

MINUTES

of the

**6th ORDINARY COUNCIL MEETING
FOR THE YEAR 2011**

of

MATJHABENG MUNICIPALITY

held on

TUESDAY, 29 NOVEMBER 2011

at

16:00

**COUNCILLORS ATTENDANCE: 6TH ORDINARY COUNCIL MEETING
MINUTES: 29 NOVEMBER 2011**

ANC

PROPORTIONAL			
1.	Ngangelizwe S (Executive Mayor)	12.	Ntsebeng MH
2.	Chaka CP	13.	Petleki KI
3.	Kotzee D (Absent)	14.	Radebe MC
4.	Lande ME	15.	Radebe ML (Written Apology)
5.	Mafa DM	16.	Sephiri MJ (Chief Whip)
6.	Mafongosi ZV	17.	Speelman NW (Absent)
7.	Mbana MA	18.	Stofile B (Speaker)
8.	Menyatso KJ	19.	Themhani PP
9.	Mkhusane NC	20.	Tihone ML
10.	Molefi MJ	21.	Tsubane ME
11.	Motshabi MP (Written Apology)	22.	Vanga NM
WARD			
23.	Dali VN	38.	Morris VR
24.	Khalipha TD	39.	Mosala MS
25.	Mabote TL	40.	Mothege MA
26.	Madumise MM (Written Apology)	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
33.	Molelekoa PA	48.	Thateng MJ (Telephonic Apology)
34.	Molelekoa PMI	49.	Thelingoane TJ
35.	Molete TN (Written Apology)	50.	Tlake KR
36.	Molupe RT	51.	Tsatsa SJ
37.	Monjovo NE	52.	Tsubella KS

DA

PROPORTIONAL			
53.	Banyane ME	58.	Marais JS
54.	Beneke R	59.	Mholo PP
55.	Botha PF	60.	Mlangeni MG
56.	Fanie D	61.	Mokotedi TG
57.	Fourie JJC	62.	Styger A
WARD			
63.	De Villiers MT (Written Apology)	66.	Smit DC
64.	Meyer KL	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
Mr S Makhubu	:	Executive Director Strategic Support Services
Mr M Atolo	:	Acting Executive Director Corporate Support Services
Mr M Besani	:	Executive Director Infrastructure
Mr E Motheoane	:	Acting Executive Director Social Services
Mr J Jankowitz	:	Snr Admin Officer (Corporate Services)

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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

3.1 The Speaker informed Council that Cllr PP Thembani passed away and the funeral would be held on Saturday, 3 December 2011.

4. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER

None

5. DISCLOSURE OF INTEREST

None

6. DEPUTATIONS AND INTERVIEWS

None

7. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

A70/2011

8. MINUTES OF PREVIOUS MEETINGS

COUNCIL RESOLVED (29 NOVEMBER 2011)

That the minutes of the 5th Ordinary Council Meeting held on 25 October 2011 **BE APPROVED** in conjunction with the following amendment:

Page III, Par. 6 : That the introduction **be changed** to read as follows:

The MEC of COGTA presented the Section 106 report which included the Ramathe Fivaz Report.

IV

Page 4, A48/2011 MONTHLY FINANCE REPORT – AUGUST 2011 (ACFO)
(12/1/2/3)

That the resolution **be changed** to include the following:

1. ...
2. That Heads of Department **MUST COMPLY** with the MFMA on the approval of overtime.
3. That restrictor meters **MUST BE SUPPLIED** to Indigents that exceed their fixed allocation of water and electricity.

9. MATTERS ARISING FROM THE MINUTES

None

10. FORMAL SIGNING OF MINUTES

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

SECTION B

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

A55/2011 – A57/2011 and A64/2011 and A67/2011

12. REPORTS OF THE EXECUTIVE MAYOR

A58/2011 – A63/2011, A65/2011 – A66/2011 and A68/2011 – A70/2011

13. MOTIONS

A69/2011

14. CLOSING REMARKS

None

15. CLOSURE

The Speaker ended the meeting at **19:45**.

.....
CLLR B STOFIE (SPEAKER)

.....
DATE

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//Cllr MI Riet was unanimously appointed to Chair the meeting in order to enable the Speaker to present his items//

A55/2011

TERMS OF REFERENCE FOR THE NAMING AND RE-NAMING OF STREETS AND BUILDINGS (19/4/3) (Office of the Speaker)

PURPOSE

To submit to Council the proposed Terms of Reference for the above-mentioned committee.

