is 2 April 2010 and
5. **maps be circulated to all political parties represented in Council.**

ITEM A1151

ADOPTING THE AMENDED INTEGRATED WASTE MANAGEMENT PLAN / STRATEGY FOR THE DEPARTMENT OF WASTE AND LANDFILL MANAGEMENT (ES (SW) 203) (DMM 09-06-09) (SEC 80 WASTE MAN 06-08-09) (MC 11-08-09) 4/17/11

RESOLVED THAT

1. Council approve the Integrated Waste Management Plan/Strategy for the Department: Waste and Landfill Management attached to the report as **Annexure (pages 134 - 345)**;
2. Council take note that in terms of the adoption of the Integrated Waste Management Plan this report be adopted as a matter of urgency by Council as it also was an issue of concern raised by National Treasury in a Memorandum of Concern regarding Reporting (Condition 12.4 (Restructuring Grant)) and
3. in terms of short-term strategy, the under-mentioned key issues highlighted by Council also be taken note of:
 - 3.1 the Municipality continue to manage and implement the vehicle replacement plan as well as the implementation of a savings plan to ensure that future planning for the replacement of waste removal vehicles is done at the appropriate time;
 - 3.2 the communities within the Municipal area also be made aware of proper waste management techniques and the service the Municipality renders;
 - 3.3 it be noted that the establishment of a communication channel with all waste generators in the Municipal area would benefit all;
 - 3.4 the Municipality should embark on the development of a Medical Waste Stream Management Strategy to ensure the safe handling and disposal of medical waste and to ensure compliance with SANS 0228;
 - 3.5 as first priority, a Waste Information System be implemented and once implemented, the Plan be re-evaluated and if need, be adjusted and
 - 3.6 the Waste Information System referred to in 3.5 above be compatible.

ITEM A1152

REPORT ON MEETING BETWEEN DEPARTMENT SRAC AND SOUTH AFRICAN FOOTBALL ASSOCIATION (SAFA) PRESIDENT: DR M OLIPHANT (R-drive: MM/AA6-Reports 2009 for../Ps & cd/Meeting with SAFA 15july09) (MC 11-08-09)

RESOLVED THAT

1. the contents of the report be noted;
2. the Emerald Casino and Riverside have been earmarked by at least 7 countries for a possible base camp;

3. the Local Organizing Committee, Mr Steve Pila, will liaise with the Deputy MM: PS & CD and Sedibeng District Municipality's LOC, Mr R Netshivale, regarding the visits by various countries in Emfuleni Local Municipality;
4. the Security Unit of LOC led by Mr Mlungisi Ncane liaise with the DMM: PS & CD to arrange for a meeting to address matters pertaining to security, and volunteers/stewards training;
5. the Executive Mayor invite the Executive Mayor of Sedibeng District Municipality to participate in the project;
6. the Eindhoven Municipality be informed of the abovementioned proposal;
7. the Member of the Mayoral Committee: Waste and Landfill Management schedule a meeting with the Executive Mayor and Senior Management to prepare a programme for waste removal during 2010 Soccer World Cup and to prepare a Waste Management Plan;
8. brochures be made available to all interested parties as promotion material to market Emfuleni Local Municipality;
9. with reference to 8 above, strong tourism and marketing measures be put in place;
10. each Cluster prepare plans to indicate in what way the respective clusters will contribute during the 2010 Soccer World Cup event and
11. the measures referred to in 7 to 10 above, become the "way of life" within Emfuleni Local Municipality.

ITEM A1153

MONTHLY PROGRESS REPORT REGARDING THE BACKLOG OF REPORTS IN THE DEPARTMENT LAND USE MANAGEMENT (MAY)

(R:MM/AA6/EDP/HvR 15-09)

(SEC 80 LED 06-08-09) (MC 11-08-09)

7/1

RESOLVED THAT

1. the progress regarding the backlog of reports in the Department: Land Use Management for the month of May 2009, be noted;
2. the Member of the Mayoral Committee: Local Economic Development, Tourism and Development Planning engage in discussion with the Deputy Municipal Manager: Basic Services regarding the reasons for the implementation of a Moratorium on the sale of Council-owned land, as no Council resolution in this regard exist and
3. the discussions in 2 above become part of the Political Team Meeting scheduled for 12 August 2009.

