



City on the Move

MANGAUNG LOCAL MUNICIPALITY
RESOLUTIONS : COUNCIL MEETINGS 2008

SPECIAL MEETING : THURSDAY, JANUARY 31, 2008

1. **OPENING** *Noted*
2. **APPLICATIONS FOR LEAVE OF ABSENCE** *Noted*
3. **OFFICIAL ANNOUNCEMENTS BY THE SPEAKER** *Noted*

4.
**REPORT IN TERMS OF SECTION 127 (3) OF THE MFMA:
REASONS FOR THE DELAY IN COMPLETING THE
MANGAUNG LOCAL MUNICIPALITY'S ANNUAL REPORT
AND SUBMISSION OF OTHER COMPONENTS OF THE
ANNUAL REPORT**

This item was referred back to be correctly dealt with through the laid down process and only thereafter to be submitted to the Council for consideration at a special Council meeting yet to be urgently scheduled.

5.
**RESTRUCTURING GRANT REPORT FOR THE
QUARTERLY ENDING DECEMBER 2007**

This item was referred back to be correctly dealt with through the laid down process and only thereafter to be submitted to the Council for consideration at a special Council meeting yet to be urgently scheduled.

6.
**MANGAUNG LOCAL MUNICIPALITY ADJUSTMENTS
BUDGET FOR THE 2007/2008 FINANCIAL YEAR**

This item was referred back to be correctly dealt with through the laid down process and only thereafter to be submitted to the Council for consideration at a special Council meeting yet to be urgently scheduled.

7.
**SECTION 52(d) : REPORT ON THE IMPLEMENTATION OF
THE BUDGET AND THE FINANCIAL STATE OF AFFAIRS
OF THE MUNICIPALITY**

This item was referred back to be correctly dealt with through the laid down process and only thereafter to be submitted to the Council for consideration at a special Council meeting yet to be urgently scheduled.

8.
**NEW PROPOSED BY-LAWS : OUTDOOR ADVERTISING
CONTROL** *RECOMMENDATION AS SET OUT IN AGENDA*

RESOLVED that the contents of the relevant report as well as the attached Annexure A, be noted by the Council.

As per Annexure A, pages 145 - 229, attached to the Council's agenda of January 31, 2008.

9.
**MID-TERM PERFORMANCE REPORT : CHIEF OPERATING
OFFICER**

This item was referred back to be correctly dealt with through the laid down process and only thereafter to be submitted to the Council for consideration at a special Council meeting yet to be urgently scheduled.

10.
CLOSING

ORDINARY MEETING : THURSDAY, MARCH 6, 2008

11. OPENING	<i>Noted</i>
12. APPLICATIONS FOR LEAVE OF ABSENCE	<i>Noted</i>
13. OFFICIAL ANNOUNCEMENTS OF THE SPEAKER	<i>Noted</i>
14. REPORTS OF THE SPEAKER IN TERMS OF RULES 15(1) AND 99(4)	<i>Noted</i>
15. APPLICATIONS AND APPEALS FROM COUNCILLORS IN TERMS OF RULES 14(1), 67 AND 72	<i>Noted</i>
16. REPORTS RECEIVED FROM THE SPEAKER	<i>Noted</i>
17. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER	<i>Noted</i>
18. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY OTHER COUNCILLORS.	<i>Noted</i>
19. DEPUTATIONS AND INTERVIEWS	<i>Noted</i>
20. DISCLOSURE OF INTEREST	<i>Noted</i>
21. MINUTES OF THE PREVIOUS MEETINGS.	<i>Noted</i>
22. QUESTIONS OF WHICH NOTICE WERE GIVEN	<i>Noted</i>

23A Items dealt with by the Municipal Manager and the Executive Mayor and for consideration by the Council

23A1 APPLICATION TO LEASE THE COUNCIL PROPERTY SITUATED ON ERF 32091, BRITZ STREET, BOCHABELA , MANGAUNG : APPLICANT : MR AND MS NKGAHLE	WITHDRAWN
23A2 APPLICANT TO LEASE THE COUNCIL LAND SITUATED AT THE c/o DR BELCHER ROAD AND MCGREGOR STREET : APPLICANT : MESSRS JPS BUSLINES	WITHDRAWN
23A3 APPLICATION TO LEASE THE MUNICIPAL PROPERTY SITUATED ON ERF 58245, JP MAFORA, MANGAUNG FOR A FOOD GARDEN PROJECT : APPLICANTS : MESSRS UNITY FOOD GARDEN PROJECT	WITHDRAWN
23A4 APPLICATION TO LEASE THE COUNCIL PROPERTY : HANGAR D2 TEMPE AIRPORT : APPLICANT : MESSRS GEOMAR TRUST	<i>Noted</i>

23A5
ALTERNATIVE SERVICE DELIVERY MECHANISMS

RESOLVED that the recommendation by the Executive Mayor and the Municipal Manager, as amended, be approved and accepted by the Council.

RESOLVED (Report of the EM – 28/02/2008)

(a) that a Workshop for all Councillors be convened on the establishment and roll out of alternative service delivery mechanisms;

(b) that Centlec be used as a yard stick to measure success or failure of business units models;

(c) that a comprehensive report be submitted on the relations between the Mangaung Local Municipality and Centlec before the Council's establishment of business units after the Workshop and

(d) that the Council take a decision after the above-mentioned process had been exhausted.

23A6
MONTHLY REPORT ON DELEGATED POWERS : DIRECTORATE ECONOMIC DEVELOPMENT AND PLANNING : REPORT ON DECISIONS TAKEN DURING AUGUST 2007

RESOLVED that, with the two additional amendments proposed by Councillor GJ Olivier, the recommendation of the Executive Mayor and the Municipal Manager be approved and accepted by the Council.

RESOLVED (Report of the EM – 28/02/2008)

RESOLVED

(a) that the Council take cognisance of the relevant report;

(b) that an urgent appeal be made to all the Executive Directors to strive to report timeously;

(c) and that the Executive Directors also strive to create greater synergy and be requested to keep the same format.

MARCH 6, 2008 (continued)

**23A8
RESTRUCTURING GRANT : QUARTERLY REPORT
ENDING DECEMBER 2007**

RESOLVED (Report of the EM – 28/02/2008)

RESOLVED

RESOLVED that the recommendation by the Executive Mayor and the Municipal Manager, be approved and accepted by the Council.

(a) that the Council note the progress made in achieving the conditionalities of the Restructuring Grant;

(b) that the Council note the progress of the various Directorates in implementing current projects funded through the Restructuring Grant;

(c) that the Council approve the Restructuring Grant report for the quarter ending December 2007;

(d) that the City Manager be requested and tasked to submit the approved report to the National Treasury as per the requirements of the Restructuring Grant Agreement;

(e) that the Council put a moratorium on the filling of vacant positions and

(f) that a Task Team made up of the following Councillors, namely Councillor ME Moilwa, Councillor TA Zweni, Councillor KNL Makhanya and Councillor E Goliath, be established to process motivations for the filling of positions.

**23A9
MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT
REPORT OF THE MANGAUNG LOCAL MUNICIPALITY :
JULY 1 – 31 DECEMBER 2007**

RESOLVED (Report of the EM – 28/02/2008)

RESOLVED

RESOLVED that the recommendation by the Executive Mayor and the Municipal Manager, be approved and accepted by the Council.

(a) that, after reviewing the attached reports (pages 1070 - 1184), the Executive Mayor submit the reports to the Council for consideration and approval along with any recommendations or comments the Council may have and

(b) that a copy of the approved municipal mid-term reports be sent to the Department of Local Government and Housing and the Provincial and National Treasuries.

**23A10
THE BUSINESS PROCESS OUTSOURCING AND OFF-
SHORING (BPO AND O) SECTOR VALUE PROPOSITION
SUBMITTED BY THE MUNICIPALITY TO THE
DEPARTMENT OF TRADE AND INDUSTRY**

Noted.

**23A11
MANGAUNG LOCAL MUNICIPALITY : ADJUSTMENT
BUDGET FOR THE 2007/2008 FINANCIAL YEAR**

RESOLVED (Report of the EM – 28/02/2008)

RESOLVED

RESOLVED that the recommendation by the Executive Mayor and the Municipal Manager, be approved and accepted by the Council.

(a) that the Council's Expenditure Budget for the 2007/2008 financial year be increased with R25 035 326,00 to R1 655 038,00;

(b) that the Council's Revenue Budget for the 2007/2008 financial year be increased with R53 195 324,00 to R1 943 948 578,00 and

(c) that the Council's Capital Budget for the 2007/2008 financial year be increased with R42 022 799,00 to R725 082 569,00.

**23A12
SECTION 52(d) : REPORT ON THE IMPLEMENTATION OF
THE BUDGET AND THE FINANCIAL STATE OF AFFAIRS
OF THE MUNICIPALITY**

RESOLVED (Report of the EM – 28/02/2008)

RESOLVED that the recommendation by the Executive Mayor and the Municipal Manager, as amended, be approved and accepted by the Council.

RESOLVED that a Committee be appointed to investigate the implementation of a turnaround strategy for the Mangaung Local Municipality.

MARCH 6, 2008 (continued)

23A13

QUARTERLY REPORT ON THE SUPPLY CHAIN MANAGEMENT UNIT PERFORMANCE AS AT JULY 1, 2007 TO SEPTEMBER 30, 2007

RESOLVED (Report of the EM – 28/02/2008)

RESOLVED that cognizance be taken of the relevant report.

RESOLVED that the recommendation by the Executive Mayor and the Municipal Manager, be approved and accepted by the Council.

23A14

REPORT IN TERMS OF SECTION 127(3) OF THE MFMA : REASONS FOR THE DELAY IN COMPLETING THE MANGAUNG LOCAL MUNICIPALITY'S ANNUAL REPORT AND SUBMISSION OF OTHER COMPONENTS OF THE ANNUAL REPORT

RESOLVED (Report of the EM – 28/02/2008)

RESOLVED that the recommendation by the Executive Mayor and the Municipal Manager, be approved and accepted by the Council.

RESOLVED

(a) that the Mangaung Local Municipal Council take note of the delay to finalise the consolidated annual performance report for the 2006/2007 financial year;

(b) that the Mangaung Local Municipal Council take note of the progress made by the administration in compiling the annual performance report which includes:

(i) AFS of the Municipality, as submitted to the Auditor-General for audit purposes;

(ii) the annual performance report of the Municipality prepared in terms of Section 46 of the Municipal Systems Act;

(iii) that an assessment by the Municipality's accounting officer of any arrears on municipal taxes and service charges and

(iv) that an assessment by the Municipality's Accounting Officer of the Municipality's performance against the measurable performance objectives referred in Section 17(3)(b) for revenue collection from each revenue source and for each vote in the Municipality's approved Budget for the 2006/2007 financial year.

23A15

PROGRAM SCHEDULE OF THE MANGAUNG LOCAL MUNICIPALITY FOR THE PERIOD JANUARY 2008 TO DECEMBER 2008

RESOLVED that the item be referred back, dates corrected and be submitted for consideration at a next ordinary meeting of the Council.

23A16

RE-SUBMISSION OF INDIGENT POLICY TO THE COUNCIL

RESOLVED that the item be referred back.

23A17

NEW PROPOSED BY-LAWS

Noted

23A18

MESSRS YA RONA INVESTMENT : APPROVAL OF THE FINALISATION OF THE DEED OF SALE BASED ON THE REVISED PRICE FOR THE ALIENATION OF PORTION 321 (OF 238) OF THE FARM BLOEMFONTEIN NO 654, DISTRICT FREE STATE PROVINCE, MANGAUNG LOCAL MUNICIPALITY

WITHDRAWN

23A19

PROGRESS REPORT ON ARBITRATION : MR MJ MATLOLE AND MR MG SILWANA / MANGAUNG LOCAL MUNICIPALITY

WITHDRAWN

23A20

APPROVAL OF WARD / CLUSTER PROGRAMMES

WITHDRAWN

23A21

REPORT ON THE MANGAUNG LOCAL MUNICIPALITY'S PARTICIPATION AT THE INSTITUTE FOR LOCAL GOVERNMENT MANAGEMENT OF SOUTH AFRICA (iLGM) WOMEN IN LOCAL GOVERNMENT CONFERENCE 2008

WITHDRAWN

MARCH 6, 2008 (continued)

23A22

SUBMISSION OF THE REVISED SCHEDULE OF THE COUNCIL EVENTS FOR THE YEAR 2007/2008 AND A NEW SCHEDULE FOR THE 2008/2009 FINANCIAL YEAR *WITHDRAWN*

23A23

MANGAUNG LOCAL MUNICIPALITY PARTICIPATION : SALGA PROVINCIAL CONFERENCE AND NATIONAL MEMBERS' ASSEMBLY *WITHDRAWN*

23B Items dealt with by the Municipal Manager and the Executive Mayor in terms of delegated powers

23B1 - OPENING AND WORD OF WELCOME *Noted*
23B2 – LEAVE OF ABSENCE AND APOLOGIES *Noted*
23B3 – CONFIRMATION OF MINUTES *Noted*
23B4 – MAYORAL COMMITTEE : ADMINISTRATIVE AND OTHER INTERNAL MATTERS *Noted*

23B5

APPLICATION FOR REZONING : PORTION 47 OF ERF 3944, 20 DS KOTZE STREET, ORANJESIG, BLOEMFONTEIN FROM "SINGLE RESIDENTIAL 2" TO "SERVICE INDUSTRY 1" : APPLICANT : MR P VAN BILJON ON BEHALF OF MR BATSHEBENG GODWIN FINGER AND MS MINNAH MAMOKOTLWANE FINGER *Noted*

23B6

APPLICATION FOR THE FOLLOWING: *Noted*
(a) REMOVAL OF THE RESTRICTIVE CONDITIONS : PLOT 4, DANIELSDEEL SMALL-HOLDINGS, BAINSVLEI;
(b) AMENDMENT OF THE BAINSVLEI TOWN PLANNING SCHEME BY THE INCLUSION OF A NEW "SPECIAL USE 48" ZONING AND
(c) REZONING OF PLOT 4, DANIELSDEEL MSALL-HOLDING FROM "HOLDINGS" TO "SPECIAL USE48" : APPLICANT : MESSRS URBAN DYNAMICS TOWN AND REGIONAL PLANNERS ON BEHALF OF MR LUANUS FRANCOIS COETZER

