

MC38 of 2019

TO SUBMIT REPORT ON THE PROGRESS REPORT ON STEERING COMMITTEE BETWEEN MATJHABENG MUNICIPALITY AND DEPARTMENT OF EDUCATION (LED, P & HS) (4/1/2/2)

PURPOSE

To submit before Mayoral Committee a status report on the Steering Committee between Matjhabeng municipality and Department of Education pertaining to vacant school sites.

BACKGROUND AND DISCUSSION

In a letter dated 3rd August 2018 the Municipality engaged the department of Education pertaining to their intention on utilization of various vacant sites zoned for educational purpose as well as the transfer of educational sites where school are already built.

On the 2nd November 2018 an initial meeting was held between the department and the municipality, the issue of the following school sites was discussed;

1. Erven 15574 & 21378 Thabong
2. Erven 3209,3210,3211,3212,3824,3825 and 3826 Nyakallong
3. Erf 2175 Mmamahabane

The meeting resolved that engagement should continue as there a numerous school sites to be investigated, the district Director Mr. Zonke appointed Mr. Zotwana and Mr. Sefume to be permanent member of the steering committee and Mr. Kale from the province will be added.

The meeting further resolved that the meeting should be schedule monthly if its possible and upon availability of all parties' concern to fast track the matter on discussion.

***** Copy of the minutes of the above meeting attached hereto on page 1 to 4 of the annexures.**

A follow meeting was convened on the 12th March 2019 with further deliberation on various matter pertaining to the school sites, and department made resolution on certain sites in Nyakallong, and same was communicated to the Municipality in letter dated 27th March 2018 (**copy attached hereto on page 5 to 9 annexures**).

***** Minutes of the meeting held on 12th March 2019 attached hereto on page 10 to 15 of the annexures**

The latest meeting was held on 28th May 2019 and the municipality requested the department to further investigate and resolve on whether the following school sites will be needed for future school development or same could be relinquish back to the municipality.

The sites in question are;

1. Erf 37049 Thandanani
2. Erven 39588, 39484, 39385 and 29248 Phokeng
3. Erf 21378 Dichokoleteng.
4. Erven 32704, 35429 and 29839 Hanipark

The Municipality waits feedback from the department pertaining to the above.

FINANCIAL IMPLICATIONS

None

LEGAL IMPLICATIONS

None

RECOMMENDATION

1. That Mayoral Committee takes note of the report.

MC39 of 2019

REQUEST TO TEMPORARILY AVAIL SCHOOL SITES NO 39588,39484,39385,29248 THABONG FOR RELOCATION IN PHOKENG (LED, P & H S) (8/3/245/13)

PURPOSE OF REPORT

To request permission from Council that sites no 39588,39484,39385,29248 Thabong zoned for educational purpose be availed to temporarily relocate the remaining occupants of informal shacks in Phokeng.

BACKGROUND

In 2017 allocation of sites in Phokeng resumed and 728 occupants were allocated and the remaining 215 occupants could not be allocated due to lack of more pegged sites.

PROBLEM STATEMENT

- Delay in relocation of the remaining 215 occupants of informal shacks could lead to more illegal invasion of land in Phokeng.
- Currently more than one shack is constructed on a single informal site.
- It will also create unauthorized site allocation by some members of the community and therefore cause allocation of sites to those who already benefitted.
- Of serious concern is that a contractor for installation of bulk service has been appointed and some of the occupant's shack are situated in area where bulk network is to be installed

FURTHER DISCUSSION

The Department has been in constant consultation with the Ward Councilor and concerned remaining group that was not allocated. The group continuously complained of unfavorable living conditions and lack of services.

The school sites no 39588,39484,39385,29248 Thabong were then identified by relevant Departments (Planning, Infrastructure and Human Settlements) as alternative temporary sites to address the backlog.

*** Attached on page 16 is the layout plan for identified school sites in Thabong.

POLICY POSITION

5.7 Addressing existing informal settlements

Existing Informal Settlements

Council will only recognize informal settlements that existed in its municipal area before the adoption of this policy or where the court did not grant a court interdict for eviction of illegal occupants.

