

HS/10 OF 2018

(LED, PLANNING & HS) 20/14/3/2

REPORT ON NATIONAL HOUSING NEEDS REGISTER (NHNR) (LED, Planning & HS)

PURPOSE

To inform Human Settlements Section 80 Portfolio Committee about the newly introduced consolidation of various waiting lists/ demand database by National Human Settlements.

BACKGROUND AND DISCUSSION

The National Housing Needs Register (NHNR) is a central database that offers households the opportunity to register their need for adequate shelter by providing information about their current living conditions, household composition and to indicate the type of housing assistance they require from government. Beneficiaries are also able to update their information to ensure that their details are relevant to their current situation.

NHNR ensures that the allocation of housing opportunities are done in accordance with various programmes contained in the National Housing Code. This is done by selecting households from relevant geographical areas based on age, preference, employment and income status.

On the 17-18 April 2018 the Matjhabeng Housing officials were trained on the National Housing Needs Register. The Councilors were also offered training by the Provincial Human Settlements Department.

Purpose of the National Housing Needs Register

The purpose is to ensure that:

- that households not on waiting lists have the opportunity to register their need for adequate shelter
- by providing information about their current living conditions, and to indicate the type of housing assistance they require from government
- consolidation of various waiting lists and improving the quality of the records received and determine if these records adhere to the minimum requirements
- **The allocation of housing opportunities** that are created through the various programmes contained in the National Housing Code are done in a fair, transparent and auditable manner.

- that households from relevant geographical areas based on the agreed criteria e.g. age, employment and income status are realized
- that information about households are utilized during the planning and budgeting of Human settlements projects as the information per household is ward based and requires physical address or house/stand number.

Current status

The Provincial Department requested and was given the current approved waiting list, and have since commenced with the capturing process in Nyakallong, Mmamahabane, Kutlwanong and Doorn

*****Attached on the Annexures page 1 to 15 is the request letter to MM, MLM NHNR Questionnaire per area and MLM NHNR Draft Implementation Plan**

This they undertook in collaboration with the Municipal officials as they had already received training.

Financial Implications:Funds derived from the Provincial Department of Human Settlements.

Legislative Framework

Policy Position

- **The Constitution of South Africa 1996**

Section 26 of the Constitution of the Republic of South Africa, 1996, states that everyone has the right to have “access to adequate housing.

- **Housing Act of 1997 as amended (second amendment Act. No 60 of 1999)**

Section 9 of the Housing Act of 1997 section 1 as amended, states that every Municipality must, as part of the municipality’s process of integrated development planning, take all reasonable and necessary steps within the framework of national and provincial housing legislation and policy to-

Ensure that-

“The inhabitants of its area of jurisdiction have access to adequate housing on a progressive basis”

RECOMMENDATION

That Section 80 takes note of the report.

HS/11 OF 2018

DEPARTMENT OF HUMAN SETTLEMENT QUARTERLY REPORT (APRIL 2018 – JUNE 2018)

1. PURPOSE

To present to the Human Settlement Sec 80 Committee the departmental quarterly report for the quarter ended 30 June 2018.

2. BACKGROUND

The department of Human Settlement comprises three sections namely, the Administration section, Land Affairs section as well as the Housing Development section. The Administration section's core functions include the application of the Enhanced Extended Discount Benefit Scheme for qualifying occupants of the public housing stock, the application of qualifying occupants in the of Conversion Act 81 of 1988, transfer of Estate sites to nominated individuals stated in letters of authority and the handling of disputes. The Land Affairs section's core functions are the allocation of sites as well as land alienation. Housing Development section's core function is to facilitate the subsidy backed programmes with the main projects being, Flamingo Park 529, Gap Market, Ventersburg's Mixed Development Project and the Development of 62 Houses for Military Veterans.

3. DISCUSSION

*****Kindly refer to the consolidated quarterly report for stats and further information on separate (Cover 1)**

4. POLICY POSITION

National Housing Code Part 3: Enhanced Extended Discount Benefit Scheme

Conversions Act 81 of 1988

Housing Act of 1997 as amended (second amendment Act. No 60 of 1999)

Section 9 of the Housing Act of 1997 section 1 as amended

Matjhabeng Local Municipality Allocation Policy

5. RECOMMENDATION

It is recommended that the Human Settlement Sec 80 Committee note the report.

HS/12 OF 2018

REPORT ON TRANSFER OF REMAINING ANGLOGOLD ASHANTI PROPERTIES IN KUTLWANONG TO BENEFICIARIES AS WELL AS DONATION OF THE REMAINING HOUSES TO MATJHABENG MUNICIPALITY. (SNR MANAGER: TP&H)

PURPOSE OF THE REPORT

To request Human Settlement Section 80 to accept donation of the remaining Anglo- Gold Ashanti Houses to the Municipality as well as note the report as submitted by Wessel &Smith Attorney on houses already transferred.

BACKGROUND

At its meeting held on 2007-08-28 COUNCIL RESOLVED:

1. That Council **WRITES OFF** the accumulated arrears of R1 127 181, 00 on the Anglogold account.
2. That Council **ALLOCATES** monies in the budget to purchase the 724 stands at R2 500, 00 per stand.
3. That Matjhabeng Municipality **DETERMINES** the criteria under which the transfer of the 107 properties in Kutlwanong K4, K5 and K8 from Anglo Ashanti to the nominated beneficiaries will take place.

There were 107 properties in Kutlwanong that belonged to Anglo Ashanti which Council agreed that they should be transferred to the occupants after writing off the arrear debt of these properties. The process of transferring these properties is nearly completed.

At its sitting on 2009-11-18 COUNCIL RESOLVED:

That the item to transfer the remaining properties onto the municipality's names be referred back.

