

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE EIGHTY SECOND (82nd) COUNCIL MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD ON WEDNESDAY, 26 APRIL 2017 AT 14:00 IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, KROGH STREET, MAKHADO.

PRESENT

Councillors

BABADU, T M
BALIBALI, T
CHILILO, N F
DAVHANA, N D
DU PLOOY, A
DZIVHANI, T E
GABARA, M J
HLONGWANE, F B
KUTAMA, N
KUTAMA, T
LUDUVHUNGU, V S
LUKHELI, J
MACHETE, M S
MADULA, S
MADUWA, E
MADUWA, L G
MADZHIGA, F N
MAFHALA, N A
MAGADA, M R
MAINGO, R T
MALANGE, T M
MALIMA, M E
MALULEKE, K M
MAMAFHA, T C
MAMAFHA, T J
MAPHUBU, K
MARAGA, T A
MARINGA, P K
MASHAMBA, M A
MASIPA, M L
MASUKA, S
MASUTHA, L G
MATHALISE, L M

MATUMBA, A
MBOYI, M D
MOGALE, L B
MOHLABA, T J
MPASHE, M J
MTHOMBENI, S Z
MUKHARI, M F
MUKWEVHO, G T
MUKWEVHO, T D
MULEFU, M E
MUNYAI, N
MUNYAI, N S
MUSANDIWA, P N
NDOU, M D
NDOU, M N
NEMATANDANI, M C
NEMUDZIVHADI, N S
NYELISANI, S S
RALIPHADA, R
RAMAVHOYA, K S
RAMUSHAVHA, G M
RAPHALALANI, A A
RASHAMUSE, A G
RATSHIKUNI, D
SELAPYANA, M A
SIMANGWE, N J
SINYOSI, S M
SITHI, E T
TAMBANI, T E
TSHIAMBWA, L R
TSHIBVUMO, G
TSHIFURA, S S
TSHILAMBYANE, M S

Traditional Leaders

KUTAMA, P V
SINTHUMULE, R H

MPHEPHU, M M
NETSIANDA, P

Officials

N C KHARIDZHA

(ACTING MUNICIPAL MANAGER & DIRECTOR CORPORATE SERVICES)

R V PHALANNDWA

(ACTING DIRECTOR DEVELOPMENT PLANNING)

M P MAKHUBELA

(CHIEF FINANCIAL OFFICER)

C W MOLOKOMME

(DIRECTOR TECHNICAL SERVICES)

H J LUKHELI

(ACTING DIRECTOR COMMUNITY SERVICES)

W S MATHONSI

(SARGENT OF ARMS)

M D MUNYAI

(ADMINISTRATIVE OFFICER: COMMITTEES)

* * * *

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.

The Speaker, Cllr L B Mogale then ruled that all persons present rise and observe a moment of silence in respect of former Cllr M Q Maphaha who passed away on 10 April 2017.

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

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

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

2. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLVED –

THAT leave of absence be granted in accordance with the provisions of clause 21 of the Council's Rules of Orders, 2016 published under Provincial Gazette Notice no. 2736 dated 29 July 2016 in respect of the Council meeting held on 26 April 2017 to Cllrs N V Malivha, M G Phoshoko, M G Furumela, N B Jones, M F Nethulwe and M F Mokgoadi.

REMARK:

- (i) The following councillors were absent from the Council meeting held on 26 April 2017:
Cllrs T P Mamorobela and S I Bulala.
- (ii) One vacant post existed due to fact that Cllr M Q Maphaha passed away on 10 April 2017.
- (iii) Khosi T G Muila, Hosi H S Mukhari, Hosi S T Mukhari, Khosi V C Ramabulana, Khosi N T L Mashamba and Khosi F Molema did not attend the meeting.

3. OFFICIAL ANNOUNCEMENTS

Cllr S M Sinyosi announced that all councilors were invited to attend the Makhado Mayoral Sports event at the Rugby Sport Ground, Sibasa Road, Makhado on Saturday, 29 April 2017 at 07:00.