23B7

APPLICATION FOR THE REMOVAL OF RESTRICTIVE CONDITIONS AND REZONING : REMAINDER OF PLOT 75, SPITSKOP SMALL-HOLDINGS, SWARTBERG AVENUE, BAINSVLEI : APPLICANT : MESSRS THE ROODT PARTNERSHIP ON BEHALF OF MR E AND MR K KAMBANIS AND MS MS KAMBANIS *Noted*

23B8

REQUEST TO EXCHANGE MUNICIPAL LAND FOR THE ACQUISITION OF A PORTION OF SUBDIVISION 1 OF THE FARM KWAGGAFONTEIN 2300 AND SUBDIVISION 19 OF 1 OF THE FARM KWAGGAFONTEIN 2300 FOR THE MANGAUNG LOCAL MUNICIPALITY FOR THE NORTH WESTERN WATER MAINS : PIPELINE SERVITUDE *Noted*

23B9

APPLICATION FOR THE AMENDMENT OF THE BLOEMFONTEIN TOWN PLANNING SCHEME AND REZONING : ERF 13235, 21 LEISEGANG STREET, BRANDWAG, BLOEMFONTEIN *Noted*

23B10

APPLICATION FOR A HOME INDUSTRY (ADVERTISING AND MAGNET BOARDS) ON ERF 17032, 43 GILLES VAN DE WALL STREET, DAN PIENAAR, BLOEMFONTEIN *RESOLVED (Report of the EM – 28/02/2008)*

RESOLVED that cognisance be taken of the resolution of the Executive Mayor and the City Manager in this regard, as follows, namely:

"(a) that the application for a home industry on erf 17032, 43 Gilles van de Wall Street, Dan Pienaar, Bloemfontein not be approved by the Council for the reasons as stated in the report;

(b) that the applicant be instructed to stop with the operation of the applied home industry which is not fit to be operated within a residential neighbourhood within 21 days from the date of the notice and

(c) that failure by the applicant to comply with this resolution will lead to legal action being taken against him by the Council."

MARCH 6, 2008 (continued)

23B11 – OPENING AND WORD OF WELCOME	<i>Noted</i>
23B12 – LEAVE OF ABSENCE AND APOLOGIES	<i>Noted</i>
23B13 – CONFIRMATION OF MINUTES	<i>Noted</i>
23B14 – MAYORAL COMMITTEE : ADMINISTRATIVE AND OTHER INTERNAL RELATED MATTERS	<i>Noted</i>

**23C Items dealt with by the Municipal Manager and the
Executive Mayor and for information of the Council**

None	<i>Noted</i>
24. MOTIONS	<i>Noted</i>
25. CLOSING	

SPECIAL MEETING : MONDAY, MARCH 31, 2008

26. OPENING *Noted*
27. APPLICATIONS FOR LEAVE OF ABSENCE *Noted*
28. OFFICIAL ANNOUNCEMENTS BY THE SPEAKER *Noted*

29.
(A) MANGAUNG LOCAL MUNICIPALITY : MEDIUM TERM
REVENUE AND EXPENDITURE FRAMEWORK : 2008/09 -
2010/11;
(B) MANGAUNG LOCAL MUNICIPALITY : CAPITAL
BUDGET: 2008/9 - 2010/11;
(C) MANGAUNG LOCAL MUNICIPALITY : BUDGET:
CENTLEC (PTY) LTD : 2008/9 - 2010/11;
(D) MANGAUNG LOCAL MUNICIPALITY : FINAL DRAFT :
PROPERTY RATES POLICY AND
(E) MANGAUNG LOCAL MUNICIPALITY : TARIFFS:
2008/09 - 2010/11

The tabling of the Council's annual Budget was thereupon noted in terms of the stipulations (Section 16) of the Municipal Finance Management Act, 2003 (Act No 56 of 2003).

30.
CLOSING
-

SPECIAL MEETING : THURSDAY, APRIL 3, 2008

31. OPENING *Noted*
32. APPLICATIONS FOR LEAVE OF ABSENCE *Noted*
33. OFFICIAL ANNOUNCEMENTS (IF ANY) OF THE SPEAKER *Noted*

34. APPROVAL OF WARD/CLUSTER PROGRAMMES *RECOMMENDATION AS SET OUT IN THE AGENDA*

RESOLVED that the recommendation as set out in the agenda, taking into account the requests made and including close interaction with the Ward Councillors, be approved and accepted by the Council.

- (a) that the Council approve the schedule of meetings for the Wards/Clusters as set out in the Annexure and*
(b) that the Office of the Speaker and the Sub-Directorate Communications be tasked with the responsibility to communicate and distribute the schedule to the broader community and all stakeholders.

35. REPORT ON THE MANGAUNG LOCAL MUNICIPALITY'S PARTICIPATION AT THE INSTITUTE FOR LOCAL GOVERNMENT MANAGEMENT OF SOUTH AFRICA (ILGM) WOMEN IN LOCAL GOVERNMENT CONFERENCE 2008 *RECOMMENDATION AS SET OUT IN THE AGENDA*

RESOLVED that the recommendation as set out in the agenda, be approved and accepted by the Council

- (a) that the Council note the report on the participation of the Mangaung Local Municipality at the Conference hosted by the Institute for Local Government Management and*
(b) that the Council approve the payment of the attendance fee in the amount of R6 600,00 for the Conference plus the cost for travel and accommodation as per the Council's policy.

36. SUBMISSION OF THE REVISED SCHEDULE OF THE COUNCIL EVENTS FOR THE YEAR 2007/2008 AND A NEW SCHEDULE FOR THE 2008/2009 FINANCIAL YEAR *RECOMMENDATION AS SET OUT IN THE AGENDA*

RESOLVED that the recommendation as set out in the agenda, with the amended dates as set out above, be approved and accepted by the Council.

- (a) that the Council approve the revised programme for the financial year 2007/2008;*
(b) that the Council approve the new programme for the financial year 2008/2009 and
(c) that the Office of the Speaker and the Sub-Directorate Communications be tasked to communicate the schedule to all stakeholders.

37. MANGAUNG LOCAL MUNICIPALITY PARTICIPATION : SALGA PROVINCIAL CONFERENCE AND NATIONAL MEMBERS' ASSEMBLY *RECOMMENDATION AS SET OUT IN THE AGENDA*

RESOLVED that the recommendation as set out in the agenda, be approved and accepted by the Council.

- (a) that the Council approve the participation of the Mangaung Local Municipality in the SALGA Free State Provincial Conference and the National Members' Assembly;*
(b) that the Council approve the delegation of the Mangaung Local Municipality to both Conferences as indicated under paragraph 3 of the report and
(c) that the Council approve the payment of the relevant attendance fee in the amount of R10 000,00 for the National Conference plus the cost for travel and accommodation as per the Council's policy.

38. MESSRS YA RONA INVESTMENT : APPROVAL OF THE FINALISATION OF THE DEED OF SALE BASED ON THE REVISED PRICE FOR THE ALIENATION OF PORTION 321 (OF 238) OF THE FARM BLOEMFONTEIN NO 654, DISTRICT, FREE STATE PROVINCE, MANGAUNG LOCAL MUNICIPALITY

RESOLVED

- (a) that the commitment of the Council to facilitate access to the land by the previously disadvantaged individuals be upheld;*
(b) that the Speaker be requested to institute a forensic investigation into allegations made during this transaction against the Executive Mayor (Councillor DG Mothupi), Councillor TA Zweni, City Manager, Chief Operating Officer and the Executive Director : Economic Development and Planning and
(c) that the Council note the progress made with regard to concluding this transaction.

39. CLOSING

ORDINARY MEETING : THURSDAY, APRIL 24, 2008

40. OPENING *Noted*
41. APPLICATIONS FOR LEAVE OF ABSENCE *Noted*
42. OFFICIAL ANNOUNCEMENTS OF THE SPEAKER *Noted*
43. REPORTS OF THE SPEAKER IN TERMS OF RULES
15(1) AND 99(4) *Noted*
44. APPLICATIONS *Noted*

45.
REPORTS RECEIVED FROM THE SPEAKER

A.
MANGAUNG LOCAL MUNICIPALITY DELEGATION AND PARTICIPATION AT THE UNITED CITIES AND LOCAL GOVERNMENTS OF AFRICA (UCLGA) CONGRESS: ACRRA, GHANA JULY 7 - 11 2008 *WITHDRAWN*

B.
UPDATED REPORT : MANGAUNG LOCAL MUNICIPALITY PARTICIPATION/ SALGA PROVINCIAL CONFERENCE AND NATIONAL MEMBER'S ASSEMBLY

RESOLVED that the recommendation as set out in the agenda, be accepted and approved by the Council.

RECOMMENDATION AS SET OUT IN THE AGENDA

(a) that the Council note the report and

(b) that the Council note that the total costs incurred for the National Member's Assembly events amounted to R18 676,20.

C.
REPORT ON A STUDY VISIT TO MANGAUNG BY LEKWA LOCAL MUNICIPALITY

RECOMMENDATION AS SET OUT IN THE AGENDA

(a) that the Council note the report and

RESOLVED that the recommendation as set out in the agenda, be accepted and approved by the Council.

(b) that the Offices of the Speaker and the Executive Mayor explore avenues for the establishment of the formal working relationships with the Lekwa Local Municipality, should they express such a wish.

D.
REPORT ON THE ELECTIONS OF WARD COMMITTEE MEMBERS

RESOLVED

(a) that the Council note that the term of the current Ward Committees expire at the end of May 2008;

(b) that the Council approve option 1 that propose the election of the new Ward Committees;

(c) that the Council approve the amended Procedural Manual on the Election of Ward Committees;

(d) that the election be conducted in line with the relevant amended Procedural Manual;

(e) that the Council approve the involvement and assistance of the Independent Electoral Commission (IEC) for the smooth running of the election and

(f) that the election and the processes be adequately advertised in all the media.

46. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER *Noted*

47. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY OTHER COUNCILLORS *Noted*

48. DEPUTATIONS AND INTERVIEWS *Noted*

49. DISCLOSURE OF INTEREST *Noted*

APRIL 24, 2008 (continued)

**50.
MINUTES OF THE PREVIOUS MEETING**

(i) Special meeting : Monday, March 31, 2008

RESOLVED that, subject to the amendments as set out above, the minutes of the special meeting of the Mangaung Local Municipal Council held on Monday, March 31, 2008, copies of which had been furnished to all members, be taken as read and confirmed.

(ii) Special meeting : Thursday, April 3, 2008

RESOLVED that the minutes be referred back for corrections and resubmission at the next ordinary meeting of the Council.

**51.
QUESTIONS OF WHICH NOTICE WERE GIVEN**

Noted

**52.
REPORTS OF THE EXECUTIVE MAYOR**

(Proposal : that the Council apply Rule 45.2 to suspend the agenda and to allow for discussions for any matters not included in the agenda)

The proposal, was thereupon with 13 votes in favour and 37 votes against, not accepted as it was also not unanimously accepted.

52A Items dealt with by the City Manager and the Executive Mayor and for consideration by the Council

**52A1
PRESENTATION : IMPLEMENTATION OF AN INTEGRATED RAPID PUBLIC TRANSPORT NETWORK (IRPTN) IN MANGAUNG**

WITHDRAWN

(Mayoral Committee : March 25, 2008 - Item 4.3, page 7(b) - Annexure, pages 984 - 999) (This annexure is attached to this agenda)

**52A2
APPLICATION TO LEASE THE COUNCIL PROPERTY : SHOP ON PLOT 5/558, RODENBECK : APPLICANT : MR GE ORREN**

Noted

**52A3
APPLICATION TO LEASE THE MUNICIPAL PROPERTY SITUATED ON ERF 54584 LOVEDALE ROAD, MANGAUNG, FOR AFTER CARE SCHOOL PURPOSES APPLICANT: LEGAE DAY CARE CENTRE**

(Mayoral Committee : March 25, 2008 - Item 5.2, page 9 - Annexure, pages 1005 - 1009)

RESOLVED that the matter be referred back.

**52A4
APPLICATION FOR RENTAL OF MUNICIPAL PROPERTY: PLOT 25 GRASSLAND APPLICANT : KHANYENG DAY AND NIGHT CARE**

(Mayoral Committee : March 25, 2008 - Item 5.3, page 10 - Annexure, pages 1010 - 1011)

RESOLVED that the item be referred back.

**52A5
UPGRADING OF TRAINING FACILITIES : 2010 FIFA WORLD CUP**

(Mayoral Committee : March 25, 2008 - Item 5.4, page 10 - Annexure, pages 1012 - 1026)

RESOLVED that the matter be referred back.

APRIL 24, 2008 (continued)

52A6

ALLOCATION OF 3 500 BNG HOUSING SUBSIDIES TO THE MANGAUNG LOCAL MUNICIPALITY : FINANCIAL YEAR 2008/2009

(Mayoral Committee : April 17, 2008 - Item 5.1, page 5, Annexure, pages 1000 - 1006)

RESOLVED that the recommendation as set out in the report of the Executive Mayor, be accepted and approved by the Council.

