

# **MINUTES**

of the

**4<sup>TH</sup> ORDINARY COUNCIL MEETING  
FOR THE YEAR 2019**

of

**MATJHABENG MUNICIPALITY**

held on

**TUESDAY, 28 MAY 2019**

at

**15:00**

at the

**COUNCIL CHAMBERS, CIVIC CENTRE,  
WELKOM**

# I

## COUNCILLORS ATTENDANCE

### 4<sup>TH</sup> ORDINARY COUNCIL MEETING MINUTES: 28 MAY 2019

PROPORTIONAL			
1.	Stofile B ( <b>Apology</b> )	19.	Mawela VE
2.	Sephiri MJ ( <b>Chief Whip</b> )	20.	Moipatle KSV
3.	Speelman NW ( <b>Executive Mayor</b> )	21.	Mthebere NA
4.	Badenhorst MJ	22.	Nqeobo ME
5.	Botha PF	23.	Ntsebeng MH
6.	Direko DR ( <b>Resigned</b> )	24.	Phofeli NM
7.	Jacobs EJ	25.	Presente LN
8.	Jama BL	26.	Radebe MC
9.	Kabi M( <b>Absent</b> )	27.	Radebe ML
10.	Khetsi LE	28.	Rakaki MM
11.	Letlhake TW	29.	Ramabodu BM ( <b>Absent</b> )
12.	Lushaba TB	30.	Senxezi ME ( <b>Resigned</b> )
13.	Macingwane MT	31.	Sithole AM
14.	Mafaisa MG	32.	Styger A
15.	Manenye AJ	33.	Taljaard SDM
16.	Manese SD	34.	Thelingoane NE( <b>Absent</b> )
17.	Marais JS	35.	Tshopo ME
18.	Masina XN	36.	Van Rooyen KR
WARD			
37.	Badenhorst HS	55.	Morris VR( <b>Apology</b> )
38.	Chaka MS	56.	Moshoeu ZS
39.	Daly A	57.	Mosia TJ
40.	Khalipha TD( <b>Resigned</b> )	58.	Mphikeleli MA
41.	Khothule MJ	59.	Nkonka BB
42.	Kopela MP( <b>Absent</b> )	60.	Nthako TD( <b>Absent</b> )
43.	Liphoko SJ	61.	Ntuli BN
44.	Mafa DM	62.	Pholo SJ
45.	Mahlumba BH( <b>Apology</b> )	63.	Poo IP
46.	Malherbe C	64.	Ramalefane SJ
47.	Manzana NR	65.	Ramatisa PT
48.	Masienyane MD	66.	Sebotsa MM
49.	Meli TS	67.	Thelingoane TJ
50.	Mokhomo HA	68.	Tlake KR
51.	Molefi M	69.	Tsatsa SJ
52.	Molelekoa PMI	70.	Tshabangu SE( <b>Absent</b> )
53.	Moloja NJ	71.	Van Rooyen MS
54.	Monjovo NE	72.	Van Schalkwyk HCT



## **EXECUTIVE MANAGEMENT**

Mr T. Makofane	:	Acting Municipal Manager
Mr FF Wetes	:	Executive Director: Corporate Service
Mr CT Panyani	:	Chief Financial Officer
Me ZK Tindleni	:	Executive Director: Community Services

## **COUNCIL ADMINISTRATION SECRETARIAT**

Mr MT Atolo	:	Senior Manager: Council Administration
Me DF Ramakhale	:	Admin Officer (Corporate Services)

