

MINUTES

of the

**5th ORDINARY COUNCIL MEETING
FOR THE YEAR 2012**

of

MATJHABENG MUNICIPALITY

held on

TUESDAY, 25 SEPTEMBER 2012

at

15:00

**COUNCILLORS ATTENDANCE: 5TH ORDINARY COUNCIL MEETING
MINUTES: 25 SEPTEMBER 2012**

ANC

PROPORTIONAL			
1.	Ngangelizwe S (Executive Mayor) (Written Apology)	12.	Petleki KI
2.	Chaka CP	13.	Radebe MC (Written Apology)
3.	Kotzee D	14.	Radebe ML
4.	Mafa DM	15.	Sephiri MJ (Chief Whip)
5.	Mafongosi ZV (Written Apology)	16.	Speelman NW (Written Apology)
6.	Mbana MA	17.	Stofile B (Speaker)
7.	Menyatso KJ (Written Apology)	18.	Tlhone ML
8.	Mkhusane NC	19.	Tsubane ME
9.	Molefi MJ	20.	Twanana M
10.	Motshabi MP	21.	Vanga NM (Written Apology)
11.	Ntsebeng MH	22.	Van Rooyen KV
WARD			
23.	Dali VN (Absent)	38.	Morris VR (Written Apology)
24.	Khalipha TD (Not signed on)	39.	Mosala MS
25.	Mabote TL	40.	Mothege MA
26.	Madumise MM	41.	Mphikeleli MA
27.	Makgowe PV	42.	Ntlele KI
28.	Masienyane MD (Written Apology)	43.	Phetise ME
29.	Mbambo AX	44.	Qwasha GL (Written Apology)
30.	Mfebe MSE	45.	Riet MI
31.	Mokausi LC	46.	Sifatya Z
32.	Mokhomo HA	47.	Taliwe FE
33.	Molelekoa PA	48.	Thateng MJ (Written Apology)
34.	Molelekoa PMI	49.	Thelingoane TJ
35.	Molete TN	50.	Tlake KR
36.	Molupe RT	51.	Tsatsa SJ
37.	Monjovo NE	52.	Tsubella KS

DA

PROPORTIONAL			
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 (Written Apology)	62.	Styger A
WARD			
63.	De Villiers MT	66.	Smit DC
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 (Written Apology)		

FF+

PROPORTIONAL	
72.	Taljaard SDM (Written Apology)

OFFICIALS

Mr G Ramathebane	:	Municipal Manager
Mr S Makhubu	:	Executive Director Strategic Support Services
Mr J Molawa	:	Executive Director Corporate Support Services
Mr M Besani	:	Executive Director Infrastructure
Me M Mogopodi	:	Executive Director Social Services
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. DEPUTATIONS AND INTERVIEWS

None

8. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

None

9. MINUTES OF PREVIOUS MEETINGS

COUNCIL RESOLVED (25 SEPTEMBER 2012)

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

- (a) Minutes of the 4th Ordinary Council meeting held on 31 July 2012.
- (b) Minutes of the 5th Special Council meeting held on 30 August 2012.
- (c) Minutes of the 5th Special Council meeting (Confidential) held on 30 August 2012 in conjunction with the following amendments:

Page 1: Par. 2 and 4 : That 30 August 2012 **be changed to** 30 September 2012.

IV

10. MATTERS ARISING FROM THE MINUTES

31 July 2012

Page 3: A36/2012

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

Cllr R Beneke enquired about the report on Legal and Professional Fees which was supposed to be submitted to the meeting.

COUNCIL RESOLVED (25 SEPTEMBER 2012)

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

Page 12: A49/2012

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

Cllr Madumise indicated that the current Organisational Structure was not submitted to Councillors.

Cllr Thoabala enquired about the financial implications on the current and proposed Organisational Structure that was supposed to be submitted to Council.

The Municipal Manager indicated that the financial implications on the proposed structure were too high and therefore the proposed Organisational Structure needs to be revised.

COUNCIL RESOLVED (25 SEPTEMBER 2012)

1. That the Municipal Manager **MUST SUBMIT** the current Organisational Structure to Councillors **WITHIN 14 DAYS**.
2. That the Municipal Manager **MUST SUBMIT** the financial implications on the current and proposed Organisational Structure at the next Council meeting.

