

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE EIGHTY SIXTH (86th) COUNCIL MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 26 APRIL 2018 AT 14:00 IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, KROGH STREET, MAKHADO.

PRESENT

Councillors

BABADU, T M	MATUMBA, A
BALIBALI, T	MBOYI, M D
BALOYI, R S	MOGALE, L B
CHILILO, N F	MOHLABA, T J
DAVHANA, N D	MOKGOADI, M R
DU PLOOY, A	MPASHE, M J
GABARA, M J	MTHOMBENI, S Z
HLONGWANE, F B	MUKHARI, M F
JONES, N B	MUKWEVHO, T D
KUTAMA, N	MULEFU, M E
KUTAMA, T	MUNYAI, N
LUDUVHUNGU, V S	MUSANDIWA, P N
MACHETE, M S	NDOU, M D
MADULA, S	NDOU, M N
MADUWA, E	NEMATANDANI, M C
MADUWA, L G	NETHULWE, M F
MADZHIGA, F N	NYELISANI, S S
MAFHALA, N A	RALIPHADA, R
MAGADA, M R	RAMAVHOYA, K S
MAINGO, R T	RAMUSHAVHA, G M
MALIMA, M E	RAPHALALANI, A A
MALIVHA, M V	RATSHIKUNI, D
MALULEKE, K M	SELAPYANA, M A
MAMAFHA, T C	SESHOKI, T
MAMAFHA, T J	SIMANGWE, N J
MAMOROBELA, T P	SINYOSI, S M
MAPHUBU, K	SITHI, E T
MARAGA, T A	TSHIAMBWA, L R
MASHAMBA, M A	TSHIBVUMO, G
MASIPA, M L	TSHIFURA, S S
MASUKA, S	TSHILAMBYANA, M S
MASUTHA, L G	

Traditional Leaders

KHOSI F MOLEMA

Officials

N F TSHIVHENGWA	(MUNICIPAL MANAGER)
N C KHARIDZHA	(DIRECTOR CORPORATE SERVICES)
M D SINTHUMULE	(DIRECTOR DEVELOPMENT PLANNING)
M P MAKHUBELA	(CHIEF FINANCIAL OFFICER)
M J KANWENDO	(DIRECTOR COMMUNITY SERVICES)
C W MOLOKOMME	(DIRECTOR TECHNICAL SERVICES)
W S MATHONSI	(SARGENT OF ARMS)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

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1. OPENING

The Speaker, Cllr L B Mogale ruled that a moment of silence be observed for meditation and prayer, whereafter she declared the meeting officially opened and welcomed everyone present.

She expressed that all be reminded of the Municipality's Vision and Mission as follows:

Vision "A Dynamic Hub for Socio–Economic Development by 2025"

Mission "To ensure effective utilization of economic resources to address socio-economic imperatives through mining, tourism and agriculture".

2. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLVED –

THAT leave of absence be granted in accordance with the provisions of clause 21 of the Council's Standing Rules of Orders, 2016 published under Provincial Gazette Notice no. 2736 dated 29 July 2016 in respect of the Council meeting held on 26 April 2018 to Cllrs M G Furumela, G T Mukwevho, N S Munyai, N S Nemudzivhadi, T M Malange, L M Mathalise, A G Rashamuse and T E Tambani.

REMARK:

- (i) The following councillors were absent from the Council meeting held on 26 April 2018: Cllr S I Bualala, Cllr T E Dzivhani, Cllr J Lukheli and Cllr M G Phoshoko.
- (ii) Khosi T G Muila, Hosi H S Mukhari, Hosi S T Mukhari, Khosi V C Ramabulana, Khosi N T L Mashamba, Khosi P V Kutama, Khosi R H Sinthumule, Khosi P Netsianda and Khosi M M Mphephu did not attend the meeting.

