

# **MINUTES**

of the

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

of

**MATJHABENG MUNICIPALITY**

held on

**TUESDAY, 26 NOVEMBER 2019**

at

**15:00**

at the

**COUNCIL CHAMBERS, CIVIC CENTRE,  
WELKOM**

# I

## COUNCILLORS ATTENDANCE

### 6<sup>TH</sup> ORDINARY COUNCIL MEETING MINUTES: 26 NOVEMBER 2019

PROPORTIONAL			
1.	Stofile B ( <b>Speaker</b> ) ( <b>Written Apology</b> )	19.	Masina XN ( <b>Written Apology</b> )
2.	Sephiri MJ ( <b>Chief Whip</b> )	20.	Mawela VE
3.	Speelman NW ( <b>Executive Mayor</b> )	21.	Moipatle KSV
4.	Badenhorst MJ	22.	Mthebere NA
5.	Botha PF	23.	Nqeobo ME
6.		24.	Ntsebeng MH
7.	Dyantyi A	25.	Phofeli NM
8.	Jacobs EJ	26.	Presente LN
9.	Jama BL ( <b>Absent</b> )	27.	Radebe MC
10.	Kabi M	28.	Radebe ML ( <b>Written Apology</b> )
11.	Khetsi LE	29.	Rakaki MM
12.	Letlhake TW	30.	Ramabodu BM ( <b>Absent</b> )
13.	Lushaba TB	31.	Sithole AM
14.	Macingwane MT	32.	Styger A
15.	Mafaisa MG	33.	Taljaard SDM
16.	Manenye AJ	34.	Thelingoane NE
17.	Manese SD	35.	Tshopo ME
18.	Marais JS MM ( <b>Absent</b> )	36.	Van Rooyen KV ( <b>Written Apology</b> )
WARD			
37.	Badenhorst HS	55.	Morris VR
38.	Chaka MS	56.	Moshoeu ZS
39.	Daly A MM ( <b>Absent</b> )	57.	Mosia TJ
40.	Tshokotshela NJ	58.	Mphikeleli MA
41.	Khothule MJ	59.	Nkonka BB
42.	Kopela MP (Deceased)	60.	Nthako TD
43.	Liphoko SJ	61.	Ntuli BN
44.	Mafa DM	62.	Pholo SJ
45.	Mahlumba BH	63.	Poo IP
46.	Malherbe C ( <b>Written Apology</b> )	64.	Ramalefane SJ
47.	Manzana NR	65.	Ramatisa PT
48.	Masienyane MD	66.	Sebotsa MM ( <b>Absent</b> )
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 CT Panyani	:	Chief Financial Officer
Mr T. Makofane	:	Executive Director: Strategic Support Services
Mr. FF Wetes	:	Executive Director: Corporate Services
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 6<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 HA Mokhomo was nominated and he was elected to act as the Acting Speaker to preside over the proceedings of the 6<sup>th</sup> Ordinary meeting of Council.</p> <p>Councillor HA Mokhomo thanked Councillors for giving him the opportunity to Act, 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>The Acting Speaker informed Council that it is with the great sadness to announce the passing on of Cllr MP Kopela of Ward 3 in Hennenman.</p> <p><b>A moment of silence was observed.</b></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>A98/2019 and A120/2019</b></p>
(h)	<p><b>Motions of sympathy and congratulations by the Speaker</b></p> <p><b><u>Sympathy</u></b></p> <ol style="list-style-type: none"> <li>1. The Acting Speaker conveyed a message of condolences to the Kopela family for the passing away of Cllr MP Kopela.</li> </ol>
(i)	<p><b>Motions of sympathy and congratulations by other Councilors</b></p> <p><b><u>Congratulations</u></b></p> <ol style="list-style-type: none"> <li>1. Cllr V Morris congratulated the Office of the Speaker for providing Councillors with new tablets.</li> <li>2. He also congratulated MMC Radebe for being elected as the President of ECD's in South Africa and indicated that as Councillors of Matjhabeng they are very proud of her for taking a lead in such institution.</li> </ol>

