

# **MINUTES**

of the

**4<sup>th</sup> ORDINARY COUNCIL MEETING  
FOR THE YEAR 2012**

of

**MATJHABENG MUNICIPALITY**

held on

**TUESDAY, 31 JULY 2012**

at

**15:00**

**COUNCILLORS ATTENDANCE: 4<sup>TH</sup> ORDINARY COUNCIL MEETING  
MINUTES: 31 JULY 2012**

**ANC**

<b>PROPORTIONAL</b>			
1.	Ngangelizwe S ( <b>Executive Mayor</b> ) <b>(Apology)</b>	12.	Petleki KI
2.	Chaka CP	13.	Radebe MC
3.	Kotzee D	14.	Radebe ML
4.	Mafa DM	15.	Sephiri MJ ( <b>Chief Whip</b> )
5.	Mafongosi ZV	16.	Speelman NW ( <b>Written Apology</b> )
6.	Mbana MA	17.	Stofile B ( <b>Speaker</b> )
7.	Menyatso KJ	18.	Tlhone ML
8.	Mkhusane NC	19.	Tsubane ME ( <b>Written Apology</b> )
9.	Molefi MJ	20.	Twanana M ( <b>Written Apology</b> )
10.	Motshabi MP	21.	Vanga NM
11.	Ntsebeng MH	22.	Van Rooyen KV
<b>WARD</b>			
23.	Dali VN	38.	Morris VR
24.	Khalipha TD	39.	Mosala MS
25.	Mabote TL	40.	Mothege MA
26.	Madumise MM ( <b>Absent</b> )	41.	Mphikeleli MA
27.	Makgowe PV	42.	Ntlele KI
28.	Masienyane MD	43.	Phetise ME
29.	Mbambo AX	44.	Qwasha GL
30.	Mfebe MSE	45.	Riet MI
31.	Mokausi LC	46.	Sifatya Z
32.	Mokhomo HA	47.	Taliwe FE ( <b>Written Apology</b> )
33.	Molelekoa PA	48.	Thateng MJ
34.	Molelekoa PMI	49.	Thelingoane TJ
35.	Molete TN	50.	Tlake KR
36.	Molupe RT	51.	Tsatsa SJ
37.	Monjovo NE ( <b>Written Apology</b> )	52.	Tsubella KS

**DA**

<b>PROPORTIONAL</b>			
53.	Banyane ME	58.	Marais JS
54.	Badenhorst MJ	59.	Mholo PP
55.	Botha PF	60.	Mlangeni MG
56.	Fanie D	61.	Mokotedi TG
57.	Fourie JJC	62.	Styger A
<b>WARD</b>			
63.	De Villiers MT	66.	Smit DC ( <b>Written Apology</b> )
64.	Beneke R	67.	Van Rooyen MS
65.	Naude HJ	68.	Van Schalkwyk HCT

## II

### COPE

PROPORTIONAL			
69.	Matlebe MM	71.	Thoabala TE
70.	May FG		

### FF+

PROPORTIONAL	
72.	Taljaard SDM

### OFFICIALS

Mr G Ramathebane	:	Municipal Manager
M S Makhubu	:	Executive Director Strategic Support Services
Me M Mogopodi	:	Executive Director Social Services
Mr X Msweli	:	Executive Director LED & Planning
Ms L Williams	:	Acting Chief Financial Officer
Mr JKF Jankowitz	:	Snr Admin Officer (Corporate Services)

# III

## SECTION A

### 1. **OPENING**

The Speaker welcomed everybody present and declared the meeting opened.

### 2. **APPLICATIONS FOR LEAVE OF ABSENCE**

See Councillors Attendance List on **pages I and II** of these minutes.

### 3. **OFFICIAL ANNOUNCEMENTS OF THE SPEAKER**

None

### 4. **MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER**

None

### 5. **DISCLOSURE OF INTEREST**

None

### 6. **TAKING OF THE OATH OF OFFICE BY NEW COUNCILLORS**

The Chief Magistrate administered the taking of the Oath by Cllr MJ Badenhorst and Cllr R Beneke.

