

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE FIFTY FIFTH (55th) MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 29 APRIL 2010 AT 17:00 IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, KROGH STREET, LOUIS TRICHARDT.

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PRESENT

Councillors

BALOYI R S	MAUBA K D
BOPAPE M B	MAVHUNGU K
CHAYA A A	MBOYI M D
DZHOMBE J	MUFAMADI M R
GUNDULA A S	MUKHAHA A J
HELM M A	MULOVHEDZI M D
HONWANI X N C	MUNUNGUFHALA M L
HOORZUK J	MUTAVHATSINDI F D
KUMALO J D	MUVHUMBE M A
LEBEA M E	NCHAUBA T G
LERULE M M	NDHLIWAYO B T
LOWANE L B	NEMALEGENI P R J
MABILA M N	NEPHAWE K P
MABOHO N K	NGOBENI E H
MABOHO T E	NGOBENI N E
MACHOVANI R G	NTHULANE L T
MADUWA E	PHASWANA P
MAGUGA S G	RADAMBA M S
MAHLAULE N V	RAMASHIA N G
MAKHADO M M	RAMUDZULI S D
MAKHADO M N	REKHOTSO S M
MAKHERA M A	RIKHOTSO F J
MAKHOMISANI S E	SELEPE M R
MAPHALA O S	SEPHUMA A L
MASHAMBA H A	TSHAVHUYO T G
MASHAU L P	
MASUKA S	
MATAMELA N S	
MATODZI A N	
MATUMBA N J	

Traditional Leaders

REMARK: None

Officials

S A TSHIKALANGE	(MUNICIPAL MANAGER)
T S NDOU	(DIRECTOR CORPORATE SUPPORT & SHARED SERVICES)
M D SINTHUMULE	(DIRECTOR DEVELOPMENT & PLANNING)
E L MUGARI	(DIRECTOR COMMUNITY SERVICES)
R H MALULEKE	(DIRECTOR FINANCE)
M E MATHEPE	(MANAGER INTERNAL AUDIT)
T E SHIRINGANI	(ADMINISTRATIVE OFFICER: COMMITTEES)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

1. OPENING

The Speaker, Cllr J Hoorzuk ruled that a minute of silence be observed for meditation and prayer whereupon she declared the meeting officially opened.

2. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLVED –

1. THAT leave of absence be granted in accordance with the provisions of paragraph 5 of the Council's Rules and Orders, 2007 in respect of the Council meeting held on 29 April 2010 to Cllrs Baladzi P, B F Hlongwane, R T Makhubele, D Maletse, T J Mudau, F Rumani, N J Murovhi, L M Nekhumbe, M M Makananise and A du Plooy.
2. THAT it be noted that Cllrs A Keneally, M F Mahani, S J Mahwasi, S D S Manganyi, W N Mashele, A G Ngwana, R G Nkanyani, P Q Reyneke as well as Hosi M S Bungeni, Khosi S A Mulima, Khosi M C Masakona, Hosi H N Majosi, Khosi M A Madzivhandila, Khosi T P Nesengani, Khosi N T L Mashamba, Hosi S T Mukhari, Hosi J Baloyi, Khosi V C Ramabulana, Khosi T R V Mashau, Khosi M V Netsianda and Khosi S E Sinthumule were absent from the meeting and leave of absence was not granted in accordance with the provisions of sub-paragraph 5(1)(a) of the Council's Rules and Orders published under Provincial Gazette Notice no. 1391 dated 31 August 2007 in respect of the Council meeting held on 29 April 2010.

3. OFFICIAL ANNOUNCEMENTS

- 3.1. The Speaker, Cllr J Hoorzuk requested the Mayor Cllr M M Lerule to announce the presence of the members of the Oversight Committee. The Mayor, Cllr M M Lerule duly introduced the members of Oversight Committee, to Council.

The Oversight Committee comprised of five (5) Councillors and five (5) Community Representatives, viz

Councillors: Mukhaha A J, Phaswana P, Mashau L P and Mufamadi M R.

Community Representatives: Pastor M W Sitjie (FABCOS), Mr Luvhengo (Civic Organisation), Pastor L E M Munyai (Pastors Forum), Dr J J Zaaiman (University of Venda) and Mr H Dave (Elti Villas Traders Association).

The Mayor expressed her sincere gratitude on behalf of the Municipality to the Oversight Committee Members for a task performed well and she further informed Council that the Oversight Committee had completed their task of compiling on Oversight Report. The report would be submitted at the first following Council meeting.

The Mayor then handed Certificates of Appreciation to the members of Oversight Committee.

- 3.2. The Speaker, Cllr J Hoorzuk announced and welcomed the new Municipal Manager, Mr S A Tshikalange who joined the municipality on 1 April 2010 as well as the new Manager: Internal Audit, Mr M E Mathepe.

4. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY THE SPEAKER

None

5. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY COUNCILLORS

None

6. CONFIRMATION OF MINUTES

6.1. REMARK:

Upon proposal by Cllr M R Mufamadi duly seconded by Cllr S Maphala, it was -

RESOLVED -

THAT the minutes of the 54th Meeting of the Council held on 28 January 2010, 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 A N Matodzi duly seconded by Cllr G Tshavhuyo, it was -

RESOLVED -

THAT the minutes of the 65th Meeting of the Special Council held on 11 March 2010, 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 X N C Honwana duly seconded by Cllr S G Maguga, it was-

RESOLVED -

THAT the minutes of the 66th Meeting of the Special Council held on 31 March 2010, 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 A DU PLOOY: 7 JANUARY 2010

7.2. QUESTIONS RECEIVED FROM CLLR A DU PLOOY: 7 JANUARY 2010

REMARK:

When the two respective sets of questions which had been received from Cllr A du Plooy on 7 January 2010 were put, the following discussions followed.

1. Cllr R S Selepe proposed, duly seconded by Cllr F J Rikhotso, that Councillors must ask questions to the administration and not to Council as they were dragging out meetings of Council by their questions because Council could not respond to administrative matters.
2. The Chairperson of the Executive Committee responded that the Committee was ready to respond to the questions, but Chairperson of the Executive Committee further proposed, duly

seconded by Cllr F D Mutavhatsindi that since the councillor who had asked the questions was not even present at the Council meeting, Council would not respond to the questions.

3. The duly seconded proposals were accepted in general and the matter regarded as closed.

8. MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETING

MOTION NO. 220: RECEIVED ON 15 JANUARY 2010

Motion 220 received on 15 January 2010 had lapsed in terms of the provisions of clause 40(1)(d) of the Rules and Orders, 2007 due to the absence of the councillor who had proposed the motion, as well as the councillor who had seconded the motion. The matter was therefore regarded as concluded.

