

CS1/2017

HEROES ACRE POLICY FOR MATJHABENG LOCAL MUNICIPALITY (ED: CS)
(20/9/1)

PURPOSE

To present before the Community Services Section 80, the Heroes Acre Policy for Matjhabeng Local Municipality for information purposes.

BACKGROUND

Historically those buried in a Heroes Acre were generally uniformed personnel who passed on whilst on active duty, either in the Military, Police and Emergency Services, including certain dignitaries as identified by the Council.

However, such spaces / blocks within Cemeteries ignored the fact that communities experienced the need for a bigger space that would further include:

- Acknowledged military combatants who died during the struggle against apartheid.
- Acknowledged activists who either died during apartheid or had dedicated their lives to bringing about a democratic South Africa and subsequently passed on (away).
- Acknowledged Heroes who have contributed to South Africa as a Country, and to a person(s) who through their act of bravery saved the lives of others.

This item served in the Ordinary Council meeting on the 31 May 2017 and Council resolved as follows:

COUNCIL RESOLVED: (31 MAY 2017)

1. That Council **ADOPTS** the Heroes Acre Policy.
2. That areas in the following cemeteries be earmarked for Heroes Acre:
 - 2.1 Welkom Cemetery
 - 2.2 Virginia Cemetery
 - 2.3 Hennenman Cemetery
 - 2.4 Odendaalsrus (Phakisa) Cemetery
 - 2.5 Allanridge Cemetery
 - 2.6 Ventersburg Cemetery
 - 2.7 Bronville Cemetery

LEGAL IMPLICATIONS

- Constitution of the Republic of South Africa
- Cemetery and Crematoria By-Law.

FINANCIAL IMPLICATIONS

- Payment of burial tariff.

SUBMITTED FOR INFORMATION

CS2/2017

INTRODUCTION OF EVOLUTION POT AS PROJECT IMPLEMENTORS OF FS JOB CREATION PILOT PROJECT ON WASTE MANAGEMENT (EXECUTIVE MAYOR) (20/16/1; 20/16/3)

PURPOSE

To introduce to Council the FS –job creation Pilot Project approved by the Department of Environmental affairs to be implemented in Matjhabeng Municipality by evolution Pot as the project initiators and introduction of the implementation Agent – Dlokwakhe.

BACKGROUND

The Project is the initiative of the Evolution Pot organisation which is based here in Matjhabeng. The organization which is the women community-based organization, identified one of the prominent challenges facing the Municipality i.e waste Management – pollution of Environment.

They requested the department of Environmental Affairs to assist in the eradication of the Waste orientated pollution in the form of illegal dumping. Free State was awarded with R15 million of which would be divided between Mangaung Metro and Matjhabeng Municipality.

DISCUSSION

The delegation from Department Environmental Affairs, accompanied by Evolution Pot, made a presentation on 24 June 2016 to the Executive Director: Community Services and Manager: Waste Management.

The aim of the presentation was to inform the Municipality about the FS Job Creation Pilot Project that was requested by the Evolution Pot and approved by Department of Environmental Affairs and to establish partnership and obtain the buy-in of the Municipality for the duration of the pilot project.

The Department of Environment Affairs stated they will be providing the Municipality with Memorandum of Agreement with regard to the project and the Municipality will be expected to confirm whether the project is included in the integrated Development Plan. The project would be for the period of 12 months after which the project would be completed.

The pilot project is going to focus on eradication of illegal dumping, identify all areas declared hot-spots for illegal dumping and turn such into green areas (Buy Back Centres) illegal dumping will be removed and be replaced by aesthetatic parks and recreational parks -Beautification of Public Open spaces currently being for illegal dumping.

