

# **MINUTES**

**4<sup>th</sup> SPECIAL COUNCIL MEETING**

**of**

**MATJHABENG MUNICIPALITY**

**held on**

**2 NOVEMBER 2004**

**at**

**16:00**

**COUNCILLORS PRESENT : 4<sup>th</sup> SPECIAL COUNCIL MEETING :  
2 NOVEMBER 2004**

**ANC**

<b>PROPORTIONAL</b>			
1.	Leeuw SJ ( <b>Executive Mayor</b> )	15.	Ikaneng MI
2.	Matsepe TV ( <b>Speaker</b> )	16.	Mafantire MJ (? <b>Apology</b> )
3.	Tsubane ME	17.	Mafongosi VZ
4.	Menong KS ( <b>MMC</b> )	18.	Mashinini NL ( <b>Apology – study leave</b> )
5.	Ramaisa KA ( <b>MMC</b> )	19.	Alexander RR ( <b>Absent</b> )
6.	Tladi RE ( <b>MMC</b> )	20.	Radebe ML
7.	Thuthani ZA ( <b>MMC</b> )( <b>Written Apology</b> )	21.	Sephiri MJ
8.	Matosa AN	22.	Tihone ML
9.	Matlabe MMT	23.	Vanga M
10.	Mbana MA	24.	Kotzee D
11.	Mokhathi PE	25.	Masoleng NI
12.	Bengu VV	26.	Kujoana MA
13.	Dali VN	27.	Motshabi MP
14.	Dlova TW		
<b>WARD</b>			
28.	Matsbukanye MM ( <b>Absent</b> )	43.	Mfebe MSE
29.	Tshabangu SE ( <b>MMC</b> )	44.	Mhlaba N
30.	Mohloli PP	45.	Mokolutlo LA
31.	Mogole RR	46.	Montshioa BA ( <b>MMC</b> )
32.	Liphoko SJ ( <b>Absent</b> )	47.	Mosala MS
33.	Mokoena ME	48.	Nakwa TA
34.	Masienyane MD	49.	Ngangelizwe S
35.	Baaitjies M	50.	Radebe LLF
36.	Dassie YS	51.	Ramojela JN
37.	Dlamini SC	52.	Rubulana L
38.	James TH	53.	Seboholi CP
39.	Khalipha TD ( <b>MMC</b> )	54.	Taliwe FE
40.	Mabuya FF	55.	Thoabala TE ( <b>MMC</b> )( <b>Written Apology</b> )
41.	Manzana NR	56.	Tsoene TD ( <b>Written Apology</b> )
42.	Masoka NL	57.	Tsatsa SJ

**DA**

<b>PROPORTIONAL</b>			
58.	Fourie JJC	62.	Maqena AM
59.	Marais (Dr) JS	63.	Ntsala MM ( <b>Written Apology</b> )
60.	Auret IH	64.	Olivier JJ
61.	Neumann VH	65.	Styger A
<b>WARD</b>			
66.	Bothma B	69.	Edeling JH ( <b>Until 16:20</b> )
67.	Louw ML ( <b>Absent</b> )	70.	Van Rooyen HC
68.	Smit DC	71.	Du Toit JJB ( <b>Written Apology</b> )



**PAC**

<b>PROPORTIONAL</b>	
72.	Majoe TS ( <b>Written Apology</b> )

**OFFICIALS**

- Mr RSB Sesele – Municipal Manager
- Mr JG Maritz – Acting Executive Manager : Corporate Services
- Dr K van der Walt - Executive Manager: Economic Development And Spatial Planning
- Ms AC Schoeman - Administrative Officer
- Mr I Lekaowa - Corporate Services

**1. OPENING**

Reverend SW Mokhachane of the Ebenezer Community Outreach Church opened the meeting with Scripture reading and a prayer.

**APPLICATIONS FOR LEAVE OF ABSENCE**

See Attendance List.

**OFFICIAL ANNOUNCEMENTS BY THE SPEAKER**

None.

**4. DISCLOSURE OF INTEREST**

None.

**MATTERS FOR DISCUSSION**

The Speaker presented items SA18/2004 and SA21/2004, which were discussed and the resolutions in this regard are on pages **1 - 3** of the minutes.

**6. CLOSING**

The meeting terminated at **18:00**.

\_\_\_\_\_  
**TV MATSEPE (SPEAKER)**

\_\_\_\_\_  
**DATE**

SA18/2004

**SELLING OF THE REMAINDER AND SUBDIVISION 3 OF ERF 8, WELKOM  
(8/3/2/10) (MM) (P1 : ANNEXURE P1-25)**

**PURPOSE**

To obtain Council's approval to sell the Remainder as well as a portion of Subdivision 3 of Erf 8, Welkom.

After the DA raised its concerns regarding the price per m<sup>2</sup> and stated that the property was to be sold to Mr Bizana Ngesi because he is a political figure and an ANC member the ANC requested a caucus and the meeting adjourned at **16:45** and restarted at **17:25**.

