



**26<sup>th</sup> ORDINARY COUNCIL MEETING  
29 March 2016  
MINUTES**

<p><b>ITEM 01/3/2016</b></p> <p><b>OPENING AND WELCOME</b></p> <p>The Speaker opens the meeting with prayer and welcomes all present.</p>	<p>Speaker</p>
<p><b>ITEM 02/3/2016</b></p> <p><b>APPLICATIONS FOR LEAVE OF ABSENCE</b></p> <p>Councillor B M Sani – Father passed away</p> <p><b>Absent without apology</b></p> <p>Councillor T Halse  Councillor J Machakela  Councillor D Hattingh  Councillor Seoe</p>	<p>All</p>
<p><b>ITEM 03/3/2016</b></p> <p><b>(i) OFFICIAL ANNOUNCEMENTS OF THE SPEAKER</b></p> <p>Councillor Sani conveyed that if the ANC wanted to hold a memorial service for his departed father it could be held on Wednesday / Thursday as the Saturday funeral will only be for the Church.</p> <p>It is conveyed that the DA is absent without apology. Councillor Halse had called the Speaker with regards to the delivery of the agenda. Mr Selepe explained the process also quoting from the Standing Rules and Orders, Section 58. The Speaker conveys that she explained to Councillor Halse that her allegations are not supported by the Standing Rules and Order.</p> <p>The Mayor conveys that Councillor Halse always distorts information. According to Standing Rules and Order Council is not to Sit on Public Holiday and Sundays. No specification with regards to hours are stated.</p> <p>The Speaker conveys that when Council defers items, all required information should be submitted back to Council.</p> <p>Committee meetings should take place in order for Council to run effectively.</p> <p>All projects that the municipality are busy with should be finalised.</p> <p>Officials having complaints should report them in order for the necessary steps to be taken to rectify the problem. Officials should not spread false rumours about non-payment when in fact payments are made.</p>	<p>Speaker</p>

<p><b>(ii) OFFICIAL ANNOUNCEMENTS OF THE MUNICIPAL MANAGER</b></p> <p><b>Eskom Account</b></p> <p>The Municipal Manager conveys that he received a letter from the DA that according to a ward Councillor the municipality has paid the whole account. The Municipal Manager explains that there is a meeting on 30 March 2016 with ESKOM. There is also a concurrent negotiation with Centlec to deal with the Service Level Agreement.</p> <p>The Municipal Manager explains to the Speaker and Council that deferring of items without valid reasons creates problems.</p>	Municipal Manager
<p><b>ITEM 04/3/2016</b></p>	Speaker
<p><b>REPORTS OF THE SPEAKER I.T.O. RULES 15(1) AND 99(4)</b></p> <p>None</p>	
<p><b>ITEM 05/3/2016</b></p>	
<p><b>REPORTS OF THE SPEAKER</b></p> <p>None</p>	Speaker
<p><b>ITEM 06/3/2016</b></p>	
<p><b>MOTIONS OF SYMPATHY OR CONGRATULATIONS BY THE SPEAKER</b></p> <p>A motion of sympathy is expressed to Councillor B M Sani and his family after the passing away of his father.</p> <p>A motion of congratulations is extended to the President for his fight against HIV / AIDS.</p> <p>Congratulates the President for the process of returning land to the previously dispossessed people.</p> <p>Also congratulates the President that under his Presidency education was bettered, especially for children sent overseas.</p>	Speaker
<p><b>ITEM 07/3/2016</b></p>	
<p><b>MOTIONS OF SYMPATHY OR CONGRATULATIONS BY OTHER COUNCILLORS</b></p> <p><b>By the Mayor</b></p> <p>The Mayor conveys that Mr Jele, who was the High Commissioner in Lesotho has been replaced by Comrade Sello Molofo (Ex Premier of Limpopo) and there is a need to start negotiations with ??????</p> <p>A motion of congratulations is extended to Councillor Tigeli who held a very big and successful march against racism.</p>	Councillors

<p><b>ITEM 08/3/2016</b></p> <p><b>DEPUTATIONS AND INTERVIEWS</b></p> <p>Advocate Moloi presented the Audit Report to Council.</p>	<p>Speaker</p>
<p><b>ITEM 09/3/2016</b></p> <p><b>DISCLOSURE OF INTEREST</b></p> <p>The following officials express a disclosure of interest on Item 1050:</p> <p>The Municipal Manager (S M Selepe), Director Corporate Services (Ms P Moloi), Director Community Services (Ms B Sebolai), Director Technical Services (Mr N Raliapeng) and the Chief Financial Officer (Mr P Matsie)</p>	<p>All</p>
<p><b>ITEM 10/3/2016</b></p> <p><b>REPORTS FROM SALGA</b></p> <p>None</p> <p>That the report of the MCPF be drawn up and distributed to Councillors.</p>	<p>Speaker</p>
<p><b>ITEM 11/3/2016</b></p> <p><b>REPORTS FROM THABO MOFUTSANYA DISTRICT MUNICIPALITY</b></p> <p>The MPAC report was presented by Councillor J Jacobs.</p> <p>It was resolved that all the recommendations in the report be adopted by Council. (Proposed by Councillor Molefe and seconded by Councillor Malakane)</p>	<p>Speaker</p>
<p><b>ITEM 12/3/2016</b></p> <p><b>MINUTES OF THE PREVIOUS MEETING</b></p> <p>(i) Approval of minutes of a special council meeting held on 21 January 2016</p> <p><b>RESOLVED:</b></p> <p>That the of minutes of a special council meeting held on 21 January 2016 be approved with the following amendment:</p> <p>Page 4 – establish a JOC (Joint Operating Centre)</p> <p>(Proposed by Councillor Nakalebe and seconded by Councillor Molefe)</p>	<p>All Councillors</p> <p><b>ANNEXURE A</b> <b>[Pages 1-5]</b></p>

(ii) Approval of minutes of the twenty fifth (25<sup>th</sup>) ordinary council meeting held on 26 January 2016

**ANNEXURE B**  
**[Pages 6-15]**

**RESOLVED:**

That the minutes of the twenty fifth (25<sup>th</sup>) ordinary council meeting held on 26 January 2016 be approved.

(Proposed by Councillor Nakalebe and seconded by Councillor Molefe)

(iii) Approval of minutes of a special council meeting held on 25 February 2016

**ANNEXURE C**  
**[Pages 16-24 ]**

**RESOLVED:**

That the minutes of a special council meeting held on 25 February 2016 be approved.

(Proposed by Councillor Thaisi and seconded by Councillor Tigeli)

**ITEM 13/3/2016**

Municipal Manager

**QUESTIONS OF WHICH NOTICE WERE GIVEN**

None

**ITEM 14/3/2016**

Municipal Manager

**MOTIONS RECEIVED**

None

### 15.1 DELEGATED MATTERS

The following decisions were taken i.t.o. delegated authority:

**Hobhouse:**

SAPS – request free use of the Dipelaneng Community hall on 18 – 19 November 2015 for a SAPS IMBIZO – **Granted**

Department of Health - request free use of the Dipelaneng Community hall on 18 September 2015 for a Cervical Cancer Awareness Campaign – **Granted**

**Thaba Patchoa**

Thaba Patchoa Combined School – request free use of the Thaba Patchoa Community hall on 13 February 2016 for a Valentine’s ball – **Granted**

**Tweespruit:**

Mantsopa Emergency Medical Services – request free use of the Daan Neethling Community hall on 14 January 2016 for a memorial service – **Granted**

**Excelsior:**

Mahlatswetsa Public School – request free use of the Mahlatswetsa Community hall on 13 November 2015 for the annual prize giving function – **Granted**

**RESOLVED:**

Noted and approved as tabled.

