

# **MINUTES**

**6th ORDINARY MEETING**

**of**

**MATJHABENG MUNICIPALITY**

**held on**

**TUESDAY 26 JUNE 2001**

**at**

**16:00**

**MINUTES OF THE 6TH ORDINARY MEETING OF THE MATJHABENG MUNICIPALITY HELD ON TUESDAY 26 JUNE 2001 AT 16:00**

**PRESENT**

**OFFICIALS**

The Acting Municipal Manager - RSB Sesele  
Assistant City Secretary (Administration) - Mr. TR Shiringani  
Deputy Town Secretary - Mr. B Molatsedi

**EXECUTIVE MAYOR**

**Cllr :** Leeuw SJ

**SPEAKER**

**Cllr :** Matsepe TV

**Councillors :**

Alexander RR  
Auret IH  
Baaitjies M  
Bengu VV  
Chao MK  
Dali VN  
Dassie YS  
Dlamini SC  
Dlova TW  
Du Toit JJ B  
Edeling JH  
Fourie JJC  
Ikaneng MI  
James TH  
Khalipha TD  
Kotzee D  
Kujoana MA  
Liphoko SJ  
Louw ML  
Mabuya FF  
Mafantire JM  
Mafongosi VZ  
Majoe TS



Manzana NR  
Maqena AM  
Mashinini NL  
Masienyane MD  
Masoka NL  
Matlabe MMT  
Mbana MM  
Matosa AN  
Menong KS  
Mfebe MSE  
Mgubanto KA  
Mhlaba N  
Mogole RR  
Mohloli PP  
Mokoena ME  
Mokhathi PE  
Mokolutlo LA  
Montshioa BA  
Mosala MS  
Motshabi MP  
Nakwa TA  
Neumann VH  
Ngangelizwe S  
Ntsala MM  
Olivier JJ  
Radebe LLF  
Radebe ML  
Ramojela JN  
Rubulana L  
Segalo SS  
Sephiri MJ  
Smit DC  
Styger A  
Taliwe FE  
Thoabala ET  
Thuthani ZA  
Tladi RE  
Tihone ML  
Tsatsa SJ  
Tshabangu SE  
Tsoene TD  
Van Rooyen HC  
Vanga M



## **OPENING**

The Speaker welcomed everyone present and Pastors B Joubert and L Matlala opened the meeting with scripture reading and prayer.

## **APPLICATIONS FOR LEAVE OF ABSENCE**

### **Councillors :**

Bothma B  
Marais Dr JS  
Matsbukanye MM  
Seboholi CP

### **3. ABSENT WITHOUT LEAVE**

NONE

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

NONE

### **5. REPORTS OF THE SPEAKER IN TERMS OF RULES 15(10) AND 99(4)**

NONE

### **6. APPLICATIONS AND APPEALS FROM COUNCILLORS IN TERMS OF RULES 14(1), 67 AND 72**

NONE

### **7. REPORTS RECEIVED FROM THE SPEAKER**

NONE

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

The Speaker congratulated the following Councillors on their birthdays:

Mhlaba N	-	02 July
Ikaneng MI	-	16 July
Montshioa BA	-	28 July

## IV

The Speaker further read the following letters of congratulations;

- a. *Letter from the Transitional Manager : Community Services congratulating Councilor TD Khalipha on the success of the cleaning campaign in his Ward.*
- b. *Letter from the Center for Language Facilitation at the University of the Free State congratulating Council on facilitating the process of formulation of a language policy.*
- c. *Letter from the South African National Defence Force thanking Council for the assistance given by Council during the military funeral of the late Major Siphso Mabuya, the son of Councillor FF Mabuya.*

### **9. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY OTHER COUNCILLORS**

- 9.1 Cllr JM Mafantire expressed a message of congratulations on the celebration of the Anniversary of the Freedom Charter and continued to read the preamble of the Charter.
- 9.2 Cllr NL Masoka congratulated Welkom Stars Soccer Team for winning the Inland Stream of the National Soccer League.
- 9.3 Cllr JJ Olivier congratulated Bobby Skinstand for his appointment as Captain of the Springbok Rugby Team.

