

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE SEVENTY FOURTH (74th) MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 29 JANUARY 2015 AT 14:00 IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, KROGH STREET, MAKHADO.

PRESENT

Councillors

BALIBALI, N P	MATODZI, A M
BALOYI, R S	MATUMBA, T M
BALOYI, N B	MATUMBA, N J
CHILILO, N F	MMBADI, T A
GABARA, M J	MOGALE, L B
HLABIOA, M M	MPASHE, M
HLUNGWANE, B F	MTHOMBENI, S Z
HLUNGWANI, K A	MUDAU, T S
KUTAMA, N	MUKHAHA, A J
LERULE-RAMAKHANYA, M M	MUKHARI, M F
LUDERE, R	MULOVHEDZI, M D
LUDUVHUNGU, V S	MUTAVHATSINDI, F D
MACHETE, M S	MUNYAI, N S
MADAVHU, F F	MUTELE, T M
MADZHIGA, F N	NDZOVELA, M G
MADZIVHANDILA, M R	NELUVHOLA, A T
MAFHALA, N A	NEMAFHOHONI, M G
MAGADA, M R	NETSHIVHULANA, T P
MAHANI, M G	NGOBENI, N E
MAKHUBELA, R T	NKANYANE, R G
MAKHUVHA, V S	RASIMPHI, M P
MALANGE, R	RATSHIKUNI, D T
MALANGE, T M	RATSHIVHOMBELA, M
MALIMA, M E	REKHOTSO, S M
MAMAFHA, T C	RIKHOTSO, F J
MAMAFHA, T J	SELEPE, M R
MAMOROBELA, T P	SHANDUKANI, M J
MAPHAHLA, A Z	SINYOSI, S M
MAPHALA, O S	THANDAVHATHU, R
MASHIMBYE, P F	TSHAVHUYO, T G
MASUKA, S	TSHILAMBYANA, M S
MATHAVHA, H F	UNDERWOOD, J P
MATHOMA, M P	

Traditional Leaders

KHOSI R H SINTHUMULE

Officials

I P MUTSHINYALI	(MUNICIPAL MANAGER)
N A MATHIVHA	(ACTING CHIEF FINANCIAL OFFICER)
N C KHARIDZHA	(DIRECTOR CORPORATE SERVICES)
M D SINTHUMULE	(DIRECTOR DEVELOPMENT PLANNING)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

Guests

S J MASITE	(CHAIRPERSON AUDIT AND PERFORMANCE AUDIT COMMITTEE)
I AHMED	(MANAGER, AUDITOR GENERAL SOUTH AFRICA)

K MUDAU
D J M MOLOMO

(COGHSTA)
(COGHSTA)

* * * *

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 –

1. THAT leave of absence be granted in accordance with the provisions of Rule 5 of the Council's Rules and Orders, 2007 in respect of the Council meeting held on 29 January 2015 to Cllrs A du Plooy, S V Mahladiisa, E H Ludere, S D Ramudzuli, M S Mamatsiari, M T Ndwambi and L M Mathalise.

2. THAT it be noted that the following councillors were absent from the meeting without leave of absence in accordance with the provisions of clause 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 January 2015:

Cllrs N D Davhana, M P Mazibuko and M D Mmboyi, as well as Traditional Leaders, Hosi M S Bungeni, Khosi S A Mulima, Khosi M C Masakona, Hosi H N Majosi, Hosi J Baloyi, Hosi T J Mukhari, Khosi M W Netsianda, Khosi N T L Mashamba, Khosi T P Nesengani, Khosi T R V Mashau, M A Madzivhandila, Khosi S T Mukhari and Khosi V C Ramabulana.

3. OFFICIAL ANNOUNCEMENTS

3.1 Quarterly Report about activities of the VDM by Cllr N S Munyai:

"Madam Speaker, his worship the Mayor, Chief Whip, Councillors, Municipal Manager, Directors, our honourable chiefs and the house in general, on behalf of Councillors representing Municipality in the Vhembe District Municipality (VDM), I would like to thank you for the opportunity afforded to me to report on our quarterly activities undertaken on behalf of Council in the VDM.

Madam Speaker, as we are coming from festive seasons of which its campaigns were officially launched on the 22nd of December 2014 at Vuwani Region and officially closed on the 2nd January 2015 at Tshilamba Community Hall, we are also saddened by many accidents that happened around Vhembe District wherein innocent passengers, pedestrians and drivers have lost their lives. May their souls rest in peace.

Madam Speaker, we have since then held one (1) Council Meeting i.e. on the 17th of December 2014, at VDM Council Chamber wherein among others, Back to Basics Report, Extension of the Appointment as Acting Municipal Manager, Appointment of Acting Infrastructure General Manager, Appointment of the Acting Chief Financial Officer, Feedback on the AG Audit Report and 2014/15 Festive Season Arrive Alive Campaign Report were considered.