9. REPORT OF THE EXECUTIVE COMMITTEE: APRIL 2010

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 months January 2010 to April 2010

The report of the 256th Executive Committee meeting held on 28 January 2010
The report of the 257th Executive Committee meeting held on 11 February 2010
The report of the 258th Executive Committee meeting held on 25 February 2010
The report of the 259th Executive Committee meeting held on 11 March 2010
The report of the 260th Executive Committee meeting held on 31 March 2010
The report of the 261st Executive Committee meeting held on 23 April 2010
The report of the 262nd Executive Committee meeting held on 29 April 2010

ITEM A.15.29.04.10

COUNCIL LAND: APPLICATION TO ACQUIRE MUNICIPAL LAND: EASTERN SIDE OF PORTION 83 AND NORTH EASTERN SIDE OF PORTION 84, FARM BERGVLIET 288 L.S.
(7/3/2/1)

RESOLVED A.15.29.04.10 –

THAT subject to agreement by the Commission on Restitution of Land Rights (Regional Land Claims Commissioner Limpopo), the following be implemented:

1. THAT the application dated 10 February 2009 received from the Board of Directors of Ridgeway College to acquire municipal land located on the Eastern side of portion 83 and North-east of portion 84 of farm Bergvliet 288 L.S. be noted.
2. THAT subject to paragraph 3 below, it be approved in principle that municipal land described in paragraph 1 above be made available subject to the following conditions:
 - 2.1. Council's Supply Chain Management Policy would apply and the sale of the land would be by means of calling for tenders – the specifications of the tender would obviously refer to the intended use of education and school hostel related uses.

- 2.2 A market related valuation be acquired by Council's Valuer which would serve as reserve price for tenders – the land may not be sold for an amount less than the market related valuation and the total purchase price is payable in one sum, in cash upon signing of the Purchase Agreement, or cash on registration of transfer of the property in the name of the purchaser subject thereto that bank guarantees be presented to council
- 2.3. The successful tenderer will be liable for all steps to acquire land use rights as well as all transaction related cost, i.e. that of subdivision, consolidation, rezoning (including EIA process) and related registration in the Surveyor General's and Deeds Office. All town-planning procedures must be complied with and will be the responsibility of the successful tenderer.
- 2.4. The successful tenderer will be liable for all service installation fees, including direct and indirect costs of bulk capacity required to supply water, sewer, electricity and storm water drainage.
- 2.5. The successful tenderer will be liable for payment of engineering services contributions according to Council's policy and will also sign Services Agreement with Municipality and the Vhembe District Municipality for the relevant services
- 2.6. A site development plan must be submitted for approval before any building plans are considered. No development may commence without approved building plans. Clear access routes must be indicated and sufficient parking facilities created on site – the provisions of the Town-Planning Scheme-in-Operation will apply at any given time in respect of the development of the property
- 2.7. Council will not be liable for any claims of damage suffered in the event that any of the town-planning procedures be opposed in the public consultation process. (DCSS)
3. THAT the applicant indicates in writing whether the application still stands before paragraph 2 above is implemented. (DCSS)

RidgewayCollege_itm3

ITEM A.16.29.04.10

**ESSENTIAL SERVICES: NEW BULK INTAKE POINT: THREE PHASE 15MVA 66KV
ESKOM SUPPLY CAPACITY: RIBOLWA SUBSTATION: UP-FRONT PAYMENT TO
ESKOM
(16/2/1)**

REMARK:

This matter was referred as item B.24.11.02.10.

ITEM A.17.29.04.10

**REPORTS AND SURVEYS: MID-YEAR PERFORMANCE ASSESSMENT: 2009/10
FINANCIAL YEAR: ALL DEPARTMENTS
(10/1/4/1; 10/1/2)**

RESOLVED A.17.29.04.10 -

1. THAT Council takes note of the Midyear Progress Reports for 2009/10 Financial Year which was compiled by each section 57 Manager, a copy of which is attached hereto as Annexure A to E, which will be delivered to the Department of Housing and Local Government, as required under section 72 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003). (DCSS)
2. THAT the members of the Executive Committee must bring along the report in the above regard to the Strategic Planning meeting to be held on 5 and 6 March 2010. (ALL DIRS)

Midyear progress report 09-10

ITEM A.18.29.04.10

**PERSONNEL: APPOINTMENT: MUNICIPAL MANAGER
(5/3/4/9/2 & 5/3/B)**

REMARK:

This item was referred as item B.28.25.02.10.

ITEM A.19.29.04.10

**COUNCIL LAND: PROPOSED SALE OF ERVEN 956A AND 957A, WATERVAL
TOWNSHIP
(7/4/1/3)**

RESOLVED A.19.29.04.10 -

THAT note be taken of the application for the purchase of erven 956A and 957A, Waterval Township and that the sale by private contract to Dr P E Maringa be approved in principle subject to the following conditions:

1. The intention to sell the Municipal land be advertised in a local newspaper for comments and objections.
2. The property be sold on a market related purchase price determined by a valuer.
3. The developer submit a development proposal for consideration by the Executive Committee.
4. The property be developed within three (3) years from the date of signing the Deed of Sale, provided that Council may allow an extension of a further (2) years
5. In the event that the developer failed to complete the development as required under paragraph 4 above, the property revert back to Council without compensation by the Municipality to the developer for any improvements on the property.

6. Erven 956A and 957A, Waterval Township must be consolidated if it is to be developed as one unit and the purchaser must implement steps to have the zoning of the land compliant to the intended development.
7. All other standard conditions of the sale of municipal land. (DCSS)

SaleErven956A&957AWaterval_itm

ITEM A.20.29.04.10

**COUNCIL LAND: APPLICATION FOR PURCHASE OF ERF 1919, WATERVAL TOWNSHIP
(7/4/13)**

RESOLVED A.20.29.04.10 -

THAT the application for the purchase of erf 1919, Waterval Township by Ms S B Shihlomulo on behalf of Rixile Bakery per private contract be approved in principle; subject to the following conditions:

1. The intention to sell the Municipal land be advertised in a local newspaper for comments and objections.
2. The property be sold at a market related purchase price determined by a valuer.
3. The developer submits a development proposal for consideration by the Executive Committee.
4. The property be developed within three (3) years from the date of signing the Deed of Sale, provided that Council may allow an extension of a further (2) years.
5. In the event that the developer failed to complete the development as required under paragraph 4 above, the property shall revert back to Council without compensation by the Municipality to the developer for any improvements on the property.
6. The standard conditions for the sale of Municipal land will further apply. (DCSS)

PurchaseErf1919Waterval_itm

ITEM A.21.29.04.10

**COUNCIL LAND: APPLICATION FOR PURCHASE OF ERF 1926, WATERVAL TOWNSHIP
(7/4/13)**

RESOLVED A.21.29.04.10 -

THAT note be taken of the application for the purchase of erf 1926, Waterval Township and that the sale thereof by private contract to Ms E K Fungene be approved in principle subject to the following conditions:

1. The intention to sell the Municipal land be advertised in a local newspaper for comments and objections.
2. The property be sold at a market related purchase price determined by a valuer.

3. The developer submits a development proposal for consideration by the Executive Committee.
4. The property be developed within three (3) years from the date of signing the Deed of Sale, provided that Council may allow an extension of a further (2) years.
5. In the event that the developer failed to complete the development as required under paragraph 3 above, the property shall revert back to Council without compensation by the Municipality to the developer for any improvements on the property.
6. All other standard conditions for the sale of municipal land will apply. (DCSS)

PurchaseErf1926Waterval_itm

ITEM A.22.29.04.10

COUNCIL LAND: PROPOSED EXCHANGE OF LAND: ERF 1856 DZANANI TOWNSHIP FOR ERF 1836 (PARK), DZANANI TOWNSHIP (E1856; E1836 (PARK), 7/3/2/1 & 7/4/1/4)

RESOLVED A.22.29.04.10 -

THAT the application of Mr T. O. Mbambala to exchange erf 1856, Dzanani Township for erf 1836 (Park), Dzanani Township due to the topographic deficiencies of erf 1856, be approved in principle and that the implementing of the approval is subject to the following conditions and procedures:

1. The intention to perform a land exchange transaction must be advertised in terms of the provisions of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) in order to call for objections, if any
2. A market related valuation of erf 1836 (Park), Dzanani Township must be acquired which will serve as the purchase price to be accounted for in the land exchange transaction, keeping in mind that Municipality already received R160-00 (say, One Hundred and Sixty Rand) as purchase price for erf 1856, Dzanani Township – an offset will be implemented against this money already received; any shortfall will have to be paid in cash and any excess will have to be paid back to the purchaser upon signing of the land exchange agreement
3. The property be developed within three (3) years from the date of signing the Exchange Agreement, provided that Council may allow an extension of further two (2) years
4. In the event that the developer failed to complete the development as required under paragraph 2 above, the property revert back to Council without compensation by the Municipality to the developer for any improvements on the property.
5. A professional town-planner must be appointed to rezone erf 1836 (Park), Dzanani Township for the purpose of place of residential and related activities. This will be the client's responsibility and for his account.