3. OFFICIAL ANNOUNCEMENTS

None

4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER

4.1 Condolences

None

4.2 Congratulations

The Speaker, Cllr L B Mogale proposed congratulations to the following councillors who celebrated their birthdays since the last ordinary Council meeting held on 30 January 2018:

Cllr V S Luduvhungu	2 February 2018
Cllr N V Malivha	2 February 2018
Cllr S S Nyelisani	2 February 2018
Cllr N S Munyai	2 February 2018
Cllr T M Babadu	5 February 2018
Cllr D Ratshikuni	15 February 2018
Cllr M L Masipa	15 February 2018
Cllr M E Malima	28 February 2018
Cllr M A Selapyana	28 February 2018
Cllr M N Ndou	28 February 2018
Cllr L M Mathalise	2 March 2018

Cllr T J Mamafha	3 March 2018
Cllr R Raliphada	6 March 2018
Cllr E Maduwa	15 March 2018
Cllr M D Ndou	22 March 2018
Cllr G T Mukwevho	24 March 2018
Cllr S S Tshifura	25 March 2018
Cllr L G Maduwa	4 April 2018
Cllr F B Hlongwane	7 April 2018
Cllr T P Mamorobela	12 April 2018
Cllr S Masuka	15 April 2018
Cllr T D Mukwevho	16 April 2018

5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY PARTY SPOKESPERSONS

5.1 Cllr M E Malima proposed condolences to the bereaved family of the late struggle icon, Ms Winnie Madigizela Mandela and the bereaved family of African National Congress Veteran, Mr Zola Skweyiya who had both passed away.

5.2 Cllr N A Mafhala congratulated the Democratic Alliance Party with its successful National Conference wherein Mr Mmusi Maimane was elected unopposed as the leader of the Democratic Alliance Party and Mr James Selfe was also elected unopposed as the Chairperson of Federal Executive.

He further proposed condolences to the bereaved family of the late Takalani Negogo of Tshikota Town.

5.3 Cllr T A Maraga proposed congratulations to the community of Ward 23 in Lim 345 Municipality where ward committee members protested in public against a corrupt councillor of the African National Congress Party.

5.4 Cllr M D Mboyi congratulated the African National Congress Party led by President M C Ramaphosa for honouring and celebrating the life of the late struggle heroine, Comrade (Cde) Mama Winfred Nomzamo Madikizela Mandela who passed away on 2 April 2018 and was laid to rest on 14 April 2018 at Fourways Memorial Park Cemetery.

She also proposed condolences to the Skweyiya family after the passing of the struggle icon, Cde. Zola Sidney Themba Skweyiya who passed away on 11 April 2018 and was laid to rest on 21 April 2018.

She further congratulated the Municipality for hosting successful IDP consultation meetings in all four regions of the Municipality from Monday, 23 April 2018 to Thursday, 26 April 2018.

6. CONFIRMATION OF MINUTES

6.1 REMARK:

Upon proposal by Cllr F N Madzhiga, duly seconded by Cllr M D Ndou, it was -

RESOLVED -

THAT the minutes of the 85th Council meeting held on 30 January 2018, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

6.2 REMARK:

Upon proposal by Cllr M E Malima, duly seconded by Cllr E Maduwa, it was -

RESOLVED -

THAT the minutes of the 130th Special Council meeting held on 23 February 2018, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

6.3 REMARK:

Upon proposal by Cllr L G Maduwa, duly seconded by Cllr N V Malivha, it was -

RESOLVED -

THAT the minutes of the 131st Urgent Special Council meeting held on 15 March 2018, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

6.4 REMARK:

Upon proposal by Cllr T Balibali, duly seconded by Cllr M G Gabara, it was -

RESOLVED -

THAT the minutes of the 132nd Special Council meeting held on 27 March 2018, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

7. QUESTIONS OF WHICH NOTICE HAD BEEN GIVEN**7.1 QUESTION RECEIVED FROM CLLR T A MARAGA ON 22 MARCH 2018**

The question that was received was dealt with under the provisions of Rule 37 of the Council's Standing Rules of Order, 2016 published in Provincial Gazette No. 2736 dated 29 July 2016. The Speaker put item 7.1 and ruled that the Chairperson of the Executive Committee reply to the questions. The Chairperson of the Executive Committee proceeded accordingly and replied to the five questions, as recorded below:

"1. The Council Resolution (A.66.29.05.14) 1.1 states that, "*As custodians of public funds, the Council has an obligation to see to it that cash resources are managed as effectively as possible. Council has a responsibility to invest public funds with great care and is liable to the community in that regard.*"

Question:

Are you convinced that you have fully satisfied the above resolution by investing the public funds with VBS?