4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER

4.1 **Condolences**
None

4.2 **Congratulations**

The Speaker, Cllr L B Mogale proposed congratulations to the following councillors who celebrated their birthdays since the last ordinary Council meeting held on 26 January 2017:

Cllr V S Luduvhungu	2 February
Cllr N V Malivha	2 February

Cllr S S Nyelisani	2 February
Cllr N S Munyai	2 February
Cllr T M Babadu	5 February
Cllr M A Selapyana	8 February
Cllr D Ratshikuni	15 February
Cllr M E Malima	28 February
Cllr M N Ndou	28 February
Cllr L M Mathalise	2 March
Cllr T J Mamafha	3 March
Cllr R Raliphada	6 March
Cllr E Maduwa	15 March
Cllr M D Ndou	22 March
Cllr G T Mukwevho	24 March
Cllr S S Tshifura	25 March
Cllr L G Maduwa	4 April
Cllr B F Hlongwane	7 April
Cllr T P Mamorobela	12 April
Cllr S Masuka	15 April
Hosi S T Mukhari	2 February
Khosi V C Ramabulana	18 February
Khosi T G Muila	2 March

5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY COUNCILLORS

- 5.1 Cllr L G Masutha congratulated the African National Congress Party led government together with the MEC of Health in Limpopo, Dr Phophi Ramathuba for supplying medicine to the clinics. He further congratulated Vhembe District Municipality for assisting the residents with boreholes and the purchase of new vehicles allocated for the water supply section.
- 5.2 Cllr J N Simangwe proposed condolences to the bereaved family of the late Mr Vuthlari Thomas Madala of Waterval, Ward 16 who burnt to death at home.
- 5.3 Cllr T Kutama congratulated the Mayor, Cllr S M Sinyosi for delivering a message of encouragement to learners in Ward 25 where she also donated books to learners.
- 5.4 Cllr L M Mathalise congratulated the Mayor, Cllr S M Sinyosi for supplying books at Mphephu Secondary School. She further congratulated the Executive Mayor of Vhembe District Municipality, Cllr F Radzilani for presenting a successful District Mayoral Imbizo on 25 April 2017 at Mutititi Sports Ground, Ha-Matsa in Ward 35.
- 5.5 Cllr N A Mafhala proposed condolences to the bereaved family of former Democratic Alliance member, Mrs Alilali Ramabulana who passed away. He further proposed condolences to the bereaved family of Mr Nicky du Randt, well known boxing trainer who passed away.
- 5.6 Cllr T A Maraga proposed condolences to the bereaved family of Mr Isaac Makamu, former BCT (Branch Command Team) member of Economic Freedom Fighters in Vhembe, who passed away when the car he was travelling in collided with a water pipe that blocked the road at Vuwani area in protest of the re-demarcation of boundaries.
- 5.7 Cllr J Lukheli congratulated the Democratic Alliance Party for arranging a successful and peaceful march at Johannesburg, Polokwane and Western Cape to declare that it did not want to be led by a President who took the country to junk status.

- 5.8 Cllr N D Davhana congratulated Mamu Sports Club for hosting a successful tournament on 16 April 2017 wherein the Mayor, Cllr S M Sinyosi handed trophies to winners in Ward 24.
- 5.9 Cllr T J Mamafha congratulated the Desai Operating Trust Family for donating twelve modern classrooms to Raliphaswa Primary School in Ward 38.
- 5.10 Cllr A Matumba congratulated members of Parliament who graduated at Wits School of Leadership.
- 5.11 Cllr N F Chililo congratulated the President of the African National Congress Party for appointing two former Presidents of the African National Congress Youth League, Mr Fikile Mbalula as Minister of Police and Mr Malusi Gigaba as Minister of Finance.
- 5.12 Cllr G Mukwevho congratulated South African Police Service (SAPS) in Seshego township for arresting members of the Economic Freedom Fighters who were looting the shops on a squandering protest march. She further proposed condolences to the Ramabulana family in remembering the life of the late President of Venda, Patrick Mphephu.