6. A land exchange agreement must be formally concluded between municipality and Mr T. O. Mbambala and Municipality will not be liable for any possible damages suffered in this regard. The property herein exchanged is Voetstoots.
7. No guarantees can be given on bulk services availability since municipality is not the bulk service provider of water, sewer and electricity – municipal services to the site, including tarmac roads will be subject to the services installation program of the Department Technical Services / Department Development and Planning; Council will not be liable for any claims of damage or loss suffered as a result of delays or slow progress with commissioning of municipal services according to the program. (DCSS)

MbambalaAlternativeSite_itm

ITEM A.23.29.04.10

**COUNCIL BUILDINGS: INVESTIGATION TO CREATE ADDITIONAL OFFICE SPACE
(E 3415/R; 7/2/1/3/1)**

REMARK:

This item was referred as item B.25.25.02.10.

ITEM A.24.29.04.10

**FINANCES: ADJUSTMENT BUDGET 2009/2010 REVIEW
(6/1/1(2009/10))**

REMARK:

This item was referred as item B.26.25.02.10.

ITEM A.25.29.04.10

**ESSENTIAL SERVICES: NEW BULK INTAKE POINT: THREE PHASE 15MVA 66KV
ESKOM SUPPLY CAPACITY: RIBOLWA SUBSTATION: UP-FRONT PAYMENT TO
ESKOM
(16/2/1)**

REMARK:

This item was referred as item B.27.25.02.10.

ITEM A.26.11.03.10

**FINANCES: ADJUSTMENT BUDGET 2009/2010 REVIEW
(6/1/1(2009/10))**

REMARK:

This item was already resolved at the 65th Special Council meeting held on 11 March 2010.

CONFIDENTIAL**ITEM CA.27.11.03.10**

**PERSONNEL: APPOINTMENT: MUNICIPAL MANAGER
(5/3/4/9/2 & 5/3/B)**

REMARK:

This item was already resolved at the 65th Special Council meeting held on 11 March 2010.

ITEM A.28.31.03.10

**COMMUNITY SERVICES: ADDITIONAL ALLOCATION OF 100 RDP HOUSING UNITS
FOR 2010/2011 FINANCIAL YEAR
(17/4/1 & 17/20)**

REMARK:

This item was already resolved at the 66th Special Council meeting held on 31 March 2010.

ITEM A.29.31.03.10

**FINANCES: DRAFT CAPITAL AND OPERATIONAL ESTIMATES 2010/2011 TO
2012/2013 FINANCIAL YEAR
(6/1/1 (10/11))**

REMARK:

This item was already resolved at the 66th Special Council meeting held on 31 March 2010.

ITEM A.30.31.03.10

**DRAFT IDP 2010/11 REVIEW
(15/7/1 & 6/1/(10/11))**

REMARK:

This item was already resolved at the 66th Special Council meeting held on 31 March 2010.

ITEM A.31.31.03.10

**ORGANIZATION: PROPOSED MUNICIPAL TURN AROUND STRATEGY, 2010
TURN THE TIDE OF LOCAL GOVERNMENT
(2/4)**

REMARK:

This item was already resolved at the 66th Special Council meeting held on 31 March 2010.

ITEM A.32.31.03.10

**PUBLICITY: DRAFT ANNUAL REPORT 2008/9: OVERSIGHT REPORT AND
EXTENSION OF FINAL APPROVAL
(10/1/2)**

REMARK:

This item was already resolved at the 66th Special Council meeting held on 31 March 2010.

ITEM A.33.29.04.10**COMMITTEES: AUDIT COMMITTEE: REPORT TO COUNCIL
(4/11/2)**

RESOLVED A.33.29.04.10 –

THAT the report from the Audit Committee be referred back to the Portfolio Committee Finance for consideration and submission of its recommendation at the first following ordinary Council meeting.

(CFO)

ReportAuditCommittee_itm

ITEM A.34.29.04.10**LEGISLATION: MUNICIPAL FACILITIES: DRAFT CEMETERIES BY-LAWS
(1/3/4)**

RESOLVED A.34.29.04.10 -

1. THAT the Executive Committee submits this report as its proposal to introduce a draft by-law on Cemeteries to Council in terms of Rule 3 of the Council's Rules and Orders. (DCSS)
2. THAT Council provisionally adopts the draft Cemeteries By-law and it be advertised for at least 30 calendar days for public comments. (DCSS)
3. THAT the Municipal Manager as soon as possible after the closing date for public comments, submit a report to the Executive Committee in accordance with Rule 6 of the Council's Rules and Orders, and the Executive Committee make a recommendation to Council. (DCSS)
4. THAT it be a procedure that before the Municipal Manager introduce a By-law to a Portfolio Committee and the Executive Committee, a workshop to all Councillors about the By-law be conducted so that councillors acquaint themselves with the By-law. (DCSS)

DraftCemeteriesBy-laws_itm

ITEM A.35.29.04.10**COUNCIL LAND: APPLICATION TO PURCHASE A PORTION OF ERF 427, VUWANI TOWNSHIP: RAMNET HOLDINGS (PTY) LTD
(7/4/1/3 & 7/3/2/1)**

RESOLVED A.35.29.04.10 –

1. THAT Council takes note that an approval in principle was granted to Pastor Mawelewele of Abundant Christian Centre to purchase a portion of erf 427 Vuwani Township comprising of 2 hectares in extent for the purpose of a church. (DCSS)

2. THAT Council further takes note that an approval in principle was granted to Mrs Tshidada of Vuwani Reading Community Based Organisation to purchase a portion of erf 427 Vuwani Township comprising of 4 000 square metres in extent for the purpose of a library. (DCSS)

3. THAT taking into account Paragraph 1 and 2 above, Council approves the sale by private contract of the Remainder of erf 427, Vuwani Township estimated at 11,5 hectares to Ramnet Holdings (Pty) LTD for the development of a shopping mall, office park, housing development, community library and other related amenities as more fully set out in the development proposal and subject to the following conditions :
 - 3.1. Before any construction takes place the municipality approve both the building plans and the development plans.
 - 3.2. The developer must be informed to submit a draft layout plan which includes the proposed structures and where they will be located.
 - 3.3. The developer conclude a Services Agreement with Makhado Local Municipality and Vhembe District Municipality pertaining to the Municipal Services rendered by each respective municipality and be liable for all direct costs and engineering services contributions as may be applicable at the time.
 - 3.4. The developer seeks approval from Eskom regarding the energy capacity since the property is situated in an Eskom Licence Distribution Area.
 - 3.5. The purchase price be the market related valuation determined by Council's professional valuer.
 - 3.6. The community be made aware of the intended development on erf 427 as proposed by the Developer.
 - 3.7. The Developer obtains development authorization or exemption from the Department Economic Development, Environment and Tourism.
 - 3.8. The development be approved by the Provincial Development Tribunal.
 - 3.9. The property be fully developed within three years from the date of the Council Resolution, subject to Council approval of an extension not exceeding two years, which may not be unreasonably denied. This condition must be embodied in the title deed of the property.
 - 3.10. The cost of subdivision will be borne by Council and the Director Corporate Support & Shared Services is authorized to proceed to appoint a registered surveyor to do the subdivision on Council's behalf.
 - 3.11. The other standard conditions for the sale of municipal land will apply.
 - 3.12. Council will not be liable for any claims of damage due to any possible losses suffered directly or indirectly as a result of the transaction.