RECOMMENDATION AS SET OUT IN THE REPORT OF THE EXECUTIVE MAYOR

(a) that the Council take note of the 3 500 housing subsidies allocated to the Mangaung Local Municipality for the financial year 2008/2009 by the Provincial Department of Local Government and Housing;

(b) that developers be allocated areas as mentioned below, namely:

TOWN / REGION	SUBSIDIES	CONTRACTOR
Bloemfontein :		
Grassland III	800	Messrs Kentha Devel
	500	Messrs Kentha Construction
	500	Messrs People First
	300	Messrs Moeletsi Trading
	300	Messrs Ntilane Construction
Botshabelo (A,S,L, M & W,U,V,S)	500	Messrs Biz Africa
	400	Messrs Motshwane
Thaba Nchu (including rural)	200	Messrs Sixth Title
TOTAL	3 500	

(c) that a plan approval fee of R105,00 per plan submitted for subsidised housing, be charged and paid out of the subsidy;

(d) that an administration fee of R350,00 per application form approved for housing, be charged and paid out of the subsidy;

(e) that an amount of R4,50 per square meter be charged for each and every residential erf ("the land cost") where the land is registered in the name of the Mangaung Local Municipality;

(f) that the services of community-based members be utilised to collect subsidy application forms as per the Council's resolution and the amount of R20,00 per each correct application form be payable to each member from the administration fee;

(g) that, should there be project implementation challenges, the Executive Director: Economic Development and Planning be mandated to deal with such including making amendments to the allocated areas and

(h) that the necessary Land Availability Agreement be signed between the Municipality and the Department of Local Government and Housing and the Council be provided with monthly progress on these housing projects.

52A7

APPLICATION TO ALTER A LEASE AGREEMENT BETWEEN THE MANGAUNG LOCAL MUNICIPALITY AND MESSRS EMIRA PROPERTY FUND : ERVEN 15723, 15725 AND THE REMAINDER OF ERF

Noted

52B Items dealt with by the City Manager and the Executive Mayor in terms of delegated powers

52B1 – OPENING AND WORD OF WELCOME

Noted

52B2 – LEAVE OF ABSENCE AND APOLOGIES

Noted

52B3 – CONFIRMATION OF MINUTES

Noted

52B4 – MAYORAL COMMITTEE ; ADMINISTRATIVE AND OTHER INTERNAL RELATED MATTERS

Noted

52B5

PRESENTATION : OVERVIEW OF THE MANGAUNG LOCAL MUNICIPALITY'S CAPITAL AND OPERATIONAL EXPENDITURE 2008/2009

Noted

52B6

PRESENTATION : OVERVIEW OF MESSRS CENTLEC (PTY) LTD CAPITAL AND OPERATIONAL EXPENDITURE 2008/2009

Noted

53. MOTIONS

Noted

54. CLOSING

SPECIAL MEETING : FRIDAY, MAY 16, 2008 AT 10:00

55. OPENING *Noted*
56. APPLICATIONS FOR LEAVE OF ABSENCE *Noted*
57. OFFICIAL ANNOUNCEMENTS OF THE SPEAKER *Noted*

**58.
EVALUATION REPORT : MANGAUNG HOST CITY
POSTER DESIGNS : 2010 FIFA WORLD CUP™**

*RECOMMENDATION AS SET OUT IN THE AGENDA
(AMENDED)*

RESOLVED that the recommendation as set out in the agenda, with the amendments as set out above, be approved and accepted by the Council.

(a) that design number 3 from Mr Pierre Steenkamp be approved as the final Mangaung Host City Poster design, which qualifies for the 1st prize in the amount of R20 000,00;

(b) that design number 2 from Mr Isaac Mohale qualifies for the 2nd prize in the amount of R5 000,00;

(c) that the Executive Mayor be requested and tasked to arrange a hand-over ceremony for the winners in recognition of their activity and participation in the Host City Poster design process and

(d) that the City Manager be tasked to finalise all outstanding administrative matters with the designer, FIFA and the LOC.

**59.
UPGRADING OF TRAINING FACILITIES**

*RECOMMENDATION AS SET OUT IN THE AGENDA
(AMENDED)*

The recommendation as proposed by the Executive Mayor, Councillor DG Mothupi and properly seconded was thereupon with 48 votes in favour and 16 votes against, with the addition of recommendation (g) (page 4(c)), accepted and approved by the Council.

(a) that, priority be placed by the Council on the Seisa Ramabodu and Botshabelo stadiums as the official training venues in Mangaung, subject to FIFA approval;

(b) that the PSL and FIFA requirements be used as the basis for the upgrading of these two venues;

(c) that the design planning principle for the Seisa Ramabodu stadium be based on Option 3 to ensure FIFA training venue requirements and PSL compliance, at an envisaged capex of R131 million, with an allowance for roof (Option 4) installation at a later stage, requiring an additional R220 million;

(d) that the design planning principle for Botshabelo stadium shall be based on the capex estimate of R50 million to ensure FIFA training venue and PSL compliance;

(e) that upgrading of the Mmabana stadium based on the existing masterplan continue with additional capex allowance of R20 million to accommodate the upgrading of the main stand;

(f) that the City Manager proceed with the detail design work and submit accurate capital budget detail to obtain the Council's approval prior to commencement of the tender process for construction work and

(g) that the Executive Mayor and the Municipal Manager be tasked to enter into negotiations with the National and Provincial Government on the funding of the upgrading of the three (3) stadiums".

**60.
REVIEW OF THE COUNCIL'S INDIGENT POLICY**

*RECOMMENDATION AS SET OUT IN ANNEXURE TO
AGENDA*

RESOLVED that the recommendation as set out in the documentation (pages 89 - 90), be approved and accepted by the Council. (Annexure to the agenda of this meeting May 16, 2008.

Annexure, pages 89 - 90, attached to the Council's agenda of May 16, 2008 at 10:00.

MAY 16, 2008 AT 10:00 (continued)

RECOMMENDATION AS SET OUT IN THE AGENDA

61. PROPOSAL OF THE MUNICIPAL DEMARCATION BOARD (MDB) ON THE DETERMINATION THAT THE AREA OF THE MANGAUNG LOCAL MUNICIPALITY (FS 172) TO HAVE A CATEGORY A MUNICIPALITY (LJJ/CB/ZT)

RESOLVED that the recommendation as set out under (a) to (d) in the agenda, be approved and accepted by the Council.

(a) that the Mangaung Local Municipal Council take note of and endorse the written motivation prepared by the Task Team as set out in Annexure A (pages 102 - 106);

(b) that the Mangaung Local Municipal Council endorse and support the proposal of the Municipal Demarcation Board (MDB) on the determination of the Mangaung municipal area into a category A Municipality;

(c) that the Mangaung Local Municipal Council note that the written comments will be send to the Municipal Demarcation Board (MDB) supporting the Board's proposal and

(d) that the Mangaung Local Municipal Council mandate the Executive Mayor to engage the MDB and the MEC for Local Government and Housing further on this critical matter and keep the Council abreast of any developments in this regard.

62. CLOSING

SPECIAL MEETING : FRIDAY, MAY 16, 2008 AT 14:00
STATE OF THE CITY ADDRESS

63. OPENING

Noted

64. APPLICATIONS FOR LEAVE OF ABSENCE

Noted

65. OFFICIAL ANNOUNCEMENTS (IF ANY) OF THE SPEAKER

Noted

66. PRESENTATION OF THE STATE OF THE CITY ADDRESS BY THE EXECUTIVE MAYOR

Annexure, pages 1 - 22, to the Agenda of Council's meeting dated May 16, 2008 at 14:00.

67. CLOSING

SPECIAL MEETING : THURSDAY, MAY 22, 2008
DEBATES ON THE STATE OF THE CITY ADDRESS

68. OPENING

Noted

69. APPLICATIONS FOR LEAVE OF ABSENCE

Noted

70. OFFICIAL ANNOUNCEMENTS (IF ANY) OF THE SPEAKER

Noted

71. OFFICIAL STATEMENT OF THE HONOURABLE EXECUTIVE MAYOR OF THE MANGAUNG LOCAL MUNICIPALITY, COUNCILLOR DIBEELA GERTRUDE MOTHUPI ON THE OCCASION OF THE 2ND STATE OF THE CITY ADDRESS

DISCUSSION BY THE COUNCIL

67. CLOSING

SPECIAL MEETING : THURSDAY, JUNE 12, 2008

73. OPENING

Noted

74. APPLICATIONS FOR LEAVE OF ABSENCE

Noted

75. OFFICIAL ANNOUNCEMENTS (IF ANY) OF THE
SPEAKER

Noted

76.

**RULE 4 APPLICATION : NOTICE OF A SPECIAL COUNCIL
MEETING**

RESOLVED that the meeting proceed.

RESOLVED that this special meeting of the Council further
proceed "In Committee".

RESOLVED that a performance report be drafted by the
Executive Mayor and be presented to the Council for further
discussion.

77. CLOSING

**SPECIAL MEETING : FRIDAY, JUNE 20, 2008
BUDGET MEETING**

78. OPENING *Noted*
79. APPLICATIONS FOR LEAVE OF ABSENCE *Noted*
80. OFFICIAL ANNOUNCEMENTS (IF ANY) BY THE
SPEAKER *Noted*

81.
(A) MANGAUNG LOCAL MUNICIPALITY : DRAFT MEDIUM
TERM REVENUE AND EXPENDITURE FRAMEWORK :
2008/2009 – 2010/2011;

(B) MANGAUNG LOCAL MUNICIPALITY : DRAFT
CAPITAL PROGRAMME : 2008/2009 – 2010/2011;

(C) MANGAUNG LOCAL MUNICIPALITY : GENERAL
TARIFFS : 2008/2009 – 2010/2011

RESOLVED that the recommendation of the Municipal
Manager and the Executive Mayor on the General Tariffs of
the Mangaung Local Municipality, as set out in full in the
attached Budget Speech, be approved and accepted by the
Council.

*RESOLVED (As per EM Budget Speech – attached to MLM
Council minutes of 20/06/2008)*

82.
**BUDGET : MESSRS CENTLEC (PTY) LTD 2008/2009 –
2010/2011**

RESOLVED that the recommendation of the Municipal
Manager and the Executive Mayor on the Budget of Centlec,
as set out in full in the attached Budget Speech, be approved
and accepted by the Council.

*RESOLVED (As per EM Budget Speech – attached to MLM
Council minutes of 20/06/2008)*

RESOLVED

(a) that the recommendation of the Municipal Manager and
the Executive Mayor on the Tariffs of Centlec, as set out in the
attached Budget Speech, be approved and accepted by the
Council and

(b) that the report dated June 19, 2008 (as attached -
Annexure, pages 87 - 92) received from the Chief Executive
Officer : Centlec on the impact of additional Eskom electricity
tariff increase on the Mangaung Local Municipality, be
approved and accepted by the Council.

83.
INTEGRATED DEVELOPMENT PLAN : 2008/2009

RECOMMENDATION (As per MLM agenda – 20/06/2008)

RESOLVED that the recommendation of the Municipal
Manager and the Executive Mayor on the IDP as set out in full
in the attached Budget Speech, be approved and accepted by
the Council.

RESOLVED

*(a) that the reviewed Mangaung Local Municipality 2008/2009
IDP be accepted and approved as a strategic and decision-
making tool for the Municipality and*

*(b) that the approved IDP be referred to the MEC for Local
Government and Housing for consideration.*

84. CLOSING

ORDINARY MEETING : WEDNESDAY, JULY 11, 2008

85. OPENING	<i>Noted</i>
86. APPLICATIONS FOR LEAVE OF ABSENCE	<i>Noted</i>
87. OFFICIAL ANNOUNCEMENTS OF THE SPEAKER	<i>Noted</i>
88. REPORTS OF THE SPEAKER IN TERMS OF RULES 15(1) AND 99(4)	<i>Noted</i>
89. APPLICATIONS AND APPEALS FROM COUNCILLORS IN TERMS OF RULES 14(1) AND 72	<i>Noted</i>

90. REPORS RECEIVED FROM THE SPEAKER

(A) ALLOCATION OF PROPORTIONAL REPRESENTATIVE COUNCILLORS (PR COUNCILLORS) TO THE MANGAUNG LOCAL MUNICIPALITY WARDS

RECOMMENDATION (As per MLM agenda – 11 /07/2008)

RESOLVED that the recommendation as set out in the agenda, be approved and accepted by the Council.

RECOMMENDATION that the Mangaung Local Municipal Council approve the allocation of the PR Councillors to the different Wards as outlined in the attached Annexure "A". (Pages 52 –53)

(B) REPORT ON A STUDY VISIT TO THE MANGAUNG LOCAL MUNICIPALITY BY A DELEGATION FROM THE GEORGE LOCAL MUNICIPALITY

RESOLVED that the recommendation as set out in the agenda, be approved and accepted by the Council.

RECOMMENDATION

(a) that the Mangaung Local Municipal Council take note of the report and

(b) that the Mangaung Local Municipal Council explore avenues for the establishment of the formal working relationship with the George Local Municipality, should that wish be expressed in future.

(C) ELECTION OF MANGAUNG LOCAL MUNICIPALITY REPRESENTATIVES TO THE GENERAL COMMITTEE OF THE FREE STATE MUNICIPAL PENSION FUND

RESOLVED that the recommendation as set out in the agenda, be approved and accepted by the Council.

RECOMMENDATION

(a) that the Mangaung Local Municipal Council take note of the report pertaining to the election of Council representatives to the General Committee of the Free State Municipal Pension Fund;

(b) that the Council elect six (6) Council representatives to the Committee as set out under (a) above and

(c) that the Municipal Manager be requested and tasked to submit the names of the six (6) elected Councillors to the Independent Election Institution, namely Messrs Du Randt and Louw Inc on or before June 30, 2008.

(D) REPORT ON THE MANGAUNG LOCAL MUNICIPALITY PARTICIPATION IN THE SALGA BUDGET WEEK WORKSHOP 2008

RESOLVED that the recommendation as set out in the agenda, with recommendation (d) as amended, be approved and accepted by the Council.

RECOMMENDATION

(a) that the Council take note of the report;

(b) that the Council ratify the attendance of the Mangaung Local Municipality delegation to the SALGA Budget Week held on May 8 to May 9, 2008 at Welkom;

(c) that the Council endorse the Workshop recommendations and

(d) that the Office of the Executive Mayor through the Member of the Mayoral Committee for Finance and the Committee responsible for the turnaround strategy of the Municipality, be mandated to implement the Workshop's recommendations within the Mangaung Local Municipality.