FINANCIAL IMPLICATIONS

There will be no financial implications to the Municipality because all expenses for the Project will be borne by the Department of Environmental Affairs

LEGAL FRAMEWORK

- *Constitution of RSA, 1996 subsection 156 (2)
- *Municipal Systems Act, 2000 (Act 32 of 2000)
- *National Environment Management Act (Act 107 of 1998)
- *National Environmental: Waste Act (Act 59 of 2008)
- *National Waste Management Strategy of 2012
- *National Water Act (Act 36 of 1998)
- *National Environmental Conservation Act (Act 73 of 1989)

POLICY FRAMEWORK

Municipal By-laws

COUNCIL RESOLVED: (21 MAY 2017)

1. That Council **ACCEPTS AND SUPPORT** the program to be rolled out and implemented in Matjhabeng for the benefit of the Community and to participation in the Green Economy Initiative.
2. That Council **APPOINTS** the acting Municipal Manager, the acting Executive Director: Community Services and MMC: Community Services as technical and political champions respectively, in the Local Project Advisory Committee.
- 3 That the support needed and the cost implications should **BE CLARIFIED** before the memorandum of understanding is signed.
- 4 That Council **AGREES** that it will own the rehabilitated areas as community assets after the withdrawal of the implementers from the project.
- 2 That a follow up meeting **BE ARRANGED** between the Office of the Municipal Manager and the Department of Environmental Affairs to thrash out the details of the project plan and memorandum of understanding.

SUBMITTED FOR INFORMATION

CS3/2017

PROGRESS REPORT ON DEVELOPMENT OF AN INTEGRATED WASTE MANAGEMENT PLAN DOCUMENT (EXECUTIVE MAYOR) (1/3/15; 1/3/31)

PURPOSE

To submit a progress report to Council on Development of the Integrated Waste Management Plan (IWMP) document and preparations to commence with the consultation processes.

BACKGROUND

It has been reported in the Service Delivery Budget Implementation Plan that the Department of Environmental Affairs in consultation with the Provincial Department of Economic, Tourism and Environmental Affairs through the District Municipalities have embarked on the development of the Integrated Waste Management Sector Plans. The development stage of the document for the District level is completed. Each Municipality shall have to take its plan from the District plan as per information provided by the specific Municipality and the research conducted by the consultants to develop their own plan.

DISCUSSION

Council is informed that the process to compile the Departmental Waste Management Sector Plan is completed as initiated by the Strategic Planning Department. The completed draft document/plan will be subjected for adoption through internal and external processes.

Once the general community consultation process and adoption of the IWMP document is completed, main stakeholders will be consulted through the Environmental Summit to complete the processes and then establishment of the Matjhabeng Environmental Forum from the summit.

The dates for the Summit and establishment of the Environmental Forum will be determined by the success of the community consultation processes and the adoption of the Plan by the Municipality.

FINANCIAL IMPLICATIONS

None

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LEGAL FRAMEWORK

- National Environmental Management Act (Act 107 of 1998)
- Waste Act (Act 59 of 2008)
- Municipal Systems Act (Act 32 of 2000)
- National Waste Management Strategy
- Minimum Requirement for Waste Disposal – Second Edition 1998

POLICY FRAMEWORK

- Integrated Development Plan
- Service Delivery Budget Implementation Plan

COUNCIL RESOLVED: (31 MAY 2017)

1. That Council **TAKES NOTE** of the draft Integrated Waste Management Plan Document as the original sector plan document for Waste Management services for Matjhabeng Municipality.
2. The Sector Plan to **BE SUBJECTED** to annual review to coincide with new legislative and technical trends.
3. The Internal (Peruse and Align) process and External process whereby community will be consulted and be given opportunity to participate in the adaptation processes of the Sector Plan **BE ACCEPTED TO**.
4. That the external process **BE FOLLOWED** by the Environmental Summit.
5. That the Environmental Summit **CULMINATES** into establishment of Matjhabeng Environmental Forum.

SUBMITTED FOR INFORMATION

CS4/2017

REPORT ON IMPLEMENTATION OF THE ENVIRO MOBI WASTE MANAGEMENT PROJECT-FREE STATE PROVINCE IN MATJHABENG MUNICIPALITY (EXECUTIVE MAYOR) (19/9/1/7)

PURPOSE

The purpose of this item is to report to Council about the Enviro Mobi Waste Management project to be implemented at Matjhabeng Municipality under the auspices of FS Provincial COGTA.

BACKGROUND

The project is a fully Registered Patent with the DTI and documented in the latest Patent Journal. The project is geared to enhance service delivery at all levels and can be deployed as an early detection tool from water leakage, load shedding and waste removal amongst others. It is able to store and generate household data when required by any public or private institutions. The project is proudly South African Concept with capacity to create a minimum of 50 jobs per enrolment.