## 12.1 RESERVED MATTERS

### REPORTS BY RURAL DEVELOPMENT COMMITTEE (REF: 1/3/23) (RD ITEMS 69 – 83)

#### 1027 LADYBRAND: APPLICATION TO PURCHASE ERF 340, LADYBRAND, FOR RESIDENTIAL PURPOSES: M L CHAKA (REF: 3/6/4/7)

**ANNEXURE D**  
**[Pages 25-27]**

#### **BACKGROUND BY MANAGER HUMAN SETTLEMENTS**

An application was received from a certain Mr M L Chaka of 4222 Manyatseng (Ext 7) to purchase erf 340 in Ladybrand (Ooster Street) for residential purposes. The erf is available but its zoning is “undetermined” and it measures 4824m<sup>2</sup> in extent. (Title Deed No. T2281/1969). The erf is situated on the left side of the hospital and is just next to the Police Canteen. There are no services available on the erf. The applicant has indicated his willingness to accept the erf as is (voetstoots) and shall indemnify Council in the event of the erf prone to flooding.

#### **COMPLIANCE WITH STRATEGIC OBJECTIVE:**

The application is in line with the objective of access to land and security of tenure to deserving individuals. (HDI’s).

#### **POLICY**

In line with the Municipal Immovable Transfer Policy. (Section 3.1.1).

#### **ANNEXURES**

Copy of application  
Copy of map showing the area of the erf

#### **LEGAL REQUIREMENTS**

The erf is subject to rezoning in terms of SPLUMA.

#### **FINANCIAL IMPLICATIONS**

Additional revenue from the sale and service levies.

#### **RISK IMPLICATIONS**

Loss of additional revenue on unused vacant land.

Potential illegal occupation.

#### **RECOMMENDATIONS**

- a) That the erf be disposed of in terms of the Municipal Immovable Transfer Policy.
- b) That a price of R5.00 per m<sup>2</sup> + VAT be determined as there are no services on the erf.

R5.00 X 4824m<sup>2</sup> + VAT = R27 496.80)

- c) That any services needed, pegging, rezoning, etc be for the account of the applicant.

**RURAL DEVELOPMENT COMMITTEE RECOMMENDATION**

- (a) As recommended and that the recommended price be paid by 30 June 2016.
- (b) In the event of non-compliance with the payment deadline, the erf be made available to the general public.

**EXECUTIVE COMMITTEE RECOMMENDATION**

- (a) That visits to sites to be made by EXCO members and the Rural Development Committee members
- (b) To verify if there are services available on the land
- (c) That recommendations to be made by EXCO after the visits

**RESOLVED:**



### EXECUTIVE SUMMARY

An application was received from Leon Maré Attorneys, on behalf of Gasas Familie Trust, to transfer property (Erf 943, Ladybrand).

### COMPLIANCE WITH STRATEGIC OBJECTIVE:

- (a) To identify and stimulate development opportunities through effective and efficient spatial planning and land use management.
- (b) To effectively monitor and regulate building activities within the municipal area.

### POLICY

The Ladybrand Town Planning Scheme requires that the applicant obtains Council's approval prior to compliance with SANS 10400.

### ANNEXURES

Copy of application from Leon Maré Attorneys.  
Copy of Title Deed

### DELEGATED AUTHORITY

Municipal Manager

### LEGAL REQUIREMENTS

National Building Regulations and Building Standards Act No. 103 of 1977 with amendments.

Standards Building Regulations By-Laws PN 173 of 9 December 2011.

Ladybrand Town Planning Scheme.

### BACKGROUND

When these erven were sold to the Purchaser there was a condition (Clause A) that the Purchaser builds a house to a minimum value of R200 000.00 within 24 months of date of registration.

#### Clause B

"B. The Purchaser shall not without the written permission of the Mantsopa Local Municipality re-sell the property before a dwelling in terms of Clause A is erected thereon. The Mantsopa Local Municipality however will be entitled in its absolute discretion to allow transfer of the property to a third party if circumstances beyond his control prevent the Purchaser from satisfying the conditions of Clause A provided that the Mantsopa Local Municipality will be entitled to extend the period at its discretion.

## **Clause E**

If the Purchaser wants to sell the erf so purchased from the municipality to another party, and such erf is not developed, or not developed to the satisfaction of the council, the erf must first be offered to the council for purchase at the original price sold by council to the purchaser with the proviso that the amount to be considered by the council, will at all times only be the actual amount paid to the municipality by the purchaser. (i.e.: if the purchaser has only paid a deposit it will be the only amount that council will consider as a “buyback” price by council)

**Only after the council has confirmed in writing that it does not want to buy the property back, may the original purchaser then sell the erf to a third party.**

### **COMMENTS BY TOWN PLANNER**

- A building has not been erected on the said Erf therefore the clause in question has not been met.
- Valuation roll stipulates only the amount of land as there is no building
- Purchaser paid an amount of R217 341.00
- The municipality may purchase the said erf at the said amount as this erf was intended for development, not for re-sale or profit making.

### **RECOMMENDATION**

That council considers buying the property and selling it to people who need the site at an affordable price.

### **RURAL DEVELOPMENT COMMITTEE RECOMMENDATION**

That the matter be referred to the Council Attorney for a legal opinion seen in the light of the complexity of clauses B and E in question.

### **EXECUTIVE COMMITTEE RECOMMENDATION**

- (a) The matter to be delegated to the Municipal Manager to seek a legal opinion.
- (b) That the Municipal Manager investigates if the Municipality has the financial muscle to buy back the land
- (c) A policy to be developed by the Municipality that will enable council to deal with applications effectively

**EXECUTIVE SUMMARY**

An application was received from Rosendorff Reitz Barry Attorneys, on behalf of M J van Zyl, to transfer property (Erf pt 1/149, Tweespruit).

**COMPLIANCE WITH STRATEGIC OBJECTIVE:**

- (a) To identify and stimulate development opportunities through effective and efficient spatial planning and land use management.
- (b) To effectively monitor and regulate building activities within the municipal area.

**POLICY**

The Ladybrand Town Planning Scheme requires that the applicant obtains Council’s approval prior to compliance with SANS 10400.

**ANNEXURES**

Copy of application from Rosendorff Reitz Barry.

**DELEGATED AUTHORITY**

Municipal Manager

**LEGAL REQUIREMENTS**

National Building Regulations and Building Standards Act No. 103 of 1977 with amendments.

Standards Building Regulations By-Laws PN 173 of 9 December 2011.

Ladybrand Town Planning Scheme.

**BACKGROUND**

When these erven were sold to the Purchaser there was a condition (Clause A) that the Purchaser builds a building to a minimum value of R15 000.00 within 12 months of date of registration.

**Clause B**

“B. The Purchaser shall not without the written permission of the Mantsopa Local Municipality re-sell the property before a dwelling in terms of Clause A is erected thereon. The Mantsopa Local Municipality however will be entitled in its absolute discretion to allow transfer of the property to a third party if circumstances beyond his control prevent the Purchaser from satisfying the conditions of Clause A provided that the Mantsopa Local Municipality will be entitled to extend the period at its discretion.

## **Clause E**

If the Purchaser wants to sell the erf so purchased from the municipality to another party, and such erf is not developed, or not developed to the satisfaction of the council, the erf must first be offered to the council for purchase at the original price sold by council to the purchaser with the proviso that the amount to be considered by the council, will at all times only be the actual amount paid to the municipality by the purchaser. (i.e.: if the purchaser has only paid a deposit it will be the only amount that council will consider as a “buyback” price by council)

**Only after the council has confirmed in writing that it does not want to buy the property back, may the original purchaser then sell the erf to a third party.**

A building has not be erected on the said Efr therefore the clause in question has not been met.