91. MOTIONS	<i>Noted</i>
92. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY OTHER COUNCILLORS	<i>Noted</i>
93. DEPUTATIONS AND INTERVIEWS	<i>Noted</i>
94. DISCLOSURE OF INTEREST	<i>Noted</i>

JULY 11, 2008 (continued)

95. MINUTES OF PREVIOUS MEETINGS

RESOLVED that the minutes of the special meeting of the Mangaung Local Municipal Council held on Thursday, April 3, 2008, the ordinary meeting held on Thursday, April 24, 2008, the special meeting held on Friday, May 16, 2008 at 10:00 and the special meeting held on Friday, May 16, 2008 at 14:00, copies of which had been furnished to all members, be taken as read and confirmed.

96. QUESTIONS OF WHICH NOTICE WERE GIVEN

Noted

97.

**APPROVAL : SUBMISSION :
CENTLEC AUDIT COMMITTEE**

RECOMMENDATION (As per MLM agenda – 11/07/2008)

RESOLVED that the recommendation as was set out under (a) to (d) in the agenda, be approved and accepted by the Council.

RECOMMENDATION

(a) that the Mangaung Local Municipal Council approve that the Audit Committee of the Mangaung Local Municipality serve as an Audit Committee for Messrs Centlec (Pty) Ltd as well;

(b) that, if approval is granted, letters be written by the Municipal Manager to members of the Committee to inform them about the decision;

(c) that the Internal Audit Unit of the Mangaung Local Municipality continue providing the secretariat services to this Committee and

(d) that this Committee continue to serve Messrs Centlec (Pty) Ltd until a decision is taken to appoint a separate Audit Committee for Messrs Centlec (Pty) Ltd.

98.

APPROVAL OF AMENDMENTS TO CEMETRIES BY-LAWS

RECOMMENDATION (As per MLM agenda – 11/07/2008)

RESOLVED that the recommendation as set out in the agenda, be approved and accepted by the Council.

RECOMMENDATION

(a) that the Mangaung Local Municipal Council take note of the content of the report;

(b) that the proposed amendments to the Cemetery By-Laws (Annexure "A", pages 124 - 125), be approved;

(c) that the Mangaung Local Municipal Council approve that a period of two (2) years must pass after the first burial before a double burial can be allowed, as recommended by the Environmental Health Division;

(d) that the amendments to the By-Laws be promulgated as soon as possible by publication in the Free State Provincial Gazette to be effective from the date of publication and

(e) that the Executive Director : Community and Social Development be tasked with the administration of these By-Laws.

99.

APPROVAL OF NEW PROPOSED CHILD CARE FACILITIES BY-LAWS

RESOLVED that the recommendation as set out in the agenda, be approved and accepted by the Council.

RECOMMENDATION (As per MLM agenda – 11/07/2008)

RECOMMENDATION

(a) that the Mangaung Local Municipal Council take note of the content of the report;

(b) that the By-Laws relating to Child Care Facilities (Annexure "A", pages 130 - 148), be approved;

(c) that the By-Laws be promulgated as soon as possible by publication in the Free State Provincial Gazette to be effective from the date of publication and

(d) that the Executive Director : Community and Social Development be tasked with the administration of these By-Laws.

JULY 11, 2008 (continued)

**100.
APPROVAL OF NEW PROPOSED INDUSTRIAL EFFLUENT
BY-LAWS**

RECOMMENDATION (As per MLM agenda – 11/07/2008)

RESOLVED that the recommendation as set out in the agenda, be approved and accepted by the Council.

RECOMMENDATION

(a) that the Mangaung Local Municipal Council take note of the content of the report;

(b) that the By-Laws relating to Industrial Effluent (Annexure "A", pages 152 - 172), be approved;

(c) that the By-Laws be promulgated as soon as possible by publication in the Free State Provincial Gazette to be effective from the date of publication and

(d) that the Executive Director : Infrastructural Services be tasked with the administration of these By-Laws.

**101.
APPROVAL OF NEW PROPOSED OUTDOOR
ADVERTISING BY-LAWS**

RESOLVED that the item as a whole be regarded as rejected in terms of Rule 19(1) of the Council's Standing Rules and Orders.

**102.
REPORT ON THE GENERAL PERFORMANCE OF THE
MUNICIPALITY FROM THE EXECUTIVE MAYOR**

RESOLVED

(a) that an Ad hoc Committee of the Mangaung Local Municipal Council be established to investigate whether the performance of the Municipal Manager meet the required standard of competency and whether any action taken or failure to act by the Municipal Manager, constitutes any misconduct;

(b) that the Ad hoc Committee be compiled of one (1) representative from each political party represented on the Council;

(c) that the Ad hoc Committee be tasked and mandated to report back to the Council within three (3) months;

(d) that, in the interim, the Municipal Manager be suspended for the duration of the investigation;

(e) that the Ad hoc Committee be constituted in terms of the Council's Standing Rules and Orders and

(f) that the Chief Operating Officer, Mr K Mcejwa, be appointed as the Acting Municipal Manager for the duration of the investigation and suspension of the Municipal Manager.

**103.
EMPLOYMENT CONTRACT : EXECUTIVE DIRECTOR :
CORPORATE SERVICES**

RESOLVED that the proposal made by Councillor DE Janse van Vuuren, namely to oppose the interim Court Order, be approved and accepted by the Council.

**104.
EMPLOYMENT CONTRACT : CHIEF EXECUTIVE OFFICER
(CEO) : MESSRS GENTLEC (PTY) LTD**

RESOLVED that the item be referred back and that a new comprehensive report, as was indicated and required by the Council, be submitted at a next meeting of the Council.

JULY 11, 2008 (continued)

**105.
ENERGY CRISIS : MANGAUNG LOCAL MUNICIPALITY
(MLM) PERSPECTIVE**

RECOMMENDATION (As per MLM agenda – 11/07/2008)

RESOLVED that the recommendation as set out in the agenda, be approved and accepted by the Council.

RECOMMENDATION

(a) that the Mangaung Local Municipality, through its Economic Development Division be requested and tasked to develop plans to attract manufacturers of this alternative source of energy technologies so that the manufacturing, development and distribution of solar energy products can take place in Mangaung. (The latter, we believe will contribute to local economic development, job creation and sustainable energy for Mangaung and the Free State);

(b) that the Councillors and the business community should play an active role by spreading the message amongst employees and communities to save energy. Simple actions installing a timer to control household appliances like washing machines, tumble driers and swimming pool pumps so as to shift the load from peak to off-peak periods, would go along way in saving energy;

(c) that the Council consider the previous environmental reports and recommended processes and move towards introduction of By-Law(s) to eliminate/prevent/minimise the installation of non-energy efficient appliances/equipment on existing and new building projects such as electrical stoves, electric powered geysers and non-efficient light and electrical heaters (for more on this, kindly read together with the annexed item from the Environmental Management Unit expanding on the same matters);

(d) that the grid code compiled by Messrs Centlec (Pty) Ltd should be developed as a By-Law for installation of new standby generators to ensure the safety of the installation and the safely operation of such systems on the existing network and

(e) that the Council remove the Power Station from the Sale of Business Agreement back into Mangaung ownership and that the Municipal Manager through the Executive Mayor be mandated to finalise the best options in dealing with this asset. As soon as the power rationing protocol is regulated, Messrs Centlec (Pty) Ltd will negotiate with ESKOM not to switch Mangaung off, if Messrs Centlec (Pty) can achieve 10-15% load shifting as per the anticipated power rationing protocol.

**106.
LANDFILL METHANE TO ELECTRICITY GENERATION
AND THE INTEGRATED MUNICIPAL SOLID WASTE
MANAGEMENT (IMSWM) SYSTEM**

RESOLVED that the remaining items only be dealt with at a special meeting of the Council to be convened on a later date to discuss inter alia all the remaining undealt items on this agenda of the Council.

**107.
SUSTAINABLE AND INTEGRATED HUMAN
SETTLEMENTS FOR MANGAUNG**

RESOLVED that the remaining items only be dealt with at a special meeting of the Council to be convened on a later date to discuss inter alia all the remaining undealt items on this agenda of the Council.

**108.
REDEVELOPMENT OF THE ZOO AND SURROUNDING
LAND : INVESTMENT DISPOSAL WITH OWNERSHIP
RETENTION**

RESOLVED that the remaining items only be dealt with at a special meeting of the Council to be convened on a later date to discuss inter alia all the remaining undealt items on this agenda of the Council.

JULY 11, 2008 (continued)

109.

REPORT OF THE EXECUTIVE MAYOR

RESOLVED that all the items in the agenda that had not been drawn for discussion, be accepted and approved by the Council

109A Items dealt with by the Municipal Manager and the Executive Mayor and for consideration by the Council

109A1

HOUSING LEKGOTLA REPORT

Noted

109A2

PROGRESS REPORT ON THE DEVELOPMENT OF THE WHITE CITY HOSTEL AND THE FEASIBILITY STUDY FOR THE POSSIBLE IMPLEMENTATION OF COMMUNITY RESIDENTIAL UNITS ON THE SITE

Noted

109A3

APPLICATION TO LEASE THE MUNICIPAL PROPERTY SITUATED ON ERF 54584, LOVEDALE ROAD, MANGAUNG FOR A ALL-IN-HEALTH THERAPY CENTRE : APPLICANT : MR LUCAS NAMANE

Noted

109B Items dealt with by the Municipal Manager and the Executive Mayor in terms of delegated powers

109B1

APPLICATION FOR THE REZONING OF ERF 14035, 37 GENERAL DAN PIENAAR DRIVE, BRANDWAG, BLOEMFONTEIN : APPLICANT : MESSRS PULENG CONSULTING TOWN AND REGIONAL PLANNER ON BEHALF OF MR AS BASSON

Noted

109B2

APPLICATION FOR THE REZONING OF ERF 15320, 10 THEUNISSEN CRESCENT, FICHARDT PARK, BLOEMFONTEIN : APPLICANT : MESSRS URBAN DYNAMICS TOWN AND REGIONAL PLANNERS ON BEHALF OF MS YL JACOBS

Noted

109B3

APPLICATION FOR THE REMOVAL OF A RESTRICTIVE CONDITION AND THE REZONING OF ERF 8942, 16 BADENHORST STREET, UNIVERSITAS, BLOEMFONTEIN: APPLICANT : MESSRS FOURIE ATTORNEYS

Noted

109C Items dealt with by the Municipal Manager and the Executive Mayor and for information of the Council

109C1

REPORT : ENERGY EFFICIENCY AND CLIMATE CHANGE PROTECTION IN THE MANGAUNG LOCAL MUNICIPALITY

Noted

110. MOTIONS

Noted

111. CLOSING



SPECIAL MEETING : THURSDAY, AUGUST 28, 2008

112. OPENING

Noted

113. APPLICATIONS FOR LEAVE OF ABSENCE

Noted

114.

**APPLICATION FOR LEAVE BY THE EXECUTIVE MAYOR,
COUNCILLOR DG MOTHUPI AND THE SPEAKER,
COUNCILLOR ME RALEBESE**

RESOLVED

(a) that the Council, in terms of Rule 73(1) of the Council's Standing Rules and Orders, grant the Executive Mayor, Councillor DG Mothupi and the Speaker, Councillor ME Ralebese each twenty seven (27) days holiday leave plus an additional four (4) days discretion leave;

(b) that the Deputy Executive Mayor, Councillor ME Moilwa act as the Executive Mayor and

(c) that, in the event that the approved period of thirty one (31) days as set out under (a) above should expire, the matter be resubmitted to the Council for consideration.

115. CLOSING

SPECIAL MEETING : THURSDAY, SEPTEMBER 4, 2008

115(I). OPENING *Noted*
115(II) APPLICATIONS FOR LEAVE OF ABSENCE *Noted*

115(III)
TERM OF OFFICE : BOARD OF DIRECTORS OF CENTLEC
(PTY) LTD

To be discussed at a next ensuing meeting of the Council. *Noted*

115(IV)
THE EMPLOYMENT CONTRACT OF THE CEO : CENTLEC

To be discussed at a next ensuing meeting of the Council. *Noted*

115(V)
NOTICE ISSUED BY THE MEC FOR LOCAL
GOVERNMENT AND HOUSING TO APPLY SECTION 106
OF THE MUNICIPAL SYSTEMS ACT, ACT 32 OF 2000 ON
THE MANGAUNG LOCAL MUNICIPALITY

To be discussed at a next ensuing meeting of the Council. *Noted*

115(VI)
SUSPENSION OF THE ACTING MUNICIPAL MANAGER

To be discussed at a next ensuing meeting of the Council. *Noted*

115(VII) CLOSING

SPECIAL MEETING : TUESDAY, SEPTEMBER 9, 2008

116. OPENING *Noted*
117. APPLICATIONS FOR LEAVE OF ABSENCE *Noted*

118. RESIGNATION AS A MEMBER OF THE MAYORAL COMMITTEE *Noted*

119. **TERM OF OFFICE : BOARD OF DIRECTORS OF CENTLEC (PTY) LTD** *RESOLVED*

RESOLVED that the recommendation as set out in the agenda, with recommendation (e) as amended as follows, be approved and accepted by the Council, namely:

'(e) that the Board meetings be attended by the Acting Executive Mayor or a representative from her Office and that decisions only be taken after consultation with the Acting Executive Mayor and subsequent ratification by the Mangaung Local Municipal Council.'

(a) that the term of office of the present members not be extended beyond September 30, 2008;

(b) that the Acting Executive Mayor be mandated to inform the affected Board members accordingly;

(c) that the Council expedite the process of appointing the new Board of Directors of Messrs Centlec (Pty) Ltd and advertise publicly for nominations of names of individuals to be appointed to the Board of Directors of Messrs Centlec (Pty) Ltd by the Shareholder;

(d) that the Council henceforth, directly appoint the Board members (until the new Board is in office) and

(e) that the Board meetings be attended by the Acting Executive Mayor or a representative from her Office and that decisions only be taken after consultation with the Acting Executive Mayor and subsequent ratification by the Mangaung Local Municipal Council.