- 3.13. If rezoning is required in terms of the Makhado Town Planning Scheme, 2010 to accommodate the specific development, the cost will be for the account of the developer. (DCSS)

Erf427Vuwani_itm

ITEM A.36.29.04.10

COUNCIL LAND: APPLICATION FOR PURCHASE OF BUSINESS ZONED PORTION 1 OF ERF 1140, DZANANI TOWNSHIP (7/4/1/4)

RESOLVED A.36.29.04.10 -

THAT the application for purchase by private contract of business zoned portion 1 of erf 1140, Dzanani Township for purpose of Shopping Complex and related activities received on 3 April 2009 from Mr R. V. Lakha be approved in principle, subject to the approval of the registered land owner i.e. the Department of Local Government and Housing, in terms of the provisions of Council Resolution A.108.14.12.09 i.e. Policy on Sale of land in the R293 towns (Business), subject to the following conditions:

1. The intention to sell the municipal land be advertised in a local newspaper for comments and objections, if any
2. The property be sold at a market related purchase price determined by a valuator.
3. The developer submits a development proposal for consideration by the Executive Committee.
4. The property be developed within three (3) years from the date of signing the Deed of Sale, provided that Council may allow an extension of a further two (2) years
5. In the event that the developer failed to complete the development as required under paragraph (2) above, the property revert to Council without compensation by the Municipality to the developer for any improvements on the property. This condition will be embodied in the Title Deed of the property.
6. The standard conditions for the sale of municipal land will further apply.
7. The property herein transacted is Voetstoots.
8. The development must adhere to the Makhado Land Use Scheme 2009.
9. Council be indemnified against any claim as a result of this transaction.
10. Council can give no guarantees of municipal bulk services capacity as it is not the authority in this regard. (DCSS)

PurchasePortion1Erf1140Dzanani_itm (2)

ITEM A.37.29.04.10**COUNCIL LAND): APPLICATION FOR PURCHASE OF ERF 29, VUWANI TOWNSHIP
(7/4/1/4)**

RESOLVED A.37.29.04.10 –

THAT the application for purchase by private contract of business zoned erf 29, Vuwani Township for purpose of Funeral Services and related activities which was received on 22 June 2009 from Mr S. P. Machete on behalf of the Bathobolo Funeral Services be approved in principle in terms of the provisions of **Council Resolution A108.14.12.09** i.e. Policy on Sale of Council Land in the R293 towns (Business), subject to the following conditions:

1. The intention to sell the municipal land be advertised in a local newspaper for comments and objections, if any.
2. The property be sold at a market related valuation determined by Council's professional valuer, which will serve as the purchase price.
3. The developer submits a development proposal for consideration by the Executive Committee.
4. The property be developed within three (3) years from the date of signing the Deed of Sale, provided that Council may allow an extension of a further two (2) years.
5. In the event that the developer failed to complete the development as required under paragraph 4 above, the property revert back to Council without compensation by the Municipality to the developer for any improvements on the property. This condition will be embodied in the Title Deed of the property.
6. The standard conditions for sale of municipal land will further apply.
7. The land herein sold is footstools.
8. Council cannot give any guarantee on bulk services availability as it is not the authority in this regard.
9. Council must be indemnified against any claims as a result of this transaction. (DCSS)

PurchaseErf29Vuwani_itm

ITEM A.38.29.04.10**COUNCIL LAND: PROPOSED SALE OF PARK ERF 1990, DZANANI TOWNSHIP:
TOWNHOUSE TYPE DEVELOPMENT
(7/4/1/4)**

RESOLVED A.38.29.04.10 -

THAT the application to purchase a portion of erf 1990, Dzanani township in extent 2ha for purpose of townhouse type dwellings that was received on 14 September 2009, be approved in principle, subject to the further following conditions:

1. The intention to sell the Municipal land be advertised in a local newspaper for comments and objections.
2. The property be sold at a market related purchase price determined by Council's professional Valuer.
3. The developer submits a development proposal for consideration by the Executive Committee.
4. The property be developed within three (3) years from the date of signing the Deed of Sale, provided that Council may allow an extension of a further (2) years. This condition shall be embodied in the title deed.
5. In the event that the developer failed to complete the development as required under paragraph 4 above, the property shall revert back to Council without compensation by the Municipality to the developer for any improvements on the property. This condition shall be embodied in the title deed.
6. Applicant will have to apply for the rezoning of erf 1990, Dzanani township to the appropriate land use right in order to develop townhouses.
7. All other standard conditions for the sale of municipal land will apply.
8. Council be indemnified against any claims for damage or loss suffered which may arise as a result of this transaction. (DCSS)

TownhouseDevelopment_itm2

ITEM A.39.29.04.10

COUNCIL LAND:

1. **SALE OF PROPOSED SUBDIVIDED PORTION: ABUNDANT CHRISTIAN CHURCH, AND SUBSEQUENT**
 2. **APPLICATION FOR SUBDIVISION AND REZONING**
- ERF 427, VUWANI TOWNSHIP**
(15/3/8)

RESOLVED A.39.29.04.10 –

THAT the application received from Pastor T. P. Mawelewele on behalf of the Abundant Christian Centre to purchase by private contract a portion, in extent 2ha, of industrial erf 427, Vuwani township for the purpose to erect church building be approved in principle and that the applicant be informed that land can be made available, subject to the following procedures and conditions:

1. The developer be informed that to avoid the issue of having to many entrances their application for subdivision and rezoning will be considered after the approval of the site development plan for the mall, to enable the Municipality to assess the issue of entrance provision and location of other users.
2. The intention to perform land sale transaction must be advertised in terms of the provisions of the Local Government Ordinance (Ordinance 17 of 1939) in order to call for objections, if any