In terms of resolution "3" in 2007, Council was to DETERMINE the criteria under which the transfer of the 107 properties in Kutlwanong K4, K5 and K8 from Anglo Ashanti to the nominated beneficiaries will take place.

According to HV Jordaan Attorneys and our physical verification process, there are seven properties that can't be transferred due the following reasons:

Houses Numbers 7029, 6933, and 7140 – Minor children without birth certificates and/or ID's.

Houses Numbers 6875, 1440, 7022, 6867 – rightful occupation could not be confirmed.

House Number 6988- The house is forever locked.

**** **A list of affected properties is attached on pages 16 to 17 of the annexures.**

THE MAYORAL COMMITTEE RESOLVED (14 DECEMBER 2011)

That the item **BE REFERRED BACK** to enquire about financial implications on the municipality and **RE-SUBMITTED** at the next Mayoral Committee meeting.

PROBLEM STATEMENT

HV Jordaan attorneys are unable to conclude their assignment of transferring a total of 107 properties as appointed by Anglo Ashanti as they can't find appropriate beneficiaries. If a decision is not made regarding these properties the project would remain incomplete.

Anglo-Gold Ashanti subsequently appointed Wessel & Smith Attorney to finalize the transfer of the remaining Houses to Beneficiaries, on acceptance of this instruction by the Attorney, the Attorney engaged the Municipality for finalization of the processes, together with our Housing department verification of the beneficiaries was done, and in cases where beneficiaries were found transferred was effected.

There were cases where beneficiaries could not be traced as onsite inspection. Some of the houses were locked and such cases have been referred to respective ward Councillors to assist.

**** **attached hereto verification report done as well as on progress report from the Attorney on transfer of Houses to beneficiaries.**

*** **attached on separate cover 2, is a report depicting status of accounts**

DISCUSSION

Total of 107 Houses were donated, transfer was done to majority of these Houses with exception of 10 Houses where beneficiaries cannot be traced.

Anglo-Gold has expressed an intention to donate these houses to the Municipality, this will include 19 houses that were left out during the initial donation agreement.

POLICY POSITION/LEGAL IMPLICATIONS

Municipal Finance Management Act

FINANCIAL IMPLICATION

Council will incur the transfer costs at later stage when it transfers the properties to appropriate beneficiaries, once they are traced.

Properties with no appropriate beneficiaries can be temporarily rented out. Rental fee will be determined according to market related rates.

The following is a list of Houses that Anglo-Ashanti seek to donate to the Municipality currently

No.	Erf No.	Area
1.	6933	Kutlwanong
2.	6873	Kutlwanong
3.	1440	Kutlwanong
4.	7022	Kutlwanong
5.	6867	Kutlwanong
6.	7029	Kutlwanong
7.	7140	Kutlwanong
8.	3842	Kutlwanong
9.	3762	Kutlwanong
10.	3783	Kutlwanong
11.	3822	Kutlwanong
12.	3887	Kutlwanong
13.	3889	Kutlwanong
14.	6782	Kutlwanong
15.	6886	Kutlwanong
16.	6903	Kutlwanong

17.	6978	Kutlwanong
18.	7038	Kutlwanong
19.	7090	Kutlwanong

RECOMMENDATIONS

1. That Section 80 notes the report.
2. That Section 80 resolve to recommend acceptance the donation of 19 Anglo-Ashanti Houses to the Municipality.
3. That Section 80 resolve to recommend that of the 10 Houses where beneficiaries cannot be traced that transfer of the said Houses be made to the Municipality.
4. That Section 80 resolve to recommend disposal of the donated House be done in accordance with Municipal Policy on disposal of Immovable Assets.

HS/13 OF 2018**REPORT MUNICIPAL RESIDENTIAL SITES SOLD OR INTENDED TO BE SOLD ILLEGAL.****PURPOSE**

To submit before the Section 80 on Human Settlements the statistics of sites alleged to be illegally sold.

BACKGROUND

On or around 2017 the Housing Department discovered that there was a trend happening with regard to individual alleging to have purchased the site from the Municipality without following of MFMA process, this matter was kept growing, on the 21st April 2017 clearance department was requested to refrain from issuing clearance certificate without consulting the Housing department on Erven registered as belong to the Municipality, however despite the above, the illegal sale of land proceeded.

the following are cases which came to the attention of the Housing department, this are but a few we believe there is more which we might not have been aware of, the common thing with all this is that the signature of the previous Municipal Manager was used, Namely; Mr. Lepheana and Mr. Ramathebane.

The following sites were discovered when request for clearance figures was done;

SITES WHERE CLEARANCE FIGURES WERE REQUESTED.

NO	ERF NO	SURBURB	ILLEGAL BUYER	COMMENT
1.	Erf 8702/2	Welkom	Tankiso Martin Coetzee	
2.	Erf 1659	Flamingo	Nellie & Johannes Ratsiu	This site was part of 2016/2017 land sales
3.	Erf 1660	Flamingo	Nellie & Johannes Ratsiu	This site was part of 2016/2017 land sales
4.	Erf 5285	Riebeeckstad	Nellie Ratsiu	