ITEM A1154
**MONTHLY PROGRESS REPORT REGARDING THE BACKLOG OF REPORTS IN
THE DEPARTMENT LAND USE MANAGEMENT (JUNE)**
(R:MM/AA6/EDP/HvR 16-09)(AA2/LED/ 29-07-2009)
(SEC 80 LED 06-08-09) (MC 11-08-09) **7/1**

RESOLVED THAT

the progress regarding the backlog of reports in the Department: Land Use Management for the month of June 2009, be noted.

ITEM A1155
LAND AUDIT
(MM/AA6/Properties/AS 123 Land Audit Amended July 2009)
(AA2/LED 06-08-2009)
(SEC 80 LED 06-08-09) (MC 11-08-09) **2/7/6/1**

RESOLVED THAT

1. Council take note of the outcome of the process with regard to the comparison between the Land Audit date base received from Mr Niel de Klerk and the Land Audit date base received from Emendo;
2. the Housing Section draft a list of all properties on which Sale Agreements have been signed and include notes to this effect into the Audit document;
3. the Housing Section in conjunction with the Land Use section drive the process on finalizing the subdivisions in all residential areas and include those information into the Deeds Office and that a progress report be submitted by the Housing and
4. the Property Section submit a progress report on the verification on all business properties and church properties in terms of allocation, whether by means of the Conversion Act, lease agreements, allocations of business and church stands after 1 January 1989 (self built) as well as rented stock (Council Owned) buildings and that supporting information on all properties involved be included in this report.

ITEM A1156
**POSSIBLE ALIENATION OF PLOT 11 STAALRUS, VANDERBIJLPARK TO
MR S S SEFUTHI**
(R:MM/AA6//PROP/MCOL00175)(AA8/TTSC 05-11-08)(AA1/DMM's 02-03-09)
(DMM's 08-06-2009)(AA2/LED 29-07-2009) (SEC 80 LED 06-08-09)
(MC 11-08-09) **2/7/6/1 Sub**

RESOLVED THAT

1. in terms of Section 79 (18) of the Local Government Ordinance (17 of 1939) Holding 11, Staalrus, Vanderbijlpark be alienated to Mr. S.S. Sefuthi at a purchase price of R15 000;
2. all costs be for the account of the purchaser;

3. the registration costs be payable by the purchaser and that the purchase price be payable on registration of transfer and
4. the outstanding rates and taxes as at the date of transfer be paid by Mr. Sefuthi.

ITEM A1157

**100 DAYS ACTION PLAN: FORMALISATION OF ALL INFORMAL SETTLEMENTS (DEVELOP STRATEGY IN 3 MONTHS)
(R:MM/AA6/HOUSING/CJP.113)(AA1/DMM's 13-07-2009)
(SEC 80 HOUSING 06-08-09) (MC 11-08-09)**

7/1/2/1

RESOLVED THAT

1. cognizance be taken of the intention to formalize the informal settlements by the Gauteng Department of Housing by the year 2014 as reflected in the report;
2. the Housing Master Plan, addressing all other related matters, be drafted and submitted to **Mayoral Committee and Council** for consideration, in due course and
3. the listing of beneficiaries and the issue of subsidies remain with the Gauteng Department of Housing to finalize.

ITEM A1158

UPDATED REPORT:

**HOUSING: GAUTENG DEPARTMENT OF HOUSING: PROJECTS
IMPLEMENTATION STATUS QUO REPORT –EMFULENI LOCAL MUNICIPALITY
(SEDIBENG CENTRAL SUB REGION)
(R:MM/AA6/HOUSING/FH.140) (AA1/DMM's 13-07-2009)
(SEC 80 HOUSING 06-08-09) (MC 11-08-09)**

4/4/11

RESOLVED THAT

the contents of the report be noted.

ITEM A1159

**PROBLEMS AREAS (HOT SPOTS) : HOUSING
(R:MM/AA6/HOUSING/FH.138)(AA1/DMM's 13-07-2009)
(SEC 80 HOUSING 06-08-09) (MC 11-08-09)**

6/12/4/4/11

RESOLVED THAT

cognizance be taken of the report regarding Housing Problem Areas (Host Spots).