Madam Speaker, the National Children's month celebration was held on the 19th of November 2014 at Nyeleti Creche, Gumbani Village whereas an Imbizo Feedback Session was held on the 21st of November 2014 at Muduluni Community Hall. There was also a visit by the Minister of Social Development on the 26th of November 2014 at Mhinga Sports Ground. An International Day for the Disabled was celebrated at Makhado Community Hall, Biaba on the 3rd of December 2014 and was addressed by MEC Nandi Ndalane on behalf of the Premier. A VDM Mayoral Imbizo was again held at Lufule Flying Bombers Sports Ground on the 10th of December 2014.

Madam Speaker, Vuwani Disaster Centre and Fire Station was officially opened during the launching of the Arrive Alive Season Campaigns on the 22nd of December 2014. The National Youth Development Program was launched by the Deputy Minister of Water and Sanitation on the 16th of January 2015 at Thohoyandou Indoor Sports Centre.

In conclusion, Madam Speaker, despite the national decline of grade 12 glass of 2014 results, we are happy that our District is continuing to make us proud and it is leading the Province with 81,1%. We congratulate all those learners who made it and in the same breath sympathize with those who didn't. However Madam Speaker, the District is also mourning the passing away of Cde Major General Gabriel Ramushwana who played an important role during the transition period. He was buried last Saturday in Musina. May his soul rest in peace. I thank you."

- 3.2 The Speaker, Cllr L B Mogale announced the blessing ceremony of Adv M M Makhado and Mrs G Masindi (neè Tsedu) of 52 Kock Street, Louis Trichardt on 7 March 2015 at 10:00 at the Show Ground. All Councillors were invited to attend the ceremony.
- 3.3 The Speaker, Cllr L B Mogale officially presented Certificates of Outstanding Performance in recognition of valuable contribution and outstanding performance towards Makhado Local Municipality for improving the audit opinion to that of an unqualified audit opinion for 2013/2014 financial year to the following:
 - (a) Councillors: A du Plooy, D T Ratshikuni, N R Thandavhathu, R S Baloyi, S M Sinyosi, T G Tshavhuyo, T P Mamorobela, T M Malange, J P Underwood and P F Mashimbye,
 - (b) Member of Audit Committee: L S Mafokeng and S J Masite,
 - (c) Top Management: I P Mutshinyali, L N Ragimana, N C Kharidzha, M J Kanwendo, M D Sinthumule and M P Makhubela.
- 3.4 The Speaker, Cllr L B Mogale announced that councillors T M Malange, N D Davhana, M T Ndwambi, R T Makhubele, F J Rikhotso, A J Mukhaha, T G Tshavhuyo, T P Netshivhulana and S M Sinyosi had completed the Local Government Finance Management Module on Supply Chain Management of the MFMA studies. She congratulated them on the fine achievement.
- 3.5 The Speaker, Cllr L B Mogale announced that his Worship the Mayor, Cllr F D Mutavhatsindi will be officially opening Waterval Community Hall on Friday, 6 February 2015 at Waterval at 10:00. All Councillors were invited to attend the occasion.

4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER

The Speaker, Cllr L B Mogale proposed congratulations to the following councillors who celebrated their birthdays since the last ordinary Council meeting held on 14 October 2014:

Cllr A du Plooy	18 October 2014
Cllr N F Chililo	5 November 2014
Cllr F N Madzhiga	1 December 2014
Cllr M T Mutele	3 December 2014
Cllr A J Mukhaha	11 December 2014
Cllr M S Tshilambyana	12 December 2014
Cllr N R Thandavhathu	16 December 2014
Cllr T G Tshavhuyo	1 January 2015
Cllr T C Mamafha	1 January 2015
Cllr M R Magada	1 January 2015
Cllr M D Mulovhedzi	2 January 2015
Cllr N Kutama	3 January 2015
Cllr S Z Mthombeni	19 January 2015
Cllr M Mpashe	21 January 2015
Cllr N D Davhana	27 January 2015
Cllr J P Underwood	30 January 2015

