

MINUTES

of the

**5th ORDINARY COUNCIL MEETING
FOR THE YEAR 2014**

of

MATJHABENG MUNICIPALITY

held on

TUESDAY, 26 AUGUST 2014

at

15:00

**COUNCIL CHAMBERS, CIVIC CENTRE,
WELKOM**

I

**COUNCILLORS ATTENDANCE: 5TH ORDINARY COUNCIL MEETING
MINUTES: 26 AUGUST 2014**

ANC

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

DA

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

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| PROPORTIONAL | | | |
|---------------------|-------------|-----|---------|
| 69. | Malefane DE | 71. | Pina NJ |
| 70. | Matlebe MM | | |

FF+

| PROPORTIONAL | |
|---------------------|--------------|
| 72. | Taljaard SDM |

OFFICIALS

| | | |
|-----------------|---|---|
| Mr MF Lepheana | : | Acting Municipal Manager |
| Mr S Makhubu | : | Executive Director Strategic Support Services |
| Mr X Msweli | : | Executive Director LED and Planning |
| Ms M Mogopodi | : | Executive Director Community Services |
| Mr T Tsoaeli | : | Chief Financial Officer |
| Mr J Blom | : | Acting Executive Director Infrastructure |
| Ms DF Ramakhale | : | Acting Snr Admin Officer (Corporate Services) |

III

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| (a) | Opening The Speaker welcomed everybody present at the 5 th Ordinary Council Meeting and declared the meeting opened. |
| (b) | Applications for leave of absence See Councillor's attendance list on pages I and II of these minutes. |
| (c) | Official announcements of the Speaker None. |
| (d) | Reports received from the Speaker A27/2014, A29/2014 – A31/2014 |
| (e) | Motions of sympathy and congratulations by the Speaker None. |
| (f) | Motions of sympathy and congratulations by other Councillors <u>Sympathy</u> Cllr CP Chaka conveyed a message of sympathy to Cllr NM Vanga who was admitted in Medi-Clinic hospital and wished her a speedy recovery. She further sympathized with the family of the woman who was brutally killed by a man in Kutlwanong and indicated that men should stop abusing women. <u>Congratulations</u> Cllr ML Radebe read the Women's Charter Anniversary to the Council. Cllr JS Marais congratulated the participants from Virginia, Bronville and Riebeeckstad who won Gold, Silver and Bronze Medals in the Common Wealth Games and indicated all are from Matjhabeng area. |
| (g) | Deputation's and interviews None. |
| (h) | Disclosure of interest The Speaker indicated that KPMG has given each Councillors a declaration form to fill in and update their files of conflict of interest and only two Councillors submitted same. The Speaker therefore appealed to Councillors to return those forms to the Office of the Municipal Manager not later than Wednesday, 27 August 2014. However, if a Councillor has personal/ financial interest on any matter for consideration by Council such Councillor has to declare interest in the meeting. |

IV

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| <p>(i)</p> | <p>Minutes of the previous meeting:</p> <p>Council resolved: (24 June 2014).</p> <p>1. That the minutes of the 3rd Ordinary Council meeting held on 24 June 2014 BE APPROVED in conjunction with the following corrections:</p> <p>Attendance Register: That the MS initials inappropriately appearing under various Cllr's names be corrected.</p> <p>Council resolved: (1 July 2014).</p> <p>2. That the minutes of the 3rd Special Council Meeting held on 1 July 2014 BE APPROVED in conjunction with the following corrections:</p> <p>Attendance Register: That the name of Cllr TD Khalipha be reflected as present in the meeting.</p> <p>Council resolved: (31 July 2014).</p> <p>3. That the minutes of the 4th Special Council meeting held on 24 June 2014 BE APPROVED in conjunction with the following amendments:</p> <p>Attendance Register: That the name of Cllr TD Khalipha be corrected as present in the meeting.</p> <p>That item C5/2014 resolution number (3) three be corrected to read –</p> <p><i>That the PROPOSED names be representatives from CoGTA, SALGA, Acting Municipal Manager, Cllr K Menyatso, Cllr M Mfebe and Cllr A Styger.</i></p> <p>Motion of sympathy and congratulations by the Speaker</p> <p><u>Sympathy</u></p> <p><i>Be corrected to read;</i></p> <p>1. <i>The Speaker conveyed a motion of sympathy to the family of one of the Ward Committee member and a former Secretary in Ward 30 Mr Paul Moletsane who has passed on.</i></p> |
| <p>(j)</p> | <p>Matters arising from the minutes:</p> <p>None</p> |