Valuation roll stipulates only the amount of land as there is no building

The municipality may purchase the said erf at the said amount as this erf was intended for development, not for re-sale or profit making.

## **RECOMMENDATION**

That council considers buying the property and selling it to people who need the site at an affordable price.

## **RURAL DEVELOPMENT COMMITTEE RECOMMENDATION**

That the matter be referred to the Council Attorney for a legal opinion seen in the light of the complexity of clauses B and E in question.

For consideration.

Tabled.

## **EXECUTIVE COMMITTEE RECOMMENDATION**

- (a) The matter to be delegated to the Municipal Manager to seek a legal opinion.
- (b) That the Municipal Manager investigates if the Municipality has the financial muscle to buy back the land
- (c) A policy to be developed by the Municipality that will enable council to deal with applications effectively

**1030 LADYBRAND: APPLICATION TO TRANSFER PROPERTY: ERF 2/1605, LADYBRAND (REF: 3/6/4/7)**

**EXECUTIVE SUMMARY**

An application was received from Kraljevich & Jansen van Vuuren Attorneys, on behalf of M J Viljoen, to transfer property (Erf portion 2/1605, Ladybrand).

**COMPLIANCE WITH STRATEGIC OBJECTIVE:**

- (a) To identify and stimulate development opportunities through effective and efficient spatial planning and land use management.
- (b) To effectively monitor and regulate building activities within the municipal area.

**POLICY**

The Ladybrand Town Planning Scheme requires that the applicant obtains Council's approval prior to compliance with SANS 10400.

**ANNEXURES**

Copy of application from Leon Maré Attorneys.  
Copy of Title Deed

**DELEGATED AUTHORITY**

Municipal Manager

**LEGAL REQUIREMENTS**

National Building Regulations and Building Standards Act No. 103 of 1977 with amendments.

Standards Building Regulations By-Laws PN 173 of 9 December 2011.

Ladybrand Town Planning Scheme.

**BACKGROUND**

When these erven were sold to the Purchaser there was a condition (Clause A) that the Purchaser builds a house to a minimum value of R90 000.00 within 24 months of date of registration.

**Clause B**

"B. The Purchaser shall not without the written permission of the Mantsopa Local Municipality re-sell the property before a dwelling in terms of Clause A is erected thereon. The Mantsopa Local Municipality however will be entitled in its absolute discretion to allow transfer of the property to a third party if circumstances beyond his control prevent the Purchaser from satisfying the conditions of Clause A provided that the Mantsopa Local Municipality will be entitled to extend the period at its discretion.

## **Clause E**

If the Purchaser wants to sell the erf so purchased from the municipality to another party, and such erf is not developed, or not developed to the satisfaction of the council, the erf must first be offered to the council for purchase at the original price sold by council to the purchaser with the proviso that the amount to be considered by the council, will at all times only be the actual amount paid to the municipality by the purchaser. (i.e.: if the purchaser has only paid a deposit it will be the only amount that council will consider as a "buyback" price by council)

**Only after the council has confirmed in writing that it does not want to buy the property back, may the original purchaser then sell the erf to a third party.**

## **COMMENTS BY TOWN PLANNER**

- A building has not be erected on the said Erf therefore the clause in question has not been met.
- Valuation roll stipulates only the amount of land as there is no building
- Purchaser paid an amount of R80 000.00
- The municipality may purchase the said erf at the said amount as this erf was intended for development, not for re-sale or profit making.

## **RECOMMENDATION**

That council considers buying back the property and selling it to people who need the site at an affordable price.

## **RURAL DEVELOPMENT COMMITTEE RECOMMENDATION**

That the matter be referred to the Council Attorney for a legal opinion seen in the light of the complexity of clauses B and E in question.

For consideration.

Tabled.

## **EXECUTIVE COMMITTEE RECOMMENDATION**

- (a) The matter to be delegated to the Municipal Manager to seek a legal opinion.
- (b) That the Municipal Manager investigates if the Municipality has the financial muscle to buy back the land
- (c) A policy to be developed by the Municipality that will enable council to deal with applications effectively

**1031 LADYBRAND: APPLICATION TO TRANSFER PROPERTY: ERF 752, LADYBRAND (REF: 3/6/4/7)**

**EXECUTIVE SUMMARY**

An application was received from Du Toit Louw Botha, on behalf of Mr S Oberholzer, to transfer property (Erf 752, Ladybrand).

**COMPLIANCE WITH STRATEGIC OBJECTIVE:**

- (a) To identify and stimulate development opportunities through effective and efficient spatial planning and land use management.
- (b) To effectively monitor and regulate building activities within the municipal area.

**POLICY**

The Ladybrand Town Planning Scheme requires that the applicant obtains Council's approval prior to compliance with SANS 10400.

**ANNEXURES**

Copy of application from Leon Maré Attorneys.  
Copy of Title Deed

**DELEGATED AUTHORITY**

Municipal Manager

**LEGAL REQUIREMENTS**

National Building Regulations and Building Standards Act No. 103 of 1977 with amendments.

Standards Building Regulations By-Laws PN 173 of 9 December 2011.

Ladybrand Town Planning Scheme.

**BACKGROUND**

When these erven were sold to the Purchaser there was a condition (Clause A) that the Purchaser builds a house to a minimum value of R150 000.00 within 24 months of date of registration.

**Clause B**

"B. The Purchaser shall not without the written permission of the Mantsopa Local Municipality re-sell the property before a dwelling in terms of Clause A is erected thereon. The Mantsopa Local Municipality however will be entitled in its absolute discretion to allow transfer of the property to a third party if circumstances beyond his control prevent the Purchaser from satisfying the conditions of Clause A provided that the Mantsopa Local Municipality will be entitled to extend the period at its discretion.

## **Clause E**

If the Purchaser wants to sell the erf so purchased from the municipality to another party, and such erf is not developed, or not developed to the satisfaction of the council, the erf must first be offered to the council for purchase at the original price sold by council to the purchaser with the proviso that the amount to be considered by the council, will at all times only be the actual amount paid to the municipality by the purchaser. (i.e.: if the purchaser has only paid a deposit it will be the only amount that council will consider as a “buyback” price by council)

**Only after the council has confirmed in writing that it does not want to buy the property back, may the original purchaser then sell the erf to a third party.**

## **COMMENTS BY TOWN PLANNER**

- A building has not be erected on the said Efr therefore the clause in question has not been met.
- Valuation roll stipulates only the amount of land as there is no building
- Purchaser paid an amount of R45 999.00
- The municipality may purchase the said erf at the said amount as this erf was intended for development, not for re-sale or profit making.

## **RECOMMENDATION**

- (a) That the applicant provides sufficient proof that the purchaser has confirmed in writing that Development will take place as soon as the property has been registered in his name.
- (b) Upon the receipt of recommendation (a), the council to give consent to have the clause removed.

## **RURAL DEVELOPMENT COMMITTEE RECOMMENDATION**

That the matter be referred to the Council Attorney for a legal opinion seen in the light of the complexity of clauses B and E in question.

For consideration.

Tabled.

## **EXECUTIVE COMMITTEE RECOMMENDATION**

- (a) The matter to be delegated to the Municipal Manager to seek a legal opinion.
- (b) That the Municipal Manager investigates if the Municipality has the financial muscle to buy back the land



(c) A policy to be developed by the Municipality that will enable council to deal with applications effectively

**ANNEXURE I**  
**[Pages 64-74]**

**1032 LADYBRAND: APPLICATION TO ERECT MULTIPLE BUILDINGS ON ERF 1598, Ext 18, LADYBRAND: DR S J NCHWEU (REF: 3/6/4/7)**

**EXECUTIVE SUMMARY**

An application to erect 4 townhouses on erf 1598, Ext 18, Ladybrand, was received from Dr S J Nchweu.