ITEM A1160

**FEEDBACK REPORT: HOUSING DEVELOPMENT AGENCY LAUNCH
(R:MM/AA6/HOUSING/FH 126)(AA1/DM's 13-07-2009)
(SEC 80 HOUSING 06-08-09) (MC 11-08-09)**

4/4/1/1

RESOLVED THAT

the contents of the feedback report regarding the launch of the Housing Development Agency that took place in Durban on 2 March 2009 be noted.

ITEM A1161

**SALARY AND OTHER DISCREPANCIES
(R-drive: MM/AA6-Reports 2006-08 for../Salary and other discrepancies)
(HRC 21-07-08) (MC 26-05-09) (MC 23-06-09) (MC 25-08-09)**

RESOLVED THAT

1. the elimination of disparities as outlined in this report be implemented retrospectively for three (3) months from the date of the acceptance of these recommendations;
2. it be noted that an amount of R5 000 000 is available for this purpose and that a further amount of R5 000 000 has been budgeted for in the 2009/10 financial year;
3. the elimination of discrepancies will continue in phases subject to the availability of funds and
4. the revised Budget in January 2009 take into account the need for funds to address other discrepancies.

ITEM A1162

**STOCKTAKE REPORT
(R/MM/AA6/FINANCE/797)
(SECTION 80 FIN 13-08-09) (DMMs 17-08-09) (MC 25-08-09)**

2/6/1

RESOLVED THAT

1. Council take note of the year-end stock count and the results thereof;
2. Council take note that the installation of a cable counting machine was procured, which was subsequently installed, resulting in an accurate count of the cables;
3. Council take note that corrective measures are being implemented to minimize stock losses;
4. Council approve the stock write-offs;
5. the Policy be amended to incorporate stocktaking quarterly and
6. a report be submitted to the Mayoral Committee **and Council** with comments and clear explanations regarding the huge stock losses amounting to R2,4 million at the Vereeniging Stores.

ITEM A1163

**REPORT ON INSURANCE SECTION FINANCIAL YEAR 08-09 CLAIMS SETTLED
AND OUTSTANDING CLAIMS AT YEAR-END
(R/MM/AA6/FINANCE/782)
(SECTION 80 FIN 13-08-09) (DMMs 17-08-09) (MC 25-08-09) 8/18/2**

RESOLVED THAT

1. the contents of the report be noted;
2. the summary of the claims register and claims settled for the year and the claims outstanding as at the end of 2008/2009 financial year be noted and
3. update on claims settled and outstanding be reported half-yearly (six monthly).

ITEM A1164

**REPORT ON INSURANCE SECTION FINANCIAL YEAR 08-09
INSURANCE COVER FOR 2009/2010
(R/MM/AA6/FINANCE 779)
(SECTION 80 FIN 13-08-09) (DMMs 17-08-09) (MC 25-08-09) 8/18/2**

RESOLVED THAT

1. the contents of the report be noted;
2. the contents of the Service Level Agreement attached to the report as **Annexure (pages 539 - 563)** be noted;
3. Council note that endorsements may need to be done to the policy as the need arises;
4. the Chief Financial Officer be authorized to secure finance in accordance with Section 45 of the MFMA should it become necessary;
5. Council endorse the creation of the Self Insurance Fund;
6. a report on insurance claims be submitted to Council at least twice per annum and
7. a complete list of what items are insured and the value thereof, be attached to the report.

ITEM A1165

**EMFULENI LOCAL MUNICIPALITY'S CREDIT RATING REPORT
(R/MM/AA6/FINANCE/785)
(SECTION 80 FIN 13-08-09) (DMMs 17-08-09) (MC 25-08-09) 8/13/2**

RESOLVED THAT

1. the contents of the report be noted;
2. the credit rating of the Municipality be made public and

3. the Chief Financial Officer arrange a workshop on the process and criteria used in credit rating.

ITEM A1166

OFFICE ACCOMMODATION – HEAD OFFICE

(R/MM/AA6/FINANCE/787)

(SECTION 80 FIN 13-08-09) (DMMs 17-08-09) (MC 25-08-09)

2/1/1

RESOLVED THAT

1. the contents of the report be noted;
2. authority be granted to call for proposals at risk to fulfill the Council's office accommodation needs, including the upgrading and renovation of its existing premises in Vanderbijlpark;
3. proposals be for the development of the property at its Vanderbijlpark Head office;
4. proposals not be limited to the Council's needs but that of other Government Departments and commercial needs if possible;
5. possible revenue generating measures be considered to mitigate the costs of development;
6. all financing options be considered, including but not limited to grants, DBSA, commercial or other innovative funding options;
7. this project be included in and considered as a high priority IDP project;
8. the authority be delegated to the Municipal Manager to finalise the best options without interfering in the Supply Chain Management process and
9. the Municipal Manager be authorised to enter into all contractual arrangements to make delivery of the above possible before the next Local Government Elections.