V

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| (k) | Questions of which notice were given A28/2014 |
| (l) | Report of the Executive Committee/Executive Mayor/Committee Reports A28/2014, A32/2014 – A55/2014 and C6/2014 |
| (m) | Motions A55/2014 |
| (n) | Closing The Speaker thanked everyone who participated in the meeting The Speaker ended the meeting at 21:08. |

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CLLR B STOFIL (SPEAKER)

.....
DATE

II

| ITEM | ITEM DESCRIPTION | PAGE |
|----------|--|------|
| A27/2014 | REPORT ON COUNCILLORS OWING THE MUNICIPALITY (AFS 2012/2013 DISCLOSURE) (SPEAKER'S OFFICE) | 1 |
| A28/2014 | QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR PP MHOLO (AMM) (3/1/1) (3/1/3/2) | 1 |
| A29/2024 | REPORT OF THE SECTION 79 DEMARCATION COMMITTEE (SPEAKER'S OFFICE) | 2 |
| A30/2024 | REPORT OF THE SECTION 79 CHAIRPERSONS COMMITTEE (SPEAKER'S OFFICE) | 2 |
| A31/2014 | SUMMARY WARD COMMITTEES REPORTS FOR JUNE AND JULY 2014 (SPEAKER'S OFFICE) | 2-3 |
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| A33/2014 | TABLING OF DRAFT ASSET MANAGEMENT POLICY (CFO) | 3 |
| A34/2014 | TABLING OF A DEVIATION REPORT IN TERMS OF THE SUPPLY CHAIN MANAGEMENT REGULATIONS (AMM) | 4 |
| A35/2014 | PROPOSED WRITE OFF OF LONG OUTSTANDING DEBT (OLDER THAN 3 YEARS, INDIGENTS AND INTERESTS ACCRUED WHERE THERE WAS NO SERVICES (AMM) | 4-5 |
| A36/2014 | REQUEST FOR THE AMENDMENT OF THE VALUATION DATE IN TERMS OF THE MUNICIPAL PROPERTY RATES ACT (AMM) | 5 |
| A37/2014 | TABLING OF THE IDP/BUDGET TIME TABLE 2015/2016 (AMM) | 5-6 |
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III

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| A38/2014 | APPLICATION TO BUY ERF 8122 THABONG (AMM) (8/3/2/45/8) | 6 |
| A39/2014 | PROGRESS REPORT ON G HOSTEL ERF 8172 (GREENFIELDS) THABONG: DIRECTOR LED AND PLANNING (AMM)(9/3/13) | 6-7 |
| A40/2014 | REPORT ON PROGRESS FOR QUICK LEAP INVESTMENTS PROJECT-1700 (AMM)(20/14/4/3) | 7 |
| A41/2014 | PROGRESS REPORT ON MERRIESPRUIT PROJECT: DIRECTOR LED AND PLANNING (AMM)(20/14/4/3) | 7 |
| A42/2014 | MATJHABENG TOURISM SECTOR STRATEGY (LED & PLANNING) (15/2/3/54) | 8 |
| A43/2014 | SOUTH AFRICAN POLICE SERVICE: APPLICATION TO PURCHASE A PORTION OF ERF 2591, KUTLWANONG FOR THE DEVELOPMENT A COMMUNITY POLICE STATION (AMM) (8/3/2/47/5) | 8-10 |
| A44/2014 | PROPOSED TOWNSHIP ESTABLISHMENT ON A PORTION OF THE farm LEEUBOSCH 285: WARD 22: KUTLWANONG (AMM) (18/3/1/28) | 11 |
| A45/2014 | PROPOSED TOWNSHIP ESTABLISHMENT ON A PORTION OF THE FARM GROENEPUNT NO. 96; WARD 3; MMAMAHABANE (AMM) (18/3) | 12 |
| A46/2014 | PROPOSED TOWNSHIP ESTABLISHMENT ON A PORTION OF THE REMAINING EXTENT OF THE FARM PHATHAKAHLE NO. 446 AND ERF 395; WARD 36; NYAKALLONG (AMM) (18/3) | 13 |
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IV