If yes, substantiate your response and indicate its relevance in satisfying the "great care" of public funds, and **if no**, give an account of the challenges you had and how you have addressed them if you did.

Reply:

Yes we were satisfied with the decisions of investment at that particular point in time, as the main objective was to improve municipal revenue, by earning interest on surplus funds which has always assisted the municipality to fund internal operational costs.

The municipality had analysed reasonable interest returns of various financial institutions before investing and also considered the unqualified audit opinion of the VBS Bank at the point of investing.

2. The Council Resolution (A.66.29.05.14) 1.2 states that, *“The investment policy should be aimed at gaining the highest possible return without undue risk during those periods when funds are not needed. To bring this about, it is essential to have an effective cash flow management program”*.

Question:

Based on 2 above, how do you justify your financial sense in investing funds at a low interest rate financial institution of 8.8% while we have to borrow at a much higher interest rate of 10.99%?

Reply:

The municipality has not borrowed funds from VBS.

The municipality invests in comparing interest rates received from different banks taking into consideration the Reserve Bank market related lending interest rates as well as the interest rate offered by the bank which was 8,8%. We are not aware of the 10.99% rate being referred to.

3. The Council Resolution (A.66.29.05.14) 1.3 states. *“This policy has been compiled in accordance with the Local Government: Municipal Finance Management Act (MFMA), Act no 56 of 2003 and the Investment and PPP Regulations for the MFMA published in Government Gazette 27431 dated 1 April 2005.”*

Question:

May you please refer us to sections and sub-sections of the above quoted policy and Regulations that guided you in taking the resolution to invest public funds with an inferior financial institution such as the VBS.

Reply:

Investment was based on the Municipal Finance Management Act (MFMA).

The municipality used the investment policy as per Council resolution referred to (A.66.29.05.14) which is also aligned to the MFMA. The relevant section which guide processes of determining investment procedure is section 8 of this policy.

4. According to Council Resolution (A.66.29.05.14) of (29 May 2014) 7.1.1 *“Money, especially large sums of money, must be invested with more than one institution in order to limit the risk exposure of the Municipality”*.

Question:

Which other institutions have the municipality invested the public funds in? Also substantiate the process you have undergone in identifying and ultimately arriving at the resolution to choose and invest with them.

If the VBS is the only one, fully justify the grounds that led to your decision to flouting the above resolution.

Reply:

Yes. VBS is one of the banks we invested in.

Other banks since 2014 are: FNB, ABSA, INVESTEC and NEDBANK. Investments are based on obtaining and comparing interest rate quotations received from different banks as per policy referred to above. The bank’s performance was analysed based on the unqualified audit reports.”

8. MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETING

None

9. REPORT OF COUNCIL COMMITTEES: APRIL 2018**9.1 Report of the Executive Committee in terms of section 59(1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) for the month of April 2018**

453rd Executive Committee Meeting: 20 February 2018

454th Executive Committee Meeting: 23 February 2018

455th Executive Committee Meeting: 15 March 2018

456th Executive Committee Meeting: 22 March 2018

457th Executive Committee Meeting: 26 March 2018

458th Executive Committee Meeting: 27 March 2018

459th Executive Committee Meeting: 23 April 2018

460th Executive Committee Meeting: 26 April 2018

9.2 Report of the respective Section 79 Oversight Committees in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): April 2018

32nd Section 79 Oversight Committee: Corporate Services meeting: 21 February 2018

20th Section 79 Oversight Committee: Finance meeting: 22 February 2018

5th Section 79 Oversight Committee: Disaster, Moral Regeneration, Sports, Arts and Culture meeting: 23 February 2018