120. **THE EMPLOYMENT CONTRACT OF THE CEO : CENTLEC (PTY) LTD** *RESOLVED*

(a) that the Council do not grant concurrence to renew the contract of the CEO of Centlec;

(b) that the Council inform the Board of Centlec that it reserves its right to fully investigate through an Investigating Team of all relevant documentation required as also already resolved upon by the Council at its ordinary meeting held on Friday, July 11, 2008 and that it be urgently reported back on to the Council with the inclusion of matters such as performance as well as the legality on any renewal of the contract;

(c) that the CEO of Centlec be informed accordingly;

(d) that the Council also confirm his tenure of the office as the CEO of Centlec on a month-to-month basis until clarity on the legality of his contract and the matter as a whole, as set out under (b) above, has been reached and

(e) that a specific legal opinion confined to the legality of the contract signed on May 19, 2008, be obtained and that the consequences of the summary termination of the contract be spelt out therein and also be reported back onto the Council.

121. **SUSPENSION OF THE MUNICIPAL MANAGER** *RESOLVED*

RESOLVED that the recommendation as set out in the agenda, be accepted and approved by the Council.

(a) that Mr TM Manyoni's suspension as the Municipal Manager of the Mangaung Local Municipality be lifted with immediate effect;

(b) that the Mangaung Local Municipality withdraw its opposing motion against Mr TM Manyoni's application to be re-instated into his job - which is currently with the CCMA - with immediate effect and

(c) that Mr TM Manyoni and his Legal Counsel be informed accordingly.

122. CLOSING

ORDINARY MEETING : TUESDAY, OCTOBER 7, 2008

123. OPENING *Noted*
124. APPLICATIONS FOR LEAVE OF ABSENCE *Noted*
125. OFFICIAL ANNOUNCEMENTS OF THE ACTING SPEAKER *Noted*

126.
REPORTS OF THE ACTING SPEAKER IN TERMS OF RULES 15(1) AND 99(4)

A. REPORT ON THE LEAVE OF ABSENCE BY THE EXECUTIVE MAYOR, COUNCILLOR DG MOTHUPI AND THE SPEAKER, COUNCILLOR ME RALEBESE

RESOLVED that the recommendation as set out in the agenda, with the amendment of recommendation (b), be accepted and approved by the Council.

RESOLVED

(a) that the Council take note that the matter of the appeal of both the Executive Mayor, Councillor DG Mothupi and the Speaker, Councillor ME Ralebese, has not yet been finalised and

(b) that further leave be granted by the Council in terms of the stipulations of Rule 73 of the Council's Standing Rules and Orders with paid leave until the matter has been finalised.

B. REPORT ON THE COUNCILLORS CONFERENCES AND DELEGATIONS *Noted*

127.
APPLICATIONS AND APPEALS FROM COUNCILLORS IN TERMS OF RULES 14(1), 67 AND 72) *Noted*

128.
MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE ACTING SPEAKER. *Noted*

129.
MOTIONS OF SYMPATHY AND CONGRATULATIONS BY OTHER COUNCILLORS. *Noted*

130.
DEPUTATIONS AND INTERVIEWES

A. NOTICE ISSUED BY THE MEC FOR LOCAL GOVERNMENT AND HOUSING TO APPLY SECTION 106 OF THE MUNICIPAL SYSTEMS ACT, ACT NO 32 OF 2000 ON THE MANGAUNG LOCAL MUNICIPALITY *Noted*

B. PERFORMANCE OF THE MUNICIPAL MANAGER : REPORT : AD HOC COMMITTEE

RESOLVED that the Council's Ad Hoc Committee, established to investigate the performance of the Municipal Manager, Mr TM Manyoni, be disbanded with immediate effect.

131. DISCLOSURE OF INTEREST *Noted*

132. CONFIRMATION OF MINUTES

RESOLVED that, subject to the amendment as set out above, the minutes of the above-mentioned meetings of the Mangaung Local Municipal Council, copies of which had been furnished to all members, be taken as read and confirmed.

(amendment in attendance list – that after the name of Councillor H Minnie the words "absent without leave" be substituted for the words "absent with leave".

133. QUESTIONS OF WHICH NOTICE HAVE BEEN GIVEN *Noted*

REPORTS OF THE EXECUTIVE MAYOR

134.
EMPLOYMENT CONTRACT : EXECUTIVE DIRECTOR : CORPORATE SERVICES *WITHDRAWN*

135.
IMPLEMENTATION OF AN INTEGRATED RAPID PUBLIC TRANSPORT NETWORK (IRPTN) IN MANGAUNG *WITHDRAWN*

OCTOBER 7, 2008 (continued)

**136.
LANDFILL METHANE TO ELECTRICITY GENERATION
AND THE INTEGRATED MUNICIPAL SOLID WASTE
MANAGEMENT (IMSWM) SYSTEM**

RESOLVED that the recommendation as set out in the agenda, with the inclusion of recommendation (e), be approved and accepted by the Council.

RESOLVED

(a) that the Council take note of the initiatives unfolded on the alternative energy;

(b) that the Council take note that the relevant stakeholders within the Mangaung Local Municipality (eg. Finance, Centlec and Section 80 Committees) will be involved in the mentioned landfill methane to electricity generation project;

(c) that the Council take note that a detailed report on the landfill methane to electricity generation project will be provided to the Council;

(d) that the Council take note that within six (6) months after the start of the Integrated Municipal Solid Waste Management (IMSWM) project, a detailed report will be submitted to the Council to deliberate on the findings and pronounce itself on the way forward and

(e) that the Mangaung Local municipality take a holistic approach and that a Committee of the Council should look into all related environmental aspects.

**137.
SUSTAINABLE AND INTEGRATED HUMAN SETTLEMENTS FOR MANGAUNG**

WITHDRAWN

**138.
COMPILATION OF A NEW VALUATION ROLL**

RESOLVED

RESOLVED that the recommendation as set out in the agenda, with the inclusion of recommendation (f), be approved and accepted by the Council.

(a) that the Valuers, Messrs Diahi, Potgieter, Ellenberger and Kahts, be notified to compile a second and last Valuation Roll for the entire Mangaung Local Municipal area;

(b) that the valuation date be November 1, 2008;

(c) that the Valuation Roll be submitted to the Municipal Manager on or before January 31, 2009;

(d) that the Valuers be informed by the Acting Director : Urban Planning and Housing (Section : Building Inspectors) of all new buildings and extensions to existing buildings in order for them to set interim valuations;

(e) that the Council's Legal Services Unit be requested and tasked to assist with the appointment of the Appeal Board and

(f) that the first draft of the Property Rates Policy be submitted to the Council at its next meeting to enable a public participation process to be undertaken.

**139.
LEASE OF MUNICIPAL BUILDING TO KMD
BLOEMFONTEIN**

WITHDRAWN

**140.
QUARTERLY REPORTS ON:
A. THE SUPPLY CHAIN MANAGEMENT UNIT
PERFORMANCE AS AT JANUARY 1, 2008 TO MARCH 31,
2008 AND
B. THE SUPPLY CHAIN MANAGEMENT UNIT
PERFORMANCE AS AT APRIL 1, 2008 TO JUNE 30, 2008**

RESOLVED

(a) that the Council take note of the respective two (2) reports;

(b) that, after corrections are made to all the relevant calculated mistakes, the report then only be regarded as accepted by the Council as such and

(c) that a risk management system be put into place and that the Municipal Manager be tasked and authorized to act against and charge officials who deliberately transgress and

report back to the Council in this regard.
OCTOBER 7, 2008 (continued)

**141.
APPROVAL OF THE NEW PROPOSED OUTDOOR
ADVERTISING BY-LAWS**

RESOLVED

RESOLVED that the recommendation as set out in the agenda, with the amendments as proposed, be approved and accepted by the Council.

(a) that the Council take note of the contents of this report;

(b) that the By-Laws relating to Outdoor Advertising (Annexure "A", pages 219 - 305), be approved;

(c) that the Council approve the prescribed fees and tariffs as per Annexure "F" (pages 337 - 339);

(d) that the Council approve the proposed application forms as per Annexure "G" (pages 340 - 341);

(e) that the Executive Director : Economic Development and Planning be tasked with the administration of these By-Laws;

(f) that, in order to calculate the exact amount the advertiser owes to the Mangaung Local Municipality, an audit be done on this account and

(g) that an investigation be lodged why the officials who dealt with this contract, never took any steps to collect the outstanding debt and why the relevant contract never had been terminated.

**142.
APPLICATION TO LEASE THE MUNICIPAL PROPERTY
SITUATED ON ERF 54584 LOVEDALE ROAD, MANGAUNG
FOR AFTER CARE SCHOOL PURPOSES : APPLICANT :
LEGAE DAY CARE CENTRE**

WITHDRAWN

**143.
APPLICATION FOR RENTAL OF MUNICIPAL PROPERTY :
PLOT 25, GRASSLAND : APPLICANT : KHANYENG DAY
AND NIGHT CARE**

WITHDRAWN

**144.
APPLICATION TO LEASE THE MUNICIPAL PROPERTY AT
FOUNTAIN STREET, BLOEMFONTEIN TO BE UTILISED
FOR BUSINESS PURPOSES : APPLICANTS : MESSRS
BOJOTHJHE TECHNOLOGIES AND SERVICES**

RESOLVED that the recommendation as set out in the agenda and as amended, be accepted and approved by the Council.

RESOLVED that the Council lease the property to Messrs Bojotjhe Technologies and Services at a monthly rental of R300,00 (14% VAT excluded), commencing on May 2, 2007 and terminating on April 30, 2010, subject to the following conditions to be accepted by the applicant in writing, namely:

(i) that notwithstanding the date of approval, the commencement date would be May 2, 2007 for a three (3) year period terminating on April 30, 2010;

(ii) that the rental be set at R300,00 per month (14% VAT excluded) and that it be ensured that all rental owed to the Council be collected from the date as set out under (i) above;

(iii) that the rental escalate with 10% per annum on the anniversary date of the lease contract;

(iv) that the lease term be for the maximum period of three (3) years with an option to renew for a further period of three (3) years;

(v) that termination hereof may be given by either party three (3) months prior to the intended date;

(vi) that the premises shall be used only for the intended business purposes, namely an office for business purposes;

(vii) that, should the lessee intend to use the premises for any purpose other than the one referred to under (vi) above, the written consent of the Municipality, which consent will not be unreasonably withheld, be sought;

(viii) that the lessee may not sublet or permit anyone else to occupy the leased premises or any part thereof without the written consent of the Municipality, which consent will also not be unreasonably withheld; 14(a)

OCTOBER 7, 2008 (continued)

(ix) that the lessee may not contravene or permit a contravention of any of the conditions of title under which the Municipality owns the leased premises or any laws, ordinances, regulations or any measure having the force of law with which the Municipality must comply as the owners of the leased premises;

(x) that the maintenance of the leased premises shall be the responsibility of the lessee except for normal wear and tear and the property shall be returned in good order and condition at the expiration or earlier termination of the lease;

(xi) that any material alteration of the buildings may not be done by the lessee without prior written consent of the Municipality and

(xii) that the lessee shall pay for all water, electricity, sanitation services, refuse removal and other local authority charges except for assessment rate.

145.

NEW PROPOSED BY-LAWS : URBAN OPEN SPACES

RESOLVED that the Council take note of the contents of this report and that the prescribed legal and other consultative processes now be continued with.

146.

LAND ACQUISITION FOR THE WIDENING OF PARFITT AVENUE : EXPROPRIATION OF A PORTION OF SUBDIVISION 1 OF ERF 24888 : MEASURING 1190.42m² *WITHDRAWN*

147A Items dealt with by the Municipal Manager and the Executive Mayor and for consideration by the Council

147A1

REPORT ON SUNDRAY PROPERTIES OF THE COUNCIL *WITHDRAWN*

147A2

APPLICATION TO LEASE THE MUNICIPAL PROPERTY SITUATED ON ERF 23202, LOURIER PARK, BLOEMFONTEIN FOR OPERATING A CRECHE : APPLICANT : MS RNP KOKOROPO *WITHDRAWN*

147A3

PROGRESS REPORT ON THE DEVELOPMENT OF BRANDWAG FLATS ONTO SOCIAL HOUSING AND PROPOSED SPECIAL PURPOSE VEHICLE TO MANAGE THIS DEVELOPMENT *WITHDRAWN*

147B Items dealt with by the Municipal Manager and the Executive Mayor in terms of delegated powers

147B1

APPLICATION FOR :

A. AMENDMENT OF THE BLOEMFONTEIN AND ENVIRONS GUIDE PLAN IN TERMS OF THE PHYSICAL PLANNING ACT, 1991, (ACT NO 125 OF 1991) TO BRING IT IN LINE WITH THE CURRENT SPATIAL DEVELOPMENT FRAMEWORK OF BLOEMFONTEIN; *WITHDRAWN*

B. SUBDIVISION IN TERMS OF SECTION 20 OF THE TOWNSHIPS ORDINANCE, 1969 (TOWNSHIPS ORDINANCE NO 9 OF 1969); *WITHDRAWN*

C. REZONING IN TERMS OF SECTION 2 OF THE REMOVAL OF RESTRICTIONS ACT, 1967 (ACT NO 84 OF 1967) FROM "UNDETERMINED" TO "SINGLE RESIDENTIAL 1", "GENERAL RESIDENTIAL", "PUBLIC OPEN SPACE" AND "STREET" WITH TOWNSHIP ESTABLISHMENT ON THE REMAINDER OF THE FARM HILLSIDE NO 2830, BLOEMFONTEIN AND *WITHDRAWN*

D. TOWNSHIP ESTABLISHMENT IN TERMS OF CHAPTER II OF THE TOWNSHIPS ORDINANCE, 1969 (ORDINANCE NO 9 OF 1969) *WITHDRAWN*

147B2

APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE TOWNSHIPS ORDINANCE, 1969 (ORDINANCE NO 9 OF 1969) ON PORTION 2 AND THE REMAINDER OF PORTION 1 OF THE FARM MOUNT SOPHIA 1441, BAINSVLEI, BLOEMFONTEIN *WITHDRAWN*

OCTOBER 7, 2008 (continued)

147B3

WITHDRAWN

**APPLICATION TO CONSTRUCT A SLIPWAY ON PORTION
1 OF THE REMAINDER OF ERF 13020 IN ORDER TO
IMPROVE ACCESS FROM NELSON MANDELA DRIVE
ONTO STAPELBERG STREET, BRANDWAG,
BLOEMFONTEIN : APPLICANT : MESSRS URBAN
DYNAMICS**

148. MOTIONS

Noted

149. CLOSING

ORDINARY MEETING : FRIDAY, NOVEMBER 7, 2008

150. OPENING	<i>Noted</i>
151. APPLICATIONS FOR LEAVE OF ABSENCE	<i>Noted</i>
152. OFFICIAL ANNOUNCEMENTS OF THE ACTING SPEAKER	<i>Noted</i>
153. REPORTS OF THE ACTING SPEAKER IN TERMS OF RULES 15(1) AND 99(4)	<i>Noted</i>
154. APPLICATIONS AND APPEALS FROM COUNCILLORS IN TERMS OF RULES 14(1) AND 72	<i>Noted</i>
155. REPORTS RECEIVED FROM THE ACTING SPEAKER	<i>Noted</i>
156. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE ACTING SPEAKER	<i>Noted</i>
157. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY OTHER COUNCILLORS	<i>Noted</i>
158. DEPUTATIONS AND INTERVIEWS	<i>Noted</i>
159. DISCLOSURE OF INTEREST	<i>Noted</i>
160. CONFIRMATION OF MINUTES	<i>Noted</i>
161. QUESTIONS OF WHICH NOTICE HAVE BEEN GIVEN	<i>Noted</i>

162. FILLING OF VACANCIES : MANGAUNG LOCAL MUNICIPAL COUNCIL

RESOLVED that all the items in the agenda that had not been drawn for discussion, be accepted and approved by the Council.