ITEM A1167

INSURANCE & RISK MANAGEMENT

(R/MM/AA6/FINANCE/791)

(SECTION 80 FIN 13-08-09) (DMMs 17-08-09) (MC 25-08-09)

8/18/2

RESOLVED THAT

1. the contents of the report be noted;
2. Council acknowledge and approve the action taken to move towards a risk based culture;
3. a report on the risk management progress be submitted to Council at least annually and
4. the Chief Financial Officer be authorised to look at the possibility of also obtaining cover for temporary staff.

ITEM A1168

**REVENUE ENHANCEMENT & DATA CLEANING PROJECT
PAYMENT RATIO'S FOR 2008/2009 FINANCIAL YEAR
(R/MM/AA6/FINANCE/792)
(SECTION 80 FIN 13-08-09) (DMMs 17-08-09) (MC 25-08-09)**

8/2/1 2008/9

RESOLVED THAT

the contents of the report be noted.

ITEM A1169

**WRITING OFF OF PRESCRIBED SERVICES DEBT (OLDER THAN 3 YEARS) AND
INTEREST OVER 180 DAYS
(R/MM/AA6/FINANCE/793)
(SECTION 80 FIN 13-08-09) (DMMs 17-08-09) (MC 25-08-09)**

8/14/7

RESOLVED THAT

1. the contents of the report be noted;
2. Council take note of the amounts written off in the 2008/2009 financial year, under delegated authority, resolution 9 Council meeting 31/05/2007, Item A905 and resolution 2 Council meeting 26 June 2009, Item A1128;
3. where it be discovered that debtors balances were written off erroneously, those balances written off, be reversed;
4. the writing off of sundry accounts be investigated further by Sundry Debtors, Debt Collection and Legal Departments for potential reversals;
5. the writing off of other debt, not prescribed or not cost effective to be pursued as part of further interrogation of debtors, for possible write-off;
6. proper credit control procedures and processes be put in place to ensure that Council pursue the recovering of all moneys that are due to Council that can be recovered;
7. the Legal and Debt Collection Departments put in place processes and procedures to ensure that prescribed debt be written off every six months (twice per annum) as a normal administrative process and such debt written off be reported to Council and
8. residents be informed of the date and process of handling outstanding balances on rates and service accounts.

ITEM A1170

**APPROVED INDIGENT WRITE OFF 30 JUNE 2009
(R/MM/AA6/FINANCE/795)
(SECTION 80 FIN 13-08-09) (DMMs 17-08-09) (MC 25-08-09)**

8/14/7

RESOLVED THAT

1. the contents of the report be noted;

2. the amount written off in respect of indigent accounts totalling R256 071 593.06 in terms of the Indigent Policy approved by Council on 30 May 2006 under item A794 be noted;
3. the indigent register (**filed with Committee Section**) be confirmed;
4. the indigent register mentioned in 2 above be made available to the public/community for scrutiny;
5. the points where the register will be made available be communicated to the community;
6. indigents on the register who do not qualify and who's arrears were written off and have subsequently received benefits; these arrears and benefits already processed be reversed;
7. credit balances on the indigent accounts not be refunded and once reconciled, be taken to income;
8. points 1 to 3 as set out under "Challenges" in the report be addressed by the Debt Management Department;
9. points 4 to 8 as set out under "Challenges" in the report be addressed by the Social Development Department and
10. as part of the review process regarding the organizational structure the additional staff to address the administrative process in the Debt Management Department be prioritized.

ITEM A1171

50% WRITE-OFF – UPDATE ON STATUS

(R/MM/AA6/FINANCE/796)

(SECTION 80 FIN 13-08-09) (DMMs 17-08-09) (MC 25-08-09)

RESOLVED THAT

1. Council take note of the status of the 50% write-off and the reasons for the delay in processing the write-off;
2. Council take note that the processing of the 50% write-off will commence in July 2009 and be completed by the end of the first quarter of the 2009/10 financial year and
3. Council take note that in future the 50% write-offs will be done at least quarterly.