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|----------|---|-------|
| A47/2014 | THABONG: HOMESTEAD - PROPOSED TOWNSHIP ESTABLISHMENT ON A PORTION OF THE REMAINDER OF THE FARM HOMESTEAD NO 668 (AMM) | 14 |
| A48/2014 | THABONG: PHOKENG - PROPOSED TOWNSHIP ESTABLISHMENT ON A PORTION OF THE REMAINDER OF THE FARM KYKNOU NO 81 AND A PORTION OF THE REMAINDER OF THE FARM KAALVALLEY NO 61 (AMM) | 15 |
| A49/2014 | PROPOSED TOWNSHIP ESTABLISHMENT ON A PORTION OF THE REMAINDER OF PORTION 1 OF THE FARM VENTERSVLAKTE 740; WARD 3; PHOMOLONG (LED) (18/3) | 16 |
| A50/2014 | ERF 10038: LIBERTY CENTRE DEVELOPMENT: APPLICATION FOR THE ACQUISITION OF LAND FOR A BULK DELIVERY YARD (ED: LED)(8/3/2/10) | 17 |
| A51/2014 | IMPLEMENTATION OF THE NEW SPATIAL PLANNING AND LAND USE MANAGEMENT ACT (1/1/40) LED AND SPATIAL PLANNING | 17-18 |
| A52/2014 | APPLICATION TO AVAIL THE FLAMINGO LAKE TOWNSHIP AND THE LAND ADJACENT TO THE WELKOM AIRPORT BY MEANS OF A LAND AVAILABILITY AGREEMENT (10/2/1/3) (AMM) | 18 |
| A53/2014 | REPORT OF THE MATJHABENG LOCAL MUNICIPALITY RECORDS INSPECTION CONDUCTED BY THE PROVINCIAL DEPARTMENT OF SPORT, ARTS, CULTURE AND RECREATION AND IMPLEMENTATION ACTION PLAN (AMM) (2/3/2/2) | 19 |
| A54/2014 | DRAFT CONTRACT MANAGEMENT POLICY (AMM) | 19 |
| A55/2014 | MOTION BY COUNCILLOR PP MOHOLO: ON MAYORAL BURSARY SCHEME (3/1/3/2) (AMM) | 20 |
| C6/2014 | REPORT OF THE ESKOM PAYMENT PLAN (To be distributed during the meeting) | 20-21 |

1

Cllr MA Mphikeleli was unanimously appointed to act as Speaker in order to allow the Speaker to present items A27/2014, A29/2014 - A31/2014 to Council.

The Speaker welcomed the members of the Public in the Council sitting.

A27/2014

REPORT ON COUNCILLORS OWING THE MUNICIPALITY (AFS 2012/2013 DISCLOSURE) (SPEAKER'S OFFICE)

PURPOSE

To present a report to Council of Councillors owing the Municipality as disclosed in the Annual Financial Statement of 30 June 2013.

DISCUSSION

The Speaker presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

That the item **BE WITHDRAWN**.

A28/2014

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

PURPOSE

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

DISCUSSION

The Speaker presented the item to Council and indicated that due to Cllr PP Mholo's absence in the meeting the item not be considered by Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

The item **BE WITHDRAWN**.

A29/2024

REPORT OF THE SECTION 79 DEMARCATION COMMITTEE (SPEAKER'S OFFICE)

PURPOSE

To present the report of the Demarcation Committee before Council for noting

DISCUSSION

The Speaker presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

That Council **TAKES NOTE** of MDB Circular 2/2014.

A30/2024

REPORT OF THE SECTION 79 CHAIRPERSONS COMMITTEE (SPEAKER'S OFFICE)

PURPOSE

To inform the Council of the recommendations of the Chairperson's Committee Meeting held on 17 July 2014.

DISCUSSION

The Speaker presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

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

A31/2014

SUMMARY WARD COMMITTEES REPORTS FOR JUNE AND JULY 2014 (SPEAKER'S OFFICE)

PURPOSE

To report to Council on the activities of Ward Committees and their functionality

DISCUSSION

The Speaker presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

That Council **TAKES NOTE** of the report as presented.

A32/2014

QUARTERLY BUDGET REPORT – APRIL - JUNE 2014 (CFO)

PURPOSE

To submit to the Council the Quarterly Budget Report for the three months April - June 2014 in terms of Section 52(d) of the Municipal Finance Management Act, number 56 of 2003.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

That the Quarterly Budget Report for period of three Months (April - June 2014) in terms of Section 52(d) of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED**.

A33/2014

TABLING OF DRAFT ASSET MANAGEMENT POLICY (CFO)

PURPOSE

To submit to the Council the Draft Asset Management Policy

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

1. That the Draft Asset Management Policy of the Municipality **BE APPROVED** by Council.
2. That the Draft Policy be subjected to Public Participation processes and **RE-SUBMITTED** to Council after 30 days for final approval.

A34/2014

TABLING OF A DEVIATION REPORT IN TERMS OF THE SUPPLY CHAIN MANAGEMENT REGULATIONS (AMM)

PURPOSE

The purpose is to submit a deviation report from the normal procurement processes in terms of the Municipal Supply Chain Management Regulations read together with the Supply Chain Management policy of Council.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

That Council **TAKES NOTE** of the deviations.