### **10. DEPUTATIONS AND INTERVIEWS**

**The following invited persons represented the Office of the Auditor General during the discussions of Items A61 and A62:**

Messrs :

G Muller  
N McCarthy  
J Hayes

### **11. DISCLOSURE OF INTEREST**

- 11.1 Cllr HC van Rooyen on behalf of himself, Cllr VH Neumann, J Fourie, and A Styger declared their interest on Item A66 on the Agenda.
- 11.2 Cllr TV Matsepe declared his interest on Items A67 and A69 on the Agenda.
- 11.3 Cllr NL Masoka declared his interest on Item A68 on the Agenda.

# V

## 12. MINUTES OF THE PREVIOUS MEETING

**IT IS RESOLVED BY COUNCIL : (26 JUNE 2001)**

That the minutes of the meeting held on 29 May 2001 **BE APPROVED** and **CONFIRMED**.

## 13. QUESTIONS OF WHICH NOTICE WAS GIVEN

NONE

## COMMITTEE REPORTS

Council considered the reports from the Mayoral Committee and the resolutions in this regard are contained on page 1 to 10 of these minutes.

## 15. REPORTS OF DECISIONS TAKEN UNDER DELEGATED POWERS

Decisions taken under delegated powers were reported to Council and a resolution pertaining thereto under Resolution A84 of these minutes was taken.

## 16. MOTIONS

NONE

## CLOSING

The meeting terminated at 17:25.

A61

**REPORT OF THE AUDITOR-GENERAL ON THE ANNUAL FINANCIAL STATEMENTS OF THE FORMER HENNENMAN TRANSITIONAL LOCAL COUNCIL FOR THE FINANCIAL YEAR ENDED 30 JUNE 1999 (6/12/2/1) (IA-AMM) (P 1 : ANNEXURES P 1 – 6)**

**IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

That the Audited Financial Statements of the former Hennenman Transitional Local Council for the year ending 30 June 1999 together with the comments from Management **BE REFERRED** to the Audit Committee for consideration.

A62

**REPORT OF THE AUDITOR-GENERAL ON THE ANNUAL FINANCIAL STATEMENTS OF THE FORMER WELKOM TRANSITIONAL LOCAL COUNCIL FOR THE FINANCIAL YEAR ENDED 30 JUNE 1999 (6/12/2/1) (IA-AMM) (P 10 : ANNEXURES P 7 – 21)**

**IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

That the Audited Financial Statements of the former Welkom Transitional Local Council for the year ending 30 June 1999 together with the comments from Management **BE REFERRED** to the Audit Committee for consideration.

A63

**POWER ROAD TAXI DEVELOPMENTS / WELKOM BLACK TAXI ASSOCIATION (18/4/20) (6/9/20) (AMM) (P 25 : ANNEXURES P 22 – 43)**

**IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

1. That Council **TAKE** note of the failure of the application by the former Welkom Transitional Local Council to rezone Erf 7886 into a taxi rank.
2. That this matter **BE RESOLVED** speedily and to the interest of all parties affected.

A64

**ESTABLISHMENT OF A PROCUREMENT COMMITTEE (4/1/2/2) (AMM) (P 26 : ANNEXURES P 44 – 46)**

**IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

1. That the Council **APPROVES** the establishment of a Procurement Committee as a section 80 – Committee in terms of the Rule 108(1) of the Standard Rules and Orders dated 01 December 2000.

## 2

2. That the Procurement Committee **ADVISE** the Mayoral Committee regarding the procurement of supplies and services to the Council.
3. That the terms of reference of the Procurement Committee attached as per Annexure on pages 44 to 46 of the agenda of this meeting **BE APPROVED**.