The Enviro Mobi Municipal Support and Sustainability Initiative is initiated to enable implementation of IDP through public participation processes possible; service delivery monitoring and evaluation enhanced and conduct the public perceptions surveys. There are milestones depicted as the way to encroach into the public i.e. Mass Direct, Municipal Support and Public Awareness.

Variety of Jobs will be created during the engagement process; being to set up Call Centre Support team, create over 1000 jobs for recycling, Rapid Response Team and Awareness Teams.

DISCUSSION

The project implementers accessed the Municipality through the Office of the MMC for Community Services. The information was cascaded through to the Department of Community Services to spearhead the processes going forward. There was presentation made for the MMC's to introduce the project and to pave way for the recruitment of the beneficiaries. Thereafter the project implementer was directed to produce a draft Service Level Agreement that will be worked upon by both parties being the Municipality and Enviro Mobi. The SLA is already being attended to by the Legal Services and will be signed in due course. The appointment of the beneficiaries has taken place through the advertisement of the posts. The process had to be completed as the timelines were due and the project was supposed to be launched.

STAKEHOLDERS CONSULTED

MMC Community Services, Acting Executive Director Community Services.

POLICY FRAMEWORK

Draft Copy of Integrated Waste Management Plan

Municipal By-Laws

National Domestic Refuse Collection Plan

National Waste Management Strategy

Minimum Requirements of Landfill Safe Disposal, Second Edition, 1998

LEGAL FRAMEWORK

Constitution of RSA, 1996 subsection 156 (2)

Municipal Systems Act, 2000 (Act 32 of 2000)

National Environmental Management Act (Act 107 of 1998)

National Environmental: Waste Act (Act 59 of 2008)

National Water Act (Act 36 of 1998)

FINANCIAL IMPLICATION

The Municipality will not be financially implicated as the FS COGTA through the Enviro Mobi is going to reimburse the beneficiaries.

COUNCIL RESOLVED: (31 MAY 2017)

1. That the Council **TAKES NOTE** of the progress report.

SUBMITTED FOR INFORMATION

CS5/2017

REPORT ON A CONTINGENCY PLAN TO LEASE COMPACT TRUCKS ON AN “AS AND WHEN REQUIRED BASIS” TO ADDRESS THE REFUSE REMOVAL SERVICE BACKLOG (ED: CS) (19/9/1/1)

PURPOSE

To report to the Section 80 Community Services Committee about the Contingency Plan on Hired Trucks on “AS AND WHEN REQUIRED BASIS” to address the Refuse Removal backlog.

BACKGROUND

The Branch Waste Management has been operating under difficult conditions because of the shortage of Refuse Removal Trucks which had been referred for repairs but could not be released because of non-payment.

The matter was reported to the then Municipal Manager, for intervention. A proposal for the rental or hiring of refuse removal vehicles was accepted after the normal procurement processes was done. The terms of the rental would be an “AS AND WHEN REQUIRED BASIS”.

After the procurement process was done, the following service providers were appointed:

- Mphephethwa Trading
- Sebenza Engineering Projects
- Aqua Transport and Plant Hire
- FN Khosana Transport

All other service providers managed to provide with truck except Khosana Transport which indicated that by the time their trucks were needed, they were already engaged somewhere else.

TERMS AND CONDITIONS OF RENTAL

1. The service provider would provide compactor trucks to render refuse removal services in line with the Service Level Agreement.
2. The trucks would be driven by the drivers from the service providers a way of reducing risks to the Municipality.
3. The Municipality will continue using Municipal collectors and drivers (as co-drivers) to accompany the trucks during the operation.

CHALLENGES

Recently, the union has approached the workers in Virginia and Odendaalsrus to advised them no to use the hired trucks, because their safety and compensation cover were not guaranteed. Workers from other Units are not involved in this boycott. Ongoing engagement with the union is being pursued.