6. CONFIRMATION OF MINUTES

6.1 REMARK:

Upon proposal by Cllr T J Mamafha, duly seconded by Cllr E Maduwa, it was -

RESOLVED -

THAT the minutes of the 81st Council meeting held on 26 January 2017, 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 F N Madzhiga , duly seconded by Cllr L M Mathalise, it was -

RESOLVED -

THAT the minutes of the 118th Special Council meeting held on 23 February 2017, 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 T M Malange, duly seconded by Cllr M R Gabara, it was -

RESOLVED -

THAT the minutes of the 119th Special Council meeting held on 30 March 2017, 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 A RAPHALALANI ON 1 FEBRUARY 2017

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

Question 1

What is the fundamental purpose of constructing RDP houses?

Reply:

Section 26 subsection 1 and 2 of the Constitution of South Africa Act 108 of 1996 provides that

“(1) everyone has the right to have access to adequate housing

(2) the state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right”

Question 2

What are the selection criteria of the beneficiaries of the RDP houses?

Reply:

Priority is given to needy beneficiaries who are unemployed; indigents with a threshold earning of R3 300,00; elderly; disabled; child headed households (orphans) and female headed households.

Question 3

Are councillors entitled to benefit from RDP houses?

Reply:

No.

Question 4

Why was the RDP houses constructed at the ward councillor of ward 33's home?

Reply:

Site inspection was conducted on the 15th of February 2017. The house was not constructed for the councillor. The house was constructed for her husband's younger brother (Mr Mathadwe Andries Azwindini). The beneficiary does not stay in the same house as the councillor. He is currently staying in a small shack but in the same yard. It was an agreement amongst the ward structures that he be assisted with a RDP house, not the Councillor's initiative.

Question 5

Are you aware of the RDP house?

Reply:

Yes.

Question 6

What is the penalty?

Reply:

None as the Councillor is not the beneficiary of the house.”

8. MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETING

None

- 9. REPORT OF COUNCIL COMMITTEES: FEBRUARY, MARCH AND APRIL 2017**
- 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 February to April 2017**
- 421st Executive Committee Meeting: 2 February 2017**
422nd Executive Committee Meeting: 16 February 2017
423rd Executive Committee Meeting: 20 February 2017
424th Executive Committee Meeting: 23 February 2017
425th Executive Committee Meeting: 9 March 2017
426th Executive Committee Meeting: 23 March 2017
427th Executive Committee Meeting: 30 March 2017
428th Executive Committee Meeting: 20 April 2017
429th Executive Committee Meeting: 26 April 2017
- 9.2 Report of the respective Section 79 Oversight Committees in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): February to April 2017**
- 5th Section 79 Oversight Committee: Corporate Services meeting held on 22 February 2017**
6th Section 79 Oversight Committee: Corporate Services meeting held on 23 February 2017
7th Section 79 Oversight Committee: Corporate Services meeting held on 14 March 2017
8th Section 79 Oversight Committee: Corporate Services meeting held on 28 March 2017
9th Section 79 Oversight Committee: Corporate Services meeting held on 24 April 2017
3rd Section 79 Oversight Committee: Community Services meeting held on 21 February 2017
4th Section 79 Oversight Committee: Community Services meeting held on 29 March 2017
3rd Section 79 Oversight Committee: Development Planning meeting held on 20 February 2017
4th Section 79 Oversight Committee: Development Planning meeting held on 14 March 2017
5th Section 79 Oversight Committee: Development Planning meeting held on 28 March 2017
6th Section 79 Oversight Committee: Development Planning meeting held on 24 April 2017
3rd Section 79 Oversight Committee: Finance meeting held on 21 February 2017
4th Section 79 Oversight Committee: Finance meeting held on 15 March 2017
5th Section 79 Oversight Committee: Finance meeting held on 28 March 2017
6th Section 79 Oversight Committee: Finance meeting held on 24 April 2017
3rd Section 79 Oversight Committee: Technical Services meeting held on 21 February 2017
4th Section 79 Oversight Committee: Technical Services meeting held on 13 March 2017
5th Section 79 Oversight Committee: Technical Services meeting held on 27 March 2017

ITEM A.7.26.04.17

TOWN PLANNING AND CONTROL: SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT NO. 16 OF 2013) AND ITS REGULATIONS

- 1. AMENDMENT OF COUNCIL RESOLUTION (A.76.29.06.15)**
- 2. AMENDMENT OF EXECUTIVE COMMITTEE DELEGATED POWERS**
- 3. APPOINTMENT OF AUTHORISED OFFICIAL**
- 4. APPOINTMENT OF MUNICIPAL PLANNING TRIBUNAL DEPUTY CHAIRPERSON**

(4/1/B & 15/B)

REMARK:

This item was referred as item B.4.02.02.17.