163. ELECTION OF THE SPEAKER AND THE EXECUTIVE MAYOR : MANGAUNG LOCAL MUNICIPAL COUNCIL

Councillor Anderson Thamsanqa Stander was thereupon with a majority vote, namely fifty four (54) votes in his favour, duly declared elected as the new Speaker of the Mangaung Local Municipality by the Chairperson, the Municipal Manager, Mr TM Manyoni.

Councillor France Kosinyane Morule was thereupon with a majority vote, namely fifty four (54) votes in his favour, duly declared elected as the new Executive Mayor of the Mangaung Local Municipality by the Speaker, Councillor AT Stander.

Councillor Mxolisi Ashford Siyonzana was thereupon unanimously, elected as the new Deputy Executive Mayor of the Mangaung Local Municipality by the Speaker, Councillor AT Stander and he officially declared Councillor MA Siyonzana as the Deputy Executive Mayor of the Mangaung Local Municipality.

Councillor Simson Molahlehi Sefuthi was thereupon with a majority vote, namely fifty two (52) votes in his favour, duly declared elected as the new Council Whip of the Mangaung Local Municipal Council by the Speaker, Councillor AT Stander.

164. REPLACEMENT OF THE MANGAUNG LOCAL MUNICIPALITY'S REPRESENTATIVES ON THE MOTHEO DISTRICT MUNICIPALITY

RESOLVED

(a) that the following Councillors representing the Mangaung Local Municipality at the Motheo District Municipality, be recalled, namely:

- (i) Councillor TB Jacobs
- (ii) Councillor MA Mavuya
- (iii) Councillor SO Mogorosi
- (iv) Councillor MF Tafana
- (v) Councillor MM Modise

(b) that the Municipal Manager of the Mangaung Local Municipality inform the Independent Electoral Commission (IEC) about the vacancies that arose in the Motheo District Council resultant to these Councillors being recalled;

(c) that the Municipal Manager informs the Motheo District Municipality accordingly and

(d) that the affected Councillors be informed accordingly.

NOVEMBER 7, 2008 (continued)

**165.
EMPLOYMENT CONTRACT :EXECUTIVE DIRECTOR:
CORPORATE SERVICES**

RESOLVED

- (a) that the Council take note of the legal opinion and
- (b) that the Executive Mayor as well as the Municipal Manager be mandated to deal with and finalise the matter and report back to the Council.

**166.
IMPLEMENTATION OF AN INTEGRATED RAPID PUBLIC
TRANSPORT NETWORK (IRPTN) IN MANGAUNG**

RESOLVED

- (a) that the concept for the establishment of an Integrated Rapid Public Transport Network (IRPTN) in the Mangaung municipal area as detailed in the Scoping Study, be accepted in principle;
- (b) that cognisance be taken of the proposed Mangaung Public Transport Implementation Framework as the basis for implementing a Bus Rapid Transit (BRT) system in Mangaung in phases;
- (c) that the recommended Phase 1 trunk corridors as detailed in the Implementation Framework, be adopted in principle;
- (d) that the proposed route (Phase 1A) along Leepile Street/Chief Moroka Crescent/ Moshoeshoe Street/Maphisa Street/Fort Hare Street/Harvey Road/Rhodes Avenue/ President Avenue/President Brand Street/Nelson Mandela Drive up to DF Malherbe Avenue be accepted in principle as the first implementation phase of the Mangaung BRT system;
- (e) that the specific BRT design principles of predominantly median bus ways and stations on trunk services along with platform level boarding and pre-board fare collection and fare verification, be supported in principle;
- (f) that capital and operational funding be sought for planning and implementation of the BRT system, including engaging with the National Department of Transport in this regard;
- (g) that the Council commit to the establishment of a designated service unit within the administration of the Mangaung Local Municipality to oversee all processes related to the planning, implementation, operation and management of the proposed Mangaung IRPTN and associated BRT system, the Human Resource Management Directorate be tasked to start with this investigation and process without delay and
- (h) that, as the next step in the process of establishing an IRPTN for Mangaung, the Council commit in principle to the compilation of the plans listed earlier in this report, provided that the necessary funding to this effect (estimated to be in the order of R20 million), first be secured and that the National Department of Transport be approached in this regard.

**167.
SUSTAINABLE AND INTEGRATED HUMAN
SETTLEMENTS FOR MANGAUNG**

RESOLVED

- (a) that the Council approve, in terms of Section 14(2), that the following properties, namely Hillside, Hamilton Shooting Range, Vista Park, Brandkop, Cecilia and Pellissier (200 sites), be alienated for residential development and
- (b) that with the alienation of the properties, the proper bid adjudication procedure be followed as stipulated in the Council's Supply Chain Management Policy.

NOVEMBER 7, 2008 (continued)

168.

**APPLICATION TO LEASE THE MUNICIPAL PROPERTY SITUATED ON ERF 54584, LOVEDALE ROAD, MANGAUNG, FOR AFTER CARE SCHOOL PURPOSES
APPLICANT : LEGAE DAY CARE CENTRE**

RESOLVED that the Council lease the relevant property to the Legae Day Care Centre at a monthly rental in the amount of R231,00 (excluding VAT) commencing on February 1, 2008, and terminating on January 31, 2013 subject to the following conditions to be accepted by the applicant in writing, namely :

10(g)

(i) that notwithstanding the date of approval, the commencement date be February 1, 2008 and the expiry date January 31, 2013;

(ii) that the rental be set at an amount of R231,00 (excluding VAT) per month;

(iii) that the rental escalate with 10% per annum on the anniversary date of the lease contract;

(iv) that the lease term be for the maximum period of five (5) years with an option to renew for a further five (5) year period;

(v) that termination hereof may be given by either party three (3) months prior to the intended date;

(vi) that the premises shall be used only for the intended Day Care purposes;

(vii) that, if the lessee does not want to carry on with the use as stated under (vi) above, the lease be terminated and new applications be invited for the lease of the property, which the Council will then duly consider;

(viii) that the lessee may not sublet or permit anyone else to occupy the leased premises or any part thereof without the written consent of the Municipality, which consent will also not be unreasonably withheld;

(ix) that the lessee may not contravene or permit a contravention of any of the conditions of title under which the Municipality owns the leased premises or any laws, ordinances, regulations or any measure having the force of law with which the Municipality must comply as the owners of the leased premises;

(x) that the maintenance of the leased premises shall be the sole responsibility of the lessee except for normal wear and tear, and the property shall be returned in good order and condition at the expiration or earlier termination of the lease;

(xi) that any material alteration of the buildings may not be done by the lessee without prior written consent of the Municipality and

(xii) that the lessee shall pay for all water, electricity, sanitation services, refuse removal and other local authority charges except for the assessment rate.

169.

**APPLICATION FOR RENTAL OF MUNICIPAL PROPERTY :
PLOT 25 GRASSLAND : APPLICANT :
KHANYENG DAY AND NIGHT CARE**

RESOLVED that the above-mentioned property be leased to Khanyeng Day and Night Care at a monthly rental in the amount of R1 500,00 (plus VAT) for five (5) years commencing on December 1, 2007 and terminating on November 30, 2012 for purposes of operating a day and night care centre, subject to the following conditions to be accepted by the applicant in writing, namely:

(i) that, notwithstanding the date of approval of this lease contract, the commencement and the expiry dates be December 1, 2007 and November 30, 2012 respectively;

(ii) that the rental be set at R1 500,00 (plus VAT) per month;

NOVEMBER 7, 2008 (continued)

(iii) that the rentals escalate with 10% per annum on the anniversary date of the lease contract;

(iv) that the lease term be for the maximum period of five (5) years with an option to renew for a further five (5) year period;

(v) that termination hereof may be given by either party three (3) months prior to the intended date;

(vi) that the land shall be used only for the intended day and night care centre purposes;

(vii) that, if the lessee does not want to carry on with the use as stated under (vi) above, the lease be terminated and new applications be invited for the lease of the property, which the Council will then duly consider;

(viii) that the lessee may not sublet or permit anyone else to occupy the leased property or any part thereof without the written consent of the Council, which consent will also not be unreasonably withheld;

(ix) that the maintenance of the leased land shall be the responsibility of the lessee except for normal wear and tear and the land shall be returned in good order and condition at the expiration or earlier termination of the lease and

(x) that the lessee shall pay for all water, electricity, sanitation services, refuse removal and other local authority charges except for assessment rate.

170.

LAND ACQUISITION FOR THE WIDENING OF PARFITT AVENUE : EXPROPRIATION OF A PORTION OF SUBDIVISION 1 OF ERF 24888 : MEASURING 1190.42m²

RESOLVED

(a) that the Mangaung Local Municipality, in terms of the authority granted to it by virtue of the provisions of Section 76 (Ord No 8 of 1962) read with the provisions of the Expropriation Act No 63 of 1975 as amended, expropriate a portion of subdivision 1 of erf 24888, measuring 1190.42m², district Bloemfontein, Province of the Free State;

(b) that the date of expropriation will be the date of service of the notice of expropriation on the Registrar of Deeds, Bloemfontein and the date upon which the Mangaung Local Municipality will take possession of the property, will be the date of service of the notice of expropriation on the Registrar of Deeds, Bloemfontein;

(c) that the compensation offered in the notice of expropriation shall be R2,3 (VAT excluded) as determined by the Mangaung Local Municipality appointed Municipal Valuers;

(d) that the owner's attention shall be drawn to the provisions of Sections 9(i) and 12(3)(a)(ii) of the Expropriation Act 63 of 1975 which sections provide as follows, namely:

(i) duties of the owner of the property expropriated or which is to be expropriated in terms of this Act, shall within sixty (60) days from the date of notice in question, deliver or cause to be delivered to the (expropriator) a written statement indicating:

(aa) if any compensation was in the notice of expropriation offered for such;

(bb) if no such compensation was so offered, the amount claimed as compensation by him and how much of that amount represents each of the respective amounts contemplated in Section 2(1)(a)(i) and (ii) of (b) and full particulars as to how such amounts are made up;

(cc) if the property expropriated is land and any amount is claimed in terms of paragraph (a) or (b), full particulars of improvements thereon which, in the opinion of the owner, affect the value of such land;

(dd) if the property being expropriated is land, namely:

NOVEMBER 7, 2008 (continued)

(1) which, prior to the date of notice was leased as a whole or in part by unregistered lease, the name and address of the lessee and accompanied by the lease or a certified copy thereof, if it is in writing, or full particulars of the lease, if it is not in writing;

(2) which, prior to the date of notice, was sold by the owner, the name and address of the buyer and accompanied by the contract of purchase and sale or a certified copy thereof;

(3) on which a building has been erected which is subject to a builder's lien by virtue of a written building contract, the name and address of the builder and accompanied by the building contract or a certified copy thereof;

(4) the address to or at which the owner desires that further documents in connection with the expropriation may be posted or delivered or tendered;

(5) provided that the (expropriator) may at his discretion extend the said period of sixty (60) days and that if the owner requests the (expropriator) in writing within thirty (30) days as from the date of notice to extend the said period of sixty (60) days, the (expropriator) shall extend such period by a further sixty (60) days);

(6) the basis on which compensation is to be determined under (3)(a) interest at the standard interest rate determined in terms of Section 26(1) of the Exchequer Act, 1975 (Act No 66 of 1975) shall, subject to the provisions of Sub-section (4), be payable from the date on which the (expropriator) takes possession of the property in question in terms of Section 8(3) of (5) on any outstanding portion of the amount of compensation payable in accordance with Sub-section (1), provided that:

i) in case contemplated in Section 21(4) in respect of the period calculated from the termination of thirty (30) days from the date on which -

a) the property was so taken possession of, if prior to that date compensation for the property was offered or agreed upon or

b) such compensation was offered or agreed upon, if after that date it was offered or agreed upon, to the date on which the dispute was settled or the doubt was resolved or the owner and the buyer or the mortgage or the builder notified the Minister in terms of the said Section 21(4) as to the payment of the compensation money, the outstanding portion of the amount so payable shall, for the purposes of the payment of interest, be deemed not to be an outstanding amount;

c) if the owner fails to comply with the provisions of Section 9(1) within the appropriate period referred to in the said Section, the amount so payable shall during the period of such failure and for the purpose of the payment of interest be deemed not to be an outstanding amount;

d) the owner's attention shall be drawn to the fact if a lessee has a right by virtue of a lease contemplated in Section 9(1)(d)(i) of the Expropriation Act in respect of the property of which the (expropriator) may withdraw that offer and

e) that the Mangaung Local Municipality shall cause the notice of expropriation and all other notices and documents in connection therewith to be served by causing the original or a true copy thereof to be delivered or tendered or sent by registered post to the Registrar of Deed Bloemfontein and every person who, according to the Title Deed of the land or the Registrar of Mining Titles or of any other Government Office in which rights granted in terms of any law relating to prospecting or Mining Affairs are recorded, has any interest in that land/property, whether or not he accepts that compensation and if he does not accept it, the amount claimed by him as compensation and how much of that amount represents each of the respective amounts contemplated in Section 12(1)(a)(i) and (ii) or (b) and full particulars as to how such amounts are made up.