### 7. **DEPUTATIONS AND INTERVIEWS**

None

### 8. **QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN**

**A33/2012 – A34/2012**

### 9. **MINUTES OF PREVIOUS MEETINGS**

#### **COUNCIL RESOLVED (31 JULY 2012)**

1. That the minutes of the following meetings **BE APPROVED**:

- (a) Minutes of the 3<sup>rd</sup> Ordinary Council meeting held on 29 May 2012.
- (b) Minutes of the 2<sup>nd</sup> Special Council meeting held on 1 June 2012.
- (c) Minutes of the 3<sup>rd</sup> Special Council meeting held on 8 June 2012.
- (d) Minutes of the 2<sup>nd</sup> Extra-Ordinary Council meeting held on 20 June 2012.

## **IV**

- (e) Minutes of the Continuation of the 2<sup>nd</sup> Extra-Ordinary Council meeting held on 24 June 2012.
- (f) Minutes of the 4<sup>th</sup> Special Council meeting held on 9 July 2012.

2. That the following amendment **BE MADE** to the minutes of 29 May 2012:

**Page 9, A28/2012 APPLICATION FOR SPECIAL CONSENT: ERF 7974, EXTENSION 18, WELKOM (18/4/1/19) (EDSP)**

**Par. 2.:** That the words Mayoral Committee **BE SUBSTITUTED** with the words Executive Mayor.

### **10. MATTERS ARISING FROM THE MINUTES**

**29 May 2012**

**A31/2012**

**MATJHABENG LOCAL MUNICIPALITY WARD COMMITTEE FUNDING MODEL AND BUDGETING (ASMCA)**

Cllr Thoabala wanted to know if a solution was found for the shortfall referred to in paragraph 6 of the resolution.

The Municipal Manager confirmed the sufficient provision was made for payment of Ward Committees.

**A32/2012**

**APPOINTMENT OF AN ACTING EXECUTIVE DIRECTOR CORPORATE SUPPORT SERVICES (MM) (5/5/2)**

The Municipal Manager reported that a legal opinion as requested in paragraph 2 was not received yet and that an opinion would also be requested from SALGA.

# V

**9 July 2012**

**SA4/2012**

**APPOINTMENT OF ACTING MUNICIPAL MANAGER (MM) (5/5/2)**

**COUNCIL RESOLVED (31 JULY 2012)**

That the Municipal Manager **MUST SUBMIT** dates on absence due to work-related matters in order for Council to appoint an Acting Municipal Manager in advance.

**11. FORMAL SIGNING OF MINUTES**

The Speaker indicated that he would sign the minutes after the meeting.

**SECTION B**

**12. REPORTS OF THE SPEAKER IN TERMS OF RULES 15(1) AND 99(4)**

A33/2012 – A35/2012

**13. REPORTS OF THE EXECUTIVE MAYOR**

A36/2012 – A54/2012

**14. MOTIONS**

None

**15. CLOSING REMARKS**

None

**16. CLOSURE**

The Speaker ended the meeting at **19:30**.

.....  
**CLLR B STOFIL (SPEAKER)**

.....  
**DATE**

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# 1

**A33/2012**

**QUESTION OF WHICH NOTICE WAS GIVEN: CLLR PP MHOLO** (3/1/1) (3/1/3/2)  
(MM)

## **PURPOSE**

To submit the question raised by Cllr PP Mholo and the response thereon by the Municipal Manager.

## **DISCUSSIONS**

The Speaker presented the item.

## **COUNCIL RESOLVED** (31 JULY 2012)

That the question raised by Cllr PP Mholo and the response thereon by the Municipal Manager **BE NOTED**.

**A34/2012**

**QUESTION OF WHICH NOTICE WAS GIVEN: CLLR J FOURIE** (3/1/1) (3/1/3/2)  
(MM)

## **PURPOSE**

To submit the questions raised by Cllr J Fourie and the response thereon by the Municipal Manager.

## **DISCUSSIONS**

The Speaker presented the item.

## **COUNCIL RESOLVED** (31 JULY 2012)

That the questions raised by Cllr J Fourie and the response thereon by the Municipal Manager **BE NOTED**.