There are services available and the Department for Water and Sanitation confirmed that water will be provided on site.

The Electrical Department commented that the applicant should apply for electricity.

**COMPLIANCE WITH STRATEGIC OBJECTIVE:**

- (a) To identify and stimulate development opportunities through effective and efficient spatial planning and land use management.
- (b) To effectively monitor and regulate building activities within the municipal area.

**POLICY**

The Ladybrand Town Planning Scheme requires that the applicant obtains Council's approval prior to compliance with SANS 10400.

**ANNEXURES**

Dr Nchweu's application  
Copy of Title Deed  
Copy of Public Notice  
Comments by Electrical Division  
Comments by the Water and Sanitation Division

**DELEGATED AUTHORITY**

Municipal Manager

**LEGAL REQUIREMENTS**

National Building Regulations and Building Standards Act No. 103 of 1977 with amendments.

Standards Building Regulations By-Laws PN 173 of 9 December 2011.

Ladybrand Town Planning Scheme.

**FINANCIAL IMPLICATIONS**

The applicant to bear the following costs:

- (c) Building plans
- (ii) Installation of services

**For Council**

Additional revenue from services and levies.

**RISK IMPLICATIONS**

None

**RECOMMENDATIONS**

That the application be approved on the following conditions:

- (a) That the applicant also obtains CENTLEC's approval for the purpose of confirming electricity requirements before any building plans will be considered for approval.
- (b) That the applicant be liable for all services, pegging, surveying, etc.
- (c) That building plans be submitted and approved before the commencement of the construction.

**RURAL DEVELOPMENT COMMITTEE RECOMMENDATION**

As recommended and that in future care should be exercised in approving such applications, i.e.: in future applicants must submit services report.

**EXECUTIVE COMMITTEE RECOMMENDATION**

- (a) As recommended, however bullet (a) above to be reviewed by the Technical Services Directorate
- (b) That a notice to be given out to all Departments that all letters of applications to be sent to the registry office, that would ensure that the applications or letters received reaches the relevant Department timeously
- (c) That a Policy be developed that will give the accounting officer a delegation to deal with the applications speedily

**1033 LADYBRAND: REQUEST FOR DONATION OR AN OFFER TO PURCHASE ERF 3062, EXT 5, MANYATSENG FOR PRE-SCHOOL PURPOSES: BOKAMOSI PRE-SCHOOL (REF: 3/6/4/1)**

**BACKGROUND: MANAGER HUMAN SETTLEMENTS**

An application was received from Bokamosi Pre-School in Manyatseng that it be donated or offered erf 3062, Lusaka (2502m<sup>2</sup>) for outright purchase for purpose of a pre-school on a usage agreement entered into with the Council since 2007 for an indefinite period. The reason for permanent acquisition and ownership of the property is that donors are reluctant to fund the construction of a permanent structure where the land is not owned by the Pre-School.

**COMPLIANCE WITH STRATEGIC OBJECTIVE:**

In line with the objective of early childhood development initiatives.

**POLICY**

The application is in line with the Municipal Immovable Asset Transfer Policy. (Section 3.1 and 3.4)

**ANNEXURES**

Copy of the application  
Copy of the sketch depicting the erf.

**LEGAL REQUIREMENTS**

Use of the land subject to rezoning in terms of the Town Planning Scheme.

**FINANCIAL IMPLICATIONS**

Strategic objective may be compromised if funding is not secured.

**RISK IMPLICATIONS**

Strategic objective may be compromised if funding is not secured.

**RECOMMENDATIONS**

- (a) That the erf be disposed of in terms of Section 14 of the MFMA read with Section 3.1 Subsection 3.1.2.2 of the Municipal Immovable Asset Transfer Policy.
- (b) That all costs for rezoning and finalization of the transaction be for the account of the applicant.

**RURAL DEVELOPMENT COMMITTEE RECOMMENDATION**

(a) As recommended and that the price be determined at R2.50 per m<sup>2</sup> + VAT, and

(b) That payment be made in full by 30 June 2016. (NB: No instalment payments)

**EXECUTIVE COMMITTEE RECOMMENDATION**

(a) That the site to be visited

(b) That the number of children within the facility to be established

**1034 LADYBRAND: APPLICATION TO PURCHASE SITES IN LADYBRAND FOR RESIDENTIAL PURPOSES: VARIOUS APPLICANTS (REF: 3/6/4/7)**

**BACKGROUND: MANAGER HUMAN SETTLEMENTS**

Applications for the purchase of sites for residential purposes were received from the following applicants:

Miss P P Moloi (Municipal Employee)

Miss P K R Lekenyanne who leases property at 33 Nuwe Street, Ladybrand

The identified sites are erf 355 in Beeton Street (Miss P P Moloi) and erf 353 in Prinsloo Street (Miss P K R Lekenyanne). The sites are available, but may be prone to flooding. The zoning is "undetermined" and there are no sites available. The sites measure 4461m<sup>2</sup> and 4824m<sup>2</sup> in extent respectively.

**COMPLIANCE WITH STRATEGIC OBJECTIVE:**

The application are in line with the object of access to land and security of tenure to Previously Disadvantaged Individuals.

**POLICY**

The application is in line with the Municipal Immovable Asset Transfer Policy. (Section 3.1.1)

**ANNEXURES**

Copy of the sketch of the area depicting the location of the sites.

**LEGAL REQUIREMENTS**

Sites subject to rezoning in terms of the Town Planning Scheme once allocated.

**RISK IMPLICATIONS**

Loss of additional revenue on unused / unutilized land.  
Potential land grab id unutilized.

**FINANCIAL IMPLICATIONS**

Additional revenue from the sale of the land and service levies.

**RECOMMENDATIONS**

- (a) That the land be disposed of in terms of the Municipal Immovable Asset Transfer Policy.
- (b) That the price be determined at R5.00 per m<sup>2</sup> + VAT consistent with C/R

747/RD29/11/2014 – Erf 355 – R25 427.70 and Erf 353 – R27 496.80.

- (c) That all additional costs for rezoning, pegging, service installation, etc, be for the account of the applicant.
- (d) That the Council is indemnified by the applicant in writing against any potential flooding.

**RURAL DEVELOPMENT COMMITTEE RECOMMENDATION**

As recommended and that the amount be paid in full by 30 June 2016. (NB: No instalment payments)

**NB: Please note that erf 355 was part of the advertised sites and the Adjudication Committed allocated this site to a Mr T D Molefe, however erf 358 (4461m<sup>2</sup>) is still available.**

**EXECUTIVE COMMITTEE RECOMMENDATION**

- (a) That the site be visited (02/March/2016)
- (b) EXCO to make a recommendation

**1035 LADYBRAND: APPLICATION TO PURCHASE SITES IN LADYBRAND FOR RESIDENTIAL PURPOSES: MUNICIPAL EMPLOYEES (REF: 3/6/4/7)**

**BACKGROUND: MANAGER HUMAN SETTLEMENTS**

Two applications were received from Messrs Chauke and Makoe for two sites in Ladybrand for residential purposes. The sites identified by the applicants are erf 389 and erf 390 in Prinsloo and Beeton Streets respectively. Both sites have already been allocated to previous applicants, but available erven are erven 391 and 392 in Beeton and Kolbe Streets respectively. The zoning of both erven is "Undetermined" and they each measure 4824m<sup>2</sup>. There are currently no services on the erven and the access streets need upgrading.