Page 14: A51/2012

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

Cllr Mlangeni enquired about the MPAC report that should have been submitted at the meeting.

V

COUNCIL RESOLVED (25 SEPTEMBER 2012)

That the Municipal Manager **MUST SUBMIT** the MPAC report to the next Council meeting.

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)

None

13. REPORTS OF THE EXECUTIVE MAYOR

A55/2012 – A63/2012

14. MOTIONS

None

15. CLOSING REMARKS

The Speaker informed Council that he arranged a meeting with the Councillors Pension Fund on 27 September 2012 regarding former Councillors who struggle to get their money.

16. CLOSURE

The Speaker ended the meeting at **18:00**.

.....
CLLR B STOFIE (SPEAKER)

.....
DATE

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12.	SECTION B REPORTS OF THE SPEAKER	
	NONE	
13.	SECTION C REPORTS OF THE SECTION 79 COMMITTEES	
	NONE	
14.	SECTION D REPORTS OF THE EXECUTIVE MAYOR	
	A55/2012 – A63/2012	
ITEM	ITEM DESCRIPTION	PAGE
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A55/2012

MONTHLY FINANCE REPORT – JULY 2012 (ACFO) (12/1/2/3)

PURPOSE

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

DISCUSSIONS

The Acting Executive Mayor, Cllr FE Taliwe, presented the item to Council.

Cllr JS Marais requested the Executive Mayor to submit a report on proposals to rectify problems indicated in the Section 71 Report.

Cllr TD Khalipha indicated that the Executive Mayor instructed the Mayoral Committee to address problems indicated in the Section 71 Report. He mentioned the proposals made by the said committee to address the problems.

COUNCIL RESOLVED (25 SEPTEMBER 2012)

1. That the Finance Report for July 2012 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED**.
2. That the Finance Report for July 2012 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003 **BE SUBMITTED** to the Provincial and National Treasury.
3. That Council **FULLY SUPPORTS** the actions to address the problems in the Section 71 Report.
4. That Cllr TD Khalipha **MUST SUBMIT** the proposals made by the Mayoral Committee, to address the problems in the Section 71 Report, to all Councillors.

//Items 56/2012 and A57/2012 were handled simultaneously.//

A56/2012

UNAUTHORISED, IRREGULAR OR FRUITLESS AND WASTEFUL EXPENDITURE REPORT FOR THE FINANCIAL YEAR ENDING 30 JUNE 2011 (ACFO) (6/1/2/2)

PURPOSE

To submit to Council a summary of the irregular expenditure incurred for the financial year ended 30 June 2011.

DISCUSSIONS

The Acting Executive Mayor, Cllr FE Taliwe, presented the item.

COUNCIL RESOLVED (25 SEPTEMBER 2012)

That the Unauthorised, Irregular or Fruitless and Wasteful Expenditure Report for the Financial Year ending 30 June 2011 **BE REFERRED** to the Municipal Public Accounts Committee and a full report on the matter **BE SUBMITTED** to Council as soon as it is finalized.

A57/2012

UNAUTHORISED, IRREGULAR OR FRUITLESS AND WASTEFUL EXPENDITURE REPORT FOR THE FINANCIAL YEAR ENDING 30 JUNE 2012 (ACFO) (6/1/2/2)

PURPOSE

To submit to Council a summary of the irregular expenditure incurred for the financial year ended 30 June 2012.

DISCUSSIONS

The Acting Executive Mayor, Cllr FE Taliwe, presented the item.

COUNCIL RESOLVED (25 SEPTEMBER 2012)

That the Unauthorised, Irregular or Fruitless and Wasteful Expenditure Report for the Financial Year ending 30 June 2012 **BE REFERRED** to the Municipal Public Accounts Committee and a full report on the matter **BE SUBMITTED** to Council as soon as it is finalized.

A58/2012

PROGRESS REPORT: PRE-FEASIBILITY STUDY TOWARDS THE ESTABLISHMENT OF A SOLAR POWER PLANT IN THE MATJHABENG AREA (18/2/2/36) (LED AND PLANNING)

PURPOSE OF REPORT

The purpose of the report is to provide background information regarding a pre-feasibility study and further actions commissioned by the Lejweleputswa Development Agency in relation to the establishment of a solar electricity generation plant in Matjhabeng.