5.	Erf 5286	Riebeeckstad	Nellie Ratsiu	
6.	Erf 863	Naudeville	Francina Motete	
7.	Erf 864	Naudeville	Francina Motete	
8.	Erf 5809/7	Riebeeckstad	Sello & Eunice Mokhosi	
9.	Erf 1008	Flamingo	Mankoe Sarah Mokau	This sites are part of site availed to Mkhonza Holding for development of Gap Market
10.	Erf 1654	Flamingo	Nellie & Johannes Ratsiu	This site was part of 2016/2017 land sales
11.	Erf 1657	Flamingo	Nellie & Johannes Ratsiu	This site was part of 2016/2017 land sales
12.	Erf 5520	Riebeeckstad	David Mphuthi & Ernestinah Motseki	This site was part of 2016/2017 land sales
13.	Erf 5521	Riebeeckstad	David Mphuthi & Ernestinah Motseki	
14.	Erf 5522	Riebeeckstad	David Mphuthi & Ernestinah Motseki	
15.	Erf 5523	Riebeeckstad	David Mphuthi & Ernestinah Motseki	
16.	Erf 5524	Riebeeckstad	David Mphuthi & Ernestinah Motseki	

17.	Erf 5525	Riebeeckstad	David Mphuthi & Ernestinah Motseki	
18.	Erf 1012	Flamingo	Englishman Mashia	This sites are part of site availed to Mkhonza Holding for development of Gap Market
19.	Erf 5437	Riebeeckstad	Johannes & Meriam Koppie	
20.	Erf 7817	Welkom Ext 11	Alinah Moletsane	
21.	Erf 1284	Virginia	Paseka Japi Annastatia Kotleli	
22.	Erf 1285	Virginia	Paseka Japi Annastatia Kotleli	
23.	Erf 1286	Virginia	Paseka Japi Annastatia Kotleli	
24.	Erf 1287	Virginia	Paseka Japi Annastatia Kotleli	
25.	Erf 1288	Virginia	Paseka Japi Annastatia Kotleli	
26.	Erf 1289	Virginia	Paseka Japi Annastatia Kotleli	
27.	Erf 5307	Riebeeckstad	Mosebetsi & Likeleli Mabaso	
28.	Erf 5308	Riebeeckstad	Mosebetsi & Likeleli Mabaso	

The following are cases where transfer has already been done in favour of the alleged buyer, some cases discovered when a buyer came forth to request to be shown site pegs, other cases were discovered through deed search investigation on site previously advertised...

NO	ERF NO		ILLEGAL BUYER	COMMENT
1.	Erf 1661	Flamingo	Phillip & Ivy Mthombeni	This site was part of 2016/2017 land sales
2.	Erf 1662	Flamingo	Phillip & Ivy Mthombeni	This site was part of 2016/2017 land sales
3.	Erf 13516	Thabong	Morakane Ann Segaletsho	
4.	Erf 13517	Thabong	Morakane Ann Segaletsho	
5.	Erf 1006	Flamingo	Tjodi & Alina Tamane	This sites are part of site availed to Mkhonza Holding for development of Gap Market
6.	Erf 1007	Flamingo	Tjodi & Alina Tamane	This sites are part of site availed to Mkhonza Holding for development of Gap Market
7.	Erf 20353	Thabong	Tshepo Stanley Litlhakanyane	
8.	Erf 21972	Thabong	Solomon & Susan Nyapele	This site was part of 2016/2017 land sales
9.	Erf 21972	Thabong	Solomon & Susan Nyapele	This site was part of 2016/2017 land sales
10.	Erf 658	Flamingo Park	Mphatsoe Mellita	This site was part of 2012 land sales

11.	Erf 662	Flamingo Park	Tseisi Semetse John	This site was part of 2012 land sales
12.	Erf 1597	Riebeeckstad	Mokoena Tsolo & Eunice	This site was part of 2012 land sales
13.	Erf 5321	Riebeeckstad Ext 1	Alexina Lecheko	This site was part of 2012 land sales
14.	Erf 5809/2	Riebeeckstad Ext 1	Innocent & Palesa Pheko	This site was part of 2012 land sales
15.	Erf 5809/4	Riebeeckstad Ext 1	Tseisi Mpho Gift	This site was part of 2012 land sales
16.	Erf 5259	Riebeeckstad Ext 1	Petrus & Alina Tlali	This site was part of 2012 land sales
17.	Erf 5805/9	Riebeeckstad Ext 1	Eddie & Alleta Sithole	This site was part of 2012 land sales
18.	Erf 21968	Thabong	Piet & Eunice Mokhosi	This site was part of 2012 land sales
19.	Erf 21969	Thabong	Piet & Eunice Mokhosi	This site was part of 2012 land sales
20.	Erf 5520	Riebeeckstad Ext 1	Simon & Eva Kwanya	This site was part of the 2014 land sales
21.	Erf 5405	Riebeeckstad Ext 1	Esthere & Jerry Owuru	This site was part of the 2014 land sales
22.	Erf 5316	Riebeeckstad Ext 1	Esthere & Jerry Owuru	This site was part of the 2014 land sales
23.	Erf 5314	Riebeeckstad Ext 1	Esthere & Jerry Owuru	This site was part of the 2014 land sales
24.	Erf 5302	Riebeeckstad Ext 1	Esthere & Jerry Owuru	This site was part of the 2014 land sales

25.	Erf 5306	Riebeeckstad Ext 1	Ngubeni joyce & Mokobe Petrus	This site was part of the 2014 land sales
26.	Erf 1538	Riebeeckstad	Abraham & Emily Makhoba	This site was part of the 2014 land sales
27.	Erf 21971	Thabong	Tshidiso & Eva Kwanya	This site was part of 2016/2017 land sales

All cases have been report to SAPS and are under investigation, the investigating Officer advised that he is wrapping up his investigation and will be submitting the docket to National Prosecuting Authority for a decision.

FINANCIAL IMPLICATION

Loss of revenue for the Municipality due to illegal Sale of land.

LEGAL IMPLICATIONS

Disposal of Municipal land is regulated through Section 14 of the MFMA and further by Policy on Disposal of Municipal Assets.