### III

(a)	<p><b>Opening</b></p> <p>The Acting Municipal Manager Mr. T Makofane welcomed everyone present at the 4<sup>th</sup> Ordinary Council meeting for the year 2019 and stated that in terms of rule 23(2) and (3) of the Standard Rules and Orders of Council an Acting Speaker must be elected from amongst the Councillors as the Speaker since Cllr B Stofile, has applied for leave of absence.</p> <p>The name of Councillor MD Masienyane was nominated and he was elected to act as the Acting Speaker to preside over the proceedings of the 4<sup>th</sup> Ordinary meeting of Council.</p> <p>He then welcomed and acknowledged the presence of the Executive Mayor, Chief Whip, Councillors, Executive Directors, community members and everyone present.</p>
(b)	<p><b>Applications for leave of absence</b></p> <p>See Councillors' attendance list on page I of these minutes.</p>
(c)	<p><b>Official announcements of the Speaker</b></p> <p>None</p>
(d)	<p><b>Reports of the Speaker in terms of rules 15(1) and 99(4)</b></p> <p>None</p>
(e)	<p><b>Tabling of documents prescribed by statute or these rules and orders</b></p> <p>None</p>
(f)	<p><b>Applications and appeals from Councillors in terms of rules 14(1), 67 and 72</b></p> <p>None</p>
(g)	<p><b>Reports received from the Speaker</b></p> <p><b>A46 – A47 of 2019</b></p>
(h)	<p><b>Motions of sympathy and congratulations by the Speaker</b></p> <p>The Acting Speaker informed members that a mother to Municipal Manager (Mr. ET Tsoaeli) has passed on and the funeral services were arranged as follows; the burial will take place on the 1<sup>st</sup> of June 2019, starting from 08:00 to 10:00 at Mohlakeng Recreation Centre Randfontein, Lerata Street. The funeral procession will then leave to the Greenhill Cemetery at 10:00.</p> <p><b>A moment of silence was observed.</b></p>
(i)	<p><b>Motions of sympathy and congratulations by other Councillors</b></p> <p><b><u>Congratulations</u></b></p> <ol style="list-style-type: none"> <li>1. The Executive Mayor, Cllr NW Speelman congratulated the President of the Republic of South Africa, Mr. MC Ramaphosa for well-organized Presidential Inaugurations that took place on Saturday, 25 May 2019 in Loftus Stadium in Pretoria.</li> <li>2. He also congratulated all nine (9) Provinces that has appointed the Premiers starting with the Free State, Gauteng, Western Cape, Eastern Cape, Northern Cape, KZN, Mpumalanga and Limpopo, he further indicated that this 6<sup>th</sup> Democratic Government Leadership will ensure that challenges facing the Municipalities are attended to.</li> </ol>

## IV

	<ol style="list-style-type: none"> <li>3. He also thanked all Political Parties of Matjhabeng who participated in the peaceful elections.</li> <li>4. He also congratulated two Councilors namely; Mr. TD Khalipha and Ms. DR Direko from Matjhabeng Municipality to be members of National Parliament.</li> <li>5. He also congratulated Councilors and officials particularly for playing their role during the disaster that effected Hani Park, Virginia, Thabong and Bronville</li> <li>6. He also congratulated Mr. Roos a Member of Parliament, who spent his whole time at Hani Park and Cllr M.T. Macingwane who put his effort to assist during the disaster.</li> <li>7. He further thanked everyone who participated and assisted during the hard times of disaster.</li> <li>8. Cllr M.T. Macingwane congratulated the EFF for growing from 25 seats to 44 seats and indicated that it is a great achievement to the party.</li> <li>9. Cllr KR Tlake congratulated Mr. DD Mabusa (The black cat) who managed to handle the corruption that took place in the area of Lejweleputswa</li> </ol>
	<p><b><u>Sympathy</u></b></p> <ol style="list-style-type: none"> <li>1. Cllr M.T. Macingwane conveyed a message of condolences to the Malema family for the passing away of his grandmother Sara Malema.</li> <li>2. Cllr KR Tlake conveyed a message of sympathy to the families who lost their beloved ones in the bus accident that took place at Alma road in Welkom, he also thanked the Executive Mayor, Cllr NW Speelman for his presence during the accident.</li> <li>3. Cllr SJ Pholo conveyed a motion of sympathy to his Ward Committee member Mrs. Masabata Tsatsi who passed away on Friday, 24<sup>th</sup> May 2019 who would be buried on Saturday, 1<sup>st</sup> of June 2019.</li> <li>4. He also conveyed a motion of sympathy to one of his Ward Committee member who passed away on Monday, 27 May 2019 and to be buried in the following week.</li> </ol>
<b>(j)</b>	<p><b>Deputations and interviews</b></p> <p>None</p>
<b>(k)</b>	<p><b>Disclosure of interest</b></p> <p>Cllr A. Styger disclosed his business interest in terms of Section 5 of Schedule 1 of the Municipal Systems Act and requested consent in terms of Section 6 thereof. No objections were raised.”</p> <p>The Executive Mayor, Cllr NW Speelman also disclosed his interest in terms of section 5 schedule (1) of the Municipal Systems Act and it was noted.</p>