ITEM A.8.26.04.17

FINANCES: PROCUREMENT: CLAUSE 36: QUOTATION DEVIATIONS: 2nd QUARTER: 2016/2017 FINANCIAL YEAR (10/1/5/2)

RESOLVED A.8.26.04.17 (COUNCIL)

THAT in terms of clause 36 of the Municipal Supply Chain Regulations, 2005 promulgated under the Local Government: Municipal Finance Management Act, 2003, in procurement by means of quotations during Quarter 2 of the 2016/2017 financial year in the amount of **R902,778.57** and which each was duly approved by the Accounting Officer before it was procured, be condoned by Council.

QuotationDeviation2ndQuarter2016-2017_itm

(CFO)

ITEM A.9.26.04.17

FINANCES: PROCUREMENT: CLAUSE 36: DEVIATION FROM PROCUREMENT PROCESSES: DEVIATION TO RESCUE FAILED RECRUITMENT NOTICE BY SERVICE PROVIDER, MABOKO ENTERPRISES LTD (10/1/5/2)

RESOLVED A.9.26.04.17 (COUNCIL)

THAT in terms of clause 36 of the Municipal Supply Chain Regulations, 2005 promulgated under the Local Government: Municipal Finance Management Act, 2003, in procurement by means of quotations by the Accounting Officer in the amount of R260,357.76, be condoned by Council.

DeviationMabokoBusiness_itm

(CFO)

ITEM A.10.26.04.17

INVITATION FROM HELPAGE INTERNATIONAL: HIV/AIDS REGIONAL DATA DISAGGREGATION MEETING: 9 AND 10 FEBRUARY 2017: DAR ES SALAAM, TANZANIA (12/3/2/2)

RESOLVED A.10.26.04.17 (COUNCIL)

1. THAT subject to paragraph 2, Cllr N F Chililo and Ms G Mushavhela be delegated to attend a meeting in Tanzania on 9 and 10 February 2017 related to data disaggregation of HIV and Aids, and that they be provided with out of pocket expenses for this meeting as applicable in the approved Subsistence and Travelling Policy, 2016. (CFO/DCS)
2. THAT the proposed attendance as per paragraph 1 above be submitted to the Office of the Premier, Department of International Relations and Cooperation, SALGA and COGHSTA for consideration before any arrangements be formalised. (DCS)

3. THAT the action by the Executive Committee to approve of this international event beyond the Country's borders, be ratified by Council in view of the timelines and the late receipt of the invitation. (DCS)

ConferenceTanzania_itm

ITEM A.11.26.04.17

COUNCIL COMMITTEES: AUDIT AND PERFORMANCE AUDIT COMMITTEE: 2015/16 APAC ANNUAL REPORT TO COUNCIL (4/26/1/1 & 10/1/4/1)

RESOLVED A.11.26.04.17 (COUNCIL)

1. THAT the 2015/16 Consolidated Audit and Performance Audit Committee Annual Report to Council be approved, as more fully set out in the Annexure attached to the report in this regard. (MM)
2. THAT Management develop and implement the Action Plan on the issues of dissatisfaction raised by the Audit Performance Committee in its report referred to in paragraph 1 above. (MM)

APAC2015-2016AnnualReport_itm

ITEM A.12.26.04.17

PERSONNEL: EMPLOYEES ACTING FOR A PERIOD OF FOUR (4) MONTHS: PERIOD JULY TO OCTOBER 2016 (5/5/3/11)