3. A market related valuation of a portion of industrial erf 427, Vuwani Township must be acquired which will serve as the purchase price. The portion is as approximately indicated on the sketch attached to the report in this regard as Annexure B.
4. The property be developed within three (3) years from the date of signing the Deed of Sale, provided that Council may allow an extension of a further two (2) years. This must be embodied in the Title Deed.
5. In the event that the developer failed to complete the development as required under paragraph (3) above, the property revert to Council without compensation by the Municipality to the developer for any improvements on the property. This restrictive condition will be embodied in the Title Deed of the property.
6. A professional town-planner must be appointed to rezone a portion of industrial erf 427, Vuwani Township for the purpose of place of worship and related activities. This will be the client's responsibility and for his account, the property herein transacted is Voetstoets.
7. A professional surveyor must be appointed to subdivide erf 427, Vuwani in order to have approved SG Diagrams for separate title deed to the property. This will be for the cost of the applicant.
8. No guarantees can be given on bulk services availability since municipality is not the bulk service provider of water, sewer and electricity – municipal services to the site, including tarmac roads will be subject to the services installation program of the Department Technical Services / Department Development and Planning.
9. The developer must submit a development proposal for consideration by the Executive Committee before any building plans are considered.
10. Applicant will have to apply for subdivision and rezoning of part of erf 427, Vuwani township and carry all related costs in this regard.
11. The purchaser will be liable for payment of installation cost for municipal services
12. The purchaser will be liable payment of the cost of the valuer
13. The proposed development must comply with all health and environmental legislation that may be applicable, as well as the National Building Regulations
14. Council will not be liable for any claims of damage due to any possible losses suffered directly or indirectly as a result of the transaction
15. As first step the Department of Local Government and Housing has to consider and approve of the principle that a portion of industrial erf 427, Vuwani township, may be sold on their behalf and for the purpose set out above.
16. The standard conditions for the sale of municipal land will further apply. (DCSS)

ITEM A.40.29.04.10**COUNCIL LAND:**

- 1. SALE OF PROPOSED SUBDIVIDED PORTION, AND SUBSEQUENT**
- 2. APPLICATION FOR SUBDIVISION AND REZONING**

**ERF 1754, DZANANI TOWNSHIP
(15/3/8)**

RESOLVED A.40.29.04.10 -

THAT the application received from Mr K J Funyufunyu to purchase by private contract a portion of park erf 1754, Dzanani Township for the purpose to establish and operate a Fresh Produce Market on such portion, be noted and that the applicant be informed that land can be made available, subject to the following procedure and conditions:

1. Council acts as agent of the registered property owner, i.e. the Department Local Government and Housing and all activities are subject to the approval firstly of Department Local Government and Housing.
2. The intention of alienation of public land will be advertised for objections, if any.
3. A market related valuation of the property be acquired from Council's Professional Valuer which will serve as the purchase price.
4. The alienation will further be subject to approval of:
 - 4.1 Subdivision of park erf 1754 to create a portion of 663m² which will be the subject property;
 - 4.2 Rezoning of the portion so created from park erf to align with the intended use thereof as Fresh Produce Market;
 - 4.3 Registration of the separate portion in the Deeds Office in order to have separate title to transfer ownership formally;
 - 4.4 Client will be liable for all costs under items 3, 4.1, 4.2 and 4.3
 - 4.5 Council will not be liable for any claims of damage due to any possible losses suffered directly or indirectly as a result of the transaction.
 - 4.6 The proposed development must comply with all health and environmental legislation that may be applicable, as well as the National Building Regulations;
 - 4.7 The purchaser will have to pay all costs for municipal services installation and supply to the subject property. No guarantees can be given on bulk service availability or service provision beyond municipal programs.
 - 4.8 The property be developed within three (3) years from the date of signing the Deed of Sale, provided that Council may allow an extension of a further two years.
 - 4.9 In the event the applicant fails to develop as intended, the property revert to Council without compensation by Municipality to the developer for improvements on the property. This restrictive condition will be embodied in the Title Deed of the property.

- 4.10 The developer must submit a development plan for consideration by the Executive Committee before any building plans are approved.
- 4.11 All health and environmental legislation and the National Building Regulations must be complied with.
- 4.12 The standard conditions for the sale of municipal land will further apply.
- 4.13 The property herein transacted is voetstoets. (DCSS)

SubdivisionErf1754_itm2

ITEM A.41.29.04.10

**COUNCIL LAND: LEASE OF MAKHADO SHOOTING RANGE: PORTION OF FARM RIETVLY 276 L.S.
(7/3/2/3/5)**

REMARK:

This item was referred as item B.32.23.04.10.

ITEM A.42.29.04.10

**PERSONNEL: SAMWU NATIONAL PROVIDENT FUND: HOUSING LOAN
(5/5/7/B)**

RESOLVED A.42.29.04.10 -

1. THAT the Executive Committee take cognizance of the agreement to be signed between Makhado Local Municipality and FNB Limited in order to grant home loans to members of the SAMWU National Provident Fund. (DCSS)
2. THAT the Municipal Manager be delegated to conclude the contract with FNB Limited in order to grant home loans to the members of the SAMWU National Provident Fund.(MM)
3. THAT the Municipal Manager ensures that the Municipality has the necessary administrative capacity in order to comply with the obligations made in terms of the agreement.

HomeLoans_itm

(CFO/DCSS)

ITEM A.43.29.04.10

**ESSENTIAL SERVICES: ELECTRICITY TARIFFS: BASIC ELECTRICITY, CONNECTION FEES & FREE BASIC ELECTRICITY- CONSUMPTION: REQUEST FROM MUTALE MUNICIPALITY
(16/2/1 & 16/2/B)**

RESOLVED A.43.29.04.10 -

THAT the request of Mutale Municipality that Makhado Local Municipality waive the basic charge for electricity in respect of indigents in the villages of Mangwele, Gombani and Madzororo, be not approved. (DTS)

Exco_64

ITEM A.44.29.04.10**ESSENTIAL SERVICES: ELECTRICITY: ELECTRIFICATION PLAN FOR 2010/11
(16/2/1 & 16/2/B)**

RESOLVED A.44.29.04.10 –

1. THAT the contents of the report be noted. (DTS)
2. THAT the electrification plan with the inclusion of the adopted priority list of extensions for Makhado Municipality be approved as attached to the report in this regard. (DTS)
3. THAT the expenditure for the execution of the electrification plan be financed from the following funding sources to be allocated in the 2010/11 Capital Estimates:- Makhado Income, Eskom & DOE, INEP and the DORA allocation. (CFO)
4. THAT the following be noted in execution of the plan:-
 - 4.1 Thalane which is no.1. on the priority list and has a challenge due to the fact that the connection are too expensive as the stands are too big to be financed from Eskom or INEP allocations and it be covered as a special project in the financial year.
 - 4.2 Corporate Services to follow-up on the issue of land dispute.
 - 4.3 Eskom must come and address the Municipality about the issue of capacity constraints in the whole municipality.
 - 4.4 All electrification planned in the non-Municipal licensed area is subject to approval from Eskom and the Department of Energy.
 - 4.5 The funding of a conditional grant from the DOE for rural subsidized electricity and the allocation in this respect as indicated in the plan be noted.
 - 4.6 The special projects be implemented from the income budget 2010/11.
 - 4.7 The special projects which have been approved in 2009/10 be continued with in 2010/11.
 - 4.8 The high mast lighting in Vuwani and Dzanani as well as the Vatsonga feeder line which have been approved in 2009/10 be continued with in 2010/11.
 - 4.9 It is noted that if all the projects are completed in the 2010/11 plan then Council has fulfilled its obligation of electricity supply to all its customers and only the extensions of grid, post and fill-in connections will remain to be completed in the years to come. (DTS)

Ej/exco_65

* * * * *

9.2 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 months January 2010 to April 2010

The report of the 257th Executive Committee meeting held on 11 February 2010

The report of the 258th Executive Committee meeting held on 25 February 2010

The report of the 261st Executive Committee meeting held on 23 April 2010

ITEM B.10.11.02.10

FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING SEPTEMBER 2009

(6/1/1(2009/10))

RESOLVED B.10.11.02.10 -

THAT the in-year monitoring financial report for the month of September 2009 be noted. (CFO)

MonitoringSept09_itm

ITEM B.11.11.02.10

FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING OCTOBER 2009

(6/1/1(2009/10))

RESOLVED B.11.11.02.10 -

THAT the in-year monitoring financial report for the month of October 2009 be noted. (CFO)

MonitoringOct09_itm

ITEM B.12.11.02.10

FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING NOVEMBER 2009

(6/1/1(2009/10))

RESOLVED B.12.11.02.10 -

THAT the in-year monitoring financial report for the month of November 2009 be noted.