## IV

	<p>3. Cllr MT Macingwane congratulated the National Prosecuting Authority of South Africa for a successful case against the murderer of a young Mrhwetyana and indicated that there is need to have more convictions of these predators who continue to rape and kill women in South Africa.</p> <p>4. He also congratulated the Hawks on the arrest of Mbongo and indicated that he hoped that NPA will also do the same as they did to the murderer of Mrhwetyana</p> <p>5. Cllr TJ Mosia congratulated 2019 Matric Class who wrote their final paper, and also thanked the Provincial MEC for Education for ensuring that the examination of 2019 Matric goes well.</p> <p>6. Cllr R. Tlake congratulated the Office of the Executive Mayor with the great work that they have done in their constituencies for ensuring that the National Programme of (NSFAS) is taking place in registering children in all wards within Matjhabeng area.</p> <p><b><u>Motions</u></b></p> <p>1. Cllr HCT Van Schalkwyk conveyed a message of condolences to the Vieira family for the passing on of Joe Vieira co-owner of Sylvania Super Spar, and his wife Goretti both passed away on the 19<sup>th</sup> of November 2019.</p> <p>2. Cllr LN Presente conveyed a message of sympathy to her brother, Mr. Aupa Presente who passed on last weekend, and will be laid to rest the following week in Botshabelo.</p> <p>Cllr VE Mawela passed a motion of sympathy to the Martins family, the (Chief of Staff in the Executive Mayor's office) who lost his brother in Bloemfontein.</p>
<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 indicated that in the Section 80 Finance Committee meeting the Auditor General made a note on the finding that Councilors do not declare their interest annually as required by the Law and currently only 24 out of the 72 Councillors who's declaration of interest are on record.</p> <p>The Acting Speaker also emphasized that Councillors must disclose their interest and that the list of Councillors who have disclosed their interest and of those who did not disclose their interest must be submitted in the next Council meeting.</p> <p>The Executive Mayor requested the Office of the Municipal Manager to provide Councillors with the forms after the meeting.</p>
<b>(l)</b>	<p><b>Minutes of the previous meeting:</b></p> <p><b><u>COUNCIL RESOLVED: (26 NOVEMBER 2019)</u></b></p> <p>That the following minutes of the:</p>

## V

	<ol style="list-style-type: none"> <li>Minutes of the 1<sup>st</sup> Special Council meeting held on the 3<sup>rd</sup> May 2019.</li> <li>Minutes of the 4<sup>th</sup> Ordinary Council meeting held on the 28<sup>th</sup> May 2019.</li> <li>Minutes of the 5<sup>th</sup> Ordinary Council meeting held on the 30<sup>th</sup> August 2019.</li> <li>Continuation Minutes of the 5<sup>th</sup> Ordinary Council meeting held on the 18<sup>th</sup> September 2019.</li> <li>Minutes of the 2<sup>nd</sup> Special Council meeting held on the 8<sup>th</sup> November 2019</li> </ol> <p><b>BE ADOPTED</b> as a true reflection of what transpired in the meeting.</p> <p><b><u>COUNCIL RESOLVED: (26 NOVEMBER 2019)</u></b> That Minutes of the 2<sup>nd</sup> Special Council meeting held on the 8<sup>th</sup> November 2019 <b>BE ADOPTED</b> subject to the following corrections; <b>That Cllr A. Dyantyi was present in the meeting.</b></p>
(m)	<p><b>Matters arising from the minutes</b></p> <p><b>Matters arising from the minutes: 08 November 2019</b> <b>SA2/2019</b></p> <p>Cllr S Manese gave feedback from Provincial and National Treasury to Council with regard to the Special Adjustment Budget that was tabled on the 8<sup>th</sup> of November 2019, He indicated that the National Treasury has advised the Municipality to revisit figures on B7 and B4 schedules aimed at reducing the expenditure. Cllr P. Botha raised a concern that the Budget adjustment was approved in the previous minutes and that cannot be changed.</p> <p><b><u>It was resolved: (26 November 2019)</u></b></p> <ol style="list-style-type: none"> <li>That a Special Council <b>BE HELD</b> to present additional details made by the National Treasury to the budget in terms of schedule 7.</li> </ol> <p><b>Matters arising from the minutes: 30 August 2019</b> <b>A52/2019</b></p> <p><b>Cllr R Tlake wanted to know why his Ward Committees did not receive their payments because they have submitted their reports</b></p> <p><b><u>Council resolved : 26 November 2019</u></b></p> <ol style="list-style-type: none"> <li>That the Office of the Speaker <b>MUST GIVE</b> a report explaining why Ward Committees that submitted reports were not paid.</li> </ol>
(n)	<p><b>Questions of which notice had been given</b> <b>A99/2019 – A100/2019 and A120/2019 –A122/2019</b></p>
(o)	<p><b>Reports of the Executive Committee/ Executive Mayor/ Committee Reports</b> <b>A101/2019 – A118/2019</b></p>
(p)	<p><b>Reports of decisions taken under delegated powers</b> None</p>

