MINUTES

of the

6th ORDINARY COUNCIL MEETING FOR THE YEAR 2013

of

MATJHABENG MUNICIPALITY

held on

THURSDAY, 26 SEPTEMBER 2013

at

14:00

COUNCILLORS ATTENDANCE: 6TH ORDINARY COUNCIL MEETING MINUTES: 26 SEPTEMBER 2013

ANC

PROPORTIONAL				
1.	1. Ngangelizwe S (Executive Mayor) 12. Radebe MC			
2.	Chaka CP	13.	Radebe ML (Written Apology)	
3.	Kotzee D (Absent) (Not Signed)	14.	Rubulana L (Written Apology)	
4.	Mafa DM	15.	Sephiri MJ (Absent) (Not Signed)	
5.	Mafongosi ZV	16.	Speelman NW (Written Apology)	
6.	Mbana MA	17	Stofile B (Speaker)	
7.	Menyatso KJ	18	Tihone ML	
8.	Semela MJ	19	Tsubane ME	
9.	Motshabi MP	20.	Twanana M	
10.	Ntsebeng MH	21.	Vanga NM	
11.	Petleki KI (Written Apology)	22.	Van Rooyen KV (Written Apology)	
	W	ARD		
23.	Dali VN	38.	Morris VR	
24.	Khalipha TD	39.	Mosala MS (Written Apology)	
25.	Mabote TL	40.	Mothege MA	
26.	Madumise MM (Absent)(Not Signed)	41.	Mphikeleli MA	
27.	Makgowe PV	42.	Ntlele KI	
28.	Masienyane MD	43.	Phetise ME	
29.	Mbambo AX	44.	Qwesha GL	
30.	Mfebe MSE	45.	Riet MI	
31.	Mokausi LC (Written Apology)	46.	Sifatya Z	
32.	Mokhomo HA	47.	Taliwe FE	
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	52.	Tsubella KS	

DA

PROPORTIONAL				
53.	Banyane ME	58.	Marais JS (Absent) (Not Signed)	
54.	Badenhorst MJ	59.	Mholo PP	
55. Botha PF 60. Mlangeni MG (Absent)(Not Signature 1997)		Mlangeni MG (Absent)(Not Signed)		
56.	Fanie D	61.	Mokotedi TG	
57.	Fourie JJC (Absent) (Not Signed)	62.	Styger A (Written Apology)	
WARD				
63.	De Villiers MT	66.	Smit DC	
64.	Beneke R (Written Apology)	67.	Van Rooyen MS	
65.	Naude HJ (Written Apology)	68.	Van Schalkwyk HCT	

COPE

	PROPORTIONAL				
69.	Matlebe MM	71.	Malefane DE		
70.	May FG (Written Apology)				

FF+

	PROPORTIONAL	
72.	Taljaard SDM	

OFFICIALS

Mr G Ramthebane

Municipal Manager Executive Director Strategic Support Services Executive Director Corporate Support Services Executive Director Infrastructure Mr S Makhubu Mr MF Lepheana

Mr M Besani

Snr Admin Officer (Corporate Services) Mr JKF Jankowitz

SECTION A

1. OPENING

The Speaker welcomed everybody present at the 6th Ordinary Council meeting 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

The Speaker welcomed Councillor DE Malefane at the meeting.

4. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER

The Speaker conveyed his sympathy to the family members attacked in Ward 21 the previous Friday.

Cllr MP Motshabi congratulated the ANC in winning two Wards in Tlokwe Municipality in the last by-elections.

Cllr FR Morris conveyed his condolences to the family killed in an accident near Allanridge. He also congratulated Zak Visser, from Bronville, who won gold in long jump.

Cllr SDM Taljaard congratulated the Department of Infrastructure on improving Service Delivery.

Cllr MH Ntsebeng congratulated Cllr MD Masienyane on his appointment as Chairperson of MPAC in the District Council.

Cllr DC Smit congratulated the DA in Tlokwe Municipality for taking over the Mayoral position and improving Service Delivery.