If the above was not followed, the Criminal Procedure Act must be applied.

RECOMMENDATION

1. That Section 80 takes note of the report.
2. That Section 80 resolve to recommend that Legal Services instruct a conveyancer to proceed with de-registration of properties that have already been transferred illegally.

HS/14 OF 2018**REPORT ON PARTICIPATION OF MATJHABENG MUNICIPALITY ON FREE STATE INFORMAL SETTLEMENT UPGRADING FORUM-ISU (ED: LED PLANNING & HS)****PURPOSE**

To submit before Human Settlement Section 80 Committee a report on participation of Matjhabeng Local Municipality on Free State Informal Settlement Upgrading (ISU) Forum.

BACKGROUND

The Provincial Department of Human Settlement together with Housing Development Agency (HDA) established Free State Informal Settlement Upgrading Forum, with the following objective;

- **To outline the roles** of different stakeholders, particularly municipalities towards **managing the challenge** faced with in upgrading informal settlements; and
- To establish and agree on ISU strategies and processes alignment

The forum further tracks the upgrading of informal settlement through progress tracking template, and sits quarterly. Member Municipalities are required to submit their reports through Informal Settlement Upgrading Monitoring sheet.

Matjhabeng as part of the NUSP Municipality has been an active member of the forum; we attached hereto our quarterly report on Informal Settlement Upgrading within our Municipality.

******Attached on separate cover 3 is the ISU Monitoring sheet.**

FINANCIAL IMPLICATIONS

None.

LEGAL IMPLICATIONS

None

RECOMMENDATIONS

- That Section 80 notes the report.
- That Section 80 resolve to recommend that the report be submitted to MAYCO for further discussion.

HS 15 OF 2018**REPORT ON THE RAFT FOUNDATIONS THAT WERE CASTED IN VARIOUS ERVEN SAAIPLAAS EXTENSION 14 VIRGINIA (LED, Planning & HS)****PURPOSE OF THE REPORT**

- The purpose of the report is to inform Human Settlement Section 80 about the current status of the 264 erven in Saaiplaas Extension 14, Virginia, and
- To solicit permission for submission of a proposal to the MEC Human Settlements in order to complete the project.

BACKGROUND

Initially the project was a joint venture for SAMWU-NUM Housing PTY (Ltd) and the first Institutional Subsidy Project in the Free State. The project was partially funded by Saambou bank and the then Provincial Housing Board. Saambou bank topped -up the project with R20 000 and subsidy quantum from the former Provincial Housing Board was **R18 400**. Sixty-two (**62**) houses were completed but before the township register could be opened Saambou Bank was liquidated. This also resulted in the liquidation of SAMWU-NUM Housing PTY (Ltd).

The liquidators opened the township register and transferred the **62** completed houses into the names of the occupants.

The remainder of the 264 properties consisting of **60** serviced erven **with** raft foundations and **204** serviced sites have now been transferred to the Matjhabeng Municipality.

DISCUSSION

On receipt of the engineer report confirming the strength of the raft foundations construction work can commence immediately. Bulk services (storm water drainage, sewerage, water and electricity) are available. The area has gravel roads.

******Attached hereto is a map indicating the sites where raft foundations were casted and it appears on page 18 of annexure Below are 60 erven as they appear on the locality map:**

**6719, 6720 ,6721, 6722,6723,6724 ,6725,6726,6727,6728,6729,6730,6731,6732,6733,6734,6735
6736,6745,6746,6747,6748, 6749,6750, 6751,6752, 6753,6754,6755,6773,6774,6775,6776,6777,
6778, 6779,6780,6781,6782,6783,6802,6803,6804,6805,6806,6807,6808, 6809,6810, 6811, 6812,
6813,6814, 6815,6816, 6821, 6822 & 6823**

FINANCIAL IMPLICATIONS

Funding is derived from Provincial Department of Human Settlements.

LEGISLATIVE FRAMEWORK

Policy Position

- **The Constitution of South Africa 1996**

Section 26 of the Constitution of the Republic of South Africa, 1996, states that everyone has the right to have “access to adequate housing”

- **Housing Act of 1997 as amended (second amendment Act. No 60 of 1999)**

Section 9 of the Housing Act of 1997 section 1 as amended, states that every Municipality must, as part of the municipality’s process of integrated development planning, take all reasonable and necessary steps within the framework of National and Provincial Housing legislation and policy to-

Ensure that-

“The inhabitants of its area of jurisdiction have access to adequate housing on a progressive basis”

RECOMMENDATION

- That Section 80 resolve to recommend that the Municipality submit a proposal to the MEC to request the subsidy allocation to complete the project.
- That the area be considered for mixed development.

HS/16 OF 2018**PROGRESS REPORT – RELOCATION AND FORMALISATION OF SITES AT PHOMOLONG (AED: LED, PLANNING AND HUMAN SETTLEMENTS)****PURPOSE OF REPORT**

To inform Human Settlement Section 80 Committee of the progress report on the formalization of sites and relocation at Phomolong Hennenman

BACKGROUND

During its sitting Matjhabeng resolved on the following pertaining to allocation of sites;

Resolution A48/2016 Approval of Allocation Plan**COUNCIL RESOLVED: (29 JUNE 2016)**

1. That Council APPROVES the draft allocation plan as submitted.
2. That Infrastructure Department PROVIDES Council with detailed financial implications on all areas pertaining to installation of services, particularly where funding will be done in-house.
3. That allegations of sites that are allocated illegally by Councillors and Municipal officials BE INVESTIGATED.
4. That an overall land verification BE CONDUCTED.
5. That the Executive Mayor BE MANDATED to dig deeper in terms of the magnitude of the matter and submit a report to Council.
6. That a correction BE MADE to reflect Freedom Square in Ward 13 and not in Ward 16.