**COMPLIANCE WITH STRATEGIC OBJECTIVE:**

The eradication of backlog in order to improve access to land security of tenure

**POLICY**

The application is in line with the Municipal Immovable Asset Transfer Policy. (Section 3.1.1)

**ANNEXURES**

Copy of the sketch of the area depicting the location of the sites.  
Copies of applications.

**LEGAL REQUIREMENTS**

Sites subject to rezoning in terms of the Town Planning Scheme once allocated.

**RISK IMPLICATIONS**

Loss of additional revenue on unused / unutilized land.  
Potential land grab id unutilized.

**FINANCIAL IMPLICATIONS**

Additional revenue from the sale of the land and service levies.

**RECOMMENDATIONS**

- (a) That the land be disposed of in terms of the Municipal Immovable Asset Transfer Policy.
- (b) That the price be determined at R5.00 per m<sup>2</sup> + VAT + R27496.80, which is consistent with C/R 747/RD29/11/2014.
- (c) That all additional costs for rezoning, pegging, service installation, etc, be for the account of the applicant.

(d) That the Council is indemnified by the applicant in writing against any potential flooding.

**RURAL DEVELOPMENT COMMITTEE RECOMMENDATION**

As recommended and that the amount be paid in full by 30 June 2016. (NB: No instalment payments)

**EXECUTIVE COMMITTEE RECOMMENDATION**

(a) That the site be visited (02/March/2016) – These sites were advertised.

(b) EXCO to make a recommendation

**RESOLVED:**

That this application be approved as per the bid evaluation Committee recommendations as per item 1042 (Proposed by Councillor J Jacobs and seconded by Councillor Thaisi)

[K J Chauke – erf 391, Ladybrand – R35 000]

[M A Makoae – erf 392, Ladybrand – R35 000]



**1036 LADYBRAND: RENEWAL OF LEASE AGREEMENT: PORTION OF FARMLANDS NEXT TO SEWER TREATMENT WORKS AND LANDFILL SITE: TSHA LEA DUMA FARMERS COOP (FORMERLEY MANYATSENG MIXED BREEDING AND FARMING) (REF: 3/7/1/1/6)**

**BACKGROUND: MANAGER HUMAN SETTLEMENTS**

An application was received from Tsha Lea Duma Farmers Coop (Formerly Manyatseng Mixed Breeding and Farming) for the renewal of a lease agreement for a portion farmlands next to the sewer Treatment Works and Landfill site for another five (5) years. The current agreement is on the verge of expiring and the applicants are still continuing with their farming activities.

The farmlands in question are made up of the following:

Grazing Land: 366ha  
Ploughing Land: 333ha  
Irrigation: 28ha

**COMPLIANCE WITH STRATEGIC OBJECTIVE:**

The application is in line with the objective of availing land to previously disadvantaged people to speed up land reform.

**POLICY**

The application is in line with the Municipal Asset Transfer Policy and Spatial Planning and Land Use Management Regulations.

**ANNEXURES**

Copies of the application.

**LEGAL REQUIREMENTS**

None

**RISK IMPLICATIONS**

None

**FINANCIAL IMPLICATIONS**

Additional revenue to be derived from rental.

**RECOMMENDATIONS**

- (a) That the lease agreement be renewed for another nine (9) years and eleven (11) months.
- (b) That the rental and lease conditions be retained as in the previous agreement but with a 10% escalation from the second year.
- (c) That, in the event that farming activities cease to continue, the agreement will be terminated.

**RURAL DEVELOPMENT COMMITTEE RECOMMENDATION**

As recommended.

**EXECUTIVE COMMITTEE RECOMMENDATION**

- (a) As recommended
- (b) Subject to the account being up to date
- (c) Arrears to be paid before lease ends

**1037 LADYBRAND: APPLICATION FOR PIECE OF LAND AT ERF 1350 MANYATSENG FOR SMALL INFORMAL BUSINESS: MRS. P LENTO (REF: 3/6/3/5)**

**BACKGROUND BY MANAGER HUMAN SETTLEMENTS**

An application was received from a certain Mrs P. Lento of 554 Manyatseng for a piece of land situated at erf 1350 Manyatseng for purposes of establishing a small informal business, e.g. selling of vegetables and fruits.

The land/ erf is available. It was originally a residential erf but due to a storm water canal that runs through it, it was declared not habitable and its extent could not accommodate a standard house.

**BUSINESS PLAN**

None

**COMPLIANCE WITH STRATEGIC OBJECTIVE**

Promotion of SMME's and optimal use of existing resources

**POLICY**

In line with the Municipal Asset Transfer Policy

**ANNEXURE**

Copy of a map showing position of erf

**LEGAL REQUIREMENTS**

No permanent structure to be erected

**RISK IMPLICATIONS**

Potential illegal dumping area if not utilized

**FINANCIAL IMPLICATIONS**

Additional revenue to the Municipality if leased out

**RECOMMENDATIONS**

- (a) That the piece of land be made available to the applicant
- (b) That the land be leased out at R200 + VAT per month with services additional extra
- (c) That no permanent structure be erected on the erf

**RURAL DEVELOPMENT COMMITTEE RECOMMENDATION**

As recommended.

**EXECUTIVE COMMITTEE RECOMMENDATION**

That the size to be determined upon the site visits

**1038 LADYBRAND: APPLICATION TO PLACE A MOBILE ADVERTISING BOARD**

**EXECUTIVE SUMMARY**

An application was received from Creative Concepts (Mr Thuso Moledi) to place a mobile trailer advertising display in and around Ladybrand. The size of the display is 2m (height) x 4m (width) and it is double sided. It is pulled by a vehicle and placed at a site for a week then moved to another location for a similar duration.

**BUSINESS PLAN**

None

**COMPLIANCE WITH STRATEGIC OBJECTIVE**

Town Planning

**ANNEXURE**

Copy of request

**LEGAL REQUIREMENTS**

Municipal Finance Management Act no. 56 of 2003

**RISK IMPLICATIONS**

Obstruction of traffic and pedestrians  
Obstruction of other advertisement boards

**FINANCIAL IMPLICATIONS**

Additional revenue to the Municipality

**RECOMMENDATIONS**

That permission be granted for the placement of this advertisement on the following conditions:

- (a) That Council's normal tariff for advertisement boards on corners be levied.
- (b) That the mobile advertisement board be place without hindering traffic, pedestrians,

traffic road signs and without obstructing already existing advertisement signs.

- (c) That the Traffic Officers be consulted when placing this mobile advertisement board on corners.

**RURAL DEVELOPMENT COMMITTEE RECOMMENDATION**

As recommended.

**EXECUTIVE COMMITTEE RECOMMENDATION**

As recommended

**1039 LADYBRAND: APPLICATION TO PLACE A PILON ON THE CORNER OF CHURCH AND DAN PIENAAR STREETS: OVK**

**EXECUTIVE SUMMARY**

An application was received from OVK for the erection of a Pilon on the corner of Church and Dan Pienaar Streets. The Pilon has already been erected and condonation is hereby requested for actions already taken.

**BUSINESS PLAN**

None

**COMPLIANCE WITH STRATEGIC OBJECTIVE**

Town Planning

**ANNEXURE**

Copy of request

**LEGAL REQUIREMENTS**

Municipal Finance Management Act no. 56 of 2003

**RISK IMPLICATIONS**

Obstruction of traffic and pedestrians  
Obstruction of other advertisement boards

**FINANCIAL IMPLICATIONS**

Additional revenue to the Municipality.

**RECOMMENDATIONS**

- (a) That condonation be granted by Council for actions already taken.
- (b) That Council's normal tariff for advertisement boards on corners be levied.

**RURAL DEVELOPMENT COMMITTEE RECOMMENDATION**

As recommended.

For consideration.

Tabled.