## VI

(q)	<b>Motions</b> <b>A119/2019</b>
(r)	<b>Closure</b> The Speaker thanked everyone who attended and closed the meeting <b>at 17:35.</b>

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

.....  
**DATE**

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**A98/2019**

**PROTEST MARCH OF THE 30 SEPTEMBER 2019 – CHAIR WOMEN CAUCUS (SPEAKER)**

**PURPOSE**

To inform the Council about the action taken by the Women Caucus against Gender Based Violence.

**DISCUSSION**

The Acting Speaker presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2019)**

That Council **TAKES NOTE** of the report.

**A99/2019**

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR M. NQEOBO (MM) (3/1/3/2)**

**PURPOSE**

To submit the questions raised by Cllr M. Nqeobo and the response thereon by the Municipal Manager.

**DISCUSSION**

The Acting Speaker presented the item to Council.

Cllr M Nqeobo indicated that she is still awaiting for follow up on other questions she raised

**COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That Council **TAKES NOTE** of the matter.
2. That Cllr M Nqeobo **WOULD SUBMIT** follow-up questions to the Office of the Municipal Manager.

**A100/2019**

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR S. TALJAARD (MM) (3/1/3/2)**

**PURPOSE**

To submit the questions raised by Cllr S. Taljaard and the response thereon by the Municipal Manager.

**DISCUSSION**

The Acting Speaker presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That Council **TAKES NOTE** of the report.

**A101/2019****MONTHLY FINANCE REPORT – SEPTEMBER 2019 (EXECUTIVE MAYOR)  
(6/4/1)****PURPOSE**

To submit to Council the Monthly Finance Report for September 2019 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003.

**DISCUSSION**

The Executive Mayor presented the item to Council.

The Executive Mayor indicated the Municipality is on a deficit on both Water and Electricity and the high Salary of Overtime. He also indicated that this Section 71 Reports should not be taken to Provincial and National Treasury for the sake of taking them at the percentage of 58%. He urged Council that something needs to be done about these officials of Matjhabeng. He further indicated that officials who are unable to collect as expected must be held liable and this cannot be tolerated any more.

**COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That the Finance Report for September 2019 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED**.
2. That the Finance Report for September 2019 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE SUBMITTED** to Provincial and National Treasury.
3. That the Accounting Officer **MUST PROVIDE** a report explaining why the Municipality is unable to collect as expected and why ward based revenue collection is not collected as anticipated.

*//Cllr Macingwane proposed that the Executive Mayor to present all items, and Councillors will then engage them in bulk, the proposal was accepted\\.*

**A102/2019**

**CELL – C PUBLIC ACCESS WI-FI EVOLUTION – AROUND MATJHABENG MUNICIPALITY (EXECUTIVE MAYOR) (19/5/4)**

**PURPOSE**

- To source support from Council for installation of public Wi-Fi around Matjhabeng Municipality.
- To source approval for the use of municipal infrastructure (Streets poles, Council owned buildings and use of electricity)

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That Council support the project as **CONCLUDED** at Provincial level.
2. That Council **GRANT ACCESS** of Cell-C to enter the Municipal space.
3. That the Cell-C must **BE HELD RESPONSIBLE** for any damage done on Municipal Infrastructure for the work done.
4. That the Cell-C Company **MUST NOT DO** the work in any ward without Councillors being properly informed.
5. That the Cell-C service should not be limited to the suburbs areas only but **BE EXTENDED** to the marginalised Community in the Townships.

**A103/2019**

**SMME DEVELOPMENT – PILOT PROJECT YOUTH BUSINESS CORNERS IN MELODING (EXECUTIVE MAYOR) (18/1/19)**

**PURPOSE**

The purpose of this report is to give feedback on actual progress in relation to SMME development on youth business corners pilot project in Meloding.

**DISCUSSION**

The Executive Mayor presented the item to Council.

After a lengthy deliberation on the item, Cllr SJ Liphoko indicated that the project would be monitored by the Small Business Development.