Resolution A110/2016 Approval of Allocation Program for 7000 Sites**COUNCIL RESOLVED: (13 DECEMBER 2016)**

1. That Council NOTES the draft Allocation Program for the allocation of 7 000 sites.

2. That each beneficiary on the waiting MUST POSSESS a number for the allocated site and the process of handing out of numbers be implemented in a period of six (6) weeks.
3. That Ward 16 BE PRIORITIZED as per the Premier's State of the Province Address.
4. That the handing over of sites must BE CHAMPIONED by the Executive Mayor and not officials of the Municipality.
5. That illegal land invasion is NOT ALLOWED but sites should be allocated in a proper manner.

Resolution for payment of R250 Admin Fee

COUNCIL RESOLVED: (20 JULY 2016)

1. That Council APPROVES the proposed introduction of the Administrative fee to the amount of R250.00 for implementation in 2016/17 financial year.

DISCUSSION

Under the **7000** program of planning and pegging of sites, 800 sites were developed in ward 2 Phomolong. Due to further demand and erven potential, an application was submitted to Province for a further development of 818 and that was since approved.

This brought a total of **1618** residential sites to be allocated in Phomolong

Out of the **1618** sites developed in Phomolong, agreement was reached between the ward councillors that allocation be done on phases where the first phase would focus on the eradication of informal settlements.

Currently **452** allocations have been done and the process is still underway. We attached as annexure, a list of people currently allocated. The number of people who took occupation is approximately **150**.

The verification on the approved waiting lists was done by the ward councilors and the ward committees and then submitted to the Department.

PROBLEM STATEMENT

- The allocation process was delayed by the slow payment of R250 administration fee.
- There were concerns raised that the Department was allocating not in accordance with the approved waiting list
- Attempts by some community members to invade vacant land meant for allocation and the limitation by Public Safety to remove invaders on time.

- Some people registered on the waiting list are deceased and/or not traceable during the allocation process.
- It was reported that some senior citizens not appearing on the waiting list have approached ward councillors as they either have no places to stay and/or have been residing in unbearable conditions.
- The limitation by Infrastructure Directorate for the grading of roads and cutting of grass further compounds the challenge of allocating within the times stipulated.

POLICY POSITION

The approved Allocation policy stipulates as follows in terms of clause 5.3

5.3 ALLOCATION OF SITES

Allocation will be done per Proportional representation:

The municipality allocates sites either for *in situ* developments or on Greenfield. With regard to *in situ* developments, a thorough verification process must have been done by administration in order to ascertain the property ownership.

With regard to Greenfield, allocation is informed by the waiting list once the process of township establishment has been finalized.

The plight of backyard dwellers must be considered as first priority as opposed to informal settlers.

Serviced sites shall be made available to all applicants of housing subsidies, informal settlements recognized for upgrading backyard dwellers and applicants who only need to purchase serviced sites and will be able to build their own houses.

STEPS

1. Land Affairs Section will inform the ward councilors every time there is serviced land available for allocation to the residents who cannot afford to buy, with special emphasis to the previously disadvantaged communities.
2. Ward Councilors will also be invited to come forward and verify the waiting list that has been kept by the Department.
3. After verification, and acceptance of conditions, residents will be given allocation letters as well as permission to occupy document to sign
4. The list of all people who have been allocated sites will be sent to Finance Department for opening of accounts.
It then becomes the responsibility of the resident to open an account with finance and register for indigence where applicable.

FINANCIAL IMPLICATION

The payment of R250 administration fee is generating revenue for Council.
Currently, with 452 sites allocated an income of R 113 000.00 has been generated.

RECOMMENDATION

- That Section 80 takes note of the report

HS/17 OF 2018**PROGRESS REPORT ON THE PROJECTS THAT ARE DONE WITH PROVINCIAL HUMAN SETTLEMENTS : LED, P & HS)**
(5/6/2/13)**PURPOSE**

To present progress report before Human Settlements Section 80 Portfolio Committee with regard to the projects where Contractors were not yet appointed by the Province.

BACKGROUND

In the HS Section 80 meeting that was held on the 09th May 2018 it was resolved that the Housing officials must liaise with the responsible people at the Provincial Human Settlements about the appointment of the Contractors for:

1. Amkelo project in Heinemann Land Restitution and;
2. The commencement of the Racial Integration project in Ventersburg

DISCUSSION

On the 20th June 2018 a meeting was held in Municipal offices in Ventersburg. The main purpose of the meeting was to introduce the contractor as well as handing the site over to him. The contractor was introduced by the Provincial Chief Project Manager as NWA Mencani Trading.

It must also be noted that the Provincial Department of Human Settlements have written a letter to the office of the Municipal Manager requesting to be exempted from paying for building plans for all the BNG Housing programs.