A35/2012

**REPORT OF THE DISPUTE RESOLUTION COMMITTEE (4/1/2/2) (AEDCSS)**

**PURPOSE**

To submit to Council the recommendations of the Dispute Resolution Committee for consideration.

**DISCUSSIONS**

Cllr MD Masienyane presented the item.

**COUNCIL RESOLVED (31 JULY 2012)**

1. That Council **CONDONES** the following resolutions taken by the Dispute Resolution Committee:

**Dispute 1**

**DISPUTE OVER SITE 35301 HANI PARK BETWEEN RACHAEL SEERANE AND MR LETLATSIA (8/3/2/6)**

1. That the Council should reclaim site 35301 Extension 20, Hani Park.
2. That Me Rachael should be placed on the waiting list.
3. That further investigations on this site be implemented.
4. That Mr Letlatsa be advised to look for alternative accommodation.

**Dispute 2**

**DISPUTE OVER SITE 33011 HANI PARK BETWEEN MPHONG NTSANE AND XOLALI ZODANDE (8/3/2/6)**

1. That Mpho Ntsane occupies site 33011, Hani Park and take responsibility of arrears.
2. That Mr Zondande be enrolled on the waiting list and procedures as per the Housing Department policies be followed.

# 3

## **Dispute 3**

### **DISPUTE OVER SITE 8817 THABONG BETWEEN PHOMOLO MANARE AND DAMONS DEON (8/3/2/45/14)**

1. That Council should assist in getting RDP houses for these particular stands.
2. That Mr Manare should continue living at site no. 8817 until an official letter was given to him regarding his alternative site.

## **Dispute 4**

### **DISPUTE OVER SITE 7818 K9 KUTLWANONG BETWEEN MARIA MNYAMANE AND MALAN MOLISE**

1. That Mr Khalifi should be given a letter to vacate the site.
  2. That in future Councillors should refrain from writing letters regarding site allocation on behalf of the Council.
  3. That Me Maria Mnyamane takes occupation of the site.
2. That the Legal Department **MUST ATTEND** all Dispute Resolution Committee meetings.

## **A36/2012**

### **MONTHLY FINANCE REPORT – MAY 2012 (ACFO) (12/1/2/3)**

#### **PURPOSE**

To submit to Council the Monthly Finance Report for May 2012 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003.

#### **DISCUSSIONS**

Cllr MA Mbana presented the item.

#### **COUNCIL RESOLVED (31 JULY 2012)**

1. That the Finance Report for May 2012 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED.**

## 4

2. That the Municipal Manager **MUST SUBMIT** a full report on Legal and Professional Fees at the next Council meeting.

**A37/2012**

**APPROVAL OF THE BANKING FACILITIES AND OVERDRAFT OFFERED BY ABSA BANK LIMITED (ACFO) (6/14/1)**

**PURPOSE**

To request approval for the banking facilities and overdraft offered by ABSA Bank Limited.

**DISCUSSIONS**

Cllr Khalipha presented the item.

**COUNCIL RESOLVED (31 JULY 2012)**

That the banking facilities and overdraft facilities of **R10 000 000** for the 2012/13 financial year commencing on 1 July 2012 to 30 June 2013, offered by ABSA Bank Ltd, **BE APPROVED**.

**A38/2012**

**BUDGET AND IDP TIME TABLE 2013/2014 (ACFO) (6/1/1/1) (18/1/18)**

**PURPOSE**

To present to Council the Time Table for the compilation of the 2013/2014 Budget and IDP in terms of section 21 (1)(b) of the Municipal Finance Management Act.

**DISCUSSIONS**

Cllr Khalipha presented the item.

**COUNCIL RESOLVED (31 JULY 2012)**

That the under-mentioned Budget and IDP Time Table for 2013/2014 **BE APPROVED** and **IMPLEMENTED**:

**MATJHABENG MUNICIPALITY  
BUDGET PROCESS**

**August**

Executive Mayor to table  
Budget Time Schedule before

**July / September**

Revision of the Integrated  
Development Plan

**October**

Development of Budget Policies  
and Guidelines

**November**

Preparation and adoption of  
Operational Plans

**November / December**

Preparation and submission of  
the departmental budgets

**December**

Preparation of the draft capital –  
and operating budget

**January**

Revision of the budget by the  
Budget Advisory Committee

**February**

Revision of the budget by the  
section 80 Committee

**March**

Revision of the draft budget by  
the Mayoral Committee

**April**

Community Consultation

# 6

**May**

Budget Approval

**July**

Budget Implementation

**A39/2012**

## **MONTHLY FINANCE REPORT – JUNE 2012 (ACFO) (12/1/2/3)**

### **PURPOSE**

To submit to Council the Monthly Finance Report for June 2012 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003.