5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY COUNCILLORS

- 5.1 Cllr T P Mamrobela proposed congratulations to all councillors who were awarded Certificates.
- 5.2 Cllr S Masuka proposed congratulations to Makhado Local Municipality for the effort to engage and eradicate fraud and corruption and urged all concerned to continue with the good work without any interference.
- 5.3 Cllr N F Chililo proposed condolences to the bereaved Ndou family with the passing on of their daughter, Catherine Ndou, who was the wife of Joseph Maluleke, a Ward Committee member in Ward 37.
- 5.4 Cllr V S Luduvhungu proposed congratulations to Tshitwa Secondary School of Ha-Mashamba for obtaining 100% pass rate in the 2014 Matric results. A celebration will be held on Friday, 30 January 2015 at Ha-Mashamba Village.
- She further proposed congratulations to Pastor Mabasa for donating a five (5) room house to Mr Simon Khosa of Ha-Mashamba Village.
- She also proposed condolences to the bereaved family of the late Evelyn Tshitavha who was brutally killed by her husband on 28 January 2015.
- 5.5 Cllr T J Mamafha proposed condolences to the bereaved family of the late MEC of Education in Limpopo, Provincial Treasurer of the ANC, Ms Thembisile Nwendamustwu who was buried on Saturday, 17 January 2015.
- 5.6 Cllr M M Lerule-Ramakhanya proposed condolences to the bereaved family of the late Ms Eaglet Ramaligela of Vleifontein Township, Ward 20 whose body was found floating in a dam. Her memorial service was arranged for Thursday, 29 January 2015, 18:00 at Vleifontein.
- 5.7 Cllr R Ludere proposed congratulations to Cllr V S Luduvhungu for good work she was doing in her ward. She sponsored a cow to Tshitwa School for their celebrations and she also donated food to a needy family and of facilitating the building of a 5 room house to the indigent Mr Simon Khosa of Ha-Mashamba Village.

6. CONFIRMATION OF MINUTES**6.1 REMARK:**

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

RESOLVED -

THAT the minutes of the 73rd meeting of the Council held on 14 October 2014, 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 R Selepe, duly seconded by Cllr M P Mathoma, it was -

RESOLVED -

THAT the minutes of the 93rd Special meeting of the Council held on 13 November 2014, 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 M R Selepe, duly seconded by Cllr M P Mathoma, it was -

RESOLVED -

THAT the minutes of the 94th Special meeting of the Council held on 15 December 2015, 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

None

8. MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETING

None

9. REPORT OF COUNCIL COMMITTEES: JANUARY 2015

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 January 2015

The report of the 360th Executive Committee meeting held on 14 October 2014 (*only approval of minutes*)

The report of the 361st Executive Committee meeting held on 13 November 2014 (*was considered at the 93rd Special Council meeting of 13 November 2014*)

The report of the 362nd Executive Committee meeting held on 15 December 2014 (*was already considered at the 94th Special Council meeting of 15 December 2014*)

The report of the 363rd Executive Committee meeting held on 15 December 2014 (*was already considered at the 94th Special Council meeting of 15 December 2014*)

The report of the 364th Executive Committee meeting held on 22 January 2015

The report of the 365th Executive Committee meeting held on 29 January 2015

ITEM A.1.29.01.15

REPORTS: DRAFT ANNUAL REPORT 2013/14: APPROVAL AND SUBMISSION: DEPARTMENT NATIONAL TREASURY AND DEPARTMENT COOPERATIVE GOVERNANCE, HUMAN SETTLEMENT AND TRADITIONAL AFFAIRS (10/1/2; 10/1/4/1-/8)

RESOLVED A.1.29.01.15 (COUNCIL) –

1. THAT the Draft Annual Report 2013/2014 attached as Annexure A to the report in this regard, be approved with due allowance for the contents of paragraph 5 herein below, and that it be advertised for public comments subject to the contents of paragraph 6 herein below.
(MM)
2. THAT the Municipal Public Account Committee (MPAC) proceed with the oversight component of the Draft Annual Report 2013/2014 in order to have an Overview on the Report as more fully set out in National Treasury *Circular No 32 of 15 March 2006*, which *Committee* must conclude their task within the given timelines as dictated by legislation, for final submission of the final report to Council by no later than 26 March 2015. (DCS)
3. THAT members of the Audit Committee be invited to serve as technical assistance to the Municipal Public Account Committee in the oversight task 2013/2014 referred to in paragraph 2 above. (MM)
4. THAT it be noted that Council's final resolve on the 2013/14 Annual Report must be passed by no later than 26 March 2015 whereupon it must be submitted to National Treasury and the Department of Cooperative Governance, Human Settlement and Traditional Affairs for submission to the Minister of Cooperative Governance and Traditional Affairs, and the Auditor General as Makhado Local Municipality's demonstration of municipal performance to its community. (MM)

5. THAT it be noted that the Audit and Performance Audit Committee considered the draft Annual Report 2013/14 on 29 January 2015 at its special meeting in terms of compliance, completeness and whether all components have been duly covered, and that it pointed out the following which must be attended to -

1. Chapter 1 must include

1.1 As part of the Mayor's foreword - all highlights such as awards for achievements, service delivery successes and challenges in high level format, general progress in service delivery as measured against the 2012-2017 IDP, challenges of payment for services and how it is addressed.