Council will only consider *in-situ* upgrading of an existing informal settlements if:

- a) It is recognized as an existing informal settlement
- b) Has been identified in accordance with the principles of NUSP
- c) It is a priority identified in the Integrated Development Plan (IDP) of the Municipality

- d) It conforms to the Housing Sector Plan and the Spatial Development Framework (SDF) of the Municipality
- e) It will create habitable sustainable human settlements.
- f) It is in the interest of those staying in the area as well as the rest of the community.
- g) It conforms to the general principles outlined in the policy.

RECOMMENDATIONS

1. That Mayoral Committee takes note of the report.
2. That Mayoral Committee recommends to Council that school sites no 39588,39484,39385 and 29248 Thabong be temporarily availed to relocate the remaining occupants of shacks in Phokeng until further planned and pegged sites are made available by the Provincial Human Settlements.
3. That MMC – Human Settlements convene a meeting with the relevant ward Councilor in order to address the issue of temporarily relocating the remaining occupants on the abovementioned school sites.
4. That four communal taps be installed at school sites no 39588,39484,39385,29248 Thabong.

MC40 of 2019

REPORT TITLE: FORMULATION OF MATJHABENG LED STRATEGY (LED, P & HS) (11/5)

PURPOSE OF REPORT

The purpose of the report is to report on the process of the Matjhabeng LED Strategy formulation.

BACKGROUND

Local Economic Development (LED) is a means of systematic identification, development and organization of economic opportunity. As the local economy grows, poverty is reduced and the public sector income increases. The context and the direction for the role of municipalities in economic development is provided in the White Paper on Local Government. It states that “Local government is not directly responsible for creating jobs. Rather, it is responsible for taking active steps to ensure that the overall economic and social conditions of the locality are conducive to the creation of employment opportunities”. Its role is therefore to create a conducive environment for economic development and growth

A strategic plan is a document used to communicate with the organization the organisations goals, the actions needed to achieve those goals and all of the other critical elements developed during the planning exercise. An LED Strategy document needs to be developed in order for the municipality to align itself with long term goals. The purpose of this document is to collate all economic information and investigate the options available to broaden the economic base of the Matjhabeng Local Municipality. The project aims to have a meaningful impact on the local economy thereby addressing the challenges of economic growth, poverty alleviation and job creation.

It is in this light that the Matjhabeng Local Municipality approached the Harmony Mining Company as part of the Social Labour Plan (SLP) to fund the formulation of this document.

PROJECT NAME

Matjhabeng LED Strategy

PROJECT LOCATION

Matjhabeng

BENEFICIARIES AND WHAT THE PROJECT MUST ACHIEVE

- The goal of this document is to assist and support the Matjhabeng Local Municipality to identify LED opportunities and to develop a LED strategy for the Municipality.
- The LED strategy will identify and evaluate the most recent development changes in the local economy. It will also align the document with district, provincial and national initiatives.
- The LED strategy aims to develop feasible implementation plans to thrust the economic development of the municipality forward onto additional paths of economic growth and expansion.
- The LED study forms part of the IDP process.
- The purpose of the LED is to assist the Matjhabeng Local Municipality in creating an enabling environment that allows for economic development to occur within sustainable parameters.

ACTION PLAN AND PROGRESS

- Four potential service providers were invited to make presentations at the Harmony Offices on the 23 November 2018.
- *** **See attached the LED Strategy presentation notes 23 November 2018 on page 17 to 18 of the annexures**
- One company Urban-Econ has been identified as a service provider of choice in a meeting held on the 5 December 2018.
- *** **See attached the LED Strategy presentation notes 05 December 2018 on page 19 to 21 of the annexures.**
- An appointment letter was issued on the 14 March 2019 to Urban-Econ Development Economists. It will remain in full force and effect until 14 August 2019.
- *** **See attached Urban-Econ appointment 032019 on page 22 to 24 of the annexures**
- On 2 April 2019 an inception report was submitted.
- *** **See attached MLM LED Inception Report 2019 under Separate Cover (1)**
- On 12 June 2019 the Matjhabeng Status Quo was presented and submitted.
- *** **Matjhabeng LM - Draft Status Quo Report – 12-06-2019 under Separate Cover (2)**