*****Attached on page 19 to 21 of the Annexures is the from FSHS.**

SUBJECT	RESPON SIBILIT Y	STATUS	PROGRESS

APPOINTMENT OF CONTRACTOR: VENTERSBURG (Racial Integration Program)	FSHS	<ul style="list-style-type: none"> The Department has appointed a Contractor: NWA Mencani Trading to build 100 units 	<ul style="list-style-type: none"> The Provincial Department introduced the appointed Contractor on the 20th June 2018 The Contractor committed that the project was supposed to kick-start by the 1st July 2018. He also made a commitment that the project will be completed within the stipulated 12 months period but he however appealed for timeous payments by the Province in order to meet the timeline. The Provincial Chief Project Manager Me Windvogel subsequently assured the contractor that all payments will be made within 30 days after submission by the contractor. <p>As the beneficiaries were also invited to the site hand over meeting, the Project Steering Committee was established and the CLO was appointed by the Ward Councilor.</p> <p>The contractor was given the drawings/designs, by the Consultant Mr Binda and Chief Project Manager Me Ancha Windvogel and are already submitted to PMU and Infrastructure department</p> <p>In the meeting that was held on the 20th June it was resolved that:</p> <ul style="list-style-type: none"> Consultant must submit the building plans for the approved 69 beneficiaries to the municipality for approval. The contractor should pay for the building plans prior to the commencement of construction to enable the building Inspectors to perform inspections. Plans to be submitted each per unit.
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<p>LAND RESTITUTION PHOMOLONG & HENNENMAN:</p> <p>APPOINTMENT OF CONTRACTORS</p> <p>BAVUKISE TRADING</p>	<p>FSHS</p>	<ul style="list-style-type: none"> The Department has appointed Bongani Manci Project Solutions (PTY) LTD to complete 14 units for Land Restitution project in Hennenman 	<ul style="list-style-type: none"> The Contractor has already signed the Contract with Provincial Department of Human Settlements Some of the structures that were left incomplete by the previous Contractor are in a state of collapsing due to among other things poor quality/substandard of the material used, and the duration since the structures were left incomplete was too long Some of the foundations are substandard and need to be refilled Window frames, door frames and lentils are removed and vandalised The assessment of the structures still has to be conducted by the Provincial Department of Human Settlements
		<ul style="list-style-type: none"> The Department has appointed Bavukise Trading to develop the remaining 49 houses 	<p>Progress</p> <ul style="list-style-type: none"> The Contractor has already signed the Contract with Provincial Department of Human Settlements The Housing Department officials have already done the verification of the beneficiaries. Infrastructure is busy with the coordinates preparing for the pegging of the remaining sites.
<p>ITHUTENG CONSULTANCY</p> <p>MILITARY VETERANS</p> <ul style="list-style-type: none"> Riebeckstad Rheederpark Odendaalsrus 	<p>FSHS</p>	<p>-The foundations (10) were casted in November 2017 and were since lying dormant.</p> <p>-the delay was caused by the contractor</p>	<p>The Provincial Department of Human Settlements indicated in the last Project Steering Committee meeting that they have issued an instruction to the Contractor to commence with immediate effect.</p>

PROBLEM STATEMENT

On the Mixed Development Project, the NHBRC inspected the area and could not confirm the soil condition due to the absence of the geotechnical report.

FINANCIAL IMPLICATIONS

Funding is derived from Provincial Department of Human Settlements.

LEGISLATIVE FRAMEWORK

Policy Position

- The Constitution of South Africa 1996

Section 26 of the Constitution of the Republic of South Africa, 1996, states that everyone has the right to have “access to adequate housing”

- **Housing Act of 1997 as amended (second amendment Act. No 60 of 1999)**

Section 9 of the Housing Act of 1997 section 1 as amended, states that every Municipality must, as part of the municipality’s process of integrated development planning, take all reasonable and necessary steps within the framework of national and provincial housing legislation and policy to-

Ensure that-

“The inhabitants of its area of jurisdiction have access to adequate housing on a progressive basis”

RECOMMENDATION

- That the Council takes note of the report

HS/18 OF 2018

PROGRESS REPORT ON MOHALE AND LANGA (Pty) Ltd PROPOSAL 292 ERVEN IN K1 AND K2 KUTLWANONG: (AED: LED, PLANNING AND HUMAN SETTLEMENTS) (8/3/2/ 47/5)

PURPOSE

To present the Housing section 80 proposal of Mohale and Langa Projects (Pty) Ltd as well as to solicit Council approval to purchase (287) erven in Kutlwanong K1, K2.

BACKGROUND

In Kutlwanong and Thabong, there are sites and houses that used to belong to the South African Housing Trust(SAHT),

During 2015, Mohale and Langa Projects approached the Municipality as they wanted to fill in subsidies for occupants staying on sites and houses the latter claimed that they have purchased from Nu –Way.

Nu- Way is a state company that established with a sole purpose to address housing needs of the previously disadvantaged groups.

Mr Langa from Mohale properties submitted before the Mayoral Committee the intention to either buy those properties or be allowed to develop mixed or gap market housing on those sites.

Their aim is to sell the erven to Matjhabeng Municipality in order that the Municipality approaches the Provincial Department of Human Settlements to request subsidies to build houses for the qualifying occupants

In the process, there were a series of interactions with the various ward councillors as well as occupants in an attempt to get the properties to be registered onto the names of the current occupants.

A majority of occupants of these properties/erven are registered as indigents with the municipality and have been consuming the services for numerous years without payments. In certain houses, occupation has changed from one person to the next leaving the services debt unaccounted for.

THE MAYORAL COMMITTEE RESOLVED

[ED: LED&P] 1. That Mohale and Langa Projects make a presentation to the Mayoral Committee meeting to be held on 15 April 2015 and that in the meantime they may NOT PROCEED with any activity.

Mohale and Langa mention in their proposal that they do not intend evicting occupants on these erven because of the many social, financial and political problems it will create for all stakeholders.

Mohale and Langa were then given an opportunity to make a presentation and the latter informed the Mayoral Committee members that they own \pm 5 000 properties countrywide. They bought 19 properties in Thabong and 273 properties in Kutlwanong from Nu Way Properties.

Mohale and Langa propose that the MLM scrap rates and taxes to allow development. Whatever the amount scraped by MLM can be claimed and recovered from the National Treasury in terms of Government Gazette of 2001.