A35/2014

PROPOSED WRITE OFF OF LONG OUTSTANDING DEBT (OLDER THAN 3 YEARS, INDIGENTS AND INTERESTS ACCRUED WHERE THERE WAS NO SERVICES (CFO)

PURPOSE

To submit a report to Council of the proposed writing-offs of long outstanding debts (indigents, older than 3 years) for consideration.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

1. That Council **APPROVES** the report for write offs amounting to **R925 131 474.51**.
2. That Council **WRITE OFF** indigent-households outstanding debts of **R617 014 091.25** as at 30 June 2014.
3. That Council **WRITE OFF** outstanding debts of accounts where there was no services but debts accumulated interests, amounting to **R3 100 261.54** for the past 3 years.
4. That Council **WRITE-OFF** accounts with an outstanding debts of 3 years and older (prescribed) amounting to **R306 870 779.10**

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5. That Council **WRITE OFF** housing accounts amounting of **R936 543.02** brought forward from the old financial system.
6. That Council **BE UPDATED** regularly on progress or finalization of the write-off process.
7. That the Municipality **RESERVES** the right to recover the written of debts, in future.

A36/2014

REQUEST FOR THE AMENDMENT OF THE VALUATION DATE IN TERMS OF THE MUNICIPAL PROPERTY RATES ACT (AMM)

PURPOSE

To submit to Council a request for the amendment of the date of valuation in terms of the Municipal Property Rates Act.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

That the item **BE WITHDRAWN**.

A37/2014

TABLING OF THE IDP/BUDGET TIME TABLE 2015/2016 (AMM)

PURPOSE

To present to Council the Time Table for the compilation of the 2015/2016 IDP/BUDGET in terms of Section 21 (1)(b) and Chapter 5 of the Municipal Finance Management Act for approval.

DISCUSSION

The Executive Mayor presented the item to Council.

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COUNCIL RESOLVED: (26 AUGUST 2014)

That Councils **APPROVES** the IDP/Budget Time Table/Process Plan for the Financial Year 2015/2016, as presented.

//The Executive Mayor requested that items A38/2014 – A55/2014 be handled simultaneously in bulk.

A38/2014

APPLICATION TO BUY ERF 8122 THABONG (AMM) (8/3/2/45/8)

PURPOSE

To solicit Council's approval for the disposal of Erf 8122, Thabong

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

1. That Council **APPROVES** the disposal of erf 8122 as it is not required for provision of services.
2. That the Municipal Manager **BE AUTHORIZED** to dispose of erf 8122 in compliance with the relevant legislation framework.
3. That the Municipal Manager **MUST SUBMIT** a report to Council upon completion of the process.

A39/2014

PROGRESS REPORT ON G HOSTEL ERF 8172 (GREENFIELDS) THABONG: DIRECTOR LED AND PLANNING (AMM)(9/3/13)

PURPOSE

To submit before Council a progress report regarding the re-development of G Hostel (ERF 8172) Thabong for noting.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

That Council **TAKES NOTE** of the G Hostel Project progress report.

A40/2014

**REPORT ON PROGRESS FOR QUICK LEAP INVESTMENTS PROJECT-1700
(AMM)(20/14/4/3)**

PURPOSE

The purpose of the report is to present current status of Quick Leap Investments 438 (Pty) Ltd, Human Settlements project to the Council for noting.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

That Council **TAKES NOTE** of the Quick Leap Investments Project-1700 progress report.

A41/2014

**PROGRESS REPORT ON MERRIESPRUIT PROJECT: DIRECTOR LED AND
PLANNING (AMM)(20/14/4/3)**

PURPOSE

To submit before Council a progress report with regard to Merriespruit Community Residential Unit Project (CRU) for noting.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

That Council **TAKES NOTE** of the Merriespruit Project progress report.

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A42/2014

MATJHABENG TOURISM SECTOR STRATEGY (LED & PLANNING)
(15/2/3/54)

PURPOSE

To solicit the adoption of the draft Tourism Strategy

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

That the Matjhabeng Tourism Sector Strategy **BE ADOPTED** by the Council.

A43/2014

SOUTH AFRICAN POLICE SERVICE: APPLICATION TO PURCHASE A PORTION OF ERF 2591, KUTLWANONG FOR THE DEVELOPMENT A COMMUNITY POLICE STATION (LED) (8/3/2/47/5)

PURPOSE

Following a previous application from SAPS and Council Resolution (A6/2012) to purchase a portion of Erf 2591 in Kutlwanong for the development of a Community Police station, this reports serves to motivate the alienation of an alternative portion of land in Kutlwanong (portion of Erf 2592 and Erf 2593, which is necessitated because of a geotechnical problem that was discovered on Erf 2591.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

1. That since the portions of Erven 2592 and 2593 as depicted on page 130 to 131 of the Annexure that will **BE UTILIZED** for the SAPS development, are not required by the Municipality now or in future to provide the minimum level of basic Municipal services, the alienation thereof be supported.
2. That the alienation of the relevant portion of Erven 2592 and 2593 (approximately 1,5ha) to SAPS, at full market value **BE APPROVED** and that the Municipal Manager be authorized to verify the market value of the land and to finalize the transaction with SAPS.