5th Section 79 Oversight Committee: Special Programmes meeting: 21 February 2018

12th Section 79 Oversight Committee: Technical Services meeting: 22 February 2018

17th Section 79 Oversight Committee: Development Planning meeting: 22 February 2018

9th Section 79 Oversight Committee: Community Services meeting: 21 February 2018

33rd Section 79 Oversight Committee: Corporate Services meeting: 15 March 2018

21st Section 79 Oversight Committee: Finance meeting: 15 March 2018

34th Section 79 Oversight Committee: Corporate Services meeting: 26 March 2018

22nd Section 79 Oversight Committee: Finance meeting: 26 March 2018

13th Section 79 Oversight Committee: Technical Services meeting: 26 March 2018

10th Section 79 Oversight Committee: Community Services meeting: 26 March 2018

18th Section 79 Oversight Committee: Development Planning meeting: 26 March 2018

6th Section 79 Oversight Committee: Special Programmes meeting: 26 March 2018

6th Section 79 Oversight Committee: Disaster, Moral Regeneration, Sports, Arts and Culture meeting: 26 March 2018

35th Section 79 Oversight Committee: Corporate Services meeting: 23 April 2018

23rd Section 79 Oversight Committee: Finance meeting: 23 April 2018

19th Section 79 Oversight Committee: Development Planning meeting: 24 April 2018

(REMARK:

1. Items A.11.23.02.18 to A.18.23.02.18 were already considered at the 130th Special Council meeting held on 23 February 2018.
2. Items A.19.15.03.18 to A.20.15.03.18 were already considered at the 131st Urgent Special Council meeting held on 15 March 2018.
3. Items A.21.27.03.18 to A.34.27.03.18 were already considered at the 132nd Special Council meeting held on 27 March 2018.)

ITEM A.35.26.04.18**FINANCES: PROPOSED AMENDMENT: SUPPLY CHAIN MANAGEMENT POLICY FOR GOODS AND SERVICES, 2018 (8/3/B)**

RESOLVED A.35.26.04.18 (COUNCIL)

1. THAT in terms of clause 3 of the Municipal Supply Chain Regulations, 2005 promulgated under the Local Government: Municipal Finance Management Act, 2003, and Makhado Supply Chain Management Policy, 2017 the further amendments as outlined in the report, and more fully set out in Annexure A of the report, be approved. (CFO)
2. THAT the amended Supply Chain Management Policy, 2018 attached as Annexure A to the report in this regard replaces the Supply Chain Management Policy, 2017 which was approved by Council Resolution A.152.26.10.17 to become the new Supply Chain Management Policy, 2018. (CFO)

AmendSCMPolicy2018_itm

ITEM A.36.26.04.18**TOWN PLANNING: APPEAL FORM (15/2/1 & 4/35)**

RESOLVED A.36.26.04.18 (COUNCIL)

THAT the Appeal Form attached as Annexure A to the report in this regard be approved and be utilized in order to assist the Appellant to structure Appeal Ground(s) according the Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2016.

AppealForm_itm

(DDP)

ITEM A.37.26.04.18**COUNCIL LAND: NULLIFICATION OF COUNCIL RESOLUTION: ERF 1857, TSHIKOTA EXTENSION 1 TOWNSHIP (TE1857)**

RESOLVED A.37.26.04.18 (COUNCIL)

1. THAT the proposal for nullification of Council Resolution A.129.13.12.17 with reference to erf 1857, Tshikota Extension 1 Township be approved. (DDP)
2. THAT the intention to nullify the Council Resolution A.129.13.12.17 with reference to erf 1857, Tshikota Extension 1 Township be in terms of the provisions of section 79(18) of the Local Government 1939, (Ordinance 17 of 1939) as amended advertised in one (1) of the local newspapers for comments and objections, if any. (DDP)

NullificationErf1857Tshikota_itm

ITEM A.38.26.04.18

TOWN PLANNING AND CONTROL: SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT NO. 16 OF 2013), REGULATIONS AND MAKHADO MUNICIPALITY SPATIAL PLANNING, LAND DEVELOPMENT AND LAND USE MANAGEMENT BY-LAW, 2016

- 1. AMENDMENT OF DELEGATED POWERS**
- 2. APPOINTMENT OF NEW AUTHORISED OFFICIAL
(2/1/3/2/1, 4/1/B & 15/B)**

REMARK:

This item was referred as item B.6.23.04.18.