1.2 As part of the Municipal Manager's reflections - performance information in terms of the IDP, performance on key programs such as the MIG, revenue collection challenges and measures to enhance it

1.3 The Audit Performance and Audit Committee as a section 166 MFMA Committee must be included under the description of Council Committees

1.4 The Auditor General figures must align with all figures in Chapter 3

1.5 Disclosures by councilors, including the return of attendance of Council and its committees' meetings, must be appended in the schedule of appendices

2. Chapter 2

The signed report of the Audit Committee and that of the Auditor General in its signed off format must form part of this chapter

3. Chapter 3

The PMS unit must repeat a quality assurance process on this chapter

4. Chapter 4

4.1 A summary must be given on key posts and vacancies and how it influenced service delivery, and why in some instances it took longer time than what the policy dictates to recruit staff

4.2 Summary type information on the workforce and competency levels must be given

4.3 Reference must be made to the ICT Section and assistance which COGHSTA is giving to assure an ultimate digital environment for municipal affairs that would attract investors

5. Chapter 5

5.1 The information on p97 must reflect on mitigation measures implemented to address the challenges of cashflow and to give assurance of liquidity

5.2 Information on page 93 and page 94 must be reviewed for completeness

5.3 Information on page 98 and other pages must be corrected to delete all references to entity as the municipality does not have an appointed entity

6. Chapter 6

6.1 The signed off version of the Auditor General Report of Findings for 2013/14 must be included in the draft Annual Report 2013/14 which must also be displayed accordingly on the municipal website

6.2 The finally audited Annual Financial Statements for the year ending 30 June 2014 must be included in the draft Annual Report 2013/14 which must also be displayed accordingly on the municipal website

6.3 All 2014/15 action plans to address the 2013/14 findings, including the action plan for the ICT findings, as well as the action plan for findings for previous years not yet fully concluded, must be inserted in this chapter.

6.4 All required annexures must be attached to the report, for e.g. the Audit Committee Report for the year in question as Annexure K as more fully set out in MFMA Circular 63.

(MM)

6. THAT the contents of the document must be subjected to editorial quality and thereafter in its improved and corrected format be displayed on the municipal website to invite public comments which will be taken into account in preparing the Oversight Report and the final Annual Report 2013/14 which stands to be considered by Council during March 2015.

DraftAnnualReport2013-2014_itm

(MM)

ITEM A.2.29.01.15

**FINANCES: MID-YEAR FINANCIAL PERFORMANCE ASSESSMENT: 2014/2015
FINANCIAL YEAR
(10/1/4/1, 10/1/5/2)**

RESOLVED A.2.29.01.15 (COUNCIL) –

1. THAT the complete Midyear Financial Performance Assessment Report for 2014/2015 as required by Section 72 of the Municipal Finance Management Act, Act no. 56 of 2003, attached as Annexure to the report in this regard, be approved as follows:
 - 1.1 The Mid-year Budget and Performance Assessment as submitted be noted by Council and the Audit Committee. (CFO/MM)
 - 1.2 The 2014/2015 Annual Budget be adjusted in February 2015 in terms of Section 28 of the Municipal Finance Management Act (MFMA). (CFO)
 - 1.3 The Mid-year Budget and Performance Assessment report be submitted to the Mayor, the National and Provincial Treasuries, and Department Cooperative Government, Human Settlement and Traditional Affairs. (CFO)
 - 1.4 The Mid-year Budget and Performance report be placed on the municipal website within five (5) working days after it is submitted to the Mayor and approved by Council. (CFO/DCS)
 - 1.5 All Heads of Departments be instructed to submit a report in which full particulars are displayed regarding the progress with each capital project that is provided for and in which implementation delays are explained. (MM)
2. THAT the Municipal Manager intervene to ensure that the municipal website is continuously updated with compliance and other public relations information and notices, that older documents are duly archived, and that the general functioning of the website is user friendly and active. (DCS/MM)

MidyearBudget&PerformanceAssessment_itm

ITEM A.3.29.01.15**REPORTS AND SURVEYS: MID-YEAR SERVICE DELIVERY PERFORMANCE ASSESSMENT: 2014/15 FINANCIAL YEAR (10/1/4/1; 10/1/2)**

RESOLVED A.3.29.01.15 (COUNCIL) –

1. THAT Council takes note of the Mid-year Service Delivery Performance Assessment progress in relation to the approved SDBIP for the 2014/15 financial year as submitted by Performance Management Unit and attached to the report in this regard as Annexure A. (CFO)
2. THAT the vacancy of Director: Technical Services be filled and appointment done as a matter of urgency, so that contracts can be monitored. (DCS)
3. THAT note be taken of the verbal progress reported about the details of the different desks of Special Programs presented during the meeting by the Department Corporate Services regarding the 2014/15 Midyear Progress Report on service delivery. (DCS)
4. THAT the written progress report of each desk be made available to Councilors of the Portfolio Committee Youth, Women, Elderly, Gender, People with Disability and Children, and the Portfolio Committee Sport and Recreation, Arts and Culture before the Executive Committee meeting on 22 January 2015 is held. (DCS)
5. THAT reasons be furnished to the Portfolio Committees why targets of certain desks of Special Programs were not achieved according to the targets as recorded in the Midyear Progress Report 2014/2015. (DCS)
6. THAT the Department Corporate Services improve the quality of notices of meetings to the Portfolio Committees that is related to the Special Programmes Desks and ensure that such notices reach each member. (DCS)

MidyearSDBIPProgressReport2014-2015_itm

ITEM A.4.29.01.15**COUNCIL COMMITTEES: RETURN OF ATTENDANCE OF MEETINGS OF COUNCIL AND ITS COMMITTEES – JULY 2014 TO SEPTEMBER 2014 – QUARTER 1, 2014/2015 FINANCIAL YEAR (4/1/B & 10/1/5/1)****REMARK:**

This item was referred as item B.6.22.01.15.