5. TAKING OF THE OATH OF OFFICE BY NEW COUNCILLOR

The Speaker indicated that the Chief Magistrate was held up and that the taking of Oath will take place on arrival.

6. DISCLOSURE OF INTEREST

None

7. DEPUTATIONS AND INTERVIEWS

None

8. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

A99/2013

9. MINUTES OF PREVIOUS MEETINGS

COUNCIL RESOLVED (26 SEPTEMBER 2013)

- 8.1 That the minutes of the 5th Ordinary Council meeting held on 30 July 2013 **BE APPROVED.**
- 8.2 That the minutes of the 3rd Special Council meeting held on 27 August 2013 **BE APPROVED** in conjunction with the following amendments:
 - (a) **Attendance Register -** that it be indicated that Cllrs MJ Badenhorst apologized for not being able to attend the meeting

10. MATTERS ARISING FROM THE MINUTES

30 July 2013

A93/2013

COUNCILS RESOLUTIONS AUDIT FROM MAY TO JULY 2013

Cllr MJ Badenhorst indicated that the Councils Resolutions Audit was not included in the Agenda.

The Executive Mayor appologised for the oversight and indicated that the item would be submitted at the next ordinary Council Meeting.

SECTION B

	11.	FORMAL	SIGNING	OF THE	MINUTES
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The Speaker indicated that he would sign the minutes after the meeting.

A100/2013 - A101/2013 and C5/2013

13. REPORTS OF THE EXECUTIVE MAYOR

A102/2013 - A119/2013

14. MOTIONS

None.

15. CLOSING REMARKS

The Speaker indicated to Council that the next Ordinary Council meeting would be held in Virginia.

16. CLOSURE

The Speaker ended the meeting at 15:45.

•••••	•••••
CLLR B STOFILE (SPEAKER)	DATE

INDEX

ITEM	ITEM DESCRIPTION	PAGE
A99/2013	QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR PP MHOLO (MM) (3/1/1)	1
A100/2013	MUNICIPAL DEMARCATION BOARD CIRCULAR 2, 2013 (OFFICE OF THE SPEAKER)(18/1/1)	1
A101/2013	THE APPLICATION OF RULE 53 (1) (b) OF THE STANDARD RULES AND ORDERS (Office of the Speaker)(3/1/B)	2
A102/2013	MATJHABENG TAXI RANK PROGRAMME: ALLOCATION OF MUNICIPAL LAND FOR THE DEVELOPMENT OF TAXI RANKS (LED)	2
A103/2013	BRONVILLE MASIMONG SPATIAL DEVELOPMENT FRAMEWORK PRECINCT PLAN (LED)	3
A104/2013	MATJHABENG TAXI RANK PROGRAMME: MELODING TAXI RANK DEVELOPMENT – APPLICATION FOR THE INCLUSION OF THE REMAINDER PORTION 17 OF THE FARM MERRIESPRUIT IN THE VIRGINIA TOWN PLANNING SCHEME (LED)	4
A105/2013	MATJHABENG: APPLICATION FOR THE LEASE OF THE VIRGINIA COMMUNITY CENTRE: ERF 1/6630 FOR THE DEVELOPMENT OF A TRAINING AND ASSESSEMENT CENTRE (LED) (9/2/28)	4
A106/2013	PUBLIC PARTICIPATION AND STAKEHOLDERS CONSULTATION REPORT: 2ND DRAFT LIVESTOCK AND DOMESTICATED GAME IMPOUNDMENT POLICY AND BY-LAWS SEPTEMBER 2012 (8/3/3/5) (ED: LED&P)	5
A107/2013	PROPOSAL FOR CHEMICAL INCUBATION PROGRAMME (LED) (3/3/27)	5