# V

	<p><b>Minutes of the previous meeting: 28 February 2019</b></p> <p><b><u>COUNCIL RESOLVED:</u> (28 MAY 2019)</b></p> <p>1. That the minutes of the 2<sup>nd</sup> Ordinary Council meeting held on 28 February 2019 <b>BE ADOPTED</b> with the correction that Cllr KR Tlake was present in the meeting.</p> <p><b>Minutes of the previous meeting: 29 March 2019</b></p> <p><b><u>COUNCIL RESOLVED:</u> (28 MAY 2019)</b></p> <p>2. That the minutes of the 2<sup>nd</sup> Ordinary Council meeting held on 29 March 2019 <b>BE ADOPTED.</b></p> <p><b>Minutes of the previous meeting: 03 May 2019</b></p> <p><b><u>COUNCIL RESOLVED:</u> (28 MAY 2019)</b></p> <p>3. That the minutes of the 1<sup>st</sup> Special Council meeting held on 03 May 2019 <b>BE ADOPTED.</b></p>
	<p><b>Matters arising from the minutes: 29 March 2019</b></p> <p><b>A33 of 2018</b></p> <p>1. Cllr PF Botha indicated that item on the investigation of the alleged breach of code of conduct of Councillors by Councillor Vicky Morris was deferred to the meeting held on 28 May 2019 but it was not submitted for further discussion. He requested that the Speaker must be informed about this item as well as other items that were deferred and to form part of the next Council meeting.</p> <p><b>Matters arising from the minutes: 28 February 2019</b></p> <p><b>A18 of 2019</b></p> <p>1. Cllr NR Manzana indicated that he was expecting a feedback from the Municipal Manager with regard to the resolutions taken on the report about Harmony Goldmine item. The Acting Speaker indicated that seeing that the Municipal Manager is not available, same will be dealt with in the next Council meeting.</p>
	<p><b>Questions of which notice had been given</b></p> <p>None</p>
	<p><b>Reports of the Executive Committee/ Executive Mayor/ Committee Reports</b></p> <p><b>A40 – A45 of 2019 &amp; A48 of 2019</b></p>
	<p><b>Reports of decisions taken under delegated powers</b></p> <p>None</p>
	<p><b>Motions</b></p> <p>None</p>
	<p><b>Closing</b></p> <p>The Acting Speaker thanked everyone who attended and closed the meeting at <b>18h52.</b></p>

.....  
CLLR B. STOFIE (SPEAKER)

.....  
DATE

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# 1

**A40 of 2019**

**DRAFT FINAL REVIEWED INTEGRATED DEVELOPMENT PLAN FOR THE FINANCIAL YEAR 2019/2020 (EXECUTIVE MAYOR) (9/3/1)**

**PURPOSE**

To present to Council a draft final Reviewed Integrated Development Plan (IDP) for the Financial Year 2019/2020 for consideration in terms of Chapter 5 of the Municipal Systems Act

**DISCUSSION**

The Executive Mayor presented the item to Council.

After extensive deliberations the matter was put to vote and the result was as follows:

The voting was done by means of raising hands.

For adoption of the IDP : **39**  
Against the adoption : **16**  
Abstention from voting : **6**

**COUNCIL RESOLVED: (28 MAY 2019)**

1. That Council **ADOPT** IDP for the Financial Year 2019/2020.
2. That the final IDP document for the Financial Year 2019/2020 **BE SUBMITTED** to both Provincial and National Treasuries as required by legislation.
3. That all the Projects for the Financial Year 2019/2020 **MUST REFLECT** in IDP.