RESOLVED A.12.26.04.17 (COUNCIL) –

1. THAT Council takes note of the acting capacities of the thirty five (35) employees in terms of the provisions of paragraph 10.6 of the Collective Agreement on Conditions of Service for the Limpopo Division of SALGBC. (DCS)
2. THAT Council takes note that posts were advertised in December 2016, of which normal recruitment processes are under way to fill same, taking into account the financial viability of the Municipality. (DCS)

ActingFourMonthsJul-Oct2016_itm

ITEM A.13.26.04.17**TOWN PLANNING AND CONTROL: SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT NO.16 OF 2013) AND ITS REGULATIONS**

- 1. AMENDMENT OF COUNCIL RESOLUTION (A.76.29.06.15)**
- 2. AMENDMENT OF EXECUTIVE COMMITTEE DELEGATED POWERS**
- 3. APPOINTMENT OF AUTHORISED OFFICIAL**
- 4. APPOINTMENT OF MUNICIPAL PLANNING TRIBUNAL DEPUTY CHAIRPERSON (2/1/3/2/1, 4/1/B & 15/B)**

RESOLVED A.13.26.04.17 (COUNCIL)

1. THAT Council Resolution A.76.29.06.15 be amended and the Director Development Planning is appointed as an Authorised Official to consider land development and land use applications as categorised on the report, and take decision. (DDP/DCS)
2. THAT the Director Development Planning be given responsibility to sign letters related to the decision taken on land development and land use applications as categorised. (DDP)
3. THAT the Director Development Planning continue to serve as member of Municipal Planning Tribunal. (DDP)
4. THAT Mr Maimela M H be appointed as a Deputy Chairperson of the Municipal Planning Tribunal and be remunerated in accordance to Deputy Chairperson remuneration fees as per National Treasury Regulations that regulates remuneration of commissions and committees.

LandUseManagement_itm(2)

(DDP/CFO)

(REMARK: Items A.14.23.02.17, A.15.23.02.17, CA.16.23.02.17 and CA.17.23.02.17 were already considered at the 118th Special Council meeting held on 23 February 2017.)

ITEM A.18.26.04.17**DOMESTIC SERVICES: DISASTER RECOVERY PLAN, 2017 – ICT CONTINUITY (8/2/3)****REMARK:**

Council adopted the recommendation of the Section 79 Oversight Committee: Corporate Services as its resolution herein under.

RESOLVED A.18.26.04.17 (COUNCIL)

1. THAT the Disaster Recovery Plan, 2017 which aims to ensure ICT continuity for the institution in the event that disaster may occur, as more fully set out in the Annexure attached to the report in this regard, be approved. (DCS)
2. THAT it be noted that the Disaster Recovery Plan, 2011 which was approved by Council Resolution A.30.28.04.11 is substituted for the Disaster Recovery Plan, 2017. (DCS)

3. THAT forthwith funds be provided in the annual budgets to implement the Disaster Recovery Plan, 2017 in phases. (DCS/CFO)

ICTDisasterRecoveryPlan2017_itm

ITEM A.19.26.04.17

COUNCIL LAND: PROPOSED SALE OF ERF 719, TSHIKOTA TOWNSHIP (TE 719)

RESOLVED A.19.26.04.17 (COUNCIL)

THAT the application to purchase erf 719, Tshikota Township for the purpose of building a dwelling unit received from Mrs N M Mamafha be approved, subject to the following conditions:

1. The intention to sell erf 719, Tshikota Township be in terms of the provisions of section 79(18) of the Local Government Ordinance 1939, (Ordinance 17 of 1939) as amended advertised in local newspapers for comments, if any,
2. The general valuation roll for the period of 2014 to 2018 which will serve as the purchase price for erf 719, Tshikota Township, be considered.
3. Before any development proposal the property be first registered at the Deeds Office in Pretoria.
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 3 above the property shall revert back to Council without compensation by the municipality to the developer for any improvements on the property.
6. A standard agreement of sale be entered into by and between Makhado Local Municipality and Mrs N M Mamafha.
7. The standard conditions for the sale of Municipal land will further apply.
8. The applicant be informed in terms of the provisions of item 17(t) read with 18(4) of the Makhado Local Municipality Immovable Disposal Policy that a request in the above regard cannot be processed unless first confirmed in writing that he/she will bear all costs relative to the advertisements and valuation.
9. The approval is further subject to the following conditions:
 - 9.1 **Electricity:** Erf 719 Tshikota has an existing electricity supply capacity of 16kVA. 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.