DISCUSSIONS

Cllr B Stofile presented the item.

COUNCIL RESOLVED (29 NOVEMBER 2011)

1. That Council **APPROVES** the following as the Terms of Reference for the Naming and Re-naming of Streets and Buildings Committee:
 - (a) To receive proposals from the community through the ward Councillor with regard to the naming and re-naming of streets and buildings.
 - (b) To ensure that proposals are in line with the Matjhabeng Policy on Naming and Re-naming of Streets and Buildings.
 - (c) To ensure that proposals are in line with the provision of the Constitution of South Africa and relevant legislation.
 - (d) To submit proposed names to Council for consideration.
 - (e) Where necessary, the Committee must attend consultative meetings in the affected Wards.
 - (f) The Ad-hoc Committee will be accountable to and report to Council through the Office of the Speaker.
2. That the adopted Policy on the Naming and Re-naming of Public Places **BE REVISED**.

A56/2011

**ESTABLISHMENT OF MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC)
(MM) (4/1/2/2)**

PURPOSE

To submit to Council a proposal for the establishment of the Municipal Public Accounts Committee.

DISCUSSIONS

Cllr B Stofile presented the item.

COUNCIL RESOLVED (29 NOVEMBER 2011)

1. That Council **APPOINTS** the following Councillors as members of the Municipal Public Accounts Committee:

Cllr MC Radebe
Cllr ZV Mafongosi
Cllr ME Phetise
Cllr DM Mafa
Cllr MA Mphikeleli
Cllr AX Mbambo
Cllr HA Mokhomo
Cllr VN Dali
Cllr R Beneke
Cllr PF Botha
Cllr JS Marais
Cllr TE Thoabala
Cllr SDM Taljaard

2. That Councillor ZV Mafongosi **BE APPOINTED** as the Chairperson of the Committee in line with Item 5 of the Guidelines.

A57/2011

DEMARICATION COMMITTEE REPORT (Office of the Speaker) (18/1/1)

PURPOSE

For Council to consider the recommendations contained in the report and take a resolution.

DISCUSSIONS

Cllr B Stofile presented the item.

COUNCIL RESOLVED (29 NOVEMBER 2011)

1. That Council **SHOULD PREFER** the retention of the current boundaries to the proposed boundaries from the Demarcation Board.
2. That, if it opted for natural features as boundaries, the Council **SHOULD NOTE** ramifications when it comes to billing rates and taxes on the part of farmers.
3. That Council **SHOULD INSTRUCT** administration to submit information required by Circular 2/2011 to the Demarcation Committee on/before Monday, 5 December 2011.
4. That Council **SHOULD AGREE** to the proposed technical realignment of the Aldam area.
5. That Council **SHOULD CONSIDER** convening a special sitting before Tuesday, 13 December 2011 to consider the final response to the MDB proposals or empower the Municipal Manager to act on its behalf.

//The ANC requested a caucus which was granted at 16:35. The meeting resumed at 16:55.//

A58/2011

MONTHLY FINANCE REPORT – SEPTEMBER 2011 (ACFO) (12/1/2/3)

PURPOSE

To submit to Council the Monthly Finance Report for September 2011 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003.

DISCUSSIONS

The Executive Mayor presented the report.

COUNCIL RESOLVED (29 NOVEMBER 2011)

That the Finance Report for September 2011 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED.**

A59/2011

MONTHLY FINANCE REPORT – OCTOBER 2011 (ACFO) (12/1/2/3)

PURPOSE

To submit to Council the Monthly Finance Report for October 2011 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003.

DISCUSSIONS

The Executive Mayor presented the report.

Clr JS Marais requested that in future the recommendations of the Section 80: Finance Committee must also be included in the item.

COUNCIL RESOLVED (29 NOVEMBER 2011)

That the Finance Report for October 2011 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED.**

A60/2011

PROGRESS REPORT: MASIMONG HOSTEL CONVERSION PROJECT (SMTP&HS) (20/14/4/5/2)

PURPOSE

The purpose of the report is to:

- Give background regarding the origin, intentions and scope of the project
- Give report on the progress to date.
- Make recommendations regarding the outstanding aspects and the inputs required from the Council at this stage.

DISCUSSIONS

The Executive Mayor presented the item and indicated that the item served before the Mayoral Committee and is submitted for noting only.

COUNCIL RESOLVED (29 NOVEMBER 2011)

That Council **TAKES NOTE** of the report on the progress to the Masimong Hostel Conversion Project.