ITEM A1172

REPORT ON INTENDA

(R/MM/AA6/FINANCE/799)

(SECTION 80 FIN 13-08-09) (DMMs 17-08-09) (MC 25-08-09)

RESOLVED THAT

1. the contents of the report be noted;

2. Council note and fully support the actions taken to improve internal controls, procedures and reporting in the Supply Chain Management Department;
3. a presentation be made to the Mayoral Committee on the Intenda System as soon as possible and
4. a report on the Diamond Corner account be submitted.

ITEM A1173

**ANNUAL FINANCIAL STATEMENTS 2008-2009 FINANCIAL YEAR PROPERTY PLANT & EQUIPMENT
(R/MM/AA6/FINANCE/802)
(SECTION 80 FIN 13-08-09) (DMMs 17-08-09) (MC 25-08-09)**

RESOLVED THAT

Council consent to take advantage of the transitional provisions as per Directive 3, directive on transitional provisions for high capacity Municipalities (Entities that applied for transitional provisions in the Standard of GAMAP on Property, Plant and Equipment, even where entities are adopting the Standard of GRAP on Property, Plant and Equipment for the first time), issued by the Accounting Standards Board in February 2008, in as far as the said Directive 3 is applicable for the 2008/09 and 2009/10 financial years.

ITEM A1174

**REPORT BACK ON THE LONG TERM FINANCIAL PLAN OF THE MUNICIPALITY
(R/MM/AA6/FINANCE/784)
(SECTION 80 FIN 13-08-09) (DMMs 17-08-09) (MC 25-08-09)**

8/8/1

RESOLVED THAT

1. the contents of the report be noted;
2. the Financial Plan model be used by all Clusters to inform their capital investment plans;
3. the Budget Office maintain the Financial Plan model and utilize the plan as a working model/document for the Municipality;
4. the long term Financial Plan be submitted to National Treasury in compliance with the Restructuring Grant Conditions and
5. the long term Financial Plan be circulated to all Members of the Mayoral Committee.

ITEM A1175
RE-ORGANIZATION OF REPORTING COST CENTRES OF DIFFERENT CLUSTERS
(R/MM/AA6/FINANCE/804)
(SECTION 80 FIN 13-08-09) (DMMs 17-08-09) (MC 25-08-09)

RESOLVED THAT

1. Council take note of the re-organization of the reporting of cost centers of the different Clusters in the chart of accounts, namely that:
 - 1.1 IDP, PMU, Internal Audit and Employment Equity Office be now reported under the Office of the Municipal Manager and
 - 1.2 Cemeteries be reported under the Public Safety and Community Development Cluster and
2. Council approve the reallocation of the cost centre chart of accounts that were effected until the structure is reviewed.

ITEM A1176
ESKOM ELECTRICITY TARIFF INCREASE - 2009/2010 FINANCIAL YEAR
(R/MM/AA6/FINANCE/805)
(SECTION 80 FIN 13-08-09) (DMMs 17-08-09) (MC 25-08-09)

RESOLVED THAT

1. the effective date of Eskom's electricity price increase of 1 July 2009 for municipalities be noted;
2. Council note that there will be no impact on the income of the 2009 – 2010 budget as approved by Council on 29 May 2009 and
3. the over-recovery on the Eskom bulk tariff increase in this financial year 2009 – 2010 of 2,7% be factored into the electricity tariff adjustments that are made for the next 2010/11 budget, in terms of announcement made by NERSA on 25 June 2009 regarding the price increase in the bulk price of electricity.

ITEM A1177
EMFULENI LOCAL MUNICIPALITY QUARTERLY FINANCIAL REPORT FROM THE MUNICIPAL MANAGER FOR THE PERIOD ENDED 30 JUNE 2009
(R/MM/AA6/FINANCE/806)
(SECTION 80 FIN 13-08-09) (DMMs 17-08-09) (MC 25-08-09) **8/2/1 2008/2009**

RESOLVED THAT

1. the contents of the report be noted;
2. the information be forwarded to Provincial Treasury and the Auditor General in accordance with Section 71 of the Municipal Finance Management Act of 2003 and

3. it be noted that the report does not include year-end adjustment journals and as a result the figures in the final audited AFS will differ with the figures indicated in this report.