ITEM	ITEM DESCRIPTION	PAGE
A108/2013	EXCHANGE OF ERF 2860 FOR ERF 2861, BRONVILLE (SM: TP &H)	6
A109/2013	REQUEST TO SELL SITE NO 4589 MELODING: FATHER MASANGO'S ST JOHN APOSTOLIC FAITH MISSION (SM:TP&H)(8/3/2/50/4)	7
A110/2013	REQUEST TO DISPOSE SITE NUMBERS 91312 AND 91313 K1 KUTLWANONG TO GRACE CARE CENTRE (SM:TP &H) (8/3/2/47/5)	7
A111/2013	APPLICATION TO PURCHASE SITE 12890 MELODING - ST JOHN APOSTOLIC FAITH MISSION(SM: TP&H) (8/3/2/50/4)	8
A112/2013	DRAFT ALLOCATION POLICY FOR ALL SECTIONS OF HUMAN SETTLEMENTS IN MATJHABENG (SM:TP & H) (8/B)	8
A113/2013	POUND POLICY (EDSSS) (20/7/2/B)	9
A114/2013	COMMUNICATION POLICY (EDSSS) (7/B)	9
A115/2013	PAUPER, DESTITUTE AND UNKNOWN PERSONS BURIALS POLICY (EDSSS) (20/8/B)	9
A116/2013	MANAGEMENT AND MAINTENANCE OF SPORTS AND RECREATION FACILITIES POLICY (EDSSS) (10/1/B)	10
A117/2013	RISK MANAGEMENT POLICY (EDSSS) (20/2/B)	10
A118/2013	PROPOSED INFORMAL TRADING BY-LAW (EDSSS) (18/4/B)	11
A119/2013	REPORT WITH REGARD TO PALEIS –HEUVEL NO. 323 DELTA FLATS (7de Laan) HARMONY PROPERTY SITUATED IN ODENDAALSRUS (SMTP &H) (8/1/1)	11
C4/2013	COUNCILLOR MADUMISE'S LEAVE OF ABSENCE (Office of the Speaker) (3/1/3/3)	12

A99/2013

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 afforded Cllr PP Mholo to elaberate on answers submitted by the Municipal Manager. Cllr PP Mholo indicated that he would interact further on the matter with the Municipal Manager.

COUNCIL RESOLVED (26 SEPTEMBER 2013)

That Council **TAKES NOTE** of the questions raised by Cllr PP Mholo and the answers thereon by the Municipal Manager.

Council unanimously appointed Cllr MD Masineyane to chair the meeting in order to enable the Speaker to present his items.

A100/2013

MUNICIPAL DEMARCATION BOARD CIRCULAR 2, 2013 (OFFICE OF THE SPEAKER) (18/1/1)

PURPOSE

To submit before Council the MDB Circular 2/2013 for noting.

DISCUSSION

The Speaker presented the item to Council.

COUNCIL RESOLVED (26 SEPTEMBER 2013)

1. That Council **TAKES NOTE** of Circular 2/2013 of the MDB regarding the Municipal outer boundaries.

A101/2013

THE APPLICATION OF RULE 53 (1) (b) OF THE STANDARD RULES AND ORDERS (Office of the Speaker) (3/1/B)

PURPOSE

To submit to Council a response from the Department of Co-operative Governance and Traditional Affairs for discussions.

DISCUSSION

The Speaker presented the item to Council.

COUNCIL RESOLVED (26 SEPTEMBER 2013)

- 1. That Council **AGREE** to amend rule 53 (1) (b) in the Standard Rules and Orders, so that it can **BE APPLIED** during Council sitting.
- 2. That the proposed ammendment prosses **BE DONE** in consultation with CoGTA at Provincial level.
- 3. That the amendment to rule 53(1) (b) **BE REFERRED** to the Rules Committee for refinement and re-submission to Council for final approval.

The Speaker resumed his position.