THE MAYORAL COMMITTEE RESOLVED under: MC50/2015 (24 JUNE 2015)

That the Municipal Manager and the Executive Director: LED should INVESTIGATE the matter, provide information on the transaction of these sites from New Way to Mohale & Langa and submit a report to the Mayoral Committee.

Further discussions

The list of sites was obtained from the prospective Developer (Mr Mohale) and it was subjected to the deed searches process as well as the Housing Subsidy System (HSS). The exercise revealed that a majority of properties are still registered in the names of SAHT while some of the sites in question were since registered in the names of occupants and that they have title deeds.

Mr Mohale was then approached to establish as to whether they are still willing to proceed with their project of selling the sites to the Municipality and that was since confirmed. A letter to that effect is attached on pages## of the annexures.

The housing challenges in most of our areas including Kutlwanong has been exacerbated by the closure of the mines, leaving a majority of people unable to pay for the properties they occupy. If left unattended, the situation leaves our municipality in a worse off position as a distressed mining town, where the municipality and its citizens are unable to meet their financial obligations relating to property occupation and/or ownership.

The situation of this nature prompted us to prepare and submit before Council an item almost similar to the one of Anglo Ashanti earlier in 2017 where Council resolved as follows:

Recently, a residence committee from Kutlwanong has approached both the municipality and the Provincial Department of Human Settlements in order to be assisted with ownership of those properties. Some have resided in those properties for more than 20 years but they still struggle to have same registered onto their names.

The residents have further expressed their desire to cause the Municipality to purchase the same properties so that transfer takes place onto the occupants' names

COUNCIL RESOLVED: (22 MARCH 2017)

1. That Council **WRITES OFF** all the accumulated arrears on AngloGold-Ashanti properties where occupants are confirmed to be Indigents.
2. That transfer of properties **BE MADE** to beneficiaries where legal occupation has been verified.

That transfer of properties **BE MADE** in favour of the Municipality where legal occupation and /or ownership cannot be ascertained and/ or occupants are not Indigents.

****** the following documentary attached on separate cover 4**

- Deed of Sale entered into *between MOHALE & LANGA PROJECTS (PTY) LTD and NU-WAY PROPERTIES as well as the original list*
- *Report on verified sites verified as per Mayoral Committee Resolution*
- *Letter from Nu-Way properties confirming the sale transaction*
- *Also on the separate covers are lists of erven mentioned localities*

FINANCIAL IMPLICATIONS

Council stands to benefit from the rates and taxes, as well as on the indigent register once the properties are registered onto the names of occupants who qualify.

POLICY POSITION

- **The Constitution of South Africa 1996**

Section 26 of the Constitution of the Republic of South Africa, 1996, states that everyone has the right to have "access to adequate housing"

- **Housing Act of 1997 as amended (second amendment Act. No 60 of 1999)**

Section 9 of the Housing Act of 1997 section 1 as amended, states that every Municipality must, as part of the municipality's process of integrated development planning, take all reasonable and necessary steps within the framework of national and provincial housing legislation and policy to-

Ensure that-

“The inhabitants of its area of jurisdiction have access to adequate housing on a progressive basis”

RECOMMENDATIONS

That Section 80 resolves to recommend that:

- the municipality investigates the scrapping of all the rates and taxes of the affected erven in accordance with the disestablishment Act,
- That if 1 above is not materially possible, the Municipality writes off the arrear amounts similarly to the Anglo Ashanti case (Council resolution cited above)
- That after land purchase, the route of gap market possibility be explored for future development
- That the Provincial Department of Human Settlements be approached to include the area on the 2018/2019 budget so as to release subsidies to qualifying potential beneficiaries.

HS/19 OF 2018

**PROGRESS REPORT ON DISTRESSED MINING TOWNS INTERVENTION (AED:
LED, PLANNING AND HS)(20/14/4/5/1)**

PURPOSE

To submit before the Section 80 committee, current status with regard to distressed mining communities' intervention programme for Matjhabeng Local Municipality.

BACKGROUND AND DISCUSSION

Between July and September 2017, the National Department of Human Settlements engaged with affected Provinces and Municipalities under the program to identify Priority interventions as well as Revitalisation plans for distressed mining Communities.

Furthermore, affected municipalities were requested to submit municipal assessment as to the kind of intervention required during the financial year 2017/2018 and beyond. Such were prepared and subsequently submitted during the high level discussion meeting convened by the National Department of Human Settlements and the letter is attached on pages ## of the annexures. Furthermore, correspondence was received from the National Department of Human Settlements regarding the confirmation intervention projects submitted and it is attached on pages#### of the annexures.

Subsequently, Implementation Protocols (IP) were sent to the Municipalities to make inputs and submit to the Municipal Manager for signature. In those IP's, the Housing Development Agency is appointed as the implementation Agent. A further consultation meeting was convened in Kimberley on the 27th June 2018.

In preparation for the inputs on the IP's there were in-depth discussions between Human Settlements and the Chief Director Performance in the Provincial Department and we were of the view that to date, the mandate of the program is not yet clear and thus the IP stage is immature. Additionally we requested comments from legal services and development planning which are still to be received.

In the meeting held in Kimberley, after the Free State presentation by the Chief Director and the Senior Manager, it was resolved as follows:

That the National Department conducts bi-laterals with individual municipalities to do as interventions typologies cannot be the same

That the HDA be mandated to undertake a diagnostic study to obtain a comprehensive status of a particular municipality before an intervention type is decided upon

That the coordination of this mammoth task be championed at the level of the Department of Minerals Resources as a regulator in order to ensure that the role of the mining houses is clearly articulated.

*****attached is the Mining Towns interventions conversation and attendance register separate cover 5**

That the role and commitment of other government Departments especially in the context of economic upliftment be deliberated upon and documented.