ITEM A1178
AUCTION REPORT
(R/MM/AA6/FINANCE/798)
(SECTION 80 FIN 13-08-09) (DMMs 17-08-09) (MC 25-08-09)

RESOLVED THAT

1. the auction of redundant assets be noted by Council;
2. Council note that the auction yielded an amount of R4 407 822,43 and
3. future auctions be held bi-annually in the months of November and May.

ITEM A1179
HOUSING: EVATON RENEWAL PROJECT – STATUS QUO REPORT – APRIL 2009
(R:MM/AA6/HOUSING/FH.139)(AA1/DMM's 13-07-2009)
(AA2/HOUSING 29-07-2009)
(SECTION 80 HOUSING 06-08-09) (MC 25-08-09) **13/4/1-EVATON**

RESOLVED THAT

cognisance be taken of the Progress Report regarding the Evaton Renewal Project.

ITEM A1180
PROGRESS REPORT ON THE SEDIBENG REGIONAL SEWER SCHEME AND
IMPLEMENTATION OF INTERIM MEASURES ON ELM'S WASTE WATER
TREATMENT WORKS (WWTW) FOR COMPLIANCE
(EXT MC 23-09-09)

RESOLVED THAT

1. the Council note the progress report and **Annexure (pages 702 - 792)** contained in this report for presentation to Council;
2. the Council approve the emergency interventions referred to in paragraph subsections (i) to (iv) in this report:
 - (i) Emfuleni Local Municipality must invoke emergency procurement measure to implement emergency identified projects; (See **Annexure (pages 772 - 792)** as attached to the report);
 - (ii) The Section 79 Committee of Water Services (Mandating Committee) of Emfuleni Local Municipality must be convened on a weekly basis, supported by the PMO, to monitor implementation and performance on these interventions;
 - (iii) The PPMO, supported by Acting Municipal Mayor and Deputy Municipal Manager: Basic Services, must initiate urgent engagement with Rand Water, to secure their involvement in the management of bulk water

treatment plants and possible funding of urgent refurbishment to attain the capacity to manage these plants and compliance with legislative and regulatory requirements;

- (iv) That DWAF, through Aurecon, should provide a fulltime technical resource to assist Emfuleni Local Municipality with the implementation of emergency projects;
- (v) That Emfuleni Local Municipality handle the procurement of service providers on a deviation basis to fast track the challenges of capacity and compliance of their waste water treatment works;
- (vi) A meeting with City of Johannesburg, Midvaal Local Municipality and Evaton Urban Renewal be convened by the PPMO to urgently assess the impact of their developments on the current capacity of the infrastructure and to initiate a discussion on their contributions towards interim measures and the long-term solutions;
- (vii) That Emfuleni Local Municipality provide a reconciliation of the R50m grant provided by the Provincial Department of Economic Affairs towards assisting with both interim measures and the long-term solution;
- (viii) The Emfuleni Local Municipality expedite the transfer of the Sebokeng Water Case Works into the asset register of the municipality;

See project list attached to the report as **Annexure (pages 720 - 729)** divided into:

- Emergency Projects
- Projects with High Importance
- Projects with Medium Importance

Emerging Procurement to implement Interim Measures

- (ix) The following emergency projects here been identified for approval by Emfuleni Local Municipality, for emergency procurement:

3. the Council note the emergency procurement procedure invoked for the implementation of emergency projects as listed in the body of the report, see **Annexure (pages 772 - 792)** as attached to the report.

ITEM A1181

REQUEST TO PAY OUT STIPENDS TO WARD COMMITTEE MEMBERS TO ACCELERATE SERVICE DELIVERY (DMM's 14-09-09) (EXT MC 23-09-09)

RESOLVED THAT

1. the contents of the report regarding the payment of stipends to 43 Ward Committee Members be noted;
2. all Ward Committee members be paid R100 each per sitting per month on condition that the Committee hold a meeting once per month and that the expenditure be debited against Vote number 5102 01 106 2200;

3. all Ward Councillors ensure that their Ward Committees are fully established;
4. all Wards submit the Ward Committee Meeting schedules and
5. all Ward Committee Meetings must sit at least once a month.