A102/2013

MATJHABENG TAXI RANK PROGRAMME: ALLOCATION OF MUNICIPAL LAND FOR THE DEVELOPMENT OF TAXI RANKS (LED) (18/4/20)

PURPOSE

The purpose of the report is to obtain Council's approval for the allocation of specific portions of Municipal owned land for the development of taxi facilities in the following areas of Matjhabeng as well as approval for the land use amendments and permissions required to allow for the further development of the erven e.g. to include business developments:

- Kutlwanong (1)
- Nyakallong (1)
- Thabong (2)

- Phomolong (1)
- Meloding (1)
- Mmamahabane (1)
- Welkom Business area (3)

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (26 SEPTEMBER 2013)

- 1. That Council in principle **APPROVES** the land earmarked for Taxi facilities (except erf 206, Liberty Mall, Welkom CBD).
- 2. That all relevant Stake Holders and Departments BE **INVOLVED** during the development process.

A103/2013

BRONVILLE MASIMONG SPATIAL DEVELOPMENT FRAMEWORK PRECINCT PLAN (LED) (20/14/4/5/2)

PURPOSE

The purpose of the report is to motivate the approval of the Bronville, Masimong Spatial Development Precinct Plan.

DISCUSSION

The Executive Mayor presented the item to Council.

- 1. That Council **APPROVES** the Bronville Masimong Precinct Plan.
- 2. That the critical implications in relation to the future development of the Bronville, Masimong precinct plan area, as indicated in Par. 2.7 of the report **BE NOTED** and that these aspects be taken up in the Matjhabeng IDP and the budget.

A104/2013

MATJHABENG TAXI RANK PROGRAMME: MELODING TAXI RANK DEVELOPMENT – APPLICATION FOR THE INCLUSION OF THE REMAINDER PORTION 17 OF THE FARM MERRIESPRUIT IN THE VIRGINIA TOWN PLANNING SCHEME (LED) (18/3/1/28)

PURPOSE

The purpose of the report is to obtain Councils approval for the inclusion of the remaining extent of Portion 17 of the Farm Merriespruit 219, into the Virginia Town Planning Scheme with the zoning of "Municipal", in order to allow for the development of the rank in terms of the Taxi Rank Program.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (26 SEPTEMBER 2013)

- 1. That Council **APPROVES** the inclusion of the Remainder of Portion 17 of the Farm Merriespruit 219 in the Virginia Town Planning Scheme (1992) with a zoning of "Municipal".
- 2. That the Municipal Manager **BE AUTHORIZED** to submit an application on behalf of the Municipality to the Department of Co-Operative Governance and Traditional Affairs (COGTA) for the incorporation of the land in the Virginia Town Planning Scheme as contemplated in 1.

A105/2013

MATJHABENG: APPLICATION FOR THE LEASE OF THE VIRGINIA COMMUNITY CENTRE: ERF 1/6630 FOR THE DEVELOPMENT OF A TRAINING AND ASSESSEMENT CENTRE (LED) (9/2/28)

PURPOSE

In the documentation enclosed on page 115 to 117 of the annexures Almo Engineering (PTY) LTD motivates and applies to lease the existing Virginia Community centre situated on Subdivision 1 of Erf 6630 for the establishment of a training centre.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (26 SEPTEMBER 2013)

1. That the item **BE REFERRED BACK** to a Special Council Meeting to be arranged as soon as possible in order to enable the Executive Mayor to clarify some issues. (eg. Alternative accommodation)

A106/2013

PUBLIC PARTICIPATION AND STAKEHOLDERS CONSULTATION REPORT: 2ND DRAFT LIVESTOCK, GAME AND DOMESTICATED ANIMALS IMPOUNDMENT POLICY AND BY-LAWS SEPTEMBER 2012 (8/3/3/5) (ED: LED&P)

PURPOSE

The purpose of this report is to give Council feedback of the consultation process on the Draft Pound Policy and By-Laws.

DISCUSSIONS

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (26 SEPTEMBER 2013)

- 1. That Council **ADOPTS** the Draft Pound Policy and Draft Pound By-Laws respectively.
- 2. That Council **MUST SPEED UP** the process of allocating commonage in Communities and the land distribution for the owners of livestock.
- 3. That Communities **BE EDUCATED** on the amount of cattle that arable land can sustain.
- 4. That the Pound By-Laws **BE GAZETTED**.