## 4

### **COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That Council **APPROVES** extra funding for this project.
2. That **THOROUGH VERIFICATION** should be done as to whether R3 million was budgeted for and it was provided for in the IDP.
3. That the projects **SHOULD** benefit all young people irrespective of their Political Affiliation.

**A104/2019**

### **TO REQUEST FOR APPROVAL OF DONATION OF SITES TO ELDERLY CITIZEN (EXECUTIVE MAYOR) (20/14/4/3)**

#### **PURPOSE**

To request Council to take note of the report and approval on the donation of sites and further refer the matter to Council for approval of the donation of sites made for elderly citizens by the Executive Mayor as part of his program of 67 Minutes of Mandela Day.

#### **DISCUSSION**

The Executive Mayor presented the item to Council.

### **COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That Council **TAKES NOTE** of the report.
2. That Council **APPROVES** the donation of sites identified for elderly citizens at Sevendelaan.
3. That land audit report **BE SUBMITTED** in the next Council meeting.
4. That Human Settlement Department **MUST SUBMIT** an assessment report on identified beneficiaries in the next Council meeting.

**A105/2019**

### **THE FINAL DRAFT OF MATJHABENG LED STRATEGY (EXECUTIVE MAYOR) (12/1/3)**

#### **PURPOSE OF REPORT**

The purpose of the item is to report on the submission of the final draft of the Matjhabeng LED Strategy to Council.

#### **DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That the Council **TAKES NOTE** of the report.
2. That the report **BE CIRCULATED** for Community Public Participation.

**A106/2019**

**REQUEST FOR THE IDENTIFICATION OF UNUSED AGRICULTURE AND NON AGRICULTURAL LAND PARCELS (EXECUTIVE MAYOR) (19/9/1/3)**

**PURPOSE OF THE REPORT**

The purpose of this report is to request approval from the Council to request the mines, churches, SOEs, government departments, absentee landlords, and general landowners to start identifying agricultural and non-agricultural land parcels. The objective this identification land process is to start the discussion on voluntarily donating unused these and abandoned land to previously disadvantaged individuals as per recommendation of the Expert Advisory Panel on Land Reform and Agriculture in their report named, “**final report of the presidential advisory panel on land reform and agriculture 04 may 2019 for his excellency the president of south Africa**”.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That Council **REQUEST** that the Mines, Churches, SOEs, Government Departments, absentee landlords and general landowners to start identifying agricultural and non-agricultural land parcels with the objective of starting discussion on voluntarily donation of unused and abandoned land to the Municipality.
2. That Harmony **BE REQUESTED** to donate land in Extension 5 for Sports hub for Matjhabeng sports development.

**A107/2019**

**ENHANCING PUBLIC SAFETY SERVICE DELIVERY THROUGH THE APPOINTMENT OF EXISTING MUNICIPAL SECURITY PERSONNEL TO EFFECT THE DUAL FUNCTION OF MUNICIPAL LAW ENFORCEMENT & MUNICIPAL SECURITY SERVICES (EXECUTIVE MAYOR) (5/3/2/7)**

**PURPOSE**

The purpose of this item is to highlight Council on the enhancing of Public Safety Service delivery through dual function of Municipal Law Enforcement and Municipal Security Services.

## 6

### DISCUSSION

The Executive Mayor presented the item to Council.

#### **COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That the dual function of both Municipal Security and By-Law Enforcement of the Security Officers **BE APPROVED** by Council.
2. That the Officers **BE RE-DESIGNATED** as Municipal Law Enforcement Officers.
3. That new employees in said function **BE APPOINTED** as learner/law enforcement officers.
4. That funds **BE MADE AVAILABLE** for the training of all Officers.
5. That the Municipality **MUST SPEARHEAD** the establishment of the Municipal Court.

**//The Executive Mayor indicated to the Council that items A108/2019 – A115/2019 are being withdrawn on condition that the Municipal Manager must provide an authentic report on why the Municipality should increase or do the variation on the said projects submitted in the Agenda\\.**

#### **A108/2019**

#### **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: (26 NOVEMBER 2019)**

1. That the item **BE WITHDRAWN**.



**A109/2019**

**UPGRADING OF THABONG T8 PUMPING STATION: REQUEST FOR ADDITIONAL FUNDING (EXECUTIVE MAYOR)**

**PURPOSE**

The purpose of this item is to submit to Council a request for approval of the budget for maintenance for the Upgrading of Thabong T8 Pumping station.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That the item **BE WITHDRAWN**.