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3. That the following conditions of alienation and development **BE APPLICABLE:**
 - a) That the applicant **ACCEPTS** the conditions in writing within thirty days from date the applicant was informed of the resolution.
 - b) That the applicant **FINALIZE** the layout of the proposed erf in consultation and to the satisfaction of the Directorate LED prior to the signing of the Deed of Sale.
 - c) That a Deed of Sale, also addressing all proposed aspects of the development **BE SIGNED** by the applicant within thirty days after the written acceptance of the Council's conditions.
 - d) That all relevant costs to the sales transaction, which **INCLUDE** the cost of the sale agreement and the registration of the transfer, be for the account of the applicant.
 - e) That the developer **BE RESPONSIBLE** for the creation of an alienable erf and that the application for subdivision/rezoning of the properties be submitted to the Executive Director LED for approval prior to the submission of the application to the Provincial authority.
 - f) That both portions of the subdivided erf **BE REGISTERED** in the Deeds Office within 90 days from the notice of the approval of the subdivision.
 - g) That 10% of the purchase price **BE PAID** on the signing of the sales agreement and that the remainder of the selling price shall be payable upon registration of the properties in die Deeds Office.
 - h) That the development **BE DONE** in terms of the applicable Town Planning Scheme.
 - i) That the development of the erf **COMMENCES** within two years after date of registration in the Deeds Office, failing of which the Developer will at his cost, transfer the property back to the Municipality, at the original contract value.
 - j) That prior to any development on the erf, the applicable site development plan, building elevation, service construction and drainage plans **BE PREPARED** in consultation with and to the satisfaction of all relevant Departments, and that the site development plans at least show the following information:
 - (i) All buildings, utility areas, open spaces etc.
 - (ii) The position of all vehicle and pedestrian entrances and movement areas.
 - (iii) The position of all municipal services on the erf.

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- k) That, where applicable, the applicant will at his cost register servitudes in favor of the Municipality on all municipal services situated on the property in which case the Municipality **RESERVES** the right to perform normal maintenance on all municipal services that may be covered by paved parking areas or alternatively, at the expense of the developer reposition such services to a suitable position outside the erf boundary in consultation with and to the satisfaction of the Municipality.
- l) That any development on the erf **BE DONE** in terms of the National Building regulations.
- m) That the following **BE APPLICABLE** regarding the provision of infrastructure on the erf:
- i) Planning of all services connections must **BE DONE** in consultation with and to the satisfaction of the Directorate Infrastructure.
- ii) The cost for the water connection **WILL BE** for the account of the developer and in accordance with the tariff list.
- iii) The cost for the sewer connection **WILL BE** for the account of the purchaser. Regarding the planning and provision of the sewer connection the following must be adhered to:
- The sewage connection can be constructed from Road KUT212.
 - It must be verified if this will be sufficient to service the proposed development.
 - Provision must be made for the subdivided portion to be serviced with a sewer connection.
4. That with respect to the urgency of the project, SAPS **BE GRANTED** occupation of the property on the date of the signing of the sales agreement.

A44/2014

PROPOSED TOWNSHIP ESTABLISHMENT ON A PORTION OF THE FARM LEEUBOSCH 285: WARD 22: KUTLWANONG (LED) (18/3/1/28)

PURPOSE

The purpose of the report is to present Council with:

- a) Background regarding the township establishment.
- b) To present Council with the final township layout, the proposed land uses, street layout and development concept that will be presented to the Townships Board.
- c) To highlight the necessity and desirability of the township and the impacts on the existing urban context and the capacity of the existing municipal infrastructure to accommodate the township. In this regard applicable conditions regarding the establishment and further development of the township will be motivated and proposed in the report.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

1. That the township establishment of 2925 erven on a portion of the farm Leeubosch 225, Kutlwanong, **BE SUPPORTED**.
2. That the township layout plan as depicted on page 133 of the Annexures, **BE SUPPORTED**.
3. That the Conditions of Establishment and Title as enclosed on page 134 to 136 of the Annexures **BE APPROVED** by Council.
4. That a follow up report **BE SUBMITTED** to Council as soon as the record of decision is issued by the Department of Economic Development and Environmental Affairs in order to notify Council of any specific conditions or restrictive measures pertaining to the development of the area.
5. That all **RESPONSIBILITIES** of the Municipality regarding the provision of services as depicted in Par 2.7.3 of the report **BE NOTED** and that it be taken up in the IDP as well as the 2014/2015 Capital Budget.