A107/2013

PROPOSAL FOR CHEMICAL INCUBATION PROGRAMME (LED) (3/3/27)

PURPOSE

To solicit support of chemical incubation programme, as funded by SEDA.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (26 SEPTEMBER 2013)

- 1. That Council **SUPPORTS** the implementation of the programme as funded by SEDA
- 2. That Council **AUTHORISES** the Municipal Manager to conclude the MoA with SEDA on the implementation of the incubation programme.
- 3. That the laboratory that **WOULD BE ESTABLISHED** be accredited by South African National Standard.

A108/2013

EXCHANGE OF ERF 2856 FOR ERF 2861, BRONVILLE (SM: TP&H) (8/3/2/6)

PURPOSE OF THIS REPORT

To recommend to Council that Erf 2856 be changed for Erf 2861, Bronville.

DISCUSSION

The Executive Mayor presented the item to Council.

- 1. That Erf 2856, Bronville **BE EXCHANGED** for Erf 2861, Bronville and that the owner be responsible for the costs involved in the exchange.
- 2. That the Municipal Manager should **SUBMIT** a report to Council for noting upon the conclusion of the process.

A109/2013

REQUEST TO SELL SITE NO 4589 MELODING: FATHER MASANGO'S ST JOHN APOSTOLIC FAITH MISSION (SM: TP&H) (8/3/2/50/4)

PURPOSE

To submit before Council, a request to sell site no 4589 Meloding to Father Masango's St John Apostolic Faith Mission for church purpose.

DISCUSSION

The Executive Mayor presented the item to Council and requested that item A109/2013 to A111/2013 be referred back to the Mayoral Committee

COUNCIL RESOLVED (26 SEPTEMBER 2013)

- 1. That the item **BE REFERRED** back.
- 2. That the item **BE RE-SUBMITTED** according to standing criteria for disposal of assets.

A110/2013

REQUEST TO DISPOSE SITE NUMBERS 91312 AND 91313 K1 KUTLWANONG TO GRACE CARE CENTRE (SM: TP &H) (8/3/2/47/5)

PURPOSE

To solicit the approval of council to dispose sites 91312 and 91313 K1 Kutlwanong for Old Age Home and Orphanage purpose to Grace Care Centre.

DISCUSSION

The Executive Mayor presented the item to Council and requested that item A109/2013 to A111/2013 be referred back to the Mayoral Committee

- 1. That the item **BE REFERRED** back.
- 2. That the item **BE RE-SUBMITTED** according to standing criteria for disposal of assets

A111/2013

<u>APPLICATION TO PURCHASE SITE 12890 MELODING - ST JOHN APOSTOLIC FAITH MISSION</u>(SM: TP&H) (8/3/2/50/4)

PURPOSE

To submit before **COUNCIL** a request by St John Apostolic Faith Mission to purchase site 12890 Meloding for church purpose.

DISCUSSION

The Executive Mayor presented the item to Council and requested that item A109/2013 to A111/2013 be referred back to the Mayoral Committee

COUNCIL RESOLVED (26 SEPTEMBER 2013)

- 1. That the item **BE REFERRED** back.
- 2. That the item **BE RE-SUBMITTED** according to standing criteria for disposal of assets.

A112/2013

DRAFT ALLOCATION POLICY FOR ALL SECTIONS OF HUMAN SETTLEMENTS IN MATJHABENG (SM: TP & H) (8/B)

PURPOSE OF REPORT

The purpose of the report is to present before Council, the draft Allocation Policy for all sections within Human Settlements department.

DISCUSSION

The Executive Mayor presented the item to Council.

- 1. That Council **TAKES NOTE** of the Draft Allocation Policy for all sections within Human Settlement Department.
- 2. That the Draft Allocation Policy **BE ADVERTISED** for public comments for a period of 30 days and **BE RE-SUBMITTED** at the next Ordinary Council Meeting.