LEGAL IMPLICATIONS

The Local Government Transition (amendment act) Act of 1996
 National Development Plan (NDP)
 National Framework for LED in South Africa

RECOMMENDATIONS

1. That Mayoral Committee takes note of the report.

MC41 of 2019

PROGRESS REPORT ON PANNEL OF SERVICE PROVIDERS FOR THE TRANSACTIONAL ADVISORY SERVICES TO MATJHABENG LOCAL MUNICIPLITY FOR A PERIOD OF THREE (3) YEARS (LED, P & HS) (8/3/3/5)

PURPOSE

Purpose of the item is to give a feedback on progress made to date in regard to Appointment of panel of Transactional Advisors for Matjhabeng Municipality.

BACKGROUND

Management consulting is the practice of offering business third party advice, expertise, and support with the aim of enhancing the business's performance resulting in an overall increase in the value of the business for its shareholders and other stakeholders.

The Matjhabeng Local Municipality seeks to need to re-organise business functions and to create and rejuvenate revenue streams and increases the pressure for supply chain to react to business need for management consultants speedily.

The Lejweleputswa District Municipality's vision is "to be a leader in sustainable development and service delivery by 2030". As part of Lejweleputswa District, the Matjhabeng Local Municipality seeks services of a transactional advisor to assist them in the planning, procurement and implementation of large – scale transactions for water, roads and electricity, transactional planning, feasibility analysis, procurement and contract management.

The panel will consist of specialised, highly experienced professionals and service providers with an international footprint, able to provide the local municipality with access to practical experienced consultants. The selected service providers shall consist of these categories:-

- Business management
- Finance consulting
- Supply chain consulting
- Capital project and real estate management
- Information, communication and technology consulting

3. PROGRESS TO DATE

Invitation to tender was re-advertised on 30th March 2019, reason for re-advertisement was due to previous advertisement not listed on Central Supplier Database (CSD). The tender closed on the 22nd May 2019, and more than 10 companies responded to the bid, the documents are still at supply chain for verification of compliances. The Evaluation and Adjudication processes expected to be concluded by 1st August 2019, the report will be presented in the next meeting.

FINANCIAL IMPLICATIONS

Rejuvenate revenue streams to the Municipality.

RECOMMENDATIONS

That Mayoral Committee takes note of the report.

MC42 of 2019

REQUEST FOR THE COUNCIL TO GIVE APPROVAL TO THE DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM TO PURCHASE FARMS FOR THE MATJHABENG LOCAL MUNICIPALITY BE USED FOR COMMONAGE PURPOSE (LED, P & HS)

PURPOSE

The purpose of this report is to request approval from the Council to request the Department of Rural Development and Land Reform for the acquisition of farm for commonage purposes.

BACKGROUND

The Department of Rural Development and Land Reform has acquired land for the municipality for different purposes over the years, one of which is commonage purposes. The land acquired has, however, come with challenges as the number of small scales farmers continue to increase resulting in reduced grazing capacity, and in cases the land not being suitable for other agricultural projects. In other instances such as in Bronville, Kutlwanong, Welkom, and Ventersburg the agricultural land had been taken and is used for human settlements.

The primary purpose of the Commonage program is to give subsistence farmers and emergent farmers access to municipal land. The subsistence farmer makes use of commonage to supplement income and to provide for household consumption, while the emerging farmer makes use of commonage as a stepping-stone where the gradual transition from subsistence to semi-commercial to commercial can be accommodated.

The Department of Rural Development and Land Reform provide funds to enable resource-poor municipalities to acquire land to extend or create commonage. The Grant for the Acquisition of Municipal Commonage enables municipalities to acquire land for commonage purposes.

PROBLEM STATEMENT

The land agrarian reform in South Africa is driven by a political, social and economic program that has to redress the unfair and unjust land acquisition by the minority of the South Africa country against the majority communities). Political pressure is gaining momentum to find a solution in order to redistribute land as a way to remedy past injustice and lay reasonable programs. 1996, the South African Constitution set a foundation as to where to start in order to address the land issue.