FINANCIAL IMPLICATIONS

- Mphephethwa Trading: R6 800.00 rate per day/per compactor truck
- Sebenza Engineering Projects: R8 500.00 rate per day/per compactor truck
- Aqua Transport and Plant Hire: R5 960.00 rate per day/per compactor truck
- FN Khosana Transport: R5 000.00 rate per day/ per compactor truck

LEGAL FRAMEWORK

- National Environmental Management Act (Act 107 of 1998)
- Waste Act (Act 59 of 2008)
- Municipal Systems Act (Act 32 of 2000)
- National Waste Management Strategy
- Minimum Requirement for Waste Disposal – Second Edition 1998

POLICY FRAMEWORK

- Integrated Development Plan
- Service Delivery Budget Implementation Plan
- Municipal By-Laws

SUBMITTED FOR INFORMATION

CS6/2017

BURYING FACILITIES FOR OLDER PERSONS AT THUHLWANE CEMETERY (EXECUTIVE MAYOR) (20/8/1/2)

PURPOSE

To present before Council an Age determination of Older Persons to be buried at Thuhlwane Cemetery.

BACKGROUND

In the Mayoral Committee meeting that was held on 21 November 2012, it was resolved as follows:

1. That the reserve graves **BE BOOKED** only for the aged members of the community by the individual applicant.
2. That the new reserved graves **NOT BE ACCESSIBLE** to individual companies or funeral undertaker companies.
3. That the community **BE INFORMED** that bookings will **NOT BE DONE** in advance.

It should be noted that:

- Subsequent to this resolution, Departmental Management issued a notification through the media that the graves can only be booked by the aged members of the community who are older than 70 years.
- In terms of the Older Persons Act 13 of 2006, the definition of the Older Persons means a person who, in the case of a male, is 65 years of age or older and, in the case of a female, is 60 years of age or older.
- The item never served before the Council.

PROBLEM STATEMENT

The resolution of the Mayoral Committee did not indicate clearly the age determination of eligible Older Persons, thereby leaving ambiguous interpretation. It is against this background that the item is referred Council, for clear determination.

The restrictive measures to limit access to bury at Thuhlwane Cemetery were as a result of shrinking burial space.

LEGAL FRAMEWORK

In terms of the Older Persons Act 13 of 2006, the definition of the Older Persons means a person who, in the case of a male, is 65 years of age or older and, in the case of a female, is 60 years of age or older.

FINANCIAL IMPLICATION

None

COUNCIL RESOLVED: (30 MAY 2017)

1. That because of limited space, the reserved graves **BE BOOKED ONLY** for the Older Persons who are 70 years of age and above.
2. That a policy pertaining to the matter **BE DEVELOPED** in order to protect the Municipality from any litigation.

SUBMITTED FOR INFORMATION

CS7/2017

PROGRESS REPORT ON DISTRIBUTION OF 240 LITRE REFUSE BINS WITHIN MATJHABENG WARDS (ED: CS) (19/9/1/5)

PURPOSE:

To report to the committee regarding progress achieved to date and the way forward with regard to the distribution of 240 Litre bins and the outstanding wards, as well as the acquisition of total households numbers per ward from the Wards Councillors.

BACKGROUND:

The distribution of wheelie bins has taken place in all wards of Thabong excluding where the occupants of the houses were not present when the distribution was taking place.

The directorate has put forth the request to Ward Councillors to submit their wards lists of household numbers so as to enable the directorate to plan for the procurement of bins.

The lists were received from the four wards that is ward 19 (2 146 bins, ward 21 (821 bins), ward 23 1 374) and ward 32 (13 outstanding bins).

The distribution of the outstanding bins at ward 17 which is portion of Doornpan area and Thubelisha area is on hold. The process will be rolled out once the list is received from the Ward Councillor. The roll out process will be communicated through the office of the MMC: Community Services and consultation process to determine the date will take place between the Directorate and office of the MMC: Community Services.

DISCUSSION:

The procurement and distribution of 240 litre bins is a compliance aspect as regulated by the National Waste Management Act and the municipality is in a process to adhere to such unit standards by ensuring that it meets the requirements of the National Waste Management Strategy, National Health Act and Municipal by-laws.

FINANCIAL IMPLICATIONS:

1. The awaited list of households will be used to determine the costs of the bins to be procured.
2. The bins to be distributed at ward 17 will be at no costs as the bins are already procured and ready for distribution.