ITEM A1182

**SUBMISSION OF THE ACHIEVEMENTS FOR THE 3RD QUARTER AND 4TH QUARTER (JANUARY 2009 – JUNE 2009) OF THE 2008/09 FINANCIAL YEAR (SDBIPS), FOR NOTING
(EXT MC 23-09-09)**

RESOLVED THAT

1. Council take note that the SDBIP's are submitted, as per agreement, on a monthly basis to the different Section 80 Committees of Council for monitoring and evaluation;
2. Council take note of the submission of the high level summary achievements for the 3rd and 4th Quarter of the 2008/09 Financial Year (January 2009 – June 2009) of the Service Delivery and Budget Implementation Plans attached to the report **under separate cover**;
3. the summary of the 3rd and 4th Quarter achievements once noted by Council be submitted to the Office of the MEC, Provincial Department of Local Government, Gauteng;
4. the summary of the 3rd and 4th Quarter achievements also be submitted to the relevant National Departments as required by the Acts and
5. subsequent to noting by Council, the high level summary achievements for the 3rd and 4th Quarter be placed on the Emfuleni Local Municipality's website as required by the MFMA (Act 56 of 2003) section 75 (1) (k).

ITEM A1183

**UNIFORM LAND USE MANAGEMENT SCHEME: EMFULENI
(R:MM/AA6/LUM/DPLUM 43-08)(AA8/TTSC 05-11-08)(AA1/DMM's 24-11-08)
(AA2/LED 03-09-2009)
(SECTION 80 LED 04-09-2009)
(EXT MC 23-09-09)**

7/1

RESOLVED THAT

1. the process and time frames for adopting a uniform Land Use Management Scheme be noted;
2. it be noted that the delay in the timeframe is due to the fact that the Land Use Management guidelines from Province have not yet been availed and
3. implications for the July 2010 deadline be in jeopardy and Province will be informed accordingly.

ITEM A1184

**URBAN DEVELOPMENT ZONE TAX INCENTIVE – VEREENIGING CBD
(R:MM/LED/DPLED95.evww)(AA1/DMM'S 08-06-2009)(AA2/LED 03-09-2009)
(SECTION 80 LED 04-09-2009)
(EXT MC 23-09-09)**

7/3-VEREENIGING; 8/14/5

RESOLVED THAT

the report regarding the Urban Development Zone Tax Incentive in the Vereeniging Central Business District, be noted.

ITEM A1185

**LAND AUDIT: VERIFICATION OF BUSINESS SITES OWNED BY COUNCIL
(R:MM/AA6/PROP/AS. 124)(AA2/LED 03-09-2009)
(SECTION 80 LED 04-09-2009)
(EXT MC 23-09-09)**

2/7/6/1

RESOLVED THAT

1. the report on verification of business sites be finalized by end September 2009 and the final progress report on status quo on businesses be submitted to the Section 80 LED Committee in October 2009 and
2. the report serve at the policy workshop.

ITEM A1186

**SECOND REPORT : MUNICIPAL DEMARCATION BOARD (MDB) REPORT: 15
SEPTEMBER 2009
(R/MM/AA6/PS & CD 17 SEPT MUNICIPAL DEMARCATION BOARD)
(EXT MC 23-09-09)**

RESOLVED THAT

1. It be noted that the MEC for Local Government, Mr M K Lekgoro, has published the number of Councillors for the Local Government elections to be held in 2011 on 7 September 2009;
2. it be noted that the number of Councillors for Emfuleni Local Municipality has been increased from 85 to 89 and
3. it be noted that Ward Numbers have been changed as per **Annexure (pages 836 - 837)** as attached to the report.

ITEM A1187

**REPORT ON THE CLASSES OF INSURANCE
FINANCIAL YEAR 09-10
REPORT NO: 813
ELECTRONIC ADDRESS: (R/MM/AA6/FINANCE)
(CL 27-08-09)**

RESOLVED THAT

1. the contents of the report be noted;

2. the AMM be authorized to sign the insurance contract with Sanlam to effect the following increase in funeral cover without increase in the rate currently payable:

Mayor	R80,000
Speaker	R75,000
Mayoral Committee	R70,000
Councilors	R60,000

3. the Acting Manager Insurance is authorized to approach the insurers to increase the age limit on the policy to 75 and
4. the Acting Manager Insurance is authorized to approach the insurers to include temporary and EPWP workers.