ITEM A.39.26.04.18

**TOWN-PLANNING AND CONTROL: LAND DEVELOPMENT AND LAND USE APPLICATIONS CONSIDERED BY AUTHORIZED OFFICIAL, MUNICIPAL PLANNING TRIBUNAL AND APPEAL AUTHORITY
(12/3/2)**

REMARK:

This item was referred as item B.7.23.04.18.

ITEM A.40.26.04.18

**LOCAL ECONOMIC DEVELOPMENT: LOCAL ECONOMIC DEVELOPMENT STRATEGY, 2013
(12/3/3/66)**

REMARK:

This item was referred as item B.8.23.04.18.

ITEM A.41.26.04.18**PERSONNEL:**

- 1. RESIGNATION: CHIEF FINANCIAL OFFICER, MS M P MAKHUBELA**
- 2. DESIGNATION OF ACTING CHIEF FINANCIAL OFFICER**
- 3. RECRUITMENT TO FILL VACANCY: CHIEF FINANCIAL OFFICER
(5/3/4/3; 5/6/4; SP3/1)**

RESOLVED A.41.26.04.18 (COUNCIL)

1. THAT note be taken that Ms M P Makhubela, Chief Financial Officer has in terms of the provisions of the Employment Contract between her and the Municipal Manager resigned from the post with last working day 30 April 2018. (DCS)
2. THAT Mr N G Raliphada, Manager Budget be designated to act as Chief Financial Officer for the period 1 May 2018 and not exceeding the date of 31 July 2018 in terms of the provisions of *Section 56(1) (a)(ii) & (c) of the Local Government: Municipal Systems Act, 32 of 2000* for which an acting allowance will be paid to him in terms of the Council's approved valid in use Acting Allowance Policy. (DCS)

3. THAT the Municipal Manager proceed with recruitment of candidates for appointment in the vacancy of Chief Financial Officer in terms of the provision of *section 56(1) (a) & 3 of the Local Government: Municipal Systems Act, 32 of 2000* read with the *Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers, 2014*. (DCS)

CFO_Resign_April2018

ITEM A.42.26.04.18

COUNCIL COMMITTEES: DISCIPLINARY BOARD FOR FINANCIAL MISCONDUCTS (4/42/2)

RESOLVED A.42.26.04.18 (COUNCIL)

1. THAT further to Council Resolution A.194.13.12.17 the following designations be appointed as members of the Disciplinary Board for Financial Misconducts -
 Manager Internal Audit, Office of the Municipal Manager
 The Chairperson of the Audit Performance and Audit Committee
 The Director Corporate Services
 One National Treasury representative (as may be appointed per each occasion)
 One Attorney from Council's appointed panel of legal services on rotation basis (per each occasion)
 And the Director Community Services,
 The Secretariat: Department Corporate Services (DCS)

2. THAT the Terms of Reference for such Disciplinary Board for Financial Misconduct be as embodied in the Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, promulgated under Notice No 425 on 30 May 2014 in Government Gazette No 36782 read with each individual instruction that may be served on it. (DCS)

3. THAT the term of office of the Disciplinary Board for Financial Misconduct be 36 months commencing on the date of appointment of the Board.
 FinanMisconduct Disc Committee (DCS)

ITEM A.43.26.04.18

FINANCES: REVISED SPECIAL ADJUSTMENT BUDGET: 2017/18 FINANCIAL YEAR ((6/1/1(2017/2018))

RESOLVED A.43.26.04.18 (COUNCIL)

1. THAT Council approves the revised Special Adjustment Budget 2017/18 to increase the MIG allocation by R15 million with the proposed projects costing reduction. (CFO)

2. THAT the revised Special Adjustment Budget 2017/18 will after approval by Council be submitted to Provincial and National Treasuries in terms of section 24 of the Municipal Budget and Reporting Regulations.