A61/2011

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

PURPOSE

To present before Council portions of land as well as properties owned by Council with the intention of disposing them through public bidding process.

DISCUSSIONS

The Executive Mayor presented the item.

COUNCIL RESOLVED (29 NOVEMBER 2011)

1. That Council **APPROVES** the sale of properties depicted below:

Table A

NO	ERF/STAND NO	AREA	ZONING	SIZE	Market Value in Rands
1.	410	Bronville	Special Residence	552 m ²	R15 000
2.	412	Bronville	Special Residence	475 m ²	R15 000
3.	413	Bronville	Special Residence	438 m ²	R15 000
4.	414	Bronville	Special Residence	438 m ²	17 500
5.	2857	Bronville	Residential Industrial	758m ²	20 000
6.	2860	Bronville	Industrial	675 m ²	20 000
7.	2861	Bronville	Industrial	665 m ²	20 000
8.	4450	Dagbreek	Educational Private	2790 m ²	61 000

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9.	355 Woodpecker Street	Flamingo	Residential	1269 m ²	30 000
10.	656 Brill Street	Flamingo	Residential	1265 m ²	30 000
11.	653 Brill Street	Flamingo	Residential	1265 m ²	30 000
12.	662 Brill Street	Flamingo	Residential	1765 m ²	550 000
13.	661 Brill Street	Flamingo	Residential	1265 m ²	30 000
14.	660 Brill street	Flamingo	Residential	1265 m ²	30 000
15.	658 Brill Street	Flamingo	Residential	1265 m ²	30 000
16.	7970	Flamingo (property next to Flamingo Motors)	Municipal	20909 m ²	220 000
17.	1372 John Calitz Str	Hennenman	Municipal	1333 m ²	22 000
18.	1243 Schlebusch Str	Hennenman	Residential	1540 m ²	26 000
19.	1368 Servaas Greef Str	Hennenman	Municipal	1945 m ²	32 000
20.	1371 John Calitz Str	Hennenman	Municipal	1510 m ²	25 000
21.	7167 k8	Kutlwanong	Community Facility	2435m ²	50 000
22.	91312	Kutlwanong	Municipal purpose	4308 m ²	350 000
23.	91313	Kutlwanong	Municipal purposes	4966 m ²	100 000
24.	2606 k5	Kutlwanong	Residential	450m ²	10 000
25.	2607	Kutlwanong	Residential	454m ²	10 000
26.	10284	Kutlwanong	Business	17953 h	440 000
27.	70279 Block 2	Kutlwanong	Residential	402 m ²	R10 000
28.	10184	Kutlwanong	Municipal purpose	2033	40 000
29.	2591	Kutlwanong	Community Facility	25881h	520 000
30.	2592	Kutlwanong	Community Facility	8501 m ²	300 000
31.	2593	Kutlwanong	Community Facility	50710h	1million
32.	2599 K5	Kutlwanong	Institutional	2754 m ²	55 000

33.	9133 K9	Kutlwanong	Institutional	1940 m ²	39 000
34.	13814	Meloding	Community Facility	28001h	465 000
35.	14531	Meloding	Community Facility	1875m ²	25 000
36.	2884	Nyakallong	Institutional	2787 m ²	10 000
37.	1597	Riebeeckstad	residential	2231 m ²	25 000
38.	5379	Riebeeckstad	Municipal	1884 m ²	7 000
39.	5394	Riebeeckstad	Municipal	833 m ²	7 000
40.	5321, Solomons Street	Riebeeckstad	Residential	833m ²	5 000
41.	5322 Solomons Str	Riebeeckstad	Residential	833m ²	5 000
42.	5319 Solomons Street	Riebeeckstad	Residential	833m ²	5 000
43.	5324 Solomons Str	Riebeeckstad	Residential	833m ²	5 000
44.	5299 Lantana	Riebeeckstad	Residential	833m ²	5 000
45.	5300 Lantana	Riebeeckstad	Residential	833m ²	5 000
46.	5809/2	Riebeeckstad	Residential (1)	1486 m ²	22 000
47.	5809/4	Riebeeckstad	Residential (1)	1615 m ²	22 000
48.	5772	Riebeeckstad	Residential	833 m ²	14 000
49.	4397	Riebeeckstad	Municipal Purpose	5723 m ²	74 000
50.	5135	Riebeeckstad	Residential 1	1456 m ²	24 000
51.	5259	Riebeeckstad	Residential	915 m ²	5 000
52.	5424	Riebeeckstad	Residential	833 m ²	7 000
53.	Subdivision 9 of Erf 5805	Riebeeckstad	Special Residential	1467m ²	22 000
54.	5812/3	Riebeeckstad	Residential (1)	1473 m ²	15 000
55.	5772	Riebeeckstad	Special Residential	833 m ²	14 000
56.	8085	Thabong	Industrial	9686 m ²	20 000