NOVEMBER 7, 2008 (continued)

171.

**APPROVAL OF THE NEW PROPOSED MANGAUNG 2010
FIFA WORLD CUP BY-LAWS**

Dealt with under Item 170.

RESOLVED

- (a) that the Council take note of the contents of the report;
- (b) that the By-Laws relating to Mangaung 2010 FIFA World Cup (Annexure "A", pages 250 - 294), be approved;
- (c) that the By-Laws be promulgated as soon as possible by publication in the Free State Provincial Gazette to be effective from the date of publication and
- (d) that the CEO : Mangaung 2010 Host City be tasked and authorised with the administration of these By -Laws.

172.

**RE-CONSTITUTION : THE BOARD OF DIRECTORS OF
CENTLEC (PTY) LTD**

RESOLVED

- (a) that the Council, in fulfilment of Article 75 of the Articles of the Association of Centlec (Pty) Ltd and Section 94E(2), approve the appointment of the following individuals as non-executive members of the Board of Directors of Centlec (Pty) Ltd, namely:
 - (i) BOMELA Lungile (Mr)
 - (ii) CRONJE Samuel (Mr)
 - (iii) DE JAGER Linda (Prof)
 - (iv) HELEPI Paul Sonnyboy (Mr)
 - (v) MAYEZA Hantsi (Ms)
 - (vi) MOROKA Kenosi McDonald (Mr)
 - (vii) MSIBI Sandile Joseph (Mr)
 - (viii) VAN DER MERWE Adrian Jacobus (Mr)
- (b) that the Council in fulfilment of Section 61 of the Corporate Governance Framework for Centlec (Pty) Ltd, appoint Mr S Msibi as the Chairperson of the Board of Directors of Centlec (Pty) Ltd and
- (c) that the Office of the Acting Executive Mayor and the Office of the Municipal Manager implement the resolutions accordingly.

173.

**CONTRACT OF EMPLOYMENT : CHIEF EXECUTIVE
OFFICER : CENTLEC (PTY) LTD**

RESOLVED

- (a) that the Council take note of the legal opinion and its contents;
- (b) that the Council take note that, indeed, the previous Board did not seek and or receive any concurrence from the Shareholders (Mangaung Local Municipality) to extend the employment contract of the CEO of Centlec (Pty) Ltd;
- (c) that the newly appointed Board of Directors of Centlec (Pty) Ltd, be assigned to deal with the matter of the employment contract of the CEO of Centlec (Pty) Ltd and report back to the Council within a period not exceeding sixty (60) days from the appointment of the new Board and
- (d) that the Municipal Manager be requested and tasked to investigate the whole matter pertaining to the status of the two (2) versions of the Corporate Governance Framework and report back to the Council as to whether concurrence was indeed required or whether only consultation was sufficient and how the difference in wording came about, by whom and for what reason.

NOVEMBER 7, 2008 (continued)

174.

IDP REVIEW SCHEDULE 2009/2010

RESOLVED

(a) that the attached IDP and Budget process plan be approved to assist the Municipality with the review for its Integrated Development Plan (IDP), in order to ensure a well organised planning process with adequate and effective involvement of all relevant stakeholders and that the IDP becomes a tool for institutional transformation;

(b) that the Mayoral Committee become the internal IDP Steering Committee (Chaired by the Executive Mayor) to drive the process, give political direction and make decisions on key strategic issues/priorities needed at various phases of the IDP review process and that it holds a Workshop on Friday, November 21, 2008 to confirm those;

(c) that the Executive Management Team (EMT) become the IDP Management Team Chaired by the Municipal Manager to manage and administer the entire process;

(d) that it holds a meeting to cover introduction to the process plan, confirming the processes and to make sure that the Executive Directors fully understand what will happen with the IDP process on or before Friday, November 21, 2008;

(e) that an IDP Working Group be established to actually work continuously on the IDP, constituting of one representative from each Municipal Directorate and should be Chaired by the Director : IDP and Organisational Performance;

(f) that the Executive Directors nominate and/or agree on Directorate representatives at EMT level that would serve on the IDP Working Group and provide day-to-day co-ordination and work on the IDP. This would ensure ownership by all Directorates within the Municipality in driving the IDP and that the learnings are well embedded throughout the Municipality;

(g) that an IDP Representative Forum comprising internal and external stakeholders including the Ward Councillors, the leaders of the different political parties represented on the Council, relevant Provincial and National Government Departments, organised business, organised labour, the District Council and community and non-Governmental organisations meet two times during the course of the IDP review process and that the initial one-day Workshop be held on Friday, January 30, 2009 and that the last Workshop be held on Thursday, March 5, 2009 and

(h) that a copy of the approved IDP review process plan be submitted to the FSPG MEC for Local Government and Housing and to the Executive Mayor, Motheo District Municipality for information.

175A Items dealt with by the Municipal Manager and the Executive Mayor and for consideration by the Council

175A1

REPORT ON SUNDRY PROPERTIES OF THE COUNCIL

RESOLVED

(a) that the Council take note that some tenants are in rental arrears for the properties leased to them by the Mangaung Local Municipality;

(b) that it also be noted that those tenants that are in arrears and stopped paying their rentals, have been handed over to the Council's attorneys with a view to recovering the outstanding amounts;

(c) that in the situation where there are recent defaulters, and are still occupying rented Mangaung Local Municipal properties, they will as such also be handed over to the attorneys for the recovery of the outstanding amounts;

(d) that alternatively, the present tenants that are in arrears, and have acknowledged their outstanding amounts, shall pay the purchase price that is inclusive of the arrears when those properties are put on sale and

NOVEMBER 7, 2008 (continued)

(e) that the disposal of the said number of properties is effected as work in progress towards the total alienation of municipal properties that are not needed to provide the minimum level of basic municipal services.

175A2

APPLICATION TO LEASE THE MUNICIPAL PROPERTY SITUATED ON ERF 23202, LOURIER PARK BLOEMFONTEIN FOR OPERATING A CRECHE : *WITHDRAWN*
APPLICANT : MS RNP KOKOROPO

175A3

PROGRESS REPORT ON THE DEVELOPMENT OF BRANDWAG FLATS INTO SOCIAL HOUSING AND PROPOSED SPECIAL PURPOSE VEHICLE TO MANAGE THIS DEVELOPMENT (SOCIAL HOUSING INSTITUTION)

RESOLVED that the Council adopt the recommendations of the report dated April 21, 2008 (Pages 1036 - 1037) of the Annexure as submitted and discussed by the Mayoral Committee on June 11, 2008 with the following amendments :

- (i) recommendation (f)d be omitted completely and
- (ii) recommendation (f) e be amended to read

"Establishment of Housing Institution/Association to oversee the implementation and Management of the Social Housing stock in the Long term."

175B Items dealt with by the Municipal Manager and the Executive Mayor in terms of delegated powers

175B1

APPLICATION FOR : *Noted*

A. AMENDMENT OF THE BLOEMFONTEIN AND ENVIRONS GUIDE PLAN IN TERMS OF THE PHYSICAL PLANNING ACT, 1991, (ACT NO 125 OF 1991) TO BRING IT IN LINE WITH THE CURRENT SPATIAL DEVELOPMENT FRAMEWORK OF BLOEMFONTEIN;

B. SUBDIVISION IN TERMS OF SECTION 20 OF THE TOWNSHIPS ORDINANCE, 1969 (TOWNSHIPS ORDINANCE NO 9 OF 1969);

C. REZONING IN TERMS OF SECTION 2 OF THE REMOVAL OF RESTRICTIONS ACT, 1967 (ACT NO 84 OF 1967) FROM "UNDETERMINED" TO "SINGLE RESIDENTIAL 1", "GENERAL RESIDENTIAL", "PUBLIC OPEN SPACE" AND "STREET" WITH TOWNSHIP ESTABLISHMENT ON THE REMAINDER OF THE FARM HILLSIDE NO 2830, BLOEMFONTEIN AND

D. TOWNSHIP ESTABLISHMENT IN TERMS OF CHAPTER II OF THE TOWNSHIPS ORDINANCE, 1969 (ORDINANCE NO 9 OF 1969)

175B2

APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE TOWNSHIPS ORDINANCE, 1969 (ORDINANCE NO 9 OF 1969) ON PORTION 2 AND THE REMAINDER OF PORTION 1 OF THE FARM MOUNT SOPHIA 1441, BAINSVLEI, BLOEMFONTEIN *Noted*

175B3

APPLICATION TO CONSTRUCT A SLIPWAY ON PORTION 1 OF THE REMAINDER OF ERF 13020 IN ORDER TO IMPROVE ACCESS FROM NELSON MANDELA DRIVE ONTO STAPELBERG STREET, BRANDWAG, BLOEMFONTEIN : APPLICANT : MESSRS URBAN DYNAMICS *Noted*

176. MOTIONS

Noted

177. CLOSING

ORDINARY MEETING : THURSDAY, DECEMBER 11, 2008

178. OPENING	<i>Noted</i>
179. APPLICATIONS FOR LEAVE OF ABSENCE	<i>Noted</i>
180. OFFICIAL ANNOUNCEMENTS OF THE ACTING SPEAKER	<i>Noted</i>
181. REPORTS OF THE ACTING SPEAKER IN TERMS OF RULES 15(1) AND 99(4)	<i>Noted</i>
182. APPLICATIONS AND APPEALS FROM COUNCILLORS IN TERMS OF RULES 14(1) AND 72	<i>Noted</i>
183. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE ACTING SPEAKER	<i>Noted</i>
184. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY OTHER COUNCILLORS	<i>Noted</i>
185. DEPUTATIONS AND INTERVIEWS	<i>Noted</i>
186. DISCLOSURE OF INTEREST	<i>Noted</i>
187. CONFIRMATION OF MINUTES	<i>Noted</i>
188. QUESTIONS OF WHICH NOTICE HAVE BEEN GIVEN	<i>Noted</i>

REPORTS OF THE EXECUTIVE MAYOR

189. MANGAUNG LOCAL MUNICIPALITY 2006/2007 ANNUAL PERFORMANCE AND OVERSIGHT COMMITTEE REPORTS

RESOLVED

(a) that the Council take note that the Mangaung Local Municipal Annual Performance Report for the period July 1, 2006 to June 30, 2007 is the record, report and account of the municipal performance and achievements for that period;

(b) that the 2006/2007 Annual Report only be submitted to the MEC for Local Government and Housing for consideration after the Council has adopted the Oversight Report;

(c) that the 2006/2007 Annual Report be submitted to the Auditor-General for consideration and

(d) that the Speaker of the Mangaung Local Municipality be mandated to convene an Oversight Committee within two months comprised of members of the Council in accordance with the National Treasury's recent guidelines to review the report and prepare an Oversight Report for approval by the Council.

190. MUNICIPAL FINANCE MANAGEMENT ACT : SECTION 52(d) : REPORT ON THE IMPLEMENTATION OF THE BUDGET AND THE FINANCIAL STATE OF AFFAIRS OF THE MUNICIPALITY

RESOLVED that both reports be noted and that the Council's financial turnaround strategy implementation process be urgently speeded-up and reported back-on to the Council as such.

191. MAYORAL COMMITTEE : DISSOLUTION OF OLD COMMITTEE AND APPOINTMENT OF NEW COMMITTEE

RESOLVED

(a) that the Council take note of the contents of the report and

(b) that the Chief Financial Officer be requested to effect payment to the full-time Councillors accordingly.