**//Cllr HS Badenhorst indicated that in terms of standard rules and orders his vote be noted that IDP should not be adopted\\.**

**A41 of 2018**

**THE 2019-2020 MTREF BUDGET FOR THE MATJHABENG MUNICIPALITY (EXECUTIVE MAYOR) (6/1/1/1)**

**PURPOSE**

To adopt the Annual Budget for the 2019/2020 medium term revenue and expenditure framework (MTREF).



## THE EXECUTIVE MAYOR'S REMARKS

The Executive Mayor thanked the outgoing members of the Mayoral Committee Cllr Dikeledi Direko and Cllr Thanduxolo Khalipha who diligently served the people of Matjhabeng Local Municipality and wish them all of the best with their new responsibilities on National level.

The Executive Mayor informed members that the Annual Budget for the 2019/2020 is going to concentrate on the following, which the community of Matjhabeng believe is the best to lure the investors in order to grow the Matjhabeng together;

- **Roads** – resealing badly damaged roads; closing pot potholes and gravel the streets on new settlement.
- **Electricity** – repair high mast lights, erect high mast lights where there are none and secure them, and repair street lights in all our suburbs.
- **Water** – declare war on water leakages; provide water to newly established settlements and provide water meters where there are none.
- **Sewer** – repair damages sewer plants; promote to stop the throwing of foreign objects in sewer holes and secure them against thieves.

He indicated that the Municipality has ensured that Harmony mine and Sibanye Stillwater mine spends their Social Labour Plans (SLPs) in repairing Matjhabeng roads that are damaged by their vehicles. He also mentioned that women companies are going to do sub-contracting work in those projects for this financial year.

The Executive Mayor indicated that the Municipality have set aside an amount of **R10 000 000.00** (Ten million rand) to deregister and register sites in Matjhabeng during 2019/2020 financial year in order to ensure that the previously disadvantaged members of the community do benefit in the land. He also indicated that the current residential site allocation fee of R250.00 must be increased.

The Executive Mayor stated that the tariff rates for 2019/20 financial year would increase according to the following percentages:

- (a) Assessment rates would be increased by 6%
- (b) Water tariffs would be increased by 6% - proposed increase by Sedibeng was 8%.
- (c) Electricity tariffs would be increased by 13.07% as per NERSA guidelines - proposed increase by Eskom was 15,63%
- (d) Refuse and sewerage rates would be increased by 6%
- (e) The CPIX would be increased by 6% as per MFMA guidelines of Circular 94 issued by National Treasury after the tabling of the Budget.

### 3

In conclusion, the Executive Mayor appeal to all residents and business of Matjhabeng to pay services rendered to them.

The Executive Mayor indicated that the consolidated Revenue Budget for the 2019/20 financial year was **R2 843 418 385**, the total Expenditure Budget for the 2019/20 MTREF is **R3 246 436 216 513** and translates into a Budget deficit of **R402 798 128** (unfunded budget).

#### **DISCUSSION**

The Executive Mayor presented the item to Council.

After extensive deliberations the matter was put to vote and the result was as follows:

The voting was done by means of raising hands.

For adoption of the Budget	: 39
Against the adoption	: 15
Abstention from voting	: 3

#### **COUNCIL RESOLVED: (28 MAY 2019)**

1. That the Annual Budget for the year 2019/2020 MTREF **BE ADOPTED** by Council.
2. That Council **MUST TABLE** the MTREF in terms of Circular 93 and 94 of 2019.
3. That Council **MUST HAVE** a budget funding plan for this Budget.
4. That Council **MUST ADOPT** this Budget with all relevant Budget Policies with permission to review Indigent Policy in particular application requirements.
5. That the Yellow Fleet and Meters must **BE INCLUDED** in the budget.

**A42 of 2018****DRAFT SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN FOR 2019/2020 FINANCIAL YEAR (EXECUTIVE MAYOR) (6/1/1/1)****PURPOSE**

The purpose of this item is to submit the final Draft Service Delivery and Budget Implementation Plan for 2019/20 Financial year to Council for noting.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (28 MAY 2019)**

1. That Council **ADOPT** the final draft Service Delivery and Budget Implementation Plan for 2019/2020.
2. That the final draft SDBIP for 2019/2020 **BE SUBMITTED** to Council for noting.