9.2 **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.

9.3 **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.

9.4 **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.

ProposedSaleErf719_itm

(DDP)

ITEM A.20.26.04.17

COUNCIL LAND: PROPOSED SALE OF ERF 1794, TSHIKOTA EXTENSION 1 TOWNSHIP (TE 1794)

RESOLVED A.20.26.04.17 (COUNCIL)

THAT the application to purchase erf 1794, Tshikota Extension 1 Township for the purpose of building a dwelling unit received from Ms Jones M S be approved, subject to the following conditions:

1. The intention to sell erf 1794, Tshikota Extension 1 Township be in terms of the provisions of section 79(18) of the Local Government Ordinance 1939, (Ordinance 17 of 1939) as amended advertised in local newspapers for comments, if any.
2. The general valuation roll for the period of 2014 to 2018 which will serve as the purchase price for erf 1794, Tshikota Extension 1 Township be considered.
3. 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.
4. 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.
5. A standard agreement of sale be made and entered into by and between Makhado Local Municipality and Ms Jones M S.
6. The standard conditions for the sale of Municipal land will further apply.
7. The applicant be informed in terms of the provisions of item 17(t) read with 18(4) of the Makhado Local Municipality Immovable Disposal Policy that a request in the above regard

cannot be processed unless first confirmed in writing that he/she will bear all costs relative to the advertisements and valuation.

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

8.1 **Electricity:** Erf 1794 Tshikota has an existing electricity supply capacity of 16kVA. 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.

8.2 **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.

8.3 **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.

8.4 **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.

ProposedSaleErf1794_itm

(DDP)

ITEM A.21.26.04.17

COUNCIL LAND: PROPOSED SALE: ERF 4978, LOUIS TRICHARDT EXTENSION 8 TOWNSHIP (E4978)

RESOLVED A.21.26.04.17 (COUNCIL)

THAT the application to purchase erf 4978, Louis Trichardt Extension 8 Township for business purpose received from Mr N R Luvhengo be approved, subject to the following conditions:

1. The intention to sell erf 4978, Louis Trichardt Extension 8 Township be in terms of the provisions of section 79(18) of the Local Government Ordinance 1939, (Ordinance 17 of 1939) as amended advertised in local newspapers for comments and objections, if any.
2. The general valuation roll for the period of 2014 to 2018 which will serve as the purchase price for erf 4978, Louis Trichardt Extension 8 Township be considered.

3. The developer submits a development proposal for consideration.
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 shall revert back to Council without compensation by the municipality to the developer for any improvements on the property.
6. A standard agreement of sale be made and entered into by and between Makhado Local Municipality and Mr N R Luvhengo.
7. The standard conditions for the sale of Municipal land will further apply.
8. The applicant be informed in terms of the provisions of item 17(t) read with 18(4) of the Makhado Local Municipality Immovable Disposal Policy that a request in the above regard cannot be processed unless first confirmed in writing that he/she will bear all costs relative to the advertisements and valuation.
9. The approval is further subject to the following conditions:

9.1 **Electricity:** Erf 4978, Louis Trichardt Extension 8 Township has no existing connection. Only a 50kVA connection can be made available. 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.

9.2 **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.

9.3 **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.