ITEM A.5.29.01.15**COUNCIL COMMITTEES: RETURN OF ATTENDANCE OF MEETINGS OF COUNCIL AND ITS COMMITTEES – OCTOBER TO DECEMBER 2014 – QUARTER 2, 2014/2015 FINANCIAL YEAR
(4/1/B & 10/1/5/1)****REMARK:**

This item was referred as item B.7.22.01.15.

ITEM A.6.29.01.15**REPORTS AND SURVEYS: OUTSTANDING MATTERS: COUNCIL RESOLUTIONS –**

- 1. QUARTER 4: 2013/14 FINANCIAL YEAR**
- 2. QUARTER 1: 2014/15 FINANCIAL YEAR**
(10/1/6/1)

RESOLVED A.6.29.01.15 (COUNCIL) –

1. THAT note be taken of the progress with implementing Council Resolutions in respect of meetings held during
 - (a) Quarter 4 of the 2013/2014 financial year
 - (b) Quarter 1 of the 2014/15 financial year
 as more fully set out in Annexure K and Annexure L attached to the report in this regard, with the following corrections:
 - (i) Annexure K, page 12 – the figure “56” in the last column, 3rd line has to read “0”
 - (ii) Annexure K, page 12 – the figure “7” in the 3rd column, 6th line has to read “6”.

(DCS)

2. THAT the Department Corporate Services submits a report at the next Portfolio Committee: Corporate Services’ meeting about the status of the transfer of staff to Vhembe District Municipality as purported under Council Resolution A.104(i).24.07.14. (DCS)

CouncilResolutionImplementationQ4 13-14 & Q1 14-15_itm

ITEM A.7.29.01.15**FINANCES: TENDERS AWARDED: 2ND QUARTER 2014/2015 FINANCIAL YEAR
(8/3/B/1 & 10/1/5/2)**

RESOLVED A.7.29.01.15 (COUNCIL) -

THAT note be taken of the seven (7) tenders awarded through the Competitive Bidding Process for the term October 2014 to December 2014, i.e. the 2nd Quarter of the 2014/2015 financial year.

TendersAwarded2ndQ2014-2015_itm

(CFO)

ITEM A.8.29.01.15**REPORT:**

- 1. SANGANAI/HLANGANANI WORLD TOURISM FAIRE 2014 AT HARARE-ZIMBABWE**
- 2. PROPOSED TWINNING AGREEMENT BETWEEN MAKHADO MUNICIPALITY AND CHIREDDI RURAL DISTRICT COUNCIL**

(10/1/2 & 12/3/2/2)

RESOLVED A.8.29.01.15 (COUNCIL) –

1. THAT Council notes the Sanganaï/Hlanganani Tourism Faire-2014 Report as herein outlined and attached. (DDP)
2. THAT Council notes and approves the proposed roadmap for the twinning agreement, the draft program of action and the draft memorandum of understanding. (DDP)
3. THAT the Municipality involves the Office of the Premier, the Departments of International Relations and Cooperation, Cooperative Governance, Human Settlements and Traditional Affairs (COGHSTA) and South African Local Government Association (SALGA) to seek further guidance, before the signing of the MOU with the Chiredzi Rural District Council.

TwinningAgreement_itm

(DDP)

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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 month of January 2015

The report of the 360th Executive Committee meeting held on 14 October 2014 (*only approval of minutes*)

The report of the 361st Executive Committee meeting held on 13 November 2014 (*was considered at the 93rd Special Council meeting of 13 November 2014*)

The report of the 362nd Executive Committee meeting held on 15 December 2014 (*was already considered at the 94th Special Council meeting of 15 December 2014*)

The report of the 363rd Executive Committee meeting held on 15 December 2014 (*was already considered at the 94th Special Council meeting of 15 December 2014*)

The report of the 364th Executive Committee meeting held on 22 January 2015

The report of the 365th Executive Committee meeting held on 29 January 2015

ITEM B.1.22.01.15

TOWN PLANNING AND CONTROL: ENVIRONMENTAL MANAGEMENT: REQUEST TO DRILL BOREHOLES ON ERF 59, ELTIVILLAS TOWNSHIP (15/3/15)