MonitoringNov (09)_itm

(CFO)

ITEM B.13.11.02.10

FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING DECEMBER 2009

(6/1/1(2009/10))

RESOLVED B.13.11.02.10 -

THAT the in-year monitoring financial report for the month of December 2009 be noted. (CFO)

MonitoringDec (09)_itm

ITEM B.14.11.02.10**TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE OF ERF 916, LOUIS TRICHARDT TOWNSHIP (15/3/15; E 916)**

RESOLVED B.14.11.02.10 –

THAT the application for special consent use in order to operate a “Place of public worship and instruction” from erf 916, Louis Trichardt township be approved in terms of section 16 of the Louis Trichardt Town-planning Scheme, as no additional service points will be allowed with regard to water and sewer and electricity subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. The proposed structures to be constructed must comply with the national building regulations and building standards as well as the provisions of the Louis Trichardt town-planning Scheme in operation.
3. All costs that may arise as a result of this approval are for the account of the applicant.
4. No additional electrical services can be provided at this point in time and should any increase of capacity be required in the future the applicant will have to pay actual cost in this regard.
5. The consent granted is implemented within twelve (12) months of the date of the resolution, failure which the approval will automatically be withdrawn without any further notice.
6. The special consent shall be for a period of twenty four (24) months, calculated from the date of the approval letter, where after extension thereof may be considered by Council: *Provided that the applicant must appropriately rezone the property within two years from date of approval of the application..*
7. Sufficient measures are taken to limit noise that may be caused due to the proposed use.
8. 8 parking spaces per 100m² G.L.F.A. must be provided on the site itself.
9. The operation of a Place of Instruction must comply with relevant health legislation as well as municipal by-laws.
10. No development may commence without approved building plans.

Consent_Erf916

(DDP)

ITEM B.15.11.02.10**TOWN PLANNING AND CONTROL CONSOLIDATION OF ERF 3018, 3014 AND 3019 LOUIS TRICHARDT EXTENSION 9 TOWNSHIP (E.3018, E.3014, E.3019 & 15/3/6)**

RESOLVED B.15.11.02.10 –

THAT the application for the consolidation of erven 3014, 3018 and 3019 Louis Trichardt extension 1 Township as submitted by Geoland Surveys be approved in terms of section 92 of Ordinance 15 of 1986, subject to the following terms and conditions:

1. The consolidation be registered in the Deeds Office within two years of date of approval thereof
2. The development is in accordance with the Louis Trichardt Town Planning Scheme, 2000.
3. After the consolidation the applicant will only be allowed to construct one dwelling per erf in line with the approved densification policy.

ConsolidationErf3014&3018_itm

(DDP)

ITEM B.16.11.02.10

TOWN PLANNING AND CONTROL: REZONING OF ERF 151, LOUIS TRICHARDT TOWNSHIP: LOUIS TRICHARDT AMENDMENT SCHEME 112 (E151 & 15/4/2/2/1/231)

RESOLVED B.16.11.02.10 –

THAT Council in terms of section 56 of the Town Planning and Township Ordinance (Ordinance 15 of 1986) approve the application received from Planning Concept Town and Regional Planners on behalf of their client Ietiman 786 CC to rezone erf 151, Louis Trichardt Township from “Residential 2” to “Business 1” subject to the following terms and conditions:

1. No building operations may commence without approved building plans. A site development plan must be submitted before any building plans can be approved.
2. Engineering services contributions will be payable within 30 days calculated from the date on which formal rezoning is proclaimed, and will be calculated in accordance with Council’s formula for such services.
3. The applicant will be liable for payment of actual cost for service provisions in the event that larger capacities than what is available under the present zoning may be required.
4. The applicable contents of Council resolve A.78.24.07.08 which will apply without failure and Council cannot be held liable for any losses suffered for whatever reason in this regard.

Rezoning_ Erf151

(DDP)

ITEM B.17.11.02.10

TOWN-PLANNING AND CONTROL: REZONING OF ERF 669, LOUIS TRICHARDT TOWNSHIP: LOUIS TRICHARDT AMENDMENT SCHEME 111 (E669 & 15/4/2/2/1/230)

RESOLVED B.17.11.02.10 –

THAT Council in terms of section 56 of the Town Planning and Township Ordinance (Ordinance 15 of 1986) approve the application received from Planning Concept Town and Regional Planners on behalf of their client Mr I H S Patel to rezone erf 669, Louis Trichardt Township from “Residential 1” to “Industrial 3” subject to the following terms and conditions:

1. the erection of 4 additional dwelling units be not approved only one dwelling unit that is

subservient to the main use will be allowed

2. No building operations may commence without approved building plans. A site development plan must be submitted before any building plans can be approved.
3. Engineering services contributions will be payable within 30 days calculated from the date on which formal rezoning is proclaimed, and will be calculated in accordance with Council's formula for such services.
4. The applicant will be liable for payment of actual cost for service provisions in the event that larger capacities than what is available under the present zoning may be required.
5. The applicable contents of Council resolve A.78.24.07.08 which will apply without failure and Council cannot be held liable for any losses suffered for whatever reason in this regard.

Rezoning_Erf669

(DDP)

ITEM B.18.11.02.10

TOWN-PLANNING AND CONTROL: PROPOSED SUBDIVISION: PORTION 70 (A PORTION OF PORTION 2) OF THE FARM RONDEBOSCH 287 L.S. (15/3/8)

RESOLVED B.18.11.02.10 –

THAT the application to subdivide Portion 70 (a portion of Portion 2) of the farm Rondebosch 287 into two portions submitted by Developlan on behalf of its client Mr P D Otto be approved in terms of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) subject to the following conditions:

1. The requirements of the Department of Water Affairs and Forestry, the Department of Local Government and Housing and the Limpopo Roads Agency which must be acquired by the applicant, have to be complied with. The applicant has to forward his application to the said institutions in order to obtain their comments/approval.
2. Applicant must submit satisfactory proof that each proposed portion has its own sustainable potable water supply source that will provide the minimum of 1500 litres per day to each of the subdivided portions. This condition must be a condition of sale and in the deed of transfer of ownership of each property.
3. The applicant must adhere to the restrictive title deed conditions unless it is waived in accordance with the set procedure for this purpose.
4. Applicant must take special care to ensure that no ground water pollution take place. An acceptable septic tank sewer system must be installed on each portion.
5. Access roads to the proposed portions must comply with the standards of the Council's Town Civil Engineer, including adequate storm water drainage systems and each portion must have its own access and the necessary right of way servitudes required must be registered in the Title Deed of each property.

6. One dwelling and related outbuildings may be permitted on each portion.
7. The Regional Land Claims Commissioner and the Department of Agriculture must be informed of the proposed subdivision.