SpecialAdjustmentBudget_itm

(CFO)

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9.3 Resolutions of the Executive Committee in terms of section 59(1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) for the month of April 2018

ITEM B.6.23.04.18

TOWN PLANNING AND CONTROL: SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT NO. 16 OF 2013), REGULATIONS AND MAKHADO MUNICIPALITY SPATIAL PLANNING, LAND DEVELOPMENT AND LAND USE MANAGEMENT BY-LAW, 2016

1. AMENDMENT OF DELEGATED POWERS
2. APPOINTMENT OF NEW AUTHORISED OFFICIAL

(2/1/3/2/1, 4/1/B & 15/B)

REMARK:

This item was referred from item A.38.26.04.18.

RESOLVED B.6.23.04.18 (EXECUTIVE COMMITTEE)

THAT the matter be referred back for further investigation and resubmission to a next Executive Committee meeting. (DDP)

AppointmentAuthorisedOfficial_itm

ITEM B.7.23.04.18

TOWN-PLANNING AND CONTROL: LAND DEVELOPMENT AND LAND USE APPLICATIONS CONSIDERED BY AUTHORIZED OFFICIAL, MUNICIPAL PLANNING TRIBUNAL AND APPEAL AUTHORITY

(12/3/2)

REMARK:

This item was referred from item A.39.26.04.18.

RESOLVED B.7.23.04.18 (EXECUTIVE COMMITTEE)

THAT the matter be referred back for further investigation and resubmission to a next Executive Committee meeting. (DDP)

ApplicationsConsidered_itm

ITEM B.8.23.04.18

LOCAL ECONOMIC DEVELOPMENT: LOCAL ECONOMIC DEVELOPMENT STRATEGY, 2013

(12/3/3/66)

REMARK:

This item was referred from item A.40.26.04.18.

RESOLVED B.8.23.04.18 (EXECUTIVE COMMITTEE)

THAT the matter be referred back for further investigation and resubmission to a next Executive Committee meeting. (DDP)

LEDStrategy_itm

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10. PETITIONS

None

11. NEW MOTIONS

11.1 **MOTION NO. 226: RECEIVED ON 11 APRIL 2018**

Motion No. 226 dated 11 April 2018 was submitted in terms of the provisions of clause 28 of the Council's Standing Rules of Order, 2016 published in Provincial Gazette No. 2736 dated 29 July 2016, proposed by Cllr A Matumba and seconded by Cllr M C Nematandani.

The Speaker, Cllr L B Mogale called the proposer of the motion to read the motion.

The proposer, Cllr A Matumba read Motion No. 226 as follows:

"NOTICE OF MOTION IN TERMS OF CLAUSE 28 OF THE STANDING RULES OF ORDER: DEMARCATION AND SERVICING OF 1000 SITES FOR TSHIKOTA TOWNSHIP RESIDENT

WHEREAS

1. *The residents of Tshikota location demarcated and occupied municipal owned land.*
2. *The demarcation and occupation gave rise to legal tensions between the Municipality and Tshikota residents.*
3. *This shows that there is serious need for residential land by Tshikota Location residents.*
4. *Preventing the residents of Tshikota Location from demarcating and occupying municipal land is not a solution.*
5. *The need for residential land is rising by day and agitating Tshikota Location residents to take extreme measures.*

NOW THEREFORE THE EFF RECOMMEND THAT IN THE NEXT COUNCIL SITTING THE HOUSE DEBATE AND RESOLVES:

1. *That Makhado Local Municipality demarcate and service 1,500 sites for Tshikota Location residents.*
2. *That the demarcation and servicing of sites be done as a matter of urgency.*
3. *That the demarcation and servicing of sites be done in the 2018/2019 budget period.*
4. *That Makhado Local Municipality make land available for the demarcation and servicing of sites.*

SIGNED:

Proposer: Cllr A Matumba

Seconded: Cllr M C Nematandani"

The Speaker enquired if the seconder was present. The seconder, Cllr M C Nematandani confirmed her presence and also verbally seconded the motion.