RESOLVED B.1.22.01.15 (EXECUTIVE COMMITTEE) –

THAT the request submitted by EnviroCorp SA for a permission to drill narrow diameter monitoring wells on a Municipal owned property, erf 59 situated at Eltivillas Township in extent 1.0287 hectares in order to obtain groundwater and soil samples as commissioned by TOTAL SA for the purpose of undertaking Environmental Impact Assessment for Ayob Motors Filling Station be approved subject to the following conditions:

1. The Department of Technical Services and Development Planning must be consulted prior to the drillings for the provision of information relating to underground services, Location, maps and as built drawings if any.
2. The Municipality will and must not be held responsible for any damage or injury that may occur during the operation and after as a result of the drilled wells.
3. The approval is further subject to the following conditions:
 - 3.1 **Electricity:** Erf 59 Eltivillas has no electricity supply. It is not clear from the report if EnviroCorp SA would require an electrical supply for their drilling activities.
 - (i) A standard electrical connection up to 50kVA can be made available on a temporary basis for the duration of the drilling only. All costs here for shall be carried by EnviroCorp.
 - (ii) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993.
 - (iii) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality in respect of the Annexure 4 and C.o.C.
 - 3.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.
 - 3.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

3.4 **Property Rates:** The landowner must pay all property rates due to the Municipality with retrospective effect of 1 July 2008 if no payments for property rates were processed.

Boreholes_itm

(DDP)

ITEM B.2.22.01.15

TOWN-PLANNING AND CONTROL: CONSOLIDATION OF ERVEN 219 AND 220, LOUIS TRICHARDT (E 219, E 220 & 15/3/8)

RESOLVED B.2.22.01.15 (EXECUTIVE COMMITTEE) –

THAT the application submitted by Developlan Pietersburg Incorporated on behalf of their client Ash Property and Investment Trust to consolidate erven 219 and 220 at Louis Trichardt be approved in terms of Section 92 (2) (a) of the Town Planning and Townships Ordinance, 1986 (Ord. 15 of 1986) subject to the following conditions:

1. 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.
2. 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.
3. Development on the proposed Erven must comply with the Makhado Land Use Scheme, 2009 and as per current use zone.
4. Servitude of 2,0 meters wide in favour of the Municipality shall be provided for municipal services along any boundary, other than a street boundary, where such services are installed or planned to be installed.
5. No building or other structure or any part of its foundations may be erected in the servitude area and no tree with a potentially large root system may be planted within the servitude area or within 2, 0 meters thereof except with the permission of the Municipality.
6. Loading and Off-loading zones must be allocated on the side of President Street.
7. Two (2) meter boulevard must be allocated for pedestrian movement.
8. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
9. The Municipality may through its authorized officials, enter the property at all reasonable times to conduct any inspection which may be considered necessary or desirable.
10. The proposed consolidation must be registered in the Deeds Office within two years from date of approval of the application.
11. After approval of the application, the service accounts must be consolidated.
12. Overall availability of capacity in the Municipality's electricity supply scheme
13. A fully motivated written application by the client which will be submitted to Senior Management for their consideration.
14. The approval is further subject to the following conditions:

14.1 **Electricity:** Erven 219 & 220 have an existing electricity supply capacity of 450kVA. No additional supply shall be allowed.

The client is obliged to comply with the following conditions:

- (i) Application for the electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work.
- (ii) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993.
- (iii) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality.

14.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.

14.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

14.4 **Property Rates:** The landowner has since the implementation of the 2008-2012 General Valuation Roll **not paid / paid** charges for property rates. The approval of the application is subject thereto that all property rates due to Municipality since 1 July 2008 be paid.

ConsolidationErven219&220LTT_itm

(DDP)

ITEM B.3.22.01.15

TOWN-PLANNING AND CONTROL: SUBDIVISION OF ERF 4317, LOUIS TRICHARDT TOWNSHIP (15/3/8 & E 4317)

RESOLVED B.3.22.01.15 (EXECUTIVE COMMITTEE) –

THAT the application submitted by Developlan Pietersburg Incorporated on behalf of their client Bhadsha Property Investments CC to subdivide erf 4317, Louis Trichardt Township into three (3) portions be approved in terms of section 92 (2) (a) of the Town Planning and Townships Ordinance, 1986 (Ord. 15 of 1986), subject to the following conditions:

1. Each portion 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.
3. Development on the proposed portion must comply with the Makhado Land Use Scheme, 2009 and may only be used in accordance with its approved land use zone as determined by the Land Use Scheme.
4. Servitude of 2, 0 meters wide in favour of the Municipality shall be provided for municipal services along any boundary, other than a street boundary, where such services are installed or planned to be installed.
5. No building or other structure or any part of its foundations may be erected in the servitude area and no tree with a potentially large root system may be planted within the servitude area or within