A45/2014

PROPOSED TOWNSHIP ESTABLISHMENT ON A PORTION OF THE FARM GROENEPUNT NO. 96; WARD 3; MMAMAHABANE (LED) (18/3)

PURPOSE

The purpose of the report is to present Council with:

- d) Background regarding the township establishment.
- e) To present Council with the final township layout, the proposed land uses, street layout and development concept that will be presented to the Townships Board.
- f) To highlight the necessity and desirability of the township and the impacts on the existing urban context and the capacity of the existing municipal infrastructure to accommodate the township. In this regard applicable conditions regarding the establishment and further development of the township will be motivated and proposed in the report.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

1. That the township establishment of 591 erven and streets on a Portion of the farm Groenepunt no. 96, Ward 3, Mmamahabane, **BE SUPPORTED.**
2. That the township layout plan as depicted on Page 161 of the Annexures, **BE SUPPORTED.**
3. That the Conditions of Establishment and Title as enclosed on Page 162 to 163 of the Annexures **BE APPROVED** by Council.
4. That all **RESPONSIBILITIES** of the Municipality regarding the regarding the provision of services as depicted in Par 2.7.3 of the report **BE NOTED** and that it **BE TAKEN** up in the IDP as well as the 2014/2015 Capital Budget.

A46/2014

PROPOSED TOWNSHIP ESTABLISHMENT ON A PORTION OF THE REMAINING EXTENT OF THE FARM PHATHAKAHLE NO. 446 AND ERF 395; WARD 36; NYAKALLONG (LED) (18/3)

PURPOSE

The purpose of the report is to present Council with background regarding the township establishment.

- g) To present Council with the final township layout, the proposed land uses, street layout and development concept that will be presented to the Townships Board.
- h) To highlight the necessity and desirability of the township and the impacts on the existing urban context and the capacity of the existing municipal infrastructure to accommodate the township. In this regard applicable conditions regarding the establishment and further development of the township will be motivated and proposed in the report.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

1. That the township establishment of 100 erven on a Portion of the Remaining extent of the farm Phathakahle no. 446 and Erf 395, Ward 36, Nyakallong, **BE SUPPORTED**.
2. That the township layout plan as depicted on page 142 of the Annexures, **BE SUPPORTED**.
3. That the Conditions of Establishment and Title as enclosed on page 143 to 144 of the Annexures **BE APPROVED** by Council.
4. That all **RESPONSIBILITIES** of the Municipality regarding the regarding the provision of services as depicted in Par 2.7.3 of the report **BE NOTED** and that it **BE TAKEN** up in the IDP as well as the 2014/2015 Capital Budget.

A47/2014

THABONG: HOMESTEAD - PROPOSED TOWNSHIP ESTABLISHMENT ON A PORTION OF THE REMAINDER OF THE FARM HOMESTEAD NO 668 (AMM)

PURPOSE

The purpose of the report is to present Council with:

- i) Background regarding the township establishment.
- j) To present Council with the final township layout, the proposed land uses, street layout and development concept that will be presented to the Townships Board.

To highlight the necessity and desirability of the township and the impacts on the existing urban context and the capacity of the existing Municipal Infrastructure to accommodate the township. In this regard applicable conditions regarding the establishment and further development of the township will be motivated and proposed in the report.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

- 1. That the township establishment of 782 erven and streets of the Homestead area, situated on a portion of the Remainder of the farm Homestead no 668, **BE SUPPORTED.**
- 2. That the township layout plan as depicted on page 7 of the annexures, **BE SUPPORTED.**
- 3. That the Conditions of Establishment and Title as enclosed on page 8 to 13 of the annexures **BE APPROVED** by Council.
- 4. That a follow up report **BE SUBMITTED** to Council as soon as the record of decision is issued by the Department of Economic Development and Environmental Affairs in order to notify Council of any specific conditions or restrictive measures, pertaining to the development of the area.

A48/2014

THABONG: PHOKENG - PROPOSED TOWNSHIP ESTABLISHMENT ON A PORTION OF THE REMAINDER OF THE FARM KYKNOU NO 81 AND A PORTION OF THE REMAINDER OF THE FARM KAALVALLEY NO 61 (HS)

PURPOSE

The purpose of the report is to present Council with:

- k) Background regarding the township establishment.
- l) To present Council with the final township layout, the proposed land uses, street layout and development concept that will be presented to the Townships Board.
- m) To highlight the necessity and desirability of the township and the impacts on the existing urban context and the capacity of the existing municipal infrastructure to accommodate the township. In this regard applicable conditions regarding the establishment and further development of the township will be motivated and proposed in the report.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

1. That the township establishment of 928 erven and streets of the Phokeng area of Thabong, situated on a portion of the Remainder of the farm Kyknou no 81 and a portion of the Remainder of the farm Kaalvalley no 61 **BE SUPPORTED**.
2. That the township layout plan as depicted on page 15 of the annexures, **BE SUPPORTED**.
3. That the Conditions of Establishment and Title as enclosed on page 16 to 21 of the annexures **BE APPROVED** by Council.
4. That a follow up report **BE SUBMITTED** to Council as soon as the record of Decision is issued by the Department of Economic Development and Environmental Affairs in order to notify Council of any specific conditions or restrictive measures pertaining to the development of the area.