**EXECUTIVE COMMITTEE RECOMMENDATION**

That the actions be condoned and recommended, but that the appropriate fees be paid to the Municipality

**1040 LADYBRAND: APPLICATION TO PURCHASE SITE IN LADYBRAND TOWN FOR RESIDENTIAL PURPOSES (REF: 3/6/4/7)**

**COMMENTS**

An application for a residential erven in Ladybrand was received from Mr D J Spangenberg for an identified erven which is situated between erf 7/550 and 9/550 (See attached map). The erf is ± 1954m<sup>2</sup>. The land has not been surveyed and there are services available. The erf is also situated in a ditch and is currently being used as a dumping site.

This stand has a lesser development value.

The recommended selling price is calculated at thirty rand (R30.00) per m<sup>2</sup>. Furthermore the applicant still has to carry the costs for rezoning.

**COMMENTS BY DIRECTOR TECHNICAL SERVICES (AVAILABILITY OF SERVICES)**

There are services available.

**BUSINESS PLAN**

None

**POLICY**

The application is in line with the provision of Municipal Asset Transfer Policy

**LEGAL REQUIREMENTS**

The erf still has to be rezoned in terms of the Municipal Land Use management Scheme

To be registered at Deeds Office i.t.o Deeds Registry Act

**FINANCIAL IMPLICATIONS**

Additional revenue to be generated through rates & taxes levies

**RISK IMPLICATIONS**

Loss of potential revenue if not alienated

**RECOMMENDATION**



- (a) That the Erf be made available to applicant at a recommended selling prices which is R30.00 per m<sup>2</sup>+ VAT.
- (b) That the installation of services on the erven be for the account of applicant
- (c) That all costs for services, rezoning, identification of pegs, etc be for the account of the applicant.
- (d) That a disclaimer be inserted in the Deed of Sale exempting the municipality from any responsibility to any problems faced on this erf.

**RURAL DEVELOPMENT COMMITTEE RECOMMENDATION**

- (a) That the land not be made available to the applicant.
- (b) That the land be advertised for the general public seen in the light of interest from the public.

**EXECUTIVE COMMITTEE RECOMMENDATION**

- (a) That the site be visited (02/March/2016)
- (b) EXCO to make a recommendation

**1041 APPLICATION FOR CONSENT USE: ERF 446 LADYBRAND, DISTRICT LADYBRAND**

**EXECUTIVE SUMMARY**

Application for consent use for residential purposes (Town Houses) on ERF 446, Ladybrand.

**COMPLIANCE WITH STRATEGIC OBJECTIVE**

- A. To identify and stimulate development opportunities through effective and efficient spatial planning and land use management
- B. To effectively monitor and regulate building activities within the municipal area.

**POLICY**

The Ladybrand Town Planning Scheme requires that the applicant should obtain the Council approval prior to compliance with SANS 10400.

**DELEGATED AUTHORITY**

Municipal Manager

**LEGAL REQUIREMENTS**

National Building Regulations and Building Standard Act No. 103 of 1977 with its amendments

Standard Building Regulations By-law PN 173 of 09 Dec 2011

Ladybrand Town Planning Scheme

**BACKGROUND**

Leon Mare Attorneys representing L J Haasbroek sent a request on the 20<sup>th</sup> March 2015. Leonard Johannes Haasbroek is the registered owner of the property.

The request is to erect 18 double storey townhouses in ERF 446 Ladybrand. The site is large 4824 m<sup>2</sup> and is currently zoned "Special Residential".

**TECHNICAL SERVICES COMMENTS**

**Water and Sanitation** – water and sanitation services will be provided on Erf 446.

**Electrical division** – The applicant has to fill an application for Electricity

**FINANCIAL IMPLICATIONS**

The costs to install the services shall be on the applicant's account.

The applicant shall bear the following cost:

- A. Application for building approval
- B. Installation of electricity
- C. Professional investigation of water and sewer services

**STAFF IMPLICATIONS**

None

**RISK IMPLICATIONS**

Should the building be approved without following appropriate process, the municipality shall be liable for any other costs that could arise i.e.

Insufficient water supply, electricity or sanitation.

**RECOMMENDATION**

- A. The municipality to take necessary steps/investigation whether the wet services especially, shall be sufficient.
- B. The application upon the completion of the investigation above, be approved
- C. The building plans be submitted to the municipality upon the approval of this application for evaluation by building control office (to ensure compliance with the Ladybrand Town Planning Scheme).

**RURAL DEVELOPMENT COMMITTEE RECOMMENDATION**

That it be recommended for approval subject to the following:

- (i) Positive outcomes of the services report submitted by applicant.
- (ii) That the Director Technical Services requests the applicant in writing for submission during council meeting.

**EXECUTIVE COMMITTEE RECOMMENDATION**

As recommended

**1042 (1) LADYBRAND: ALLOCATION OF SITES AT MAUERSNEK, EXT 4, LADYBRAND (REF: 3/6/4/7)**

**(2) BIDS ADJUDICATION REPORT**

**(1) LADYBRAND: ALLOCATION OF SITES AT MAUERSNEK, EXT 4, LADYBRAND (REF: 3/6/4/7)**

**This matter was referred to a council meeting held on 26 January 2016, but was referred back to Council**

**COMMENTS: MANAGER HUMAN SETTLEMENTS**

The lists will be provided at the meeting.

**RECOMMENDATION**

- (a) That the lists be approved as such.
- (b) That where it is discovered that any applicant benefitted unduly during selection processes, that such erf be re-possessed by Council and be re-allocated to the qualifying beneficiary.
- (c) That the purchase price for high income earners be determined at R5.00 per m<sup>2</sup> + VAT and be paid in full by 30 June 2016.
- (c) That employment status of beneficiaries be verified before approval letters for selling be sent out.

**EXECUTIVE COMMITTEE RECOMMENDATION**

That this mater be deferred.

**(2) BIDS ADJUDICATION REPORT**

Attached is a copy of the advertisement for land disposal / leasing

The potential purchasers and lessees as per the Bid adjudication Committee is as follows:

No	Erf No & Town	Name of Bidder	Amount Offered
1	64 Tweespruit	T J Moseme	R11 400.00
2	478, Excelsior	Koos May	R2 378.48
3	308, Ladybrand	R Kolobe	R40 000.00
4	393, Ladybrand	S H Mtshepu	R5 000.00
5	249, Ladybrand	N J Thaisi	R28 000.00
6	250, Ladybrand	M Pesa	R32 996.00
7	270, Ladybrand	R Jagers	R40 000.00
8	353, Ladybrand	P K R Lekenyanane	R32 996.00
9	355, Ladybrand	T D Molefe	R30 000.00
10	391, Ladybrand	K J Chauke	R35 000.00
11	392, Ladybrand	M A Makoae	R35 000.00
12	1684, Ext 9 (Manyatseng, business)	L N Lethola	R8 550.00
13	269, Ladybrand	R P G Maarohanye	R35 000.00

#### LEASING OF LAND

LAND	Town	Name of Bidder	Amount Offered
Grazing Camp – Left of R709	Excelsior	M J Pholo	R500.00 p.m
Grazing Camp – Next to old pound	Ladybrand	D Mpetsane	R700.00 p.m 7% escalation
Aeroplane Camp	Hobhouse	Akanyang Family Trust	R23.00 per ha / month
Cathcartdrift Dam	Ladybrand	NAFCOC FS	R4 500.00 p.a
Portion of Sonop Farm	Excelsior	NAFCOC FS	R3 121.00 p.a
Gorrastad Portion 3	Hobhouse	NAFCOC FS	R2 663.00 p.a
Gorrastad Portion 4	Hobhouse	NAFCOC FS	R5 004.00 p.a
Gorrastad Portion 0	Hobhouse	Akanyang Family Trust	R3 822.00 p.a
Gorrastad Portion 2	Hobhouse	Akanyang Family Trust	R3 034.00 p.a