**A43 of 2019****APPROVAL OF THE BANKING FACILITIES AND OVERDRAFT OFFERED BY ABSA BANK LIMITED FOR THE 2019/20 FINANCIAL YEAR (EXECUTIVE MAYOR) (6/3/1/2)****PURPOSE**

To request approval for the banking facilities and overdraft offered by ABSA Bank Limited for the 2019/20 financial year.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (28 MAY 2019)**

1. That the Council **APPROVES** the banking facilities and overdraft facilities of **R20 000 000** for the 2019/20 financial year.

**A44 of 2019**

**UPPER LIMIT OF TOTAL REMUNERATION PACKAGES PAYABLE TO MUNICIPAL MANAGERS AND MANAGERS DIRECTLY ACCOUNTABLE TO MUNICIPAL MANAGERS (EXECUTIVE MAYOR) (5/1)**

**PURPOSE**

To provide the calculation of the total remuneration package payable to Municipal Manager and Managers directly accountable to Municipal Manager in terms of Government Notice no. 42023 of 8 November 2018.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (28 MAY 2019)**

1. That Management **MUST INDICATE** whether the payment is for the long, medium or short-term.
2. That the item **BE REFERRED BACK** to allow the management to develop a columns of the table indicating the previous and the current amount earned by each official.
3. That the item **BE SUBMITTED** in the next Council meeting to be held on the 30<sup>th</sup> June 2019.

**A45 of 2019**

**PROGRESS REPORT: PROPOSED ORGANISATIONAL STRUCTURE (EXECUTIVE MAYOR) (2/1)**

**PURPOSE**

To provide progress on the proposed Organisational structure.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (28 MAY 2019)**

1. That the item be **DEFERRED BACK** to the next Special Council to be held on the 11<sup>th</sup> of June 2019.
2. That the Workshop **SHOULD BE ARRANGED** before the 11<sup>th</sup> of June 2019 for Councilors on the Organisational structure.

## 6

### A46 of 2019

#### **RESIGNATION OF COUNCILLOR M.S TD KHALIPHA AS AN ANC COUNCILLOR (SPEAKER) (3/1/4/2)**

##### **PURPOSE**

To submit to Council, notice of resignation of Cllr TD Khalipha as a Councillor representing African National Congress in Matjhabeng Council.

##### **DISCUSSION**

The Acting Speaker presented the item to Council.

##### **COUNCIL RESOLVED: (28 MAY 2019)**

1. That Council **TAKES NOTE** of the resignation of Cllr TD Khalipha, effective from 27 May 2019.
2. That the Municipal Manager should **DECLARE** a vacancy to the IEC.

### A47 of 2019

#### **RESIGNATION OF COUNCILLOR D DIREKO AS AN ANC COUNCILLOR (SPEAKER) (3/1/4/2)**

##### **PURPOSE**

To submit to Council, notice of resignation of Cllr D Direko as a Councillor representing African National Congress in Matjhabeng Council.

##### **DISCUSSION**

The Acting Speaker presented the item to Council.

##### **COUNCIL RESOLVED: (28 MAY 2019)**

1. That Council **TAKES NOTE** of the resignation of Cllr D Direko, effective from 21 May 2019.
2. That the Municipal Manager should **DECLARE** a vacancy to the IEC.

A48 of 2019

**REQUEST FOR APPOINTMENT OF ACTING EXECUTIVE DIRECTOR: LOCAL ECONOMIC DEVELOPMENT, PLANNING AND HUMAN SETTLEMENTS (EXECUTIVE MAYOR) (5/5/2)**

**PURPOSE**

The purpose of the item is to request Council to approve the Acting of Executive Director: Local Economic Development, Planning and Human Settlement.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (28 MAY 2019)**

1. That Council **APPOINT** Mr. Barry Golele to act as Executive Director: LED, Planning and Human Settlement.
2. The extension must **NOT EXCEED** a period of three months.
3. The application for extension must not **BE CONSTRUED** by the incumbent as legitimate expectation for appointment to the post.