A113/2013

POUND POLICY (EDSSS) (20/7/2/B)

PURPOSE

To present the Pound Policy to Council for approval.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (26 SEPTEMBER 2013)

1. That Council **APPROVES** the Pound Policy as presented.

A114/2013

COMMUNICATION POLICY (EDSSS) (7B)

PURPOSE

To present the Communication Policy to Council for approval

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (26 SEPTEMBER 2013)

That the item **BE REFERRED BACK** to the Mayoral Committee in order to include one language ommitted in the Policy

A115/2013

PAUPER AND DESTITUTE PERSONS BURIALS POLICY (EDSSS) (20/8/B)

PURPOSE

To present the Pauper and Destitute Persons Burials Policy to Council for approval.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (26 SEPTEMBER 2013)

- 1. That Council **APPROVES** the Pauper and destitute person's burials Policy as presented.
- 2. That the policy **BE REVIEWED** every three (3) years.
- 3. That tenders **BE INVITED** for the rendering of the service.

A116/2013

MANAGEMENT AND MAINTENANCE OF SPORTS AND RECREATION FACILITIES POLICY (EDSSS) (10/1/B)

PURPOSE

To present to Council the Management and Maintenance of Sports and Recreation Facilities Policy for approval.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (26 SEPTEMBER 2013)

That the item **BE REFERRED BACK** to the Mayoral Committee.

A117/2013

RISK MANAGEMENT POLICY (EDSSS) (20/2/B)

PURPOSE

To present the Risk Management Policy to Council for approval.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (26 SEPTEMBER 2013)

That Council **APPROVES** the Risk Management Policy as presented.

A118/2013

PROPOSED INFORMAL TRADING BY-LAW (EDSSS) (18/4/B)

PURPOSE

To submit to Council a draft informal Trading by - Law for Approval.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (26 SEPTEMBER 2013)

- 1. That Council **ADOPTS** the draft Informal Trading By-Laws.
- 2. That the Council **TAKE NOTE** the Public hearings programme as attached.

A119/2013

REPORT WITH REGARD TO PALEIS –HEUVEL NO. 323 DELTA FLATS (7de Laan) HARMONY PROPERTY SITUATED IN ODENDAALSRUS. (8/1/1) (SMTP &H)

PURPOSE

To present before Council, a report with regard to the status of delta Flats commonly known as 7de Laan, in Odendaalsrus.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (26 SEPTEMBER 2013)

- 1. That Council **ACCEPTS** the donation of the property known as DELTA Flats
- 2. That further investigations **BE CONDUCTED** in collaboration with all relevant Government Departments
- 3. That consultation **BE INITIATED** with the National & Provincial Government with regard to the tenure option relevant to the situation.
- 4. That the Municipal Manager **BE MANDATED** to appoint a Professional Person to facilitate the transaction.

(Ward Councillors be involved in the consultation process)

The Speaker indicated that this is a confidential item and requested the public in the gallery and officials attending the meeting to leave the chambers.

C4/2013

<u>COUNCILLOR MADUMISE'S LEAVE OF ABSENCE</u> (Office of the Speaker) (3/1/3/3)

PURPOSE

To present before Council for discussion and resolution the Leave of Absence from Council activities by Ward 29 Councillor, Me. M. Madumise.

- That Council TAKES NOTE of the extra ordinary leave of absence of Councillor Madumise.
- 2. The Council **AUTHORISE** the Speaker to investigate further possibilities of misconduct on the part of Councillor Madumise for having missed Council meetings on grounds of being medically unfit while she continued to participate in ward public activities.
- 3. The Council **SHOULD**, during this period of investigation, **BAR** Councillor Madumise from public office pending finalisation of investigations and subsequent reporting back to Council.
- 4. The Council **SHOULD ASSIGN** Councillor PM Motshabi as a PR Councillor to take over the running of the ward until finalisation of the investigations and final determination by the Council.