On return Cllr VV Bengu on behalf of the ANC caucus reported as follows:

The reference made regarding the ANC affiliation of Mr Ngesi, who is a director of the company applying to purchase the property, is rejected with the contempt it deserved.

Council did not consider an application based on political affiliation but on merit.

The development was a much better proposal than the other applicant who wanted to construct a Spar.

The income to be generated would be much higher even at R35/m<sup>2</sup> as a bigger area would be purchased, whilst the other applicant's proposal of R38,50/m<sup>2</sup> seems higher but did not really mean more revenue for Council.

A bigger tax base for Council as the buildings and land would be bigger and of a higher value than the second applicant's Spar.

More permanent and temporary jobs would be created than with the construction of a Spar.

Dr J Marais of the DA stated that R58,90/m<sup>2</sup> should be charged as determined by the City Valuer and a rebate be granted when the development was completed to determine a price of R35/m<sup>2</sup>.

The Executive Mayor stated that he had considered all facts including the issue of incentives and that after using a similar calculation as used in the Incentive Scheme of Council the result was even better than the R35/m<sup>2</sup>. He further stated that he rejected the issue of political affiliation as Council has sold land to an applicant in Virginia with a different affiliation than the ANC, but it was based on the proposal made by the applicant and the benefits to Council.

The matter was put to the vote and the outcome was as follows:

Votes for the selling of the land :	<b>48</b>
Votes against the selling of the land:	<b>10</b>

**COUNCIL RESOLVED (2 NOVEMBER 2004)**

- [MM] 1. That Council approves the application of Ixhanti Lethu (Pty) Ltd to purchase the Remainder and Subdivision 3 of Erf 8, Welkom.

That a selling price of R35/m<sup>2</sup> be determined for the areas known as Phase I and phase II (Phase I – hotel and conference area and Phase II – office block area)

That the final area to be purchased be determined by a land surveyor at the expense of the developer prior to the finalization of the Deed of Sale.

That the sale be subjected to the approval of the Township Board of the rezoning and subdivision of the property as approved by Council.

That the transaction be structured in a Deed of Sale whereby the interest of Council be protected, which Deed of Sale to be signed by the Executive Mayor and the Municipal Manager on behalf of Council.

That the development must be aesthetically accepted and the building plans must be approved by Council prior to the commencing of the development.

That the developer in conjunction with the Council, inform the Main Club of its intended development and the relocation of sport club to other facilities.

That the Council reserves the right to acquire back the land at the original price if the developer is not able to proceed for whatever reason within the timeframe of 24 to 36 months as set out in the applicant's proposal and further that this condition be embodied in the contract to be entered into.

**SA19/2004**

**MATJHABENG LOCAL MUNICIPALITY: APPROVAL OF THE REVIEWED INTEGRATED DEVELOPMENT PLAN (IDP) (2004/2005) (18/1/18) (MM - MIDP) (P4 : ANNEXURE – Separate Cover)**  
**PURPOSE OF REPORT**

To request Council to approve the reviewed Integrated Development Plan of Matjhabeng Municipality.

**COUNCIL RESOLVED (2 NOVEMBER 2004)**

- [MIDP] 1. That the reviewed Integrated Development Plan of Matjhabeng Municipality **BE APPROVED** and **BE SUBMITTED** to the Province before or on Friday, 5 November 2004.

That the implementation of the consultative process with the public and the enhancement of labour intensiveness must be considered.

SA20/2004

**MATJHABENG MUNICIPALITY : DESIGNATION OF THE WHIP OF COUNCIL (3/1/B) (AEMCS) (P6)**

**PURPOSE**

To submit the above-mentioned matter to Council following a resolution previously taken in this regard.

The Speaker explained the misprint of the paragraph under the Chief Financial Officer's comments that referred to the issue that the post was not budgeted for. It was a technical error on the side of the Corporate Services Department as the wording was taken from an item dated 20 April 2004. The Chief Financial Officer has submitted a written memo stating that the post was budgeted for in the 2004/2005 financial year.

**COUNCIL RESOLVED (2 NOVEMBER 2004)**

[CFO]

1. That the remuneration of the full-time Council Whip **BE APPROVED** with effect from 6 October 2004, as submitted according to the Public Office Bearers Act, 1998 (Act 20 of 1998) as well as the latest Government Gazette to that effect.
2. That the staff and other resources required by the Office of the Council Whip **BE MADE AVAILABLE** as it becomes fully operational.

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SA21/2004	<p><b><u>Confidential Report</u></b></p> <p>REPORT OF THE AUDITOR-GENERAL REGARDING THE FINANCIAL STATEMENTS OF MATJHABENG LOCAL MUNICIPALITY FOR THE YEAR ENDED 30 JUNE 2004_(Executive Mayor) (12/1/2/1)</p>	Separate Cover