- 2, 0 meters thereof except with the permission of the Municipality.
6. The applicant will have to pay an amount of R 7 140.29 engineering services contributions for water and R 5 898.41 for sewer which will increase annually.
 7. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
 8. The Municipality may through its authorized officials, enter the property at all reasonable times to conduct any inspection which may be considered necessary or desirable.
 9. The proposed subdivision must be registered in the Deeds Office within two years from date of approval of the application.
 10. The approval is further subject to the following conditions:
 - 10.1 **Electricity**: Erf 4317 has an existing electricity supply capacity of 150kVA. The 150kVA will remain with the remainder of the erf. The two new portions will be entitled to a capacity of 50kVA each. Should this capacity be insufficient, any additional supply would be subject to-
 - (a) Overall availability of capacity in the Municipality's electricity supply scheme.
 - (b) A fully motivated written application by the client which will be submitted to Senior Management for their consideration.
 - (c) Only a maximum of 50kVA may in any way be considered according to present status of the electricity supply scheme.

The client is further obliged to comply with the following conditions:

- (i) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work.
- (ii) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993.
- (iii) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality.
- (iv) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront.

10.2 **Water**: The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.

10.3 **Sewer**: The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

10.4 **Property Rates**: The landowner must pay all property rates due to the Municipality with retrospective effect of 1 July 2008 if no payments for property rates were processed.

ITEM B.4.22.01.15**TOWN-PLANNING AND CONTROL:**

- 1. REZONING OF PORTION 1 OF ERF 554, LOUIS TRICHARDT TOWNSHIP FROM “RESIDENTIAL 1” TO “BUSINESS 1”: SHOPS AND OFFICES (AMENDMENT SCHEME NO. 132)**
- 2. SIMULTANEOUS APPLICATION FOR CONSOLIDATION OF PORTION 1 OF ERF 554 AND ERF 552, LOUIS TRICHARDT TOWNSHIP (E 554/1, 15/3/8 & 15/4/2/2/1/364)**

RESOLVED B.4.22.01.15 (EXECUTIVE COMMITTEE) –

THAT an application submitted by Developlan Pietersburg Incorporated on behalf of their clients Ozayr and Aisha Osman to rezone Portion 1 of Erf 554, Louis Trichardt from “Residential 1” to “Business 1” for the purpose of shops and offices and a simultaneous application to consolidate Portion 1 of Erf 554 and Erf 552, Louis Trichardt be approved in terms of section 56(9) and section 92 (2)(a) of the Town Planning and Townships Ordinance, 1986 (Ord. 15 of 1986), subject to the following conditions:

1. No building or alterations may commence without approved building plans.
2. Site development plan must be submitted before any building plans can be approved.
3. The development must comply with the Makhado Land Use Scheme, 2009 with “Business 1” as the use zone.
4. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
5. The measurement of the perpendicular or angled parking must not be less than 5,5m x 2,7m and 6,0m x 2,7m for parallel parking.
6. Engineering services contributions will be payable and will be calculated in accordance with Council’s formula for such services.
7. All costs that may arise as a result of this approval are for the account of the applicant.
8. 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.
9. Servitude of 2, 0 meters wide in favour of the Municipality shall be provided for municipal services along any boundary, other than a street boundary, where such services are installed or planned to be installed.
10. No building or other structure or any part of its foundations may be erected in the servitude area and no tree with a potentially large root system may be planted within the servitude area or within 2, 0 meters thereof except with the permission of the Municipality.
11. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
12. The Municipality may through its authorized officials, enter the property at all reasonable times to conduct any inspection which may be considered necessary or desirable.
13. The applicant is expected to do the Promulgation Process and submit proof of notice within a period of three weeks after approval.

14. The proposed consolidation must be registered in the Deeds Office within two years from date of approval of the application.
15. After approval of the application, the service accounts must be consolidated.
16. Should there be a need for a notice board, a formal application for a notice board must be submitted to the Municipality.
17. The approval is further subject to the following conditions:
 - 17.1 **Electricity:** Erf 554 Portion 1 has an existing electricity supply capacity of 16kVA. Erf 552 has also an existing electricity supply capacity of 16kVA. The consolidated stand will have a maximum capacity of 66kVA. Should this capacity be insufficient, any additional supply would be subject to-
 - (a) Overall availability of capacity in the Municipality's electricity supply scheme.
 - (b) A fully motivated written application by the client which will be submitted to Senior Management for their consideration.
 - (c) Only a maximum of 66kVA may in any way be considered according to present status of the electricity supply scheme.

The client is further obliged to comply with the following conditions:

- (i) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work.
 - (ii) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993.
 - (iii) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality.
 - (iv) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront.
- 17.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.
- 17.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.
- 17.4 **Property Rates:** The landowner must pay all property rates due to the Municipality with retrospective effect of 1 July 2008 if no payments for property rates were processed.