DISCUSSIONS

The Acting Executive Mayor, Cllr FE Taliwe, presented the item.

COUNCIL RESOLVED (25 SEPTEMBER 2012)

1. That the project concept **BE SUPPORTED** in terms of the contribution it will make to the diversification of the local economy subject to the following conditions:
 - a) that a factory for manufacturing of solar panels and any possible hardware **BE ESTABLISHED** in Matjhabeng;
 - b) that the investor **RE-SKILL AND SKILL** unemployed people to create a labour reserve and
2. That it **BE APPROVED IN PRINCIPLE** that Council will assist the project by making land and other infrastructure available to the project and that such aspects be clearly identified and addressed during the feasibility analysis.
3. That a Memorandum of Understanding **BE DEVELOPED AND SIGNED** by all parties.

A59/2012

BUSINESSES AND GUEST HOUSES IN RESIDENTIAL AREAS (18/2/1) (LED&PLANNING)

PURPOSE OF THIS REPORT

This report serves to inform the Council about the situation regarding businesses, including guest houses on residential stands in residential areas and the steps to be taken to rectify the situation.

DISCUSSIONS

The Acting Executive Mayor, Cllr FE Taliwe, presented the item.

Cllr DC Smit indicated that the word **can** in the penultimate paragraph on page 15 of the agenda should be changed to **must**.

COUNCIL RESOLVED (25 SEPTEMBER 2012)

1. That an advertisement **BE PLACED** in the local newspapers to advise business owners who operate guest houses and other business without permission, that they should enquire at the municipality on the correct procedure which they should follow in order to legalize their business.
2. That business owners **BE GIVEN** 60 days to register their business with the Municipality.
3. That the owners **BE GIVEN** six (6) months to apply for consent, special consent or rezoning, depending on the type of activity.
4. That any other means of communication, including public meetings, **BE USED**.
5. That Council **MUST ENGAGE** with the Magisterial Court on the legal enforcement of Council's By-laws and fines.
6. That a list of Definitions for the use of businesses and guest houses as indicated in the Land Use Management Plan for Matjhabeng **BE MADE AVAILABLE** at all Libraries.
7. That a full list of prohibited activities as included in the Land Use Management Plan for Matjhabeng **BE SUBMITTED** to Council for condonation.

A60/2012

SANRAL: BUILDING LINE ALONG THE R30 (Z MAHABANE) / R34 (LED&PLANNING) (19/4/6)

PURPOSE OF THIS REPORT

To spell out the implications on future development along the R34 and R30 (Z Mahabane) Roads since it was declared a National road.

DISCUSSIONS

The Acting Executive Mayor, Cllr FE Taliwe, presented the item.

COUNCIL RESOLVED (25 SEPTEMBER 2012)

1. That Erf 2856, Bronville **BE EXCHANGED** for Erf 2860, Bronville and that the owner **BE RESPONSIBLE** for the costs involved in the exchange.
2. That erven 2852, 2853, 2855, 2856, 2857 and 2859, Bronville **NOT BE SOLD** due to the new national building line restriction.
3. That the 20 meter building line along the ZR Mahabane Road **BE INCLUDED** in the Matjhabeng Land Use Management Plan.
4. That the Municipal Manager **REQUESTS** SANRAL to erect a retaining fence/wall between the ZR Mahabane Road and the Bronville residential area.

A61/2012

LOCAL ECONOMIC DEVELOPMENT: CURRENT STATUS OF AGRICULTURAL COMMONAGE PROJECTS IN MATJHABENG MUNICIPALITY (LED&PLANNING) (8/3/3/5)

PURPOSE

To submit and give information regarding the background and current status of Agricultural Projects in Matjhabeng Municipality.

DISCUSSIONS

The Acting Executive Mayor, Cllr FE Taliwe, presented the item.

COUNCIL RESOLVED (25 SEPTEMBER 2012)

1. That the report **BE NOTED**.
2. That a quarterly report **BE SUBMITTED** to Council on all commonage land.
3. That maps indicating the location of all commonages in Matjhabeng **BE SUBMITTED** to all Ward Councillors.