### A65

#### **MAYORAL COMMITTEE : ADJUDICATION ON TENDERS (3/1/2) (AMM) (P 27)**

#### **IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

1. That the Mayoral Committee **ADJUDICATES** the following tenders on an urgent basis :
  - 1.1 Pauper Burials.
  - 1.2 Construction of new public toilets, office, store room and security fencing in Matjhabeng, Welkom regional Cemetery.
  - 1.3 Information Technology: Financial Services.
  - 1.4 Short-term Insurance.
  - 1.5 Bank account.
2. That the Mayoral Committee **REQUESTS** condonation for adjudication of the tenders mentioned in paragraph (1) above, and approval of such adjudication and the outcome thereof from Council.

### A66

#### **DISCLOSURE OF FINANCIAL INTERESTS : COUNCILLORS V.H. NEUMANN, J. FOURIE, H.C. VAN ROOYEN AND A. STYGER (3/1/1) (AMM) (P 28 : ANNEXURES P 47)**

Cllrs TV Matsepe, HC van Rooyen, VH Neumann, J Fourie, A Styger and NL Masoka left the meeting during the discussion of Items A66, A67, A68 and A69.

#### **IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

That permission **BE GRANTED** to Councillors VH Neumann, J Fourie, A Styger and HC van Rooyen in terms of item 6 of Schedule 1 of the Municipal Systems Act 2000, Act number 32 of 2000 that they may perform legal services for the Council, if so instructed, for the legal firm Neumann Van Rooyen, Incorporated.



# 3

A67

**DISCLOSURE OF FINANCIAL INTERESTS : COUNCILLOR T.V. MATSEPE (3/1/1) (AMM) (P 29 : ANNEXURES P 48)**

**IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

That permission **BE GRANTED** to Councillor TV Matsepe in terms of item 6 of Schedule 1 of the Municipal Systems Act 2000, Act number 32 of 2000 that he may perform legal services for the Council, if so instructed, for the legal firm, Matsepe and Lekale Incorporated.

A68

**DISCLOSURE OF FINANCIAL INTERESTS : COUNCILLOR N.L. MASOKA (3/1/1) (AMM) (P 30 : ANNEXURES P 49)**

**IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

That permission **BE GRANTED** to Councillor NL Masoka in terms of item 6 of Schedule 1, of the Municipal Systems Act 2000, Act number 32 of 2000 that he may perform work for the Council, when so instructed, for Umzabalazo Construction Services, and farm in life stock.

A69

**FULL-TIME COUNCILLOR : COUNCILLOR T.V. MATSEPE : APPLICATION TO UNDERTAKE OTHER PAID WORK (3/1/1) (AMM) (P 31 : ANNEXURES P 50)**

**IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

That permission **BE GRANTED** to Councillor TV Matsepe in terms of item 8 of Schedule 1 of the Municipal Systems Act 2000, Act number 32 of 2000 to undertake other paid work as a practising attorney for the legal firm Lekale and Matsepe Incorporated.

A70

**GRAVEYARD COSTS FOR PAUPER BURIALS (20/8/7) (DCS) (P 32)**

**IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

1. That the policy regarding pauper burials **BE UNIFORM** throughout Matjhabeng.

That Council **REVOKES** the policy of the former Welkom Transitional Local Council for charging graveyard costs for pauper burials so as to be in line with the other towns.

That this **BE IMPLEMENTED** immediately in order to synchronize it with the practice in the other units of Matjhabeng Municipality.

## 4

4. That the Municipality's Welfare Branch **INVESTIGATE** the cases before approving applications for pauper burials to avoid abuse of the scheme.
5. That the Transitional Manager : Financial Services **INVESTIGATE** the financial implications on the budget for revoking the former Welkom Council's policy on charging graveyard costs for pauper burials to be in line with the other towns in the Matjhabeng Municipality.