ITEM B.5.22.01.15**TOWN-PLANNING AND CONTROL:**

- 1. APPLICATION FOR REZONING OF ERF 781, LOUIS TRICHARDT TOWNSHIP FROM “RESIDENTIAL 1” TO “RESIDENTIAL 2” (AMENDMENT SCHEME NO. 142)**
- 2. SIMULTANEOUS APPLICATION IN TERMS OF CLAUSE 21 OF MAKHADO LAND USE SCHEME, 2009 TO INCREASE THE PERMITTED DENSITY FROM 20 TO 45 UNITS PER HECTARE
(E 781, 15/3/8 & 15/4/2/2/1/374)**

RESOLVED B.5.22.01.15 (EXECUTIVE COMMITTEE) –

THAT an application submitted by Fulwana Planning Consultants on behalf of their client TSHAMANO FAMILY TRUST for rezoning of Erf 781, Louis Trichardt from “Residential 1” to “Residential 2” and simultaneous application to relax permitted density from 20 to 45 units per hectare be approved in terms of section 56(9) of the Town Planning and Townships Ordinance, 1986 (Ord. 15 of 1986), subject to the following conditions:

1. No building or alterations may commence without approved building plans.
2. Site development plan must be submitted before any building plans can be approved.
3. The development must comply with the Makhado Land Use Scheme, 2009 with “Residential 2” as the use zone.
4. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
5. The measurement of the perpendicular or angled parking must not be less than 5,5m x 2,7m and 6,0m x 2,7m for parallel parking.
6. Engineering services contributions will be payable and will be calculated in accordance with Council’s formula for such services.
7. All costs that may arise as a result of this approval are for the account of the applicant.
8. 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.
9. Servitude of 2, 0 meters wide in favour of the Municipality shall be provided for municipal services along any boundary, other than a street boundary, where such services are installed or planned to be installed.
10. No building or other structure or any part of its foundations may be erected in the servitude area and no tree with a potentially large root system may be planted within the servitude area or within 2, 0 meters thereof except with the permission of the Municipality.
11. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
12. The Municipality may through its authorized officials, enter the property at all reasonable times to conduct any inspection which may be considered necessary or desirable.
13. The applicant is expected to do the Promulgation Process and submit proof of notice within a period of three weeks after approval.
14. Should there be a need for a notice board, a formal application for a notice board must be

submitted to the Municipality.

15. The approval is further subject to the following conditions:

15.1 **Electricity:** Erf 781 has an existing electricity supply capacity of 50kVA. Should this capacity be insufficient, any additional supply would be subject to-

- (a) Overall availability of capacity in the Municipality's electricity supply scheme
- (b) A fully motivated written application by the client which will be submitted to Senior Management for their consideration
- (c) Only a maximum of 50kVA may in any way be considered according to present status of the electricity supply scheme.

The client is further obliged to comply with the following conditions:

- (i) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work
- (ii) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993
- (iii) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality
- (iv) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront

15.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.

15.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

15.4 **Property Rates:** The landowner must pay all property rates due to the Municipality with retrospective effect of 1 July 2008 if no payments for property rates were processed.

RezoningErf781LTT_itm

(DDP)

ITEM B.6.22.01.15

COUNCIL COMMITTEES: RETURN OF ATTENDANCE OF MEETINGS OF COUNCIL AND ITS COMMITTEES – JULY 2014 TO SEPTEMBER 2014 – QUARTER 1, 2014/2015 FINANCIAL YEAR (4/1/B & 10/1/5/1)

REMARK:

This item was referred from item A.4.29.01.15.

RESOLVED B.6.22.01.15 (EXECUTIVE COMMITTEE) -

THAT the matter be referred back for scrutiny of the correctness and submission at the first following Portfolio Committee Corporate Services' meeting.

Return of Attendance Q1 of 2014-2015

(DCS)

ITEM B.7.22.01.15

COUNCIL COMMITTEES: RETURN OF ATTENDANCE OF MEETINGS OF COUNCIL AND ITS COMMITTEES – OCTOBER TO DECEMBER 2014 – QUARTER 2, 2014/2015 FINANCIAL YEAR (4/1/B & 10/1/5/1)

REMARK:

This item was referred from item A.5.29.01.15.

RESOLVED B.7.22.01.15 (EXECUTIVE COMMITTEE) –

1. THAT the matter be referred back for scrutiny of the correctness and submission at the first following Portfolio Committee Corporate Services’ meeting. (DCS)
2. THAT an additional diary be given to Cllr F N Madzhiga to use in monitoring the business of the Portfolio Committee meetings as recorded by administration. (DCS)

Return of Attendance Q2 of 2014-2015

CONFIDENTIAL

ITEM CB.8.29.01.15

CONFIDENTIAL MATTER

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10. PETITIONS

None

11. NEW MOTIONS

None

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The meeting was closed and adjourned at 15:47.

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 23 February 2015.

CHAIRPERSON