192. LAND ACQUISITION FOR THE WIDENING OF PARFITT AVENUE : EXPROPRIATION OF PORTION OF REMAINING EXTENT OF ERF 25065, PARFITT AVENUE : MEASURING 451,17m²

RESOLVED

(a) that the Mangaung Local Municipality, in terms of the authority granted to it by virtue of the provisions of Section 76 (Ordinance No 8 of 1962) read with the provisions of the Expropriation Act No 63 of 1975 as amended, expropriate a portion of the remaining extent of erf 25065, Parfitt Avenue, measuring 451,17m²;

DECEMBER 11, 2008 (continued)

(b) that the date of expropriation will be the date of service of the notice of expropriation on the Registrar of Deeds Bloemfontein and the date upon which the Mangaung Local Municipality will take possession of the property will be the date of service of the notice of expropriation on the Registrar of Deeds Bloemfontein;

(c) that the compensation offered in the notice of expropriation shall be R2 600 000,00 (plus VAT);

(d) that the Mangaung Local Municipality will make the closed portion of the canal and erf 26746 available on a lease basis for the purposes of parking at fair market value rental of R3 m²;

(e) that the owner's attention shall be drawn to the provisions of Sections 9(i) and 12(3)(a)(ii) of the Expropriation Act No 63 of 1975 which Sections provide as follows, namely:

(a) duties of the owner of the property expropriated or which is to be expropriated in terms of this Act, shall within sixty (60) days from the date of notice in question, deliver or cause to be delivered to the (expropriator) a written statement indicating:

(aa) if any compensation was in the notice of expropriation offered for such;

(bb) if no such compensation was so offered, the amount claimed as compensation by him and how much of that amount represents each of the respective amounts contemplated in Section 2(1)(a)(i) and (ii) of (b) and full particulars as to how such amounts are made up;

(cc) if the property expropriated is land and any amount is claimed in terms of paragraph (a) or (b), full particulars of improvements thereon which, in the opinion of the owner, affect the value of such land;

(dd) if the property being expropriated is land, namely:

(1) which, prior to the date of notice was leased as a whole or in part by unregistered lease, the name and address of the lessee and accompanied by the lease or a certified copy thereof, if it is in writing, or full particulars of the lease, if it is not in writing;

(2) which, prior to the date of notice, was sold by the owner, the name and address of the buyer and accompanied by the contract of purchase and sale or a certified copy thereof;

(3) on which a building has been erected which is subject to a builder's lien by virtue of a written building contract, the name and address of the builder and accompanied by the building contract or a certified copy thereof;

(4) the address to or at which the owner desires that further documents in connection with the expropriation may be posted or delivered or tendered;

(5) provided that the (expropriator) may at his discretion extend the said period of sixty (60) days and that if the owner requests the (expropriator) in writing within thirty (30) days as from the date of notice to extend the said period of sixty (60) days, the (expropriator) shall extend such period by a further sixty (60) days);

(6) the basis on which compensation is to be determined under (3)(a) interest at the standard interest rate determined in terms of Section 26(1) of the Exchequer Act, 1975 (Act No 66 of 1975) shall, subject to the provisions of Sub-section (4), be payable from the date on which the (expropriator) takes possession of the property in question in terms of Section 8(3) of (5) on any outstanding portion of the amount of compensation payable in accordance with Sub-section (1), provided that:

i) in case contemplated in Section 21(4) in respect of the period calculated from the termination of thirty (30) days from the date on which -

DECEMBER 11, 2008 (continued)

a) the property was so taken possession of, if prior to that date compensation for the property was offered or agreed upon or

b) such compensation was offered or agreed upon, if after that date it was offered or agreed upon, to the date on which the dispute was settled or the doubt was resolved or the owner and the buyer or the mortgage or the builder notified the Minister in terms of the said Section 21(4) as to the payment of the compensation money, the outstanding portion of the amount so payable shall, for the purposes of the payment of interest, be deemed not to be an outstanding amount;

c) if the owner fails to comply with the provisions of Section 9(1) within the appropriate period referred to in the said Section, the amount so payable shall during the period of such failure and for the purpose of the payment of interest be deemed not to be an outstanding amount;

d) the owner's attention shall be drawn to the fact if a lessee has a right by virtue of a lease contemplated in Section 9(1)(d)(i) of the Expropriation Act in respect of the property of which the (expropriator) may withdraw that offer and

e) that the Mangaung Local Municipality shall cause the notice of expropriation and all other notices and documents in connection therewith to be served by causing the original or a true copy hereof to be delivered or tendered or sent by registered post to the Registrar of Deed Bloemfontein and every person who, according to the Title Deed of the land or the Registrar of Mining Titles or of any other Government Office in which rights granted in terms of any law relating to prospecting or Mining Affairs are recorded, has any interest in that land/property, whether or not he accepts that compensation and if he does not accept it, the amount claimed by him as compensation and how much of that amount represents each of the respective amounts contemplated in Section 12(1)(a)(i) and (ii) or (b) and full particulars as to how such amounts are made up.

193.

URBAN RENEWAL AND THE NEIGHBOURHOOD DEVELOPMENT PARTNERSHIP GRANT (NDPG)

RESOLVED that the Municipal Manager be authorized to prepare an application to the National Treasury for the Neighbourhood Development Partnership Grant, which grant will be used as stipulated in the report and in accordance with the guidelines of the National Treasury, the amount to be applied for, to be determined by the Acting Executive Director Economic Development and Planning in consultation with the National Treasury Department.

194.

IMPLEMENTATION OF THE MUNICIPAL PROPERTY RATES ACT, 2004 (ACT NO 6 OF 2004) : MUNICIPAL PROPERTY RATES POLICY AND THE BY-LAWS

RESOLVED

(a) that the Draft Property Rates Policy and By-Laws in terms of the Local Government: Municipal Property Rates Act, 2004 (Act No 6 of 2004) for implementation on July 1, 2009, be approved by the Council for community participation;

(b) that the Council take note that before implementation in July 2009, the Draft Property Rates Policy and By-Laws will once again be subjected to extensive and comprehensive community participation and

(c) that the Property Rates Policy and By-Laws be finalised and adopted as part of the budget process for the 2009/2010 financial year.

DECEMBER 11, 2008 (continued)

**195.
APPROVAL OF BUILDING PLANS : REVIEW OF EXISTING
DELEGATION OF POWERS OF THE MUNICIPALITY**

RESOLVED

- (a) that the Council take note of the contents of the report;
- (b) that the Council approve that the following power contained in the Delegation of Powers Policy as Power No G1 and delegated to the Executive Director : Economic Development and Planning, be deleted, namely:

“To approve or reject all building plans and to decide about building line concessions, lateral and rear spaces as set out in the Town Planning Scheme : Provided that building plans in respect of President Brand Street must be submitted to the Council for consideration.”

- (c) that the following power be delegated by the Municipality as a standing resolution, directly to the General Manager : Planning, namely:

“The exercising of all powers conferred upon the municipality by or under the National Building Regulations and Building Standards Act, 1977, other than a power referred to under Section 5.”

**195A
TERMINATION OF MEMBERSHIP OF SALGA NATIONAL** *WITHDRAWN*

**195B
EXTENSION OF THE REGISTRATION DATE : COMPILING
OF COUNCIL'S INDIGENT REGISTER** *WITHDRAWN*

**195C
DEVELOPMENT OF MK SQUARE : MANGAUNG**

RESOLVED

- (a) that the resolution adopted by the Transitional Local Council's Executive Committee, Item 18 dated May 28, 1998 be rescinded to allow for the development of MK Square (± 480 residential sites) as stipulated in the report;
- (b) that the Directorate Economic Development and Planning be mandated to, in accordance with the Council's Supply Chain Management Policy, appoint consultants to ensure the proper planning and surveying of MK Square;
- (c) that alternative funds be sourced by the Municipal Manager in conjunction with the Directorate Economic Development and Planning for the planning surveying, environmental impact assessment and community liaison for the ultimate development of MK Square and
- (d) that the minimum development conditions as stipulated in the report, be enforced and included in the Conditions of Establishment and Title.

**195D
SUBMISSION OF UPDATED SCHEDULE OF THE
COUNCIL'S CALENDAR FOR THE 2008/2009 FINANCIAL
YEAR**

RESOLVED that the Council approve the updated programme for the financial year 2008/2009 to include the period up to December 2009.

**195E
TURNAROUND STRATEGY FOR THE OFFICE OF THE
SPEAKER** *WITHDRAWN*

**195F
FILLING OF VACANCIES : MOTHEO DISTRICT
MUNICIPALITY**

FOR INFORMATION *Noted.*

DECEMBER 11, 2008 (continued)

195G
FILLING OF VACANCIES : MANGAUNG LOCAL MUNICIPALITY *Noted*

FOR INFORMATION

195H
VACANCY IN THE COUNCIL *Noted*

FOR INFORMATION

195I
ALLOWANCES PAYABLE TO COUNCILLORS

RESOLVED that the Council confirm, accept and approve the remuneration of Councillors according to the Government Notice R1319 that was published in the Government Gazette Number 31687 dated December 8, 2008 with effect as from July 1, 2008.

196A Items dealt with by the Municipal Manager and the Executive Mayor and for consideration by the Council

196A1
DETERMINING OF LAND PRICE FOR RESIDENTIAL SITES NOT APPLIED FOR UNDER THE NATIONAL SUBSIDY PROGRAM FOR FIRST TIME HOME OWNERS WHERE LAND BELONGS TO THE MANGAUNG LOCAL MUNICIPALITY

(Item 5.1, page 3 - Annexure, pages 1000 - 1003)

RESOLVED

(a) that the Council grant approval for the determination of the land price for the alienation of residential sites in areas where Breaking New Grounds projects are being implemented/have been implemented to occupants who have been allocated the rights to occupy and to improve the said sites as per conditions stipulated in the signed Lease Agreement ("Site permit or Permission to Occupy") between them and the Mangaung Local Municipality;

(b) that these site permits or permission to occupy holders or occupants or categories, be understood to be :

(i) people who are single/not married or do not have proven financial dependants;

(ii) people who are not citizens of the Republic of South Africa;

(iii) people who are not in possession of a permanent Republic of South Africa residential permit;

(iv) people who are not competent to contract;

(v) people whose gross monthly income exceed R3 500,00 and/or have previously derived benefits from a government housing subsidy scheme, the so-called not first time Home and Property (land) owner and

(vi) people who want to buy the erf on which they received the rights to occupy and to improve (build a house or register a bond) and have a house constructed or construct their houses according to approved building plans;

(c) that the Directorate : Economic Development and Planning (Housing : Sub-Directorate) be responsible for identifying the categories under (b) above and

(d) that the Finance Directorate of the Mangaung Local Municipality be responsible for determining prices at which the identified properties could be disposed of

196A2
APPOINTMENT OF BUILDING CONTROL OFFICER *Noted*

196A3
PROMULGATION OF LOCAL GOVERNMENT LAWS AMENDMENT ACT, NO 19 OF 2008 *Noted*

DECEMBER 11, 2008 (continued)

196B Items dealt with by the Municipal Manager and the Executive Mayor in terms of delegated powers

196B1
APPLICATION FOR THE REZONING OF ERF 15749, 15 GOODALE STREET, WAVERLEY, BLOEMFONTEIN : *Noted*
APPLICANT : MS C MÖLLER ON BEHALF OF "DIE TRUSTEES VIR TYD EN WYL VAN DIE VERMEULEN EIENDOMSTRUST

196B2
APPLICATION FOR THE REZONING OF ERF 1/538, 4 SIXTH STREET, ARBORETUM, BLOEMFONTEIN : *Noted*
APPLICANT : MR M STRYDOM OF TECHNO DROUGHT ON BEHALF OF "THE ENGATA TRUST"

196B3
APPLICATION FOR THE REMOVAL OF A RESTRICTIVE CONDITION AND THE REZONING OF ERF 8890, 4 MAARTENS STREET, UNIVERSITAS, BLOEMFONTEIN: *Noted*
APPLICANT : MR PJJ VAN BILJON (TRP (SA) ON BEHALF OF THE AB TRUST

196B4
APPLICATION FOR THE FOLLOWING : *Noted*
(A) REMOVAL OF RESTRICTIVE CONDITIONS;

(B) REZONING OF PORTIONS 1 AND 2 AS WELL AS THE REMAINING EXTENT OF PLOT 43 ESTOIRE FROM "AGRICULTURAL DWELLING 1" TO "SPECIAL USE 12" AND

(C) SUBDIVISION OF PORTION 1 OF PLOT 43 ESTOIRE SMALL-HOLDINGS, BLOEMSPRUIT : APPLICANT : MDA TOWN AND REGIONAL PLANNERS ON BEHALF OF "DCS CONSTRUCTION CC" AND "FDV CONSTRUCTION CC"

196B5.
APPLICATION FOR THE FOLLOWING : *Noted*
(A) REMOVAL OF RESTRICTIVE CONDITIONS;

(B) REZONING OF PLOT 42 ESTOIRE SMALL-HOLDINGS FROM "AGRICULTURAL DWELLING 1" TO "SPECIAL BUSINESS 2" AND

(C) SUBDIVISION OF PLOT 42 ESTOIRE SMALL-HOLDINGS, BLOEMSPRUIT : APPLICANT : MR G MYERS

196B6
APPLICATION FOR THE FOLLOWING: *Noted*
(A) REMOVAL OF RESTRICTIVE CONDITIONS;
(B) AMENDMENT OF THE TOWN PLANNING SCHEME BY INCLUSION OF A NEW ZONING "SPECIAL USE 14" ZONING;
(C) REZONING OF PLOT 48 ESTOIRE SMALL-HOLDINGS FROM "AGRICULTURAL DWELLING 1" TO "SPECIAL USE 14" AND
(D) SUBDIVISION OF PLOT 48 ESTOIRE SMALL-HOLDINGS, BLOEMSPRUIT
APPLICANT : MR WA VAN DER WESTHUIZEN

196B7
APPLICATION FOR THE SUBDIVISION OF AND TOWNSHIP ESTABLISHMENT ON THE REMAINDER OF THE FARM BERGKRAAL 2213, BLOEMFONTEIN IN TERMS OF THE FREE STATE TOWNSHIPS ORDINANCE, 1969 (ORDINANCE NO 9 OF 1969) *Noted*

196B8
APPLICATION FOR THE REMOVAL OF A RESTRICTIVE CONDITION AND THE REZONING OF ERF 8239, VAN ZYL STREET UNIVERSITAS, BLOEMFONTEIN APPLICANT : MR FP SWANEPOEL *Noted*

196B9
APPLICATION FOR THE REZONING OF 13244, 4 STAPELBERG STREET BRANDWAG BLOEMFONTEIN APPLICANT : MS ME DE KOK ON BEHALF OF DARIO DEGANO AND PARTRICIA MAUD WILLOUGHBY *Noted*

DECEMBER 11, 2008 (continued)

196B10
APPLICATION FOR THE REZONING OF ERF 17389, 32 VEREENIGING DRIVE, FAUNA, BLOEMFONTEIN *Noted*

196B11
APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE TOWNSHIPS ORDINANCE, 1969 (ORDINANCE NO 9 OF 1969) ON THE REMAINDER OF THE FARM BLACKHEATH 1397, BAINSVLEI, BLOEMFONTEIN *Noted*

196B12
APPLICATION FOR THE REZONING OF 13011, 84 MELVILLE DRIVE, BRANDWAG, BLOEMFONTEIN
APPLICANT: MS C MÖLLER ON BEHALF OF AKKERLAND GASTEHUIS BK *Noted*

196C Items dealt with by the Municipal Manager and the Executive Mayor and for information of the Council

None *Noted*

197. MOTIONS
198. CLOSING