A49/2014

PROPOSED TOWNSHIP ESTABLISHMENT ON A PORTION OF THE REMAINDER OF PORTION 1 OF THE FARM VENTERSVLAKTE 740; WARD 3; PHOMOLONG (LED) (18/3)

PURPOSE OF REPORT

The purpose of the report is to present Council with:

- n) Background regarding the township establishment.
- o) To present Council with the final township layout, the proposed land uses, street layout and development concept that will be presented to the Townships Board.
- p) To highlight the necessity and desirability of the township and the impacts on the existing urban context and the capacity of the existing municipal infrastructure to accommodate the township. In this regard applicable conditions regarding the establishment and further development of the township will be motivated and proposed in the report.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

1. That the township establishment of 1675 erven on a Portion of the Remainder of Portion 1 of the farm Ventersvlakte 740, Ward 3, Phomolong **BE APPROVED**.
2. That the township layout plan as depicted on Page 38 to 39 of the Annexures (Plan 200373-Draft1), **BE SUPPORTED**.
3. That the Conditions of Establishment and Title as enclosed on Page 41 to 42 of the Annexures **BE APPROVED** by Council.
4. That a follow up report **BE SUBMITTED** to Council as soon as the record of Decision is issued by the Department of Economic Development and Environmental Affairs in order to notify Council of any specific conditions or restrictive measures pertaining to the development of the area.
5. That all **RESPONSIBILITIES** of the Municipality regarding the provision of services as depicted in Par 2.7.3 of the report **BE NOTED** and that it be taken up in the IDP as well as the 2014/2015 Capital Budget.
6. That the Municipal Manager **BE AUTHORIZED** to finalize the appointment of Bopa Lesedi, also in consultation with GOGTA for the creation of an additional 854 erven as part of this township establishment application.

A50/2014

ERF 10038: LIBERTY CENTRE DEVELOPMENT: APPLICATION FOR THE ACQUISITION OF LAND FOR A BULK DELIVERY YARD (ED: LED)(8/3/2/10)

PURPOSE OF REPORT

The purpose of the report is to motivate the alienation of a portion of the Mooi Street reserve ($\pm 600\text{m}^2$) to Liberty Investment PTY (Ltd) in order to establish a delivery yard which is required as part of the redevelopment of the Liberty shopping complex.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

1. That the property **NOT BE SOLD** to the applicant.
2. That a Memorandum of Understanding **BE CONCLUDED** with the Applicant in respect of the proposed property.

A51/2014

IMPLEMENTATION OF THE NEW SPATIAL PLANNING AND LAND USE MANAGEMENT ACT (1/1/40) LED AND SPATIAL PLANNING

PURPOSE OF THIS REPORT

To solicit Councils approval for the filling of crucial town planner's positions as well as for the advertising for members to be appointed on the Municipal Planning Tribunal to deal with land use applications in future.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

1. That Council **APPROVES** the establishment of the Municipal Planning Tribunal and the appointment of not more than 10 members in accordance with the provisions of the Act (Act 16 of 2013).
2. That Council **APPROVES** the Draft Municipal Planning By-Law for the Public Participation process to follow thereafter.

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3. The Management and **COORDINATION** of the change of land use processes and ancillary Municipal responsibilities and activities applicable for Mining Rehabilitation Projects in the Matjhabeng Local Municipal area be incorporated in the Municipal Planning By-Laws.
4. That the Council **APPROVES** the amendment of the Organogram to provide for the required staff.

A52/2014

APPLICATION TO AVAIL THE FLAMINGO LAKE TOWNSHIP AND THE LAND ADJACENT TO THE WELKOM AIRPORT BY MEANS OF A LAND AVAILABILITY AGREEMENT (10/2/1/3) (AMM)

PURPOSE OF THIS REPORT

To solicit the approval of the Council for the development of the Flamingo Lake Township and land adjacent to the Welkom Airport by means of a land availability agreement.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

1. That Council confirms that the erven in the Flamingo Lake Township are **NOT REQUIRED** for provision of Municipal services.
2. That the Municipal Manager **BE AUTHORIZED** to conclude a Land Availability Agreement with the Developers in compliance with the legislative framework.
3. That when the developed erven are disposed they **BE DISPOSED** within the values as obtained in the Municipal Valuation roll.
4. That in areas where bulk services are not available, a Service Level Agreement **BE CONCLUDED** with the developers to develop such services at its own costs.
5. That the Municipal Manager report **PROGRESS** to Council, every (3) three months.