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57.	21968	Thabong	Residential	354 m ²	R10 000
58.	21969	Thabong	Residential	380 m ²	R10 000
59.	5771	Thabong	Residential	254m ²	10 000
60.	5773	Thabong	Residential	254m ²	10 000
61.	6409	Thabong	Institutional	2445 m ²	120 000
62.	14118	Thabong	Institutional	2462 m ²	70 000
63.	16360/R	Thabong	Institutional	2039 m ²	80 000
64.	14099	Thabong	Not yet determined	51495 h	860 000
65.	14105	Thabong	Not yet determined	53593 h	890 000
66.	8079	Thabong	Industrial	5758m ²	20 000
67.	8080	Thabong	Industrial	3655m ²	20 000
68.	30584	Thabong	Industrial	771 m ²	15 000
69.	30665	Thabong	Business	201 m ²	10 000
70.	30666	Thabong	Business	202 m ²	10 000
71.	30667	Thabong	Business	11359 h	190 000
72.	30672	Thabong	Business	12334 h	205 000
73.	35058	Thabong	Community Facility	2138m ²	110 000
74.	3518	Virginia (existing vandalised structure)	Residential (1)	1229 m ²	210 000
75.	5589	Welkom	Municipal	4160 m ²	62 000
76.	730/R	Welkom	Residential (1)	1099 m ²	19 000
77.	730/10	Welkom	Residential (1)	992 m ²	17 000
78.	7094	Welkom	Municipal	20651 h	160 000
79.	8298	Welkom	Business	5572 m ²	72 000
80.	10356	Welkom	Industrial	1120 m ²	6 000
81.	10640/4	Welkom	Industrial	5534 m ²	R60 000
82.	10640/5	Welkom	Industrial	5310 m ²	R58 000

AREA	SITE NUMBER
Flamingo Park	653, 660, 661, 662, 656, 658, 659, 928 1660, 1661, 1662
Riebeeckstad	6142, 6156, 1450, 1451, 5805/9, 5805/10, 5259, 5260, 5261, 5299, 5300, 5301, 5302, 5303, 5304, 5305, 5806/1, 5807/9 - 5807/16. 5809/2, 5809/4. 5275' 5324, 5416, 5501, 5503, 5742, 4397, 4398
Welkom	10640/4, 10640/5 8080, 8085
Thabong	11356, 11372, 21968, 21969, 22090 30584, 35058,
Bronville	410, 412, 413, 414 2857,
Meloding	13814, 14531, 14661, 14717,
Virginia	1085,
Kutlwanong	7167 K8

2. That the Municipal Manager **BE MANDATED** to alienate land through a process of public bidding.
3. That the market value **BE USED** as a reserve price.
4. That, if the bidding process resulted in a lesser offer than the market value, the matter **BE REFERRED** to Council for consideration.

A62/2011

REPORT WITH REGARD TO THE DEVELOPMENT OF G-HOSTEL, SITE 8124 THABONG (SNR MANAGER TP & HOUSING) (8/1/1)

PURPOSE

To present before Council a request for consideration of the demolition and redevelopment of G-Hostel as pronounced by the Honourable Premier of the Free State, Mr Ace Magashule, in his 2009 State of the Province Address.

DISCUSSIONS

The Executive Mayor presented the item and indicated that the item served before the Mayoral Committee and is submitted for noting only.

COUNCIL RESOLVED (29 NOVEMBER 2011)

That Council **TAKES NOTE** of the report with regard to the Development of G-Hostel.

A63/2011

PROGRESS REPORT: NEIGHBORHOOD DEVELOPMENT PARTNERSHIP GRANT (LED & PLANNING) (6/4/1)

PURPOSE

To inform Council on progress made to date on the Neighbourhood Development Partnership Grant from National Treasury.

DISCUSSIONS

The Executive Mayor presented the item and indicated that the item served before the Mayoral Committee and is submitted for noting only.

COUNCIL RESOLVED (29 NOVEMBER 2011)

That Council **TAKES NOTE** of the progress report with regard to the Neighborhood Development Partnership Grant.