**A110/2019**

**CONSTRUCTION OF MMAMAHABANE CEMETERY (EXECUTIVE MAYOR)**

**PURPOSE**

The purpose of this item is to submit to the Council a request for approval of the budget for maintenance for the Construction of Mmamahabane Cemetery.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That the item **BE WITHDRAWN**.

**A111/2019**

**UPGRADING OF THE WELKOM LANDIFLL SITE: BUDGET MAINTENANCE (EXECUTIVE MAYOR)**

**PURPOSE**

The purpose of this item is to request the approval of the Council for the additional funding of the Upgrading of the Welkom Landfill Site in compliance with Municipal Systems Act 32 of 2000; Section 73 (1).

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That the item **BE WITHDRAWN**.

**A112/2019**

**THABONG: INSTALLATION OF BULK ZONAL WATER METERS AND VALVES  
APPLICATION FOR BUDGET MAINTANANCE (EXECUTIVE MAYOR)**

**PURPOSE**

The intention of this report is to effectively motivate for the approval by the Council for additional funding amounting to **R1 220 696.95 (incl. Vat)** under the Municipal Infrastructure Grant (MIG), budget maintenance.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That the item **BE WITHDRAWN**.

**A113/2019**

**NYAKALLONG/ALLANRIDGE REPLACEMENT OF OLD GALVANIZED STEEL  
PIPES: REQUEST FOR BUDGET MAINTENANCE (EXECUTIVE MAYOR)**

**PURPOSE**

The purpose of this item is to request approval of the Council for additional funding for Replacement of old galvanized steel pipes with PVC in Allanridge and Nyakallong Townships.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That the item **BE WITHDRAWN**.

**A114/2019**

**THABONG EXTENSION 20 (HANI PARK): EXTENSION OF WATER NETWORK,  
HOUSE CONNECTIONS AND WATER METERS (180 STANDS): BUDGET  
MAINTENANCE (EXECUTIVE MAYOR)**

**PURPOSE**

The purpose of this item is to request approval of the Council the request for additional funding for Thabong Extension 20 (Hani Park): Extension of water network, house connections and water meters (180 Stands) in compliance with Municipal Systems Act 32 of 2000; Section 73 (1).

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That the item **BE WITHDRAWN**.

**A115/2019**

**KUTLWANONG OUTFALL SEWER: REQUEST FOR BUDGET MAINTENANCE  
(EXECUTIVE MAYOR)**

**PURPOSE**

The purpose of this item is to present before Council the current status and progress report on the Kutlwanong outfall sewer in compliance with Municipal Systems Act 32 of 2000; Section 73 (1), and to request recommendation of the budget maintenance.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That the item **BE WITHDRAWN**.

**A116/ 2019**

**PHOMOLONG: APPLICATION TO CONVERT MUNICIPAL ERF 1132 INTO  
BUSINESS ERVEN FOR ALIENATION TO THE CURRENT OCCUPANTS  
(EXECUTIVE MAYOR)**

**PURPOSE**

The purpose of the report is to motivate the subdivision of a portion of Municipal Erf 1132 in Phomolong in order to create a number of business erven, the rezoning thereof and the alienation of the subdivisions to current occupants of the property.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That it **BE SUPPORTED** that a portion of Erf 1132, Phomolong is not required to render future municipal services and that in order to support economic development as well as to rectify the current transgression of zoning, it be earmarked for formal development.
2. That the subdivision plan as depicted on Page 34 of the Annexures as well as the proposed zonings as indicated in Table 1 **BE APPROVED**.

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3. That it be approved in principle that after creation of the individual erf portions, it **BE MADE AVAILABLE** to the current occupants at full market value as a straight on a lease to purchase basis.
4. That the Municipal Manager **BE MANDATED** to negotiate an applicable sales/lease agreement with the applicants with inclusion of the following:
  - a) Costs related to the subdivision, rezoning and registration of the properties.
  - b) Costs related to the relocation and/or connection of municipal services to the individual sites.
5. That the Municipal Manager **BE MANDATED** to facilitate the request from Mr. T Tsiane to develop the OK Franchise within the permissible legal framework.