### A71

#### **MATJHABENG MUNICIPALITY : DISESTABLISHMENT OF ADMINISTRATIVE UNITS (5/1/2/2) (5/3/B) (AMM) (FIRST ADDENDUM P 1)**

##### **IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

1. That all Administrative Units in Matjhabeng **BE DISESTABLISHED** with effect from 1 July 2001 and that mechanisms **BE PUT** in place to ensure a smooth transition process.
2. That the post of Municipal Manager **BE ADVERTISED** and that all political parties **SUBMIT** names of Councillors to serve on the selection panel.

### A72

#### **REZONING ITEMS : SECTION A (3/1/3/4) (AMM) (SECOND ADDENDUM P 1)**

##### **IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

That the items contained in Section A of the agenda regarding rezoning, special consent uses and removal or alteration of the title conditions **BE REFERRED** to the Council for consideration.

### A73

#### **APPLICATION FOR THE REZONING OF ERF 9849, 349 STATEWAY, EXTENSION 2, WELKOM (18/2/2/27) (DAS4.1) (WELKOM UNIT) (SECOND ADDENDUM P 2)**

##### **IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

That the application for the rezoning of Erf 9849, 349 Stateway, Extension 2, Welkom from "Special Residential" to "Special Business" (defined) 18 Offices, Personal Services (excluding gymnasium for physical exercise, coin operated laundry and dry cleaning works) **BE APPROVED SUBJECT** to the following conditions:

## 5

- a) All plans for alterations to the buildings or plans for any new buildings shall be done by a qualified Architect.
- b) Buildings shall not exceed two (2) storeys in height.
- c) Parking shall be provided on the premises as determined by the Welkom Town Planning Scheme, No 1/1980.
- d) All parking shall be paved to the satisfaction of the Matjhabeng Council.
- e) No boundary walls or fences shall be allowed on the street boundary.
- f) The area of the premises facing the street shall be landscaped to the satisfaction of the Matjhabeng Council.
- g) Maximum floor space index of 0,70 for offices.
- h) The following types of offices/businesses will not be allowed within these areas:
  - Adult Store
  - Liquor Store
  - Escort Club
  - Night Club
  - Discotheque
  - Tavern
  - Shebeen
  - Industries
  - Noxious Industries
  - Motor Trade
  - Other uses which Council can decide on from time to time at it's sole discretion.

That the Director General, Free State Provincial Government **BE INFORMED** that the Matjhabeng Council is in favour of the rezoning of Erf 9849, Extension 2, Welkom from "Special Residential" to "Special Business" (defined) 18 Offices, Personal Services (excluding gymnasium for physical exercise, coin operated laundry and dry cleaning works) **SUBJECT** to the conditions stipulated in paragraph 1 above.

3. That the Director General, Free State Provincial Government **BE INFORMED** that the Matjhabeng Council is in favour of the removal of restrictive Title Conditions D (a), (b), (c) and (d) in Deed of Transfer T 22537/99.

# 6

A74

**APPLICATION FOR THE REZONING OF ERF 1692, 366 STATEWAY, EXTENSION 2, WELKOM (18/2/2/27) (DAS4.1) (WELKOM UNIT) (SECOND ADDENDUM P 5)**

**IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

That the application for the rezoning of Erf 1692, 366 Stateway, Welkom from "Special Residential" to "Special Business" (defined) 18 Offices, Personal Services (excluding gymnasium for physical exercise, coin operated laundry and dry cleaning works) **BE APPROVED SUBJECT** to the following conditions:

- a) All plans for alterations to the buildings or plans for any new buildings shall be done by a qualified Architect.
- b) Buildings shall not exceed two (2) storeys in height.
- c) Parking shall be provided on the premises as determined by the Welkom Town Planning Scheme, No 1/1980.
- d) All parking shall be paved to the satisfaction of the Matjhabeng Council.
- e) No boundary walls or fences shall be allowed on the street boundary.
- f) The area of the premises facing the street shall be landscaped to the satisfaction of the Matjhabeng Council.
- g) Maximum floor space index of 0,70 for offices.
- h) The following types of offices/businesses will not be allowed within these areas:

Adult Store  
Liquor Store  
Escort Club  
Night Club  
Discotheque  
Tavern

Shebeen  
Industries  
Noxious Industries  
Motor Trade

Other uses which Council can decide on from time to time at it's sole discretion.