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A53/2014

REPORT OF THE MATJHABENG LOCAL MUNICIPALITY RECORDS INSPECTION CONDUCTED BY THE PROVINCIAL DEPARTMENT OF SPORT, ARTS, CULTURE AND RECREATION AND IMPLEMENTATION ACTION PLAN (AMM) (2/3/2/2)

PURPOSE

The purpose of the item is to present to Council for noting a report by the Provincial Department of Sports, Arts, Culture and Recreation on its audit of Matjhabeng Municipality records conducted on 14 April 2014.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

That the item **BE NOTED**.

A54/2014

DRAFT CONTRACT MANAGEMENT POLICY (AMM)

PURPOSE

To submit to Council a draft contract management Policy for approval.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

1. That Council **APPROVES** the Draft Contract Management Policy.
2. That the Draft Contract Management Policy **BE SUBJECTED** to Public Participation Processes for 30 days and thereafter **BE RE-SUBMITTED** to Council for final approval.

A55/2014

**MOTION BY COUNCILLOR PP MOHOLO: ON MAYORAL BURSARY SCHEME
(3/1/3/2) (AMM)**

PURPOSE

To submit to Council the motion received from Cllr PP Mholo, for consideration.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (26 AUGUST 2014)

The item **BE WITHDRAWN** due to the fact that Cllr PP Mholo was not present in the Council meeting.

//This item was distributed to Councillors during the meeting and was considered in a closed session

C6/2014

REPORT OF THE ESKOM PAYMENT PLAN (AMM)

Confidential

PURPOSE

To submit a report to Council regarding the Eskom payment plan for approval.

DISCUSSION

The Executive Mayor presented the item to Council with the following recommendations:-

RECOMMENDATIONS:

1. That Council **TAKES NOTE** of the Court Order dated 31 July 2014.
2. That Council **APPROVES** the payment plan of ESKOM.

The shortfall of R 36 000 000 will be paid through collection of Government debt payments.

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QUS stands for Equitable Share.

| Month | Amount | Source of funds |
|---------------|------------------|-----------------|
| October 2014 | R 50 000 000.00 | MLM |
| November 2014 | R 90 000 000.00 | EQS |
| December 2014 | R 56 593 866.38 | MLM |
| January 2015 | R 56 593 866.38 | MLM |
| February 2015 | R 63 187 732.75 | MLM |
| March 2015 | R 60 000 000.00 | EQS |
| Total | R 376 375 465.59 | |

3. That Council **COMMITTS** to pay the current account of Eskom as per the Court Order.
4. That Council **AUTHORISES** the Accounting Officer to conclude the payment plan with Eskom.
5. That Council **TAKES NOTE** of the anticipated income from the Credit Control Measures.

| Debtor Type | Proj pay rate | Sept 2014 | Oct 2014 | Nov 2014 | Dec 2014 | Jan 2015 | Feb 2015 | Marc 2015 | Total |
|-------------|---------------|------------|------------|------------|------------|------------|------------|------------|-------------|
| Government | 100% | 2 978 537 | 2 978 537 | 2 978 537 | 2 978 537 | 2 978 537 | 2 978 537 | 2 978 537 | 20 849 759 |
| Business | 80% | 24 392 957 | 24 392 957 | 24 392 957 | 24 392 957 | 24 392 957 | 24 392 957 | 24 392 957 | 170 750 699 |
| Residential | 30-50% | 64 359 822 | 64 359 822 | 64 359 822 | 64 359 822 | 64 359 822 | 64 359 822 | 64 359 822 | 450 518 754 |
| Total | | 91 731 317 | 91 731 317 | 91 731 317 | 91 731 317 | 91 731 317 | 91 731 317 | 91 731 317 | 642 119 219 |

The monthly anticipated income from consumers as per the above pay rates will result in an anticipated monthly consumer income of R 91 731 317.

6. That the **APPROVED** payment plan be submitted to the MEC for Finance in the Free State.
7. That the Accounting Officer **SHOULD** report to Council on a Quarterly Basis.

COUNCIL RESOLVED: (26 AUGUST 2014)

1. That Council **APPROVES** the payment plan of ESKOM with reservations.
2. That Council **APPLIES** for leniency from Court on the implementation of the Payment Plan in consideration of the Matjhabeng financial status.