ITEM A1188

CONSOLIDATED REPORT OF THE AUDIT COMMITTEE TO THE FULL COUNCIL FOR THE FINANCIAL YEAR OF 2008/2009 FINANCIAL YEAR

The Chairperson of the Audit Committee: Ms L Ikaneng tabled the consolidated report of the Audit Committee for consideration by Council

Members considered the report whereafter it was;

RESOLVED THAT

the report be noted.

ITEM A1189

AGREEMENT WITH RAND WATER TO MANAGE WASTE WATER CARE WORKS AT EMFULENI LOCAL MUNICIPALITY (EXTENDED MC 23-09-09)

RESOLVED THAT

1. the in principle agreement together with any suggested amendments be entered into with Rand Water and
2. the Municipal Manager concludes the final agreement with Rand Water by no later than 30 **October** 2009.

ITEM A1190

POLICIES OF EMFULENI LOCAL MUNICIPALITY

RESOLVED THAT

the following policies be approved:

1. Recruitment and Selection Policy
2. Promotions, Demotions and Transfer Policy
3. Acting Policy
4. Incapacity Policy
5. Policy on Information Technology Usage

6. Training and Skills Development Policy
7. Employment Equity Policy
8. Asset Management Policy (Amendment)
9. Credit Control, Debt Collection and Customer Care Policy (Amendments)
10. Indigent Household Consumer Subsidy - Principles and Policy and
11. Writing Off of Irrecoverable Debt - Principles and Policy

ITEM A1191

PROGRESS REPORT ON CORPORATE SOCIAL RESPONSIBILITY: JOINT VENTURE BETWEEN EMFULENI LOCAL MUNICIPALITY AND ARCELOR MITTAL: RE-ROOFING OF OLD HOUSES OF 40 YEARS AND OLDER AT BOPHELONG AND BOIPATONG PROJECT:

**(EDP(HOUSING) FH 146)1
(R/MM/AA6/HOUSING/FH 146)1
(MC 29-09-09)**

1/9/1; 1/9/1

RESOLVED THAT

1. the Council take cognizance of the contents of the report and approve the project charter;
2. the Council authorizes the Acting Municipal Manager to sign the Memorandum of Understanding;
3. the Council assigns the Acting Municipal Manager to secure the required amount of no more than R1 000 000.00 for labour cost;
4. the Council take note and endorse the proposed project launch scheduled for the 12th October 2009 in both Bophelong & Boipatong and
5. the Council take note of the tight timeframe for the project and also the fact that the assigned project team members will focus their attention exclusively to this special project at the expense of their normal day to day duties.

ITEM A1192

MAYORAL HANDBOOK (FRAMEWORK GUIDE ON BENEFITS & PRIVILEGES)

**(EXTENDED MC 22-23/09/2009)
(MC 29-09-09)**

1/3/1

RESOLVED THAT

1. the Mayoral Handbook be noted;
2. the Council adopt the Mayoral Handbook attached to the report at **Annexure (pages 882 - 930)** developed by SALGA as the official interim guide for Executives and Mayors to guide their rights, duties and expectations on benefits during their term of office;
3. the Mayoral Handbook be reviewed once Salga has issued a final document and
4. provision be made in Revised Budget to cover costs in relation to the Mayoral Handbook.

**SECOND PART - B REPORTS ON DELEGATED MATTERS, FOR THE PERIOD 3
JUNE 2009 TO 11 AUGUST 2009**

CONSIDERATION OF RESOLUTIONS B2092 - B2103

The resolutions of the Mayoral Committee adopted in accordance with the powers delegated to the Executive Mayor by the Council under B2092 - B2103 of the Agenda were considered and confirmed by Council.

K. PETITIONS

None.

L. NEW MOTIONS

It be noted that Councillor A S J Karsten would submit a new motion to the Office of the Speaker.

M. OPEN DEBATE

None.

N. SALGA

None.

O. CLOSURE

The Meeting closed at 19:20

CERTIFIED AS CORRECT

**COUNCILLOR N G HLONGWANE
SPEAKER**

Date:



MINUTES OF THE 50TH ORDINARY COUNCIL MEETING OF THE EMFULENI LOCAL MUNICIPALITY HELD IN THE MAYOR'S PARLOUR, VANDERBIJLPARK ON THURSDAY, 1 OCTOBER 2009 AT 14:00

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