#### EXECUTIVE COMMITTEE RECOMMENDATION

- (a) As recommended
- (b) To pay before the 30<sup>th</sup> of June 2016
- (c) If not paid by the end of June the site will revert back to Council
- (d) Leasing of land for 9 years 11 months with a 10% escalation

**1043 LADYBRAND: RE-DETERMINATION OF ERVEN BOUNDARIES FOR MOLISA YA MOLEMO CRECHE, ZCC CHURCH AND ST JOHN'S CHURCH: REMAINDER OF ERF 368 EXT 1, MANYATSENG (REF: 3/6/3/5)**

**COMMENTS BY MANAGER HUMAN SETTLEMENTS**

The Creche, Molisa ya Molemo was allocated a portion of land on the remainder of erf 368, Ext 1, Manyatseng by the then Manyatseng Town Council prior to 1994 for estimated area measuring 4725m<sup>2</sup> in extent. The allocation was subject to the applicant carrying costs for subdivision and registration of the allocated portion. The total extent of the remainder of this erf is 8, 5654ha. Up to this day no subdivision was done by the applicant.

During 2015 the Rural Development Committee recommended to Council that the remainder of this erf be allocated to the two (2) above-mentioned Churches next to the Créche. Allocated areas should be ± 1200m<sup>2</sup> in extent and that conditions are that no permanent structures be erected before formal subdivision is finalized and that if land is not used for Church purposes anymore, the land will revert back to Council.

In the past few weeks, the members of the above-mentioned crèche deliberately moved the boundaries of their portion of the erf and encroached onto the area earmarked for both Churches. No permission or request was sought from this office to extend the area.

**RECOMMENDATIONS**

- (a) That the Committee recommends that the boundaries of these three areas be re-determined as per the attached diagram, i.e.:

Créche: 45m x 95m = 4275m<sup>2</sup>  
St John Church: 35m x 79m = 2765m<sup>2</sup>  
Z.C.C. Church: 35m x 79m = 2765m<sup>2</sup>

- (b) That the cost for subdivision, rezoning and registration of these three (3) portions be for the account of the applicant.
- (c) That installation of services needed be for the account of the applicants.

For consideration.

Tabled.

**EXECUTIVE COMMITTEE RECOMMENDATION**

- (a) That a letter of consent/agreement from all parties to be signed
- (b) Amount to be determined by the Chief Financial Officer for the leasing
- (c) EHP's to make more recommendations concerning the churches

**ANNEXURE S**  
**[Pages 103-186]**

**1044 ADJUSTED SERVICE DELIVERY & BUDGET IMPLEMENTATION PLAN FOR THE PERIOD ENDING 30 JUNE 2016.**

**COMMENT BY THE MUNICIPAL MANAGER**

In terms of the **Local Government: Section 1 of the Municipal Finance Management Act, 56 of 2003**, *Service Delivery & Budget Implementation Plan* means a detailed plan approved by the Mayor of a municipality in terms of Section 53 (1)(c)(ii) for implementing the municipality's delivery of municipal services and its annual budget, and which must indicate-

(a) Projections for each month of –

(i) Revenue to be collected, by source; and

(ii) Operational and capital expenditure, by vote;

(b) Service delivery targets and performance indicators for each quarter; and

(c) Any other matters that may be prescribed, and includes any revisions of such plan by the Mayor in terms of section 54(1)(c)

In addition, the Municipal Manager submitted Mid- Year Budget & Performance Assessment Report for the period ending 31 December 2015 on 25 January 2016 to the Mayor, Provincial Treasury & National Treasury as prescribed in terms of 72 of the Municipal Finance Management Act, 56 of 2003, that report was tabled at the Council meeting held on 26 January 2016.

An adjustment of the 2015/16 Annual Budget will have a bearing on the approved 2015/16 Service Delivery & Budget Implementation and the approved 2015/16 IDP, specifically on the predetermined objectives.

**RECOMMENDATIONS BY THE MUNICIPAL MANAGER**

1. Council should take note of the adjusted Service Delivery & Budget Implementation Plan for the period ending 30 June 2016;
2. **Section K: Performance Management** part of the **approved 2015/16 IDP** should be reviewed and replaced with the adjusted Service Delivery & Budget Implementation Plan for the period ending 30 June 2016

**EXECUTIVE COMMITTEE RECOMMENDATION**

(a) As recommended

(b) A workshop to be conducted on SDBIP for councilors with a proposed date of the 1<sup>st</sup> of March 2016

**RESOLVED:**

As **resolved** in the special council meeting held on 25 February 2016

1. Council should take note of the adjusted Service Delivery & Budget Implementation Plan for the period ending 30 June 2016;
2. **Section K: Performance Management** part of the **approved 2015/16 IDP** should be



reviewed and replaced with the adjusted Service Delivery & Budget Implementation Plan for the period ending 30 June 2016

**ANNEXURE U**  
**[Pages 231-305]**

1045 3. That a Strategic Planning Session be arranged to discuss the document  
**MANTSOPA: ADJUSTMENTS BUDGET (2015/2016) (REF. 9/2/1<sup>2015/2016</sup>, 9/2/2<sup>2015/2016</sup>)**

**COMMENT CHIEF FINANCIAL OFFICER**

Section 28 (1) of the Municipal Finance Management Act 56 of 2003 stipulates that a municipality may revise an approved annual budget through an adjustments budget.

- 1.1 Operating revenue by source reflected in schedule B4
- 1.2 Operating expenditure by vote reflected in schedule B3
- 1.3 Operating expenditure by GFS classification reflected in schedule B2B
- 1.4 Capital expenditure by vote reflected in schedule B5
- 1.5 Capital expenditure by GFS classification reflected in schedule B5B
2. The adjustment budget is necessary for the following reasons;  
Capital expenditure funding that will be received before the end of the current budget year. Capital items had to be reduced and or increased.  
  
Certain departments need more funds and the only sources were those within departments where under-spending took place.  
  
The MFMA prohibits the movement of funds between different departments. Changes are shown as per attached.
3. Tariff changes were effected as indicated in the report.
4. Reporting of actual income and expenditure are reported to Council every two months and financial information provided is reflected as monthly.
5. The Petty cash Policy is to be approved as well as amendments on the Credit control policy are to be approved.

**COMMENT: MUNICIPAL MANAGER**

As above.

**EXECUTIVE COMMITTEE RECOMMENDATION**

As recommended

**RESOLVED:**

As **resolved** in the special council meeting held on 25 February 2016:

Approved as tabled.

(Proposed by Councillor J Jacobs and approved unanimously)

**ANNEXURE V**  
**[Pages 306-311]**

**1046      MANAGEMENT ACTION PLAN ON THE OUTCOME OF THE FINANCIAL STATEMENTS AND PERFORMANCE INFORMATION OF MANTSOPA LOCAL MUNIIPALITY FOR THE YEAR ENDED 30 JUNE 2015**

Attached is the above plan for notification and approval by Council.

**RESOLVED:**

**1047 REPORT OF THE AUDITOR-GENERAL FOR THE YEAR ENDED 30 JUNE 2015**

Attached is the above report for notification and approval by Council.

***For notification and approval.***

Tabled.