SubdivisionPortion7Rondebosch_itm

(DDP)

ITEM B.19.11.02.10

**TOWN-PLANNING AND CONTROL: SUBDIVISION OF ERF 176, LOUIS TRICHARDT TOWNSHIP
(15/3/8; E 176)**

RESOLVED B.19.11.02.10 –

THAT the application of Geoland Surveys on behalf of their client Mr A P Fourie to subdivide erf 176, Songozwi and Douthwait Street, Louis Trichardt township into three portions be approved in terms of section 92 of the Town-planning and Township Ordinance, 15 of 1986, subject to the following conditions:

1. Each house must have its own water and sewer connections for which the installation cost and normal standard connection fees will be payable.
2. Each property must have its own electricity connection for which standard fees will be payable. Only a single 60A single-phase connection (Pre-paid or conventional) will be available for each stand. The amount payable for the electrical connections will be that of a standard connection as the connection will be provided at the erf's border. The applicant must take note that the municipality will not be able to provide additional electricity supply capacity.
3. The applicant is liable to pay engineering services contributions for water and sewer to the amount of R8 990,00 and an amount of R9 472,00 for electrical services which amounts are based on the 2009/10 tariff and if paid after 30 June 2009 an annual percentage increase will be payable.
4. A right of way servitude 3,5meter wide must be registered over the eastern boundary of Portion 1 in favour of Portion 2.
5. The registered owner of the panhandle shall pave the surface of the panhandle at his own cost to the satisfaction of the municipality before or simultaneously with the erection of any buildings on the panhandle portions and shall thereafter maintain the surface in a dust free condition to the satisfaction of the municipality.
6. The registered owner of the panhandle portion shall erect or provide screen walls or dense fencing to the satisfaction of the municipality along the boundaries of the panhandle and such other boundaries as the local authority may require. The extent, material, design, height, position and maintenance of such screen walls or fencing shall be to the satisfaction of the municipality.

7. Any restrictive conditions as embodied in the Title Deed of the erf and/or the Township Establishment Conditions will apply.
8. Municipal servitudes and building lines must be in line with the Conditions of Establishment of the township as well as such other servitudes as may be required in this specific instance as may be imposed by the Director Technical Services and development on the proposed Portions 1 and 2 must comply with the Louis Trichardt Town-planning Scheme, 2000.
9. The proposed subdivision must be registered in the Deeds Office within two years from date of approval of the application.
10. The applicable contents of Council resolve A.78.24.07.08 which will apply without failure and Council cannot be held liable for any losses suffered for whatever reason in this regard.

SubdivisionE176_itm

(DDP)

ITEM B.20.11.02.10

**TOWN-PLANNING AND CONTROL: SUBDIVISION OF ERF 952, LOUIS TRICHARDT TOWNSHIP
(15/3/8; E 952)**

RESOLVED B.20.11.02.10 –

THAT the application of Geoland Surveys on behalf of their client Mrs M E Mashige to subdivide erf 952, Kock and Pretorius Street, Louis Trichardt township into two portions be approved in terms of section 92 of the Town-planning and Township Ordinance, 15 of 1986, subject to the following conditions:

1. Each house must have its own water and sewer connections for which the installation cost and normal standard connection fees will be payable.
2. Each property must have its own electricity connection for which standard fees will be payable. Only a single 60A single-phase connection (Pre-paid or conventional) will be available for each stand. The amount payable for the electrical connections will be that of a standard connection as the connection will be provided at the erf's border. The applicant must take note that the municipality will not be able to provide additional electricity supply capacity.
3. The applicant is liable to pay engineering services contributions for water and sewer to the amount of R4 495,00 and an amount of R4 736,00 for electrical services which amounts are based on the 2009/10 tariff and if paid after 30 June 2009 an annual percentage increase will be payable.
4. Municipal servitudes and building lines must be in line with the Conditions of Establishment of the township as well as such other servitudes as may be required in this specific instance as may be imposed by the Director Technical Services and development on the proposed portion 1 must comply with the Louis Trichardt Town-planning Scheme, 2000.

5. The proposed subdivision must be registered in the Deeds Office within two years from date of approval of the application.
6. The applicable contents of Council resolve A.78.24.07.08 which will apply without failure and Council cannot be held liable for any losses suffered for whatever reason in this regard.

SubdivisionE952_itm

(DDP)

ITEM B.21.11.02.10

**TOWN-PLANNING AND CONTROL: PROPOSED SUBDIVISION: THE REMAINDER OF PORTION 28 OF THE FARM VONDELING 288 L.S.
(15/3/8)**

RESOLVED B.21.11.02.10 –

1. THAT the application to subdivide Portion 28 of the farm Vondeling 285 LS into two portions submitted by Developlan on behalf of its client P J Lourens Beleggings BK be approved in terms of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) subject to the following conditions:
 - 1.1 The requirements of the Department of Water Affairs and Forestry, the Department of Local Government and Housing must be acquired by the applicant, have to be complied with. The applicant has to forward his application to the said institutions in order to obtain their comments/approval.
 - 1.2 Applicant must submit satisfactory proof that each proposed portion has its own sustainable potable water supply source that will provide the minimum of 1500 litres per day to each of the subdivided portions. This condition must be a condition of sale and in the deed of transfer of ownership of each property.
 - 1.3 The applicant must adhere to the restrictive title deed conditions unless it is waived in accordance with the set procedure for this purpose.
 - 1.4 Applicant must take special care to ensure that no ground water pollution take place. An acceptable septic tank sewer system must be installed on each portion.
 - 1.5 Access roads to the proposed portions must comply with the standards of the Council's Town Civil Engineer, including adequate storm water drainage systems and each portion must have its own access and the necessary right of way servitudes required must be registered in the Title Deed of each property.
 - 1.6 One dwelling and related outbuildings may be permitted on each portion.
 - 1.7 The Regional Land Claims Commissioner must be informed of the proposed subdivision.

(DDP)

2. THAT the Director Development Planning research the principle that the provisions of the National Building Regulations be applied in respect of the development of buildings and structures on farm lands located within the **outskirts** of proclaimed townships, i.e. those farms located in areas of 5 km radius within proclaimed township boundaries, and submit a full report to the Executive Committee who will determine the way forward.

Subdivision_Portion28Vondeling

(DDP)

ITEM B.22.11.02.10

TOWN-PLANNING AND CONTROL:

1. **SUBDIVISION OF ERF 1621, LOUIS TRICHARDT EXTENSION 1 TOWNSHIP**
2. **CONSOLIDATION OF PORTION 1 OF ERF 1621 AND THE REMAINDER OF ERF 1623, LOUIS TRICHARDT EXTENSION 1 TOWNSHIP**
(15/3/8; E 1621, E1623& 15/3/36)

RESOLVED B.22.11.02.10 –

THAT the application of Geoland Surveys on behalf of their client Mr S J Van Niekerk to subdivide erf 1621 Louis Trichardt Extension 1 and the subsequent consolidation of Portion 1 of erf 1621, with the Remainder of erf 1623 to become erf 5149, Louis Trichardt extension 1 township be approved in terms of section 92 of the Town-planning and Township Ordinance, 15 of 1986, subject to the following conditions:

1. Each erf must have its own water, sewer and electrical connection.
2. The applicant will not be liable to pay engineering services contributions as such no new erf is created and no new service connection will be required.
3. Municipal servitudes and building lines must be in line with the Conditions of Establishment of the township as well as such other servitudes as may be required in this specific instance as may be imposed by the Director Technical Services and development must comply with the Louis Trichardt Town-planning Scheme, 2000.
4. The proposed subdivision and subsequence consolidation must be registered in the Deeds Office within two years from date of approval of the application.
5. The applicable contents of Council resolve A.78.24.07.08 which will apply without failure and Council cannot be held liable for any losses suffered for whatever reason in this regard.