A64/2011

SCHEDULE: COUNCIL AND PORTFOLIO COMMITTEE ROSTER FOR JANUARY TO JUNE 2012 (3/1/3/1) (ASMCA)

PURPOSE

To submit the proposed roster for Council, Mayoral and Standing Committee meetings for January to June 2012.

DISCUSSIONS

ClIr B Stofile presented the item.

The Executive Mayor requested that the heading be changed to read Portfolio Committees and not Standing Committees.

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Cllr TE Thoabala requested where the same Councillors have to attend more than one meeting, the time of the meetings be changed to allow them to attend all the meetings.

COUNCIL RESOLVED (29 NOVEMBER 2011)

That the schedule of meetings for January to June 2012 **BE NOTED**.

A65/2011

RE-ESTABLISHMENT OF SKILLS DEVELOPMENT COMMITTEE (AEDCS) **(4/1/2/2) (5/6/1)**

PURPOSE

To revive the Skills Development Committee in Council.

DISCUSSIONS

The Executive Mayor presented the item.

COUNCIL RESOLVED (29 NOVEMBER 2011)

That the item **BE REFERRED BACK** to the Mayoral Committee to allow a report on the grants from LGSETA to be included.

A66/2011

APPOINTMENT OF MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER (MM) (5/3/2/1)

PURPOSE

The purpose is to advise Council on the process involving the appointment of managers directly accountable to the Municipal Manager.

DISCUSSIONS

The Executive Mayor presented the item.

COUNCIL RESOLVED (29 NOVEMBER 2011)

1. That Council **SHOULD APPLY** to the MEC for condonation of persons acting beyond 3 months as prescribed in the new amendment of the Systems Act.

12

2. That Council **DELEGATES** the Executive Mayor **TO APPOINT** Section 56 Managers to act until the process of recruiting and appointing by Council.

A67/2011

APPOINTMENT OF THE MEMBERS OF THE AUDIT COMMITTEE (MM)
(6/12/2/1)

PURPOSE

To table before the Council the recommendation for the appointment of members of the Audit Committee.

DISCUSSIONS

Cllr B Stofile presented the item.

COUNCIL RESOLVED (29 NOVEMBER 2011)

1. That the following candidates **BE APPOINTED** by the Council, as members of the Audit Committee:
 - MK Sebeelo
 - LL Mule
 - PV Litabe
 - JJ Human
 - MM Makofane
2. That Mr LL Mule **BE APPOINTED** as the Chairperson of the Audit Committee .
3. That Audit Committee members be paid as follows:

Chairperson	-	R3 055 per sitting
Members	-	R1 855 per sitting

//The item was handled lastly as an in-committee matter.//

A68/2011

ACTION PLAN: RAMATHE FIVAZ REPORT (Executive Mayor) (6/12/2/1)

PURPOSE

To submit to Council the Action Plan on the Ramathe Fivaz Report.

DISCUSSIONS

The Executive Mayor presented the item.

Cllr JS Marais requested that, in terms of Section 94.1 of the Standard Rules and Orders of Council, the item be discussed *in camera*.

The Speaker requested visitors and managers to leave the meeting during discussion of the item.

COUNCIL RESOLVED (29 NOVEMBER 2011)

1. That Council **TAKES NOTE** of the Action Plan on the Ramathe Fivaz Report.
2. That the implementation of the Plan **SHOULD BE DONE** in 12 months.
3. That the Municipal Manager **WOULD BE RESPONSIBLE** for the implementation of the Plan.

A69/2011

MOTION TO ELIMINATE CRIME: COUNCILLOR KL MEYER (3/1/3/2)
(AEDCSS)

PURPOSE

To submit to Council the motion received from Cllr KL Meyer, for consideration.

DISCUSSIONS

The Speaker afforded Cllr KL Meyer the opportunity to present the motion to Council.

Cllr KL Meyer requested that point 9 of the motion be deleted as the matter was already addressed.

COUNCIL RESOLVED (29 NOVEMBER 2011)

That the motion **BE REFERRED** to the Section 80: Public Safety and Transport Committee for a recommendation.

A70/2011

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR MG MLANGENI (3/1/1)
(3/1/3/2) (MM)**

PURPOSE

To submit the questions raised by Cllr MG Mlangeni and the response thereon by the Municipal Manager.

DISCUSSIONS

The Executive Mayor presented the item for noting.

COUNCIL RESOLVED (29 NOVEMBER 2011)

That the item **BE NOTED**.