9.4 **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 A.22.26.04.17**COUNCIL LAND: PROPOSED SALE: ERF 4980, LOUIS TRICHARDT EXTENSION 8 TOWNSHIP (E4980)**

RESOLVED A.22.26.04.17 (COUNCIL)

THAT the application to purchase erf 4980, Louis Trichardt Extension 8 Township for purpose of building units for accommodation received from Mrs J Driver be approved, subject to the following conditions:

1. The intention to sell erf 4980, Louis Trichardt Extension 8 Township be in terms of the provisions of section 79(18) of the Local Government Ordinance 1939, (Ordinance 17 of 1939) as amended advertised in local newspapers for comments and objections, if any.
2. The general valuation roll for the period of 2014 to 2018 which will serve as the purchase price for erf 4980, Louis Trichardt Extension 8 Township be considered.
3. Before any development proposal the property be first registered at the Deeds Office in Pretoria.
4. The developer submits a development proposal for consideration.
5. 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.
6. 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.
7. A standard agreement of sale be made and entered into by and between Makhado Local Municipality and Mrs T Driver.
8. The standard conditions for the sale of Municipal land will further apply.
9. The applicant be informed in terms of the provisions of item 17(t) read with 18(4) of the Makhado Local Municipality Immovable Disposal Policy that a request in the above regard cannot be processed unless first confirmed in writing that he/she will bear all costs relative to the advertisements and valuation.
10. The approval is further subject to the following conditions:
 - 10.1 **Electricity:** Erf 4980 Louis Trichardt Extension 8 Township has no electricity connection. Only a 50kVA can be made available. 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.

ProposedSaleErf4980LTT_itm

(DDP)

ITEM A.23.26.04.17

COUNCIL LAND: PROPOSED LEASE: LAMP POSTS FOR STREET POLE ADVERTISING USE
(7/3/2/3/2)

REMARK

This matter was referred as item B.11.09.03.17

ITEM A.24.26.04.17

TOWN PLANNING AND CONTROL: PROPOSED PROVISIONAL RESTRUCTURING ZONES FOR SOCIAL HOUSING AND COMMUNITY RESIDENTIAL UNITS
(15/B & 15/3/1)

REMARK:

When this matter was considered, Cllr T C Mamafha proposed, duly seconded by Cllr T M Malange, a correction to paragraph 3.1(a) of the recommendations, in that the number 608 must be 609. The proposal was accepted in general and recorded as Council's Resolution accordingly.

RESOLVED A.24.26.04.17 (COUNCIL)

1. THAT Council approve the Provisional Restructuring Zones for social housing and community residential units. (DDP)
2. THAT Council commit to establish a Social Housing Institution for management of the social housing and community residential units, or enter into a partnership with an established Social Housing Regulatory Authority (SHRA). (DDP)

3. THAT the approval of the Provisional Restructuring Zones for social housing and community residential units is further subject to the following conditions:

3.1 **Electricity:** All Erven:

- a. Erf 609 Tshikota.
- b. Portion 1 of erf 5050, Louis Trichardt Township
- c. Portion 1,2 and 3 of erf 5049, Louis Trichardt Township
- d. Louis Trichardt Extension 13

All of the mentioned sites for the proposed developments do not have any electrical services therefore it has no existing electricity supply capacity.

The supply capacity is 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 per area to be developed may in any way be considered according to present status of the electricity supply scheme which shall be insufficient for the proposed developments.
- d. These developments like all other already received applications shall be subject to the additional 22MVA supply to be obtained from Eskom.

The developers are further obliged to comply with the following conditions:

- (i) Application for electricity supply must be done by a professional electrical engineer, who must also do the design thereof, estimate the ADMD required 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.

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. Property rates will further be payable by new landowners on date of registration of ownership.

CONFIDENTIAL**ITEM CA.25.26.04.17 (originally CA.25.30.03.17)****CONFIDENTIAL MATTER****ITEM A.26.26.04.17****FINANCES: PROCUREMENT: IRREGULAR EXPENDITURE: JUNE 2 JULY 2016 TO FEBRUARY 2017
(10/1/5/2)****RESOLVED A.26.26.04.17 (COUNCIL)**

1. THAT Council reviewed items and reasons provided for Council to condone expenditure of R62,472,779 from 1 July 2016 to February 2017 and further recommendation to MPAC where required. (CFO)
2. THAT a letter be submitted to National Treasury and MEC of Coghsta that Council has considered the items relating to Section 32 non-compliance, have evaluated reasons for condonation. (MM/CFO)
3. THAT should any items not be condoned after Council analysis and National Treasury approval of the non-compliance aspect to the MFMA, the items must continue to be disclosed as irregular expenditure in the financial statements for 2016/2017 financial year. (CFO)