LEGAL/POLICY POSITION

Division of Revenue Act of (DoRA)

Integrated Development Plan (IDP)

IMCC Protocol

FINANCIAL IMPLICATION

In addition to the Provincial Human Settlements Development Grant, additional funds have been made available for mining town's intervention.

RECOMMENDATION

That Section 80 takes note of the report

That Section 80 to recommend coordination of the project in the MM's office

That the program champion be appointed and that Province be advised of such appointment

That progress reports be submitted to Council on a quarterly basis

HS/20 OF 2018

PROGRESS REPORT ON MUNICIPAL ACCREDITATION PROGRAMME (LED, PLANNING & HS)

PURPOSE (12/1/3)

To inform Section 80 on Human Settlements about the progress in Municipal Accreditation Programme

BACKGROUND

In its sitting on the 25 September 2012 **COUNCIL RESOLVED.**

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

Subsequently, Lekwa Consulting was appointed to assist Municipalities with the development of the Accreditation Business Plan.

In its sitting on the 28th March 2017 **COUNCIL RESOLVED.**

- 1 .That Council **ACKNOWLEDGES** the requirements of the Level 1 accreditation Business Plan process to be compiled by Lekwa Consulting (HDA).
2. That Council **APPROVES** the participation of the municipality in the Level I accreditation Business Plan programme.
3. That Me Mothekhe be appointed as accreditation champion on behalf of the Municipality.
4. That workshop be held on behalf of all councilors on accreditation process.

In compliance with the council resolution a workshop was held on the 9th May 2017.

A progress report was submitted to council on the 31st May 2017

COUNCIL FURTHER RESOLVED to take note of progress made in the Accreditation process.

On the 29th June the department and Lekwa consulting had working session to finalise the outstanding ABP templates, required documents were submitted electronically with an undertaken to submit copies per requirements of Lekwa.

During this working session the consultant expressed a concern on the lack of following plans;

1. Housing Sector Plan
2. Infrastructure Plan: water and sanitation, electricity, roads.
3. Risk Management Plan
4. Land use management strategy
5. Integrated Transport Management Plan
6. Economic Growth strategy or LED Plan.
7. Updated Spatial Development Framework

Subsequently a final meeting was convened on the 3rd October 2017 by the Provincial Department of Human Settlements to finalise the completion of the Enhanced Accreditation Tool questionnaire.

Pursuant to the above meeting, a Provincial Accreditation PSC was convened in Bloemfontein on the 6th October 2017 for the identified municipalities to submit the Business Plan. The Municipal Manager successfully signed off for the final assessment document that would inform level 1 accreditation readiness.

Limitations were however indicated on the absence of the compliance plans as alluded to above, as well as their possibility to negatively affect the acquisition of ABP Level 1.

During the compilation of this report, the consolidated document developed by HDA after the Accreditation PSC was not yet forwarded to the Municipality.

PROGRESS

An item was later submitted to Council and it was resolved:

COUNCIL RESOLVED: (16 JANUARY 2018)

1. That Council **TAKES NOTE** of the progress report.
2. That the sector plans **BE SECURED** in line with the recommendations from Lekwa Consulting and Free State Provincial Government.
3. That the Provincial Department of Human Settlements **BE APPROACHED** for assistance with acquisition of Sector Plans.
4. That the Municipal Manager **MUST ENSURE** that the master plans are in place by the next Council meeting

FURTHER DISCUSSION

On the 5th October 2017, the Municipal Manager Mr. T Tsoaeli and the Housing Senior Manager Me Morakane Mothekhe co-signed the Accreditation Business Plan (ABP) application for Matjhabeng Municipality at the meeting that was held in Bloemfontein.

*****Attached on page/s..... of the Annexure is the proof of copy of signed application**, and the copy to be signed by the Executive Mayor, Municipal Manager, Housing Manager when approved by the Council, and subsequently be submitted to Province for HOD for the approval of the MEC. In an endeavor to address the absence of the compliance plans, Royal HaskoningDHV Consultants were appointed in order to develop the Sector Plans. The Task team consisting of Municipal officials from the affected Directorates are meeting regularly with the Consultants for the development of the Sector Plans. The Consultants will assist with the development of:

- Housing Sector Plan
- Spatial Development Framework (SDF)
- Land use management Plan; and
- Infrastructure Management Plan

The drafts were expected to be handed in by end of March 2018

Due to the financial constraints on the side of the Municipality, Royal HaskoningDHV Consultants are unable to proceed with the development of the Sector Plans and their letter is attached as an Annexure.

In addition to the above, a meeting was held between the MEC Human Settlements, the Executive Mayor and members of the Mayoral Committee on the 6th August 2018 and it was subsequently resolved that the Municipality writes a letter of request for assistance from the Provincial Department in order to finalise the Sector Plans. A letter to that effect has since been written.

FINANCIAL IMPLICATIONS

The Municipality has procured a Service provider to develop the Sector Plans

POLICY POSITION

- **The Constitution of South Africa 1996**

Section 26 of the Constitution of the Republic of South Africa, 1996, states that everyone has the right to have “access to adequate housing”

- **Housing Act of 1997 as amended (second amendment Act. No 60 of 1999)**

Section 9 of the Housing Act of 1997 section 1 as amended, states that every Municipality must, as part of the municipality’s process of integrated development planning, take all reasonable and necessary steps within the framework of national and provincial housing legislation and policy to-
Ensure that-

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- Guidelines on Breaking New Grounds(BNG)
- Approved Municipal IDP and Budget
- SDBIP

RECOMMENDATION

- That Section 80 on Human Settlements to take note of the progress report
- That the funds be made available for the service provider to proceed with Sector plans