The Speaker enquired if any other proposals were at hand. Cllr D Ratshikuni on a point of order proposed that the motion could not be considered because Council has already approved its minutes of the 132nd meeting of 27 March where this matter was resolved.

Cllr G Tshibvumo proposed that the motion be discussed and that the Speaker must bring the matter to the vote by the show of hands.

The Speaker ruled that the motion had lapsed as existing Council Resolutions of 27 March 2018 already addressed the matter.

Cllr G Tshibvumo, A Matumba, A A Raphalalani, S S Tshifura, N A Mafhala, M G Phoshoko, M A Selapyana and M E Malima left the Chamber and did not return.

Motion No. 226 was not considered since it had the intention to amend Council Resolution A.29.27.03.18 and Council Resolution A.33.27.03.18 approved by Council on 27 March 2018, and therefore still within three months preceding the date of Council meeting on which said Motion was submitted.

11.2 **MOTION NO. 227: RECEIVED ON 16 APRIL 2018**

Motion no. 227 dated 13 April 2018 was submitted in terms of the provisions of clause 28 of the Council's Standing Rules of Order, 2016 published in Provincial Gazette No. 2736 dated 29 July 2016, proposed by Cllr T A Maraga and seconded by Cllr M C Nematandani.

The Speaker, Cllr L B Mogale called the proposer of the motion to read the motion.

The proposer, Cllr T A Maraga proceeded to read Motion No. 227 as follows:

"NOTICE OF MOTION IN TERMS OF CLAUSE 28 OF THE STANDING RULES OF ORDER: RDP HOUSES BUILT IN WARD 24 IN THE YEAR 2000

WHEREAS

1. *The building of RDP houses in Muduluni, Madodonga and Madabani in the 2000 list was done; and*
2. *The following RDP houses amongst them are no longer in good conditions/dilapidated and they are not safe to people residing in them on their daily lives.*
3. *The house of Mr Matshavha S M, ID no 3405050549086 of stand no. 336*
4. *Mahangwahaya M J, ID no. 634060447083 of stand no. 188*
5. *Nkhumeleni M, ID no. 4011030420080 of stand no. 128*
6. *Ramanala T E, ID no. 4301190226082 of stand no. 158*
7. *Malefo M R, ID no. 6703040288089 of stand no. 369*

ALL THE ABOVE RESIDENTS RESIDE AT MUDULUNI VILLAGE; AND ALSO THE FOLLOWING RDP HOUSES IN MADODONGA VILLAGE:

8. *Mukwevho Raisivhe Marthar, ID no. 4304040852085 of stand no. 290*
9. *Mboweni Emily, ID no 6412121165089 of stand no. 1039*
10. *Maphutha Thomani, ID no. 6609115054084 of stand no. 1225*
11. *Tshikumbu Muthelo Philemon, ID no. 5707035655088 of stand no. 1030*

12. *All the above-mentioned RDP houses have terrible cracks, in rainy days, the walls become wet inside and also leaks water through the roofs. These conditions are extremely dangerous to the lives of all the occupants in these RDP houses.*

NOW THEREFORE THE COUNCIL:

RESOLVES:

1. *That the immediate attention to this matter is of utmost importance.*
2. *That the available grant/funds must be used to this situations before we lose the life of people of our community on 2017/18 financial year.*

SIGNED:

Proposer: Cllr T A Maraga

Seconded: Cllr M C Nematandani"

The Speaker enquired if the seconder was present. The seconder, Cllr M C Nematandani confirmed her presence.

The Speaker pointed out that the Department of Co-operative Government, Human Settlement and Traditional Affairs is the authority who holds jurisdiction of the so called RDP houses referred to in Motion No. 227 and therefore ruled that the Motion would for this reason be disallowed.

Therefore Council did not consider Motion No. 227.

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The meeting was closed and adjourned at 15:30.

Approved and confirmed in terms of the provisions of section 27 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) by a resolution of the Council passed at the meeting held on the first following Council meeting of 26 July 2018.

CHAIRPERSON

MDM/lh/CouncilMinutes_86