### **DISCUSSIONS**

Cllr MA Mbana presented the item.

### **COUNCIL RESOLVED (31 JULY 2012)**

1. That the Finance Report for June 2012 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED**.
2. That the Executive Mayor **MUST SUBMIT** a Section 52 report explaining spending patterns.

**A40/2012**

## **DRAFT AMENDED SUPPLY CHAIN MANAGEMENT POLICY (ACFO) (5/6/2/8)**

### **PURPOSE**

To submit the draft Amended Supply Chain Policy to Council to consider the general amendments and note the changes made to align the policy with PPPF regulations.

### **DISCUSSIONS**

Cllr Khalipha presented the item.

**COUNCIL RESOLVED (31 JULY 2012)**

1. That Council **TAKES NOTE** of the amendments to the Supply Chain Management Policy with the exclusion of the deletion of paragraph 3.23 that reads as follows:

*Each departmental head shall within five days after the end of each month supply a written report on all purchases made in terms of paragraph 3.19 to the Chief Financial Officer.*

2. That a Notice for public comments on the Amendments to the Supply Chain Policy **BE PUBLISHED** on the website, in the local newspapers and it **BE PLACED** in all local libraries including other municipal buildings within the jurisdiction of Matjhabeng Local Municipality.
3. That a workshop on the Amendments to the Supply Chain Management Policy **BE ARRANGED** with the business community.
4. That a workshop **BE ARRANGED** for Councillors and Members of the Policy Development & Monitoring Committee before the end of October 2012 to discuss the Amendments to the Supply Chain Management Policy.

**A41/2012**

**PROPOSAL TO INCREASE THE PAUPER BURIAL AND DESTITUTE FUNERAL COSTS (EDCSS) (20/8/7)****PURPOSE**

To submit to Council a proposal to increase Pauper Burial and Destitute Burial costs for consideration.

**DISCUSSIONS**

Cllr Khalipha presented the item.

After lengthy discussions

**COUNCIL RESOLVED (31 JULY 2012)**

That the pauper burial and destitute funeral costs **BE INCREASED** as follows for the interim until the tender processes are finalised:



## 8

(a) Costs for Adults	R1 300-00
(b) Costs for infants	R 900-00
(c) Cost for children between the age of 7-14 years	R1 100-00
(d) Costs for still born and premature	R 800-00

### **A42/2012**

#### **PAUPER, INDIGENT (DESTITUTE) AND UNKNOWN BURIAL POLICY (EDSSS) (20/8B)**

##### **PURPOSE**

To submit to Council the draft Pauper, Indigent (Destitute) and Unknown Burial Policy.

##### **DISCUSSIONS**

The Speaker requested that this item be kept in abeyance until the finalization of the pauper and destitute burial costs.

##### **COUNCIL RESOLVED (31 JULY 2012)**

That the Policy **BE KEPT IN ABEYANCE** until the finalization of the pauper and destitute burial costs.

### **A43/2012**

#### **MATJHABENG LOCAL MUNICIPALITY: DRAFT ANIMAL POUND BY-LAWS AND POLICY (EDLED&P)(1/2/1)**

##### **PURPOSE**

The aim of the report is to:

- a) Obtain councils approval for the proposed draft Animal Pound By-Laws and Policy for Matjhabeng Local Municipality.
- b) Make recommendations regarding measures to invite comments from the general public on the draft Animal Pound By-Laws and Policy.

##### **DISCUSSIONS**

Cllr MA Mbana presented the item.