LEGISLATIVE FRAMEWORK:

1. NATIONAL ENVIRONMENTAL MANAGEMENT ACT (ACT 107 OF 1998)
2. WASTE ACT (ACT 59 OF 2008)
3. MUNICIPAL SYSTEMS ACT (ACT 32 OF 2010)
4. NATIONAL WASTE MANAGEMENT STRATEGY OF November 2011

POLICY POSITION:

1. INTEGRATED DEVELOPMENT PLAN
2. SERVICE DELIVERY BUDGET IMPLEMENTATION PLAN
3. MUNICIPAL BY-LAW AS PROMULGATED IN 2008

RECOMMENDATIONS:

1. That accepts the report as presented.
2. That committee approves the request that Ward Councillors compile and submit the lists and submit them to the MMC's office for facilitation processing
3. That the Office of the MMC will communicate with the Executive Mayor regarding the date for Ward 17 roll of the bins.

CS8/2017

REPORT ON GYM EQUIPMENT AT NYAKALLONG (ED: CS) (20/15/2)

PURPOSE:

To report to committee about the need to provide the community of Nyakallong with gym equipment.

BACKGROUND:

The community of Nyakallong has requested that it be provided with gym equipment which will help in enhancing their health status through constant exercises. It is understood that in the unavailability of these gym equipment, the community has to use private facilities which they will have to pay to make of the facility. Private Gym facilities are not even available at Nyakallong, hence to get access to such facilities, they are supposed to travel to unit outside Nyakallong.

DISCUSSION:

Provisions of gym equipments had been provided for by Provincial and National Sport, Recreation, Arts, and Culture departments at Mmamahabane, Meloding and Kutlwanong. Initially the Provincial and National were the once who prioritised the units. Based on the facts stated above, it would be for the Community Services Directorate to communicate with the two departments and outline the request of Nyakallong community as well as the status of economic and social background of the community.

Financial Implications:

It is envisaged that the National Department of Sport, Recreation, Art and Culture shall be able to fund the project.

Legislative Framework:

- Constitution of the Republic of South Africa Act No 8 of 1996
- National Sport and Recreation Act
- White Paper on Sport and Recreation
- Municipal Systems Act
- Municipal Structures Act

Policy Position:

- Matjhabeng Sport and Recreation Management Policy
- Matjhabeng By-Laws

RECOMMENDATIONS:

1. That an application be made to the Provincial and National Sport, Recreation, Arts and Culture Departments regarding provision of gym equipment to Nyakallong community.
2. That Community Services Directorate should identify a suitable area which will be within reach by all community members.

CS9/2017

**REPORT ON THE AVAILABILITY OF PLAYGROUNDS FACILITIES IN EACH
WARD OF THE MUNICIPALITY (ED: CS) (10/1/2)**

PURPOSE:

To report to the committee the re-development of playgrounds facilities in the entire Matjhabeng.

BACKGROUND:

Matjhabeng Municipality population has grown to an extent that the stadiums built in each unit is not sufficient for the entire community. Youth development in sports is one of the activities that can develop culture, discipline and combat crime as the youth will be kept busy by participating in sports.

DISCUSSION:

The established small teams at ward levels need to practice within the areas where the children resides. The existing stadiums also need to be maintained for big events including competitions and should be in a state to prevent injuries to participants.

The responsibility of the Community Services Directorate to facilitate the development of playground facilities.

The potential problem is that as soon as the sports fields have been developed and are not used constantly, communities start to see them as a clean space for illegal dumping.

The department is currently without a grader for grading the sports fields throughout Matjhabeng. The department plans to develop a sports field in each ward as soon as the graders are available. Spaces for such sports field have already been identified in other wards, namely, 31, 30, 28, 29, 12, 14, 16, 10, and 8. The same being carried out in the remaining wards.

Legislative Framework:

- The Constitution of the Republic of South Africa 1996
- National Sport and Recreation Act
- White Paper on Sport and Recreation
- Municipal Systems Act
- Municipal Structures Act

Policy Position:

- Matjhabeng Sport and Recreation Management Policy
- Matjhabeng By-Laws

RECOMMENDATION:

1. That fleet section should speed up the procurement of the two graders for the Department.