**1048 THABO MOFUTSANYANA DISTRICT MUNICIPAL SHARED MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) OVERSIGHT REPORT ON MANTSOPA LOCAL MUNICIPALITY'S DRAFT ANNUAL REPORT FOR THE PERIOD ENDING 30 JUNE 2015**

**BACKGROUND**

*In terms of the Local Government: Section 129 (1) of the Municipal Finance Management Act, 56 of 2003, "The Council of a municipality must consider the annual report of the municipality and of any municipal entity under the municipality's sole or shared control, and by no later than two months from the date on which the annual report was tabled in the council in terms of Section 127, adopt an oversight report containing the council's comments on the annual report, which must include a statement whether the council-*

- (a) has approved the annual report with or without reservations;*
- (b) has rejected the annual report; or*
- (c) has referred the annual report back for revision of those components that can be revised.*

**RECOMMENDATIONS BY THE MUNICIPAL MANAGER**

Council to adopt the recommendations of Thabo Mofutsanyana District Municipal Shared Municipal Public Accounts Committee (MPAC) as tabled.

**RESOLVED: (29/3/2016)**

That Council adopts the recommendations of Thabo Mofutsanyana District Municipal Shared Municipal Public Accounts Committee (MPAC) as tabled.

(Councillor J Jacobs)

**1049 PERFORMANCE MANAGEMENT SYSTEMS POLICY (REF: 2/1/7/P)**

Attached is the above Policy for adoption and approval by Council

**RECOMMENDATIONS BY THE MUNICIPAL MANAGER**

That Council approves and adopts the Performance management Systems Policy

**RESOLVED: (29/3/2016)**

That Council approves and adopts the Performance Management Systems Policy.

(Proposed by Councillor T Molefe and seconded by Clrs Tigeli, Jacobs and Nakalebe)

**1050 1. ANNUAL SALARY INCREMENT OF MUNICIPAL MANAGER (REF: 11/7/1/1)**

- 2. ANNUAL SALARY INCREMENT OF CHIEF FINANCIAL OFFICER, DIRECTOR CORPORATE SERVICES, DIRECTOR TECHNICAL SERVICES AND DIRECTOR COMMUNITY SERVICES (REF:**

11/7/1/1)

## COMMENT MUNICIPAL MANAGER

### 1. ANNUAL SALARY INCREMENT OF MUNICIPAL MANAGER (REF: 11/7/1/1)

The annual salary increase in remuneration for the Municipal Manager was budgeted for in the 2015/2016 financial year. The budget was approved by council vide resolution 357 on 29 May 2015.

The annual increment for the Municipal Manager is based on the cost of living as determined by STATS SA from time to time , with the current CPIX year on year to January 2016 being at 6.23

### 2. ANNUAL SALARY INCREMENT OF CHIEF FINANCIAL OFFICER, DIRECTOR CORPORATE SERVICES, DIRECTOR TECHNICAL SERVICES AND DIRECTOR COMMUNITY SERVICES (REF: 11/7/1/1)

The annual salary increase in remuneration for the Chief Financial Officer, Director Corporate Services, Director Technical Services and Director Community Services was budgeted for in the 2015/2016 financial year. The budget was approved by council vide resolution XXX on May 2015.

The annual increment for the Municipal Manager is based on the cost of living as determined by STATS SA from time to time , with the current CPIX year on year to January 2016 being at 6.23

## RECOMMENDATION MUNICIPAL MANAGER

1. It **recommended** that an increase of 6.23% (CPIX - Inflation) be implemented on the salary of the Municipal Manager (Mr S M Selepe) as from 1 May 2016.
2. That the payment of the salary increment for the Directors directly responsible to the Municipal Municipal, Mr S M Selepe, be paid in line with the 6.23% CPIX - Inflation increase (6.23%) retrospectively as follows:

Chief Financial Officer – as from 1 October 2015

Director Corporate Services – as from 1 December 2015

Director Technical Services – as from 1 December 2015, and

Director Community Services – as from 1 December 2015

**Before discussion of the item commences, the Municipal Manager (S M Selepe), Director Corporate Services (Ms P Moloi), Director Community Services (Ms B Sebolai), Director Technical Services (Mr N Raliapeng) and the Chief Financial Officer (Mr P Matsie) declares an interest and vacates the council chambers.**

**After discussion, it is resolved as follows:**

That the recommendations of the Municipal Manager be approved as tabled.

**Pages 652 – 753**  
**Pages 754 - 769**

**After completion of this item, the Municipal Manager (S M Selepe), Director Corporate Services (Ms P Moloi), Director Community Services (Ms B Sebolai), Director Technical Services (Mr N Raliapeng) and the Chief Financial Officer (Mr P Matsie) re-enters the council chambers again to commence with item 1051.**

**1051 APPROVAL OF DRAFT I.D.P. 2016/2017 (REF. 8/1/26)**

Attached is the draft I.D.P. for the period 2016/2017 for approval by Council.

Spatial Development Framework  
Organogram

Draft Sector plans to be provided for approval

**RESOLVED: (29/3/2016)**

Approved as tabled.

(Proposed by Councillor J Jacobs and seconded by Councillor Nakalebe)

## 1052 BACK TO BASICS QUARTERLY REPORTING TO COUNCIL

### **The Context for the Back to Basics Concept and Approach**

- Building capacity of local municipalities in its area to perform their functions and exercise their powers, where such capacity is lacking;
- Promoting equitable distribution of resources between local municipalities in its area to ensure appropriate levels of municipal service within the area
- **Developmental local government** remains the visionary foundation for the continuing reconstruction and development of our country. The Local Government White Paper developed a vision of local government as a key component of the developmental state.
- In pursuit of that vision, basic services, social services, and civil and political rights, including participatory governance, have been progressively extended to more citizens than ever before.
- *It is recognized however, that despite our delivery achievements, much still needs to be done to improve the performance of local government.*

### **The Five Pillars of the Back to Basics Campaign are:**

1. Putting people and their concerns first;
2. Supporting the delivery of municipal services to the right quality and standard;
3. Promoting good governance, transparency and accountability;
4. Ensuring sound financial management and accounting; and
5. Building institutional resilience and administrative capability.

### **COMMENT BY THE MUNICIPAL MANAGER**

Back to Basics Action Plan does not replace the IDP as the Municipal Strategic Plan as prescribed in terms of the Local Government: Municipal Systems Act, 32 of 2000, Municipal Finance Management Act, 56 of 2003 and related legislative, regulatory and policy prescripts, however, it complement the IDP as it seeks to accelerate service delivery amongst others.

### **RECOMMENDATIONS BY THE MUNICIPAL MANAGER**

Council to adopt the Back to Basics Action Plan Progress Report as a living document which



will continuously be reviewed where applicable.

**RESOLVED: (29/3/2016)**

Approved as tabled.

(Proposed by Councillor P Raboko and seconded by Councillors Tigeli and Malakane)

**1053 AUDIT COMMITTEE REPORT**

A report will be submitted to council by the Audit Committee Chairperson.

**RESOLVED:**

Approved as tabled.

(Proposed by Councillor Tigeli and seconded by Councillor Malakane)

**1054 SECTION 32 INVESTIGATION COMMITTEE**

A new Section 32 Investigation Committee is to be established to investigate and compile a report on the Audit Report

**RESOLVED:**

That the Committee be elected as follows:

Chairperson – Councillor Moletsane (elected unanimously)

Member – Councillor Kouveldt - (elected unanimously)

Member – Councillor Sani - (elected unanimously)

(Proposed by Councillor Tiheli and seconded by Councillor Malakane)

**1055 MANTSOPA LOCAL MUNICIPALITY DRAFT BUDGET: 2016/2017 (REF: 9/2/1<sup>2016/2017</sup>;  
9/2/2<sup>2016/2017</sup>)**

**RESOLVED:**

Approved as tabled.

(Proposed by Councillor J Jacobs and seconded by Councillor Nakalebe)

**CLOSURE**

**Meeting adjourned at 17:10**