Subdivision_Erf1621

(DDP)

ITEM B.23.11.02.10**TOWN-PLANNING AND CONTROL: PROPOSED PRIVATE TOWNSHIP ESTABLISHMENT: MADIBA SUNSHINE GARDENS HOUSING PROJECT: PORTION 14 OF THE FARM DOORNSPRUIT 41 LT.****(15/3/15)**

RESOLVED B.23.11.02.10 –

THAT the application for the proposed private township development of Hannes Lerm and Associates on behalf of their client Mr R Sutherland of Madiba Wholetrade Civils and Construction who will be the developer on Portion 14 of the Farm Doornspruit 41 L.T in extent 200 hectares be approved in principle in terms of section 96 of the town-planning and township Ordinance, 15 of 1986, subject to the following conditions:

1. Formal application for Township Establishment must be submitted.
2. The Environmental Impact Assessment Report must be submitted to Council for consideration.
3. Submission of the certified copy of the Title Deed of the subject property as part of the application documents.
4. Township Developer must submit signed Services Agreement with Vhembe District Municipality for water and sewer services.
5. Comments and approval from relevant stakeholders/sector departments such as Vhembe District Municipality, Telkom, RD & LR, DME, RLCC, ESKOM, DWAF and RAL be obtained and must be submitted together with the formal application.
6. Comments from Limpopo Department of Economic Development, Environment and Tourism.
7. Proof of published notices in the local media and Limpopo Provincial Gazette must be submitted to Council.
8. That heritage impact assessment reports must be submitted to Council for consideration.
9. Draft layout plan should also be submitted signed by the Land Surveyor, Town-planner and the Professional Engineering inclusive of the locality map.
10. Submission of the flood line certificate and the initial geotechnical report.

DoornspruitDevelopment_itm

(DDP)

ITEM B.24.11.02.10**ESSENTIAL SERVICES: NEW BULK INTAKE POINT: THREE PHASE 15MVA 66KV ESKOM SUPPLY CAPACITY: RIBOLWA SUBSTATION: UP-FRONT PAYMENT TO ESKOM****(16/2/1)****REMARK:**

This matter was referred from item A.16.29.04.10.

RESOLVED B.24.11.02.10

THAT the matter be deferred to the next Executive Committee meeting in order to afford the Portfolio Committee Finance the opportunity to consider the matter and submit its recommendation to the next Executive Committee for consideration with a view of making a recommendation to Council.

Ej/ribolwa15mva_2

(DCSS)

ITEM B.25.25.02.10

**COUNCIL BUILDINGS: INVESTIGATION TO CREATE ADDITIONAL OFFICE SPACE
(E 3415/R; 7/2/1/3/1)**

REMARK:

This item was referred from item A.23.29.04.10.

RESOLVED B.25.25.02.10 -

THAT Councillors R S Baloyi and T J Mudau be delegated to conduct a fact finding mission at Polokwane and thereafter submit report to the Portfolio Committee: Corporate Services for consideration and recommendation to the Executive Committee.

OfficeBuildings_itm

(DCSS)

ITEM B.26.25.02.10

**FINANCES: ADJUSTMENT BUDGET 2009/2010 REVIEW
(6/1/1(2009/10))**

REMARK:

This item was referred from item A.24.29.04.10.

RESOLVED B.26.25.02.10 –

THAT the item be referred back to all Departmental Portfolio Committees to consider their department's adjustment budget, and the outcome be resubmitted to the Executive Committee.

AdjustmentBudget_itm

(DCSS)

ITEM B.27.25.02.10

**ESSENTIAL SERVICES: NEW BULK INTAKE POINT: THREE PHASE 15MVA 66KV
ESKOM SUPPLY CAPACITY: RIBOLWA SUBSTATION: UP-FRONT PAYMENT TO
ESKOM
(16/2/1)**

REMARK:

This item was referred from item A.25.29.04.10.

RESOLVED B.27.25.02.10 –

THAT the matter be referred back to the Portfolio Committee Finance and that the Chief Financial Officer, Mr R H Maluleke must submit two quotations for consideration, and the outcome be submitted to the Executive Committee. (DCSS)

Ej/ribolwa15mva_2

ITEM B.28.25.02.10

**PERSONNEL: APPOINTMENT: MUNICIPAL MANAGER
(5/3/4/9/2 & 5/3/B)**

REMARK:

This item was referred from item A.18.29.04.10 –

RESOLVED B28.25.02.10 -

THAT note be taken of Annexure B to the report in this regard and that a legal opinion be obtained by Administration regarding the term of office of the Municipal Manager in the light of Section 12 of the Local Government Laws Amendment Act of 2008 and the legal opinion be submitted to the Executive Committee for consideration and recommendation to Council.

MMAappoint_itm

(AMM/DCSS)

ITEM B.29.23.04.10

**AMENDMENT OF FUND RULES ON RETIREMENT AGE: MUNICIPAL EMPLOYEES
PENSION FUND
(5/5/11/1)**

RESOLVED B.29.23.04.10 –

1. THAT Council takes note of the letter received from the Municipal Employees Pension Fund which deals with the retirement age and the Government Gazette Section 10 of the Social Assistance Act, Act 13 of 2004. (DCSS)
2. THAT an urgent survey be made to determine the position held by those employees in order to cater for replacement of affected employees. (DCSS)

RetirementAge_itm

ITEM B.30.23.04.10

**FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING JANUARY
2010 (6/1/1(2009/10))**

RESOLVED B.30.23.04.10 -

1. THAT the in-year monitoring financial report for the month of January 2010 be noted.

(CFO)

2. THAT the breakdown of the debtors' age analysis be submitted to the Portfolio Committee Finance in order to enable the Committee to identify the problems. (CFO)

MonitoringJan2010_itm

ITEM B.31.23.04.10

FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING FEBRUARY 2010 (6/1/1(2009/10))

RESOLVED B.31.23.04.10 -

1. THAT the in-year monitoring financial report for the month of February 2010 be noted. (CFO)
2. THAT the breakdown of the debtors' age analysis be submitted to the Portfolio Committee Finance in order to enable the Committee to identify the problems. (CFO)
3. THAT the Chief Financial Officer enquire with the Department of Local Government and Housing concerning the issue of the Ratepayers' Association. (CFO)
4. THAT it be noted that the indigent subsidy process runs from 1 May 2010 and ends 30 June 2010 and it will reduce the debtors growth of the debtors age analysis. (CFO)

MonitoringFeb2010_itm

ITEM B.32.23.04.10

COUNCIL LAND: LEASE OF MAKHADO SHOOTING RANGE: PORTION OF FARM RIETVLY 276 L.S. (7/3/2/3/5)

REMARK:

This item was referred from item A.41.29.04.10.

RESOLVED B.32.23.04.10 –

THAT the matter be deferred to afford members of the Portfolio Committee: Corporate Services time to do further investigation and that the item must be resubmitted for consideration by the Portfolio Committee: Corporate Services before the end of April 2010. (DCSS)

ShootingRange_itm

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10. PETITIONS

None

11. NEW MOTIONS

None

The meeting was closed and adjourned at 18h00.

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 ordinary Council meeting of 29 July 2010.

CHAIRPERSON

cs/CouncilMinutes_55