The 1996 Constitution of South Africa is the principal and highest authority law of the country, as stipulated in Chapter 2 of the bill of rights. Section 25(5) of the 1996 Constitution of South Africa states that; "The state must take reasonable legislative and other measures, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis." Thus this sections guide the land reform policies and all agrarian support strategies and programs.

Agriculture is considered as one of the important economic sectors in the alleviation of poverty in South Africa. Taking agricultural production into consideration, the reduction of the unemployment rate, economic growth, and job creation are key challenges in South Africa. These formidable challenges still exist despite government's extraordinary efforts through the introduction of the poverty mitigation strategies of which agricultural development is one sector which is receiving the support. The South African

government is trying to reduce the unemployment rate by introducing various agricultural related strategies which seem not to succeed.

Livestock serves as a threat to traffic as there are no fences. The extension of commonage around Matjhabeng Local Municipality will improve livestock management, reduce accidents caused by stray animals, create job opportunities, attract funders for agricultural activities, and improve the lives of the poorest communities.

DISCUSSION

The Directorate of LED, Planning and Human Settlements has in the past years identified different farms to be used for commonage purposes; it is for this reason that we request the council to give approval for the process of identification and acquisition to go ahead. This will benefit different small-scale farmers in Matjhabeng Local Municipality.

LEGAL IMPLICATIONS

A council resolution is needed for the Department of Rural Development and Land Reform to acquire land for commonage purposes.

FINANCIAL IMPLICATIONS

Land Acquisition is the competency of the Department of Rural Development and Land Reform and as such the department will provide funds to acquire land for commonage purpose. All cost related to the sale and transfer of the property will be for the account of the Department of Rural Development and Land Reform. It will be again for the municipality as the farm will be an additional asset.

POLICY/LEGISLATIVE POSITION

The objects and duties of local government with regard to development, section 152 of the Constitution sets out the five objects of local government (all of which relate directly and/or indirectly to matters pertaining to development, including rural development).

The developmental duties of municipalities are identified in section 153, which section states that all municipalities must prioritize the basic needs of the community and promote social and economic development.

Municipalities must also participate in national and provincial development programs. This includes local government's compulsory participation in national and provincial rural development programmes.

After purchasing, the farm will be transferred to Council which makes it be a legal custodian and will then be leased to the interested and prospective emerging farmers in Matjhabeng Local Municipality.

RECOMMENDATION

1. That Mayoral Committee recommend to Council to resolve the Department of Rural Development and Land Reform (DRDLR) and be requested to purchase the farms as an extension of current commonage farms for the Matjhabeng Local Municipality which will be used for commonage purpose.

MC43 of 2019

PARTICIPATION OF MATJHABENG LOCAL MUNICIPALITY IN THE NATIONAL TRANSVERSAL CONTRACT (RT57) (EDSSS)

PURPOSE

To present to Mayoral Committee Municipal intention to participate on the National Treasury contract for purpose of procuring fleet.

BACKGROUND

An undertaking was made during a meeting with Government Garage official (Mr Japther Morobe as CEO of Provincial Government Garage) that Matjhabeng Local Municipality request to participate in the RT57 contract has been agreed to. This was revealed during the same meeting and other municipalities within the Lejweleputswa District Municipality have been encouraged to follow the same route of vehicle procurement.

One critical element that would affect the durability of vehicles purchased after their service plans have expired was discussed and would tentatively be addressed via another RT 46 process where vehicles can be services via this process. The process was said to include tyres, fuel management, among key service issues. A Municipality can then enter into an arrangement for service purposes through this process.

Subsequent to that discussion, officials have been requested to consolidate vehicle needs and that process produced a needs report in anticipation of fast tracking the process. Both the individual and consolidated submissions are attached as annexures to the submission.

LEGAL IMPLICATIONS

Matjhabeng Local Municipality Supply Chain Management policy

FINANCIAL IMPLICATIONS

2019/2020 approved budget.

A sum of R50 million has been set aside to accommodate purchase of vehicles as per the final needs analysis

RECOMMENDATIONS

1. That the Mayoral Committee acknowledges the draft and annexed vehicle needs.
2. That the final be submitted to council for noting.