That the Director General, Free State Provincial Government be informed that the Matjhabeng Council is in favour of the rezoning of Erf 1692, Extension 2, Welkom from "Special Residential" to "Special Business" (defined) 18 Offices, Personal Services (excluding gymnasium for physical exercise, coin operated laundry and dry cleaning works) **SUBJECT** to the conditions stipulated in paragraph 1 above.

3. That the Director General, Free State Provincial Government **BE INFORMED** that the Matjhabeng Council is in favour of the removal of restrictive Title Conditions D (a), (b), (c) and (d) in Deed of Transfer T 6448/99.

#### **A75**

#### **APPLICATION FOR THE REZONING OF ERF 1687, 360 STATEWAY, EXTENSION 2, WELKOM (18/2/27) (DAS4.1) (WELKOM UNIT) (SECOND ADDENDUM P 8)**

#### **IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

That the application for the rezoning of Erf 1687, 360 Stateway, Welkom from "Special Residential" to "Special Business" (defined) 18 Offices, Personal Services (excluding gymnasium for physical exercise, coin operated laundry and dry cleaning works) **BE APPROVED SUBJECT** to the following conditions:

- a) All plans for alterations to the buildings or plans for any new buildings shall be done by a qualified Architect.
- b) Buildings shall not exceed two (2) storeys in height.
- c) Parking shall be provided on the premises as determined by the Welkom Town Planning Scheme, No 1/1980.
- d) All parking shall be paved to the satisfaction of the Matjhabeng Council.
- e) No boundary walls or fences shall be allowed on the street boundary.
- f) The area of the premises facing the street shall be landscaped to the satisfaction of the Matjhabeng Council.
- g) Maximum floor space index of 0,70 for offices.
- h) The following types of offices/businesses will not be allowed within these areas:

# 8

Adult Store  
Liquor Store  
Escort Club  
Night Club  
Discotheque  
Tavern  
Shebeen  
Industries  
Noxious Industries  
Motor Trade  
Other uses which Council can decide on from time to time at it's sole discretion.

That the Director General, Free State Provincial Government be informed that the Matjhabeng Council is in favour of the rezoning of Erf 1687, Extension 2, Welkom from "Special Residential" to "Special Business" (defined) 18 Offices, Personal Services (excluding gymnasium for physical exercise, coin operated laundry and dry cleaning works) **SUBJECT** to the conditions stipulated in paragraph 1 above.

3. That the Director General, Free State Provincial Government **BE INFORMED** that the Matjhabeng Council is in favour of the removal of restrictive Title Conditions D (a), (b), (c) and (d) in Deed of Transfer T 26202/98.

## A76

### **APPLICATION FOR SUBDIVISION AND REMOVAL OF RESTRICTIVE CONDITIONS ON ERF 3157, HARMONY (14/3/1) (SECOND ADDENDUM P 11)**

#### **IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

1. That Subdivision of Erf 3157 **BE APPROVED**.
2. That the restrictive conditions **BE REMOVED** in order to effect this subdivision; and
3. That all cost associated with this application **BE BORNE** by the applicant.

## A77

### **SUBDIVISION AND REZONING OF A PORTION OF ERF 1620, JASONS WAY, RIEBEECKSTAD (18/2/2/3) (18/4/2/1/4) (8/3/2/6) (DAS2.6) (SECOND ADDENDUM P 13)**

#### **IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

1. That Erf 1620, Riebeeckstad **BE SUBDIVIDED** into portions of  $\pm 1674\text{m}^2$  and  $\pm 10153\text{m}^2$  respectively.