**A117/ 2019**

**UYINGCWELE BABA CAPITAL (PTY) LTD: APPLICATION FOR AN UNSOLICITED BID FOR THE PURCHASE OF ERVEN 10283 AND 10284 FOR THE DEVELOPMENT OF KUTLOANONG SHOPPING CENTRE, LIFESTYLE CENTRE BUSINESS CENTRE, HAWKERS HUB, TAXI RANK AND PETROL STATION (EXECUTIVE MAYOR)**

### **PURPOSE OF REPORT**

The purpose of the report is to request Council to grant an unsolicited bid to Uyingcwele Baba Capital (Pty) Ltd for the purchase of Erven 10283 and 10284 for the development of Kutloanong Shopping Centre, Lifestyle Centre Business Centre, Hawkers Hub, Taxi Rank and Petrol Station.

### **DISCUSSION**

The Executive Mayor presented the item to Council.

### **COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That the item **BE WITHDRAWN**.

**A118/ 2019**

**MPAC COMMITTEE REPORT ON THE IRREGULAR EXPENDITURE INCURRED FOR THE PERIOD ENDED 30 JUNE 2018 (MPAC CHAIRPERSON) (6/1/2/2)**

### **PURPOSE**

To submit to Council the MPAC report on Irregular Expenditure incurred for the financial periods ended 30 June 2018 as mandated by Council.

## DISCUSSION

The Speaker allowed the Chairperson of MPAC to present the item to Council.

### **COUNCIL RESOLVED: (26 NOVEMBER 2019)**

#### **Irregular expenditure**

1. That Council **TAKES NOTE** of the MPAC committee report;
2. That Council **CERTIFIES** an amount of **R129 887 387,58 (R114 209 752,91 excl. vat)** detailed below as irrecoverable and be written-off;
3. That the appropriate disclosure note **BE MADE** to the financial statements for the year ending 30 June 2020;
4. That the Accounting Officer **MUST ESTABLISH** controls to detect and prevent these types of expenditures and on a quarterly basis submit a report for consideration to Council; and
5. That the Accounting Officer must in writing **COMMUNICATE** the Council resolutions to the office of the Auditor General, COGTA and Provincial Treasury in terms of section 32, subsection 4 of the Municipal Finance Management Act.

#### **A119/2019**

### **MOTION BY CLLR PF BOTHA: MOTION TO HAVE ALL THE MEDIA NEWS CONTRACTS DECLARED NULL & VOID (MM) (20/19)**

#### **PURPOSE**

To submit to Council the motion received from Cllr PF Botha for consideration.

## DISCUSSION

The Speaker allowed Cllr PF Botha to present the item to Council.

The Municipal Manager indicated that A response was sent to Cllr PF Botha with regard to Media News, However when he enquired to the Media News of what is still outstanding they indicated that there is still a certain amount that is still outstanding, He also indicated that he wrote a letter to the media News indicating termination of their contract, and the response was that the Municipality owes the Company R55million.

### **COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That the Municipal Manager **MUST GIVE** a response in writing to motion received from Cllr PF Botha.

**A120/2019**

**UPPER LIMITS OF THE ANNUAL TOTAL REMUNERATION PACKAGE OF COUNCILLORS – (SPEAKER)**

**PURPOSE**

To request the Council to authorise the Upper Limits of the annual total remuneration Package of Councillors to be implemented once the Upper Limits Gazette has been received.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That the item **BE WITHDRAWN**.

**A121/2019**

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR H.C.T VAN SCHALKWYK (MM) (3/1/3/2)**

**PURPOSE**

To submit the questions raised by Cllr H.C.T Van Schalkwyk and the response thereon by the Municipal Manager.

**DISCUSSION**

The Speaker allowed Cllr H.C.T Van Schalkwyk to present the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That Council **TAKES NOTE** of the report.

**A122/2019**

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR H.C.T VAN SCHALKWYK (MM) (3/1/3/2)**

**PURPOSE**

To submit the questions raised by Cllr H.C.T Van Schalkwyk and the response thereon by the Municipal Manager.

**DISCUSSION**

The Speaker allowed Cllr H.C.T Van Schalkwyk to present the item to Council.

Cllr HCT Van Schalkwyk indicated that he is satisfied with the response of the Municipal Manager on the matter of the Christmas light.

**COUNCIL RESOLVED: (26 NOVEMBER 2019)**

1. That Council **TAKES NOTE** of the report.