**COUNCIL RESOLVED (31 JULY 2012)**

1. That the Draft Animal Pound By-Laws and Policy **BE NOTED**.
2. That a Notice for public comments on the Draft Animal Pound By-Laws and Policy **BE PUBLISHED** on the website, in the local newspapers and it **BE PLACED** in all local libraries including other municipal buildings within the jurisdiction of Matjhabeng Local Municipality.
3. That stakeholders **BE CONSULTED** and the processes **BE CHAMPIONED** by the Office of the Speaker.
4. That the various tariffs in the By-Laws and Policy **BE DETERMINED** during the consultation process.

**A44/2012**

**DRAFT POLICY FOR MANAGEMENT AND MAINTENANCE OF SPORTS AND RECREATION FACILITIES (10/1/2)(EDSS&LE)**

**PURPOSE**

To present the draft Policy for the Management and Maintenance of Sport and Recreation Facilities to Council.

**DISCUSSIONS**

Cllr ML Radebe presented the item.

**COUNCIL RESOLVED (31 JULY 2012)**

1. That Council **TAKES NOTE** of the draft Policy for Management & Maintenance of Sport & Recreation Facilities.
2. That a Notice for public comments on the draft Policy for Management & Maintenance of Sport & Recreation Facilities **BE PUBLISHED** on the website, in the local newspapers and it **BE PLACED** in all local libraries including other municipal buildings within the jurisdiction of Matjhabeng Local Municipality.

**A45/2012**

**DRAFT FRAMEWORK FOR MONITORING AND EVALUATION (5/6/2/8) (EDSSS)**

**PURPOSE**

To present to Council the draft Monitoring and Evaluation Framework for consideration.

**DISCUSSIONS**

Cllr KJ Menyatso presented the item.

**COUNCIL RESOLVED (31 JULY 2012)**

That Council **APPROVES** the proposed Monitoring and Evaluation Framework.

**A46/2012**

**DRAFT PROMOTION AND TRANSFER POLICY (5/1/1/B)(AEDCSS)**

**PURPOSE**

To submit to Council a draft Promotion and Transfer policy for discussion.

**DISCUSSIONS**

Cllr MSE Mfebe presented the item.

**COUNCIL RESOLVED (31 JULY 2012)**

That the Draft Promotion and Transfer Policy **BE APPROVED**.

**A47/2012**

**REFURBISHMENT PROPOSAL FOR SIPHO MUTSI STADIUM, ERF 435, B4, KUTLWANONG (AEDCSS) (10/1/1/9)**

**PURPOSE**

To present to Council, a proposal for the refurbishment of Siphon Mutsi Stadium in Kutlwanong.

## **DISCUSSIONS**

Cllr ML Radebe presented the item.

### **COUNCIL RESOLVED (31 JULY 2012)**

That the Council **TAKES NOTE** of the proposed refurbishment of the Siphon Mutsi Stadium by the Department of Sport, Art & Culture.

**A48/2012**

### **POTABLE WATER LOSSES IN MATJHABENG : AN EVALUATION AND RECOMMENDATION REPORT (19/2/9) (EDI)**

#### **PURPOSE OF REPORT**

To evaluate the potable water loss problem in Matjhabeng Municipality and to make recommendations to reduce the losses.

## **DISCUSSIONS**

Cllr KJ Menyatso presented the item.

### **COUNCIL RESOLVED (31 JULY 2012)**

1. That all Water Maintenance Sections **BE RESOURCED** to enable them to address all complaints received in reasonable time as well as doing planned maintenance.
2. That the Stores **BE OPENED AND STOCKED** to have material available to do water repairs.
3. That all the Water Maintenance Sections in various Branches and the Branch Water Demand Management **BE RESOURCED** to enable them to manage their function effectively.
4. That sufficient funds **BE MADE AVAILABLE** to replace 5 % of the water network per annum.
5. That restrictor valves **BE INSTALLED** at indigents using more than 6kl of water.

**A49/2012**

**PROPOSED MACRO AND MICRO ORGANISATION STRUCTURE FOR MATJHABENG LOCAL MUNICIPALITY (2/1) (MOES)**

**PURPOSE OF THE REPORT**

The purpose of the report is to submit to Council the proposed macro and micro Organisation Structure for Matjhabeng Local Municipality for discussion.