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A62/2012

REPORT ON PORTIONS OF MUNICIPAL LAND AS WELL AS PROPERTIES AVAILABLE FOR DISPOSAL (8/1/1) (SMTP&HS)

PURPOSE

To present before Council the latest market-related values for sale of land and properties in terms of resolution A61/2012.

DISCUSSION

//Cllr MH Ntsebeng and Cllr MP Motshabi declared their interest in the matter and excused themselves from the meeting.//

The Acting Executive Mayor, Cllr FE Taliwe, presented the item.

COUNCIL RESOLVED (25 SEPTEMBER 2012)

1. That the Council **TAKES NOTE** of the market-related values.
2. That Council **MUST ADHERES** to the principles of the adopted Alienation of Immovable Assets Policy of the Matjhabeng Local Municipality.
3. That the Municipal Valuation of the following erven **BE CHECKED, RECTIFIED** where necessary as it is higher than the Market-related Valuation and **RE-SUBMITTED** to Council:

ERF/STAND NO	AREA	ZONING	SIZE	Municipal Valuation in Rands	Market Related Valuations in Rands
662 Brill Street 91312	Flamingo Kutlwanong	Residential Municipal purpose	1765 m ² 4308 m ²	550 000 350 000	67 000 151 000
10284	Kutlwanong	Business	17953 h	440 000	269 000
2592	Kutlwanong	Community Facility	8501 m ²	300 000	298 000
2593	Kutlwanong	Community Facility	50710h	1million	507 000
13814	Meloding	Community Facility	28001h	465 000	420 000
6409	Thabong	Institutional	2445 m ²	120 000	12 000
35058	Thabong	Community Facility	2138m ²	110 000	81 000

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3518	Virginia (existing vandalised structure)	Residential (1)	1229 m ²		
				210 000	58 000
8298	Welkom	Business	5572 m ²	72 000	66 9000

4. That a Valuation Report on the following erven **BE SUBMITTED** to Council:

ERF/STAND NO	AREA	ZONING	SIZE	Municipal Valuation in Rands	Market Related Valuations in Rands
7970	Flamingo (property next to Flamingo Motors)	Municipal	20909 m ²	220 000	
1372 John Calitz Str	Hennenman	Municipal	1333 m ²	22 000	
1368 Servaas Greef Str	Hennenman	Municipal	1945 m ²	32 000	
1371 John Calitz Str	Hennenman	Municipal	1510 m ²	25 000	
10184	Kutlwanong	Municipal purpose	2033	40 000	
5379	Riebeeckstad	Municipal	1884 m ²	7 000	
5394	Riebeeckstad	Municipal	833 m ²	7 000	
4397	Riebeeckstad	Municipal Purpose	5723 m ²	74 000	
8085	Thabong	Industrial	9686 m ²	20 000	
14118	Thabong	Institutional	2462 m ²	70 000	
14099	Thabong	Not yet determined	51495 h	860 000	
14105	Thabong	Not yet determined	53593 h	890 000	
7094	Welkom	Municipal	20651 h	160 000	
5589	Welkom	Municipal	4160 m ²	62 000	
730/R	Welkom	Residential (1)	1099 m ²	19 000	
730/10	Welkom	Residential (1)	992 m ²	17 000	
7094	Welkom	Municipal	20651 h	160 000	
8298	Welkom	Business	5572 m ²	72 000	
10356	Welkom	Industrial	1120 m ²	6 000	
10640/4	Welkom	Industrial	5534 m ²	R60 000	
10640/5	Welkom	Industrial	5310 m ²	R58 000	

A63/2012

REPORT ON MUNICIPAL ACCREDITATION PROGRAMME (SMTP&HS) (11/5)

PURPOSE

1. To request Council to acknowledge the requirements of the accreditation process.
2. To request Council to resolve on the participation of the municipality in the accreditation programme.

DISCUSSIONS

The Acting Executive Mayor, Cllr FE Taliwe, presented the item.

COUNCIL RESOLVED (25 SEPTEMBER 2012)

1. That Council **ACKNOWLEDGES** the requirements of the accreditation process.
2. That Council **APPROVES** the participation of the municipality in the accreditation programme.
3. That the Municipal Manager **MUST SUBMIT** a quarterly report to Council indicating progress made.