## 9

2. That a portion of Erf 1620 measuring  $\pm 1674\text{m}^2$  **BE CLOSED** as “Public Open Space” and **BE REZONED** to “Business Type A”, and
3. That the cost regarding the application for the subdivision and rezoning of Erf 1620, Riebeeckstad **BE PAID** by the Matjhabeng Council.

### A78

#### **PROPOSED REZONING OF ERF 1388, 40 EUROPA STREET, RIEBEECKSTAD (18/2/2/3) TOWN PLANNING (WELKOM UNIT) (SECOND ADDENDUM P 15)**

#### **IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

That the Director-General, Free State Provincial Government **BE INFORMED** that the Council **SUPPORTS** the application for the rezoning of Erf 1388, Riebeeckstad from “Special Residential” to “Medium Residential” **AS WELL AS** the removal of restrictive title conditions B22(a) and (b) and 23(c), (d) and (e) in Deed of Transfer T 27924/98 **SUBJECT** to the following conditions :

1. That the stipulations of the Welkom Town Planning Scheme, No 1/1980 **BE ADHERED** to;
2. That the provision / upgrading of services, if necessary, **BE** for the account of the owner.

### A79

#### **APPLICATION FOR THE REZONING OF ERF 1066, 24 LATEGAN STREET, EXTENSION 1, WELKOM (18/2/2/16) (DAS4.1) WELKOM UNIT (SECOND ADDENDUM P 18)**

#### **IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

That the application for the rezoning of Erf 1066, Extension 1, Welkom **NOT BE APPROVED** for approval due to the fact that it does not conform to the policy of the Council regarding the rezoning of residential properties.

### A80

#### **CONSOLIDATION OF ERVEN 932 AND 933, EUREKA PARK, MELODING (14/4/15/1) (SECOND ADDENDUM P 20)**

#### **IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

1. That the consolidation of Erven 932 and 933, Eureka Park, Meloding **BE APPROVED**; and

# 10

2. That all costs pertaining to this application **BE** for the account of Ms. Mutloane.

**A81**

**CONSOLIDATION OF ERVEN 1265 AND 1266 : VIRGINIA (14/4/2/2 – 1265)**  
**(SECOND ADDENDUM P 21)**

**IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

1. That the application for consolidation of Erf 1265 and 1266, Virginia **BE APPROVED**; and
2. That the Medical Centre **PAY** all costs involved in this application.

**A82**

**APPLICATION FOR THE REMOVAL OF RESTRICTIVE TITLE CONDITION : ERF 1186, 107 MCLEAN STREET, RIEBEECKSTAD (18/4/2/4) (DAS4.1) (SECOND ADDENDUM P 22)**

**IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

That the application for the removal of restrictive title condition B(22) in Deed of Transfer T27578/99 **BE SUPPORTED** by the Matjhabeng Council and that the Director General, Free State Provincial Government **BE INFORMED ACCORDINGLY**.

**A83**

**SPORT FIELDS : NANABOLELA AND TETO HIGH SCHOOLS (20/17/1/2) (TMCS)**  
**(SECOND ADDENDUM P 24)**

**IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

That the agreements with Nanabolela and Teto High Schools in Thabong **BE CANCELLED**.



A84

**REPORTS OF DECISIONS TAKEN UNDER DELEGATED POWERS (3/1/2) (AMM)**  
**(SEPARATE FOLIO P1 TO P49)**

**IT IS RESOLVED BY THE COUNCIL : (26.06.2001)**

That the resolutions MC1 to MC142 as they appear on the annexure marked separate folio, Section A, taken under delegated powers **BE CONFIRMED.**

.....  
**DATE**

.....  
**TV MATSEPE (SPEAKER)**

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