**DISCUSSIONS**

Cllr TD Khalipha presented the item.

**COUNCIL RESOLVED (31 JULY 2012)**

1. That Council **TAKES NOTE** of the proposed macro and micro Matjhabeng Organisational Structure.
2. That the Municipal Manager **MUST DISTRIBUTE** the current Organisational Structure to all Councillors.
3. That the Municipal Manager **MUST SUBMIT** financial implications on the current and proposed Organisational Structure at the next Council meeting before approval of the proposed Organisational Structure.

**A50/2012**

**SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN FOR THE 2012/13 FINANCIAL YEAR (6/18/1) (MM)**

**PURPOSE**

To table the Matjhabeng Local Municipality's Service Delivery and Budget Implementation Plans (SDBIPs), as well as Operational Plans (Ops) before the Council for noting as per the prescripts of Section 53(1)(c)(ii) of the Municipal Finance Management Act (MFMA) Act No 56 of 2003 as amended.

**DISCUSSIONS**

Cllr MA Mbana presented the item.

**COUNCIL RESOLVED (31 JULY 2012)**

That Council **TAKES NOTE** of the Service Delivery and Budget Implementation Plans (SDBIPs), as well as Operational Plans (Ops) for the 2012/2013 Financial Year.

**A51/2012**

**DRAFT DELEGATED POWERS (MM)(3/1/2)(3/2/2)**

**PURPOSE OF THE REPORT**

To submit the new set of Draft Delegated Powers to the Council for approval.

**DISCUSSIONS**

Cllr TD Khalipha presented the item.

**COUNCIL RESOLVED (31 JULY 2012)**

That the new set of Draft Delegated Powers **BE REFERRED BACK** to the next Council meeting to allow Councillors to discuss the proposals at a workshop to be held before the next Council meeting.

**A52/2012**

**MUNICIPAL PROPERTY RATES POLICY (REVIEW) FOR IMPLEMENTATION DATES: 2012/2013 (ACFO - VALUATIONS) (6/2B)**

**PURPOSE**

To submit proposals for the amendment of the Municipal Property Rates Policy to Council for consideration and to note the proposals that will align the current Municipal Rates Policy with the Local Municipal Property Rates Act no 6 of 2004.

**DISCUSSIONS**

Cllr MA Mbana presented the item.

**COUNCIL RESOLVED (31 JULY 2012)**

1. That Council **TAKES NOTE** of the proposed amendment under review.

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2. That the proposed amendments **BE SUBJECTED** to public participation in terms of the Municipal Systems Act.
3. That the reviewed Municipal Property Rates Policy **BE SUBMITTED** to Council for approval after finalization of the public participation process.

## **A53/2012**

### **ACTION PLAN OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE ON THE ANNUAL REPORT 2010/2011 (3/1/3/4) (MM)**

#### **PURPOSE**

To submit to Council the Action Plan of the Municipal Public Accounts Committee on the Annual Report 2010/2011.

#### **DISCUSSIONS**

Cllr ZV Mafongosi presented the item.

#### **COUNCIL RESOLVED (31 JULY 2012)**

1. That Council **TAKES NOTE** of the Action Plan on the recommendations submitted by the Public Accounts Committee on the Annual Report 2010/2011.
2. That the Speaker be mandated **TO CONVENE** a meeting between MPAC and the Municipal Manager to discuss the Action Plan.
3. That MPAC **SUBMITS** a report on the outcome of the discussions at the next Council meeting.

## **A54/2012**

### **SCHEDULE: COUNCIL AND SECTION 79 COMMITTEES FOR AUGUST 2012 TO JUNE 2013 (3/1/3/1) (ASMCA)**

#### **PURPOSE OF REPORT**

To submit the proposed schedule for Council and Section 79 Committee meetings to the Council.

**DISCUSSIONS**

The Speaker indicated that a schedule for Council and Section 79 Committees for August 2012 to June 2013 would be submitted at the next Council meeting.

**COUNCIL RESOLVED (31 JULY 2012)**

That it **BE NOTED** that a schedule for Council and Section 79 Committees for August 2012 to June 2013 would be submitted at the next Council meeting.