IrregularExpenditureJuly2016-Feb2017_itm

ITEM A.27.26.04.17**FINANCES: UNAUTHORISED EXPENDITURE AS AT 30 JUNE 2016
(6/1/1(15/16))****RESOLVED A.27.26.04.17 (COUNCIL)**

1. THAT Council reviewed items and reasons provided for Council to condone unauthorized expenditure of R22,992,036 from 1 July 2015 to 30 June 2016 and further recommendation to MPAC where required. (CFO)
2. THAT a letter be submitted to National Treasury and MEC of Coghsta that Council has considered the items relating to Section 32 non-compliance and evaluated reasons for condonation. (MM/CFO)

UnauthorisedExpenditure2015-2016_itm

ITEM A.28.26.04.17**FINANCES: REQUEST TO WRITE OFF THE BALANCE ON DEPARTMENT OF TRANSPORT SUSPENSE ACCOUNT
(6/6/6 & 13/1/1)**

RESOLVED A.28.26.04.17 (COUNCIL)

THAT Council approves the write-off of the Suspense Account for Department of Transport for the total amount of R9,923,512.43 as stated in the report in this regard. (CFO)

WriteOffSuspenseAccount_itm

ITEM A.29.26.04.17**FINANCES: REQUEST FOR CONDONEMENT OF FRUITLESS AND WASTEFUL EXPENDITURE: ESKOM AND TELKOM
(6/13/2/3 & 10/1/5/2)****REMARK:**

Cllr M J Mpashe proposed that condonement of fruitless expenditure must come to an end, and that those who caused the fruitless expenditure must be held accountable and subjected to discipline. The proposal by Cllr M J Mpashe was not seconded, and therefore not recorded as Council's Resolution.

RESOLVED A.29.26.04.17 (COUNCILTEE)

THAT the amount of R606,490.36 be written off as irrecoverable based on the reasons that the Municipality did not pay Eskom and Telkom on due dates of their invoices, which resulted in interest charges on overdue accounts and compelled municipality to pay as additional amount to the account, as more fully recorded in the report in this regard. (CFO)

FruitlessExpenditureEskom_itm

ITEM A.30.30.03.17 (originally A.30.26.04.17)**PERSONNEL: PROPOSED ONCE OFF PAYMENT OF NON-PENSIONABLE ALLOWANCE: ALL FULL-TIME EMPLOYEES ON PL 15 TO PL 3
(4/21/2 & 6/1/1(17/18))****REMARK:**

This item was referred as item B.14.23.03.17.

ITEM A.31.26.04.17**PUBLICITY: COMMUNICATION STRATEGY 2016/2017
(11/B)**

RESOLVED A.31.26.04.17 (COUNCIL)

1. THAT Council approves the reviewed Communications Strategy, 2016 to enhance public participation effectively and efficiently. (DCS)

2. THAT the Communication Strategy, 2016, as attached to the report in this regard, be adopted as Council's Communication Strategy with effect of the date of this Council Resolution.

(DCS)

CommunicationStrategy2016_itm

(REMARK: Items A.32.30.03.17, A.33.30.03.17 (originally A.33.30.04.17), A.34.30.03.17 (originally A.34.30.04.17), A.35.30.03.17 were considered at the 119th Special Council meeting which was held on 30 March 2017)

ITEM A.36.26.04.17

COUNCIL COMMITTEES: REQUEST FROM LIM 345 LOCAL MUNICIPALITY TO JOIN MAKHADO MUNICIPAL PLANNING TRIBUNAL AND APPEAL AUTHORITY (15/3/15 & 4/B)

RESOLVED A.36.26.04.17 (COUNCIL)

THAT Council approve the request from LIM 345 Local Municipality to join Makhado Municipal Planning Tribunal and Appeal Authority subject to the following conditions:

1. An agreement for the establishment of a Joint Municipal Planning Tribunal be concluded after council approval.
2. The agreement be for 12 months effective from the date of promulgation in the Limpopo Provincial Gazette.
3. LIM 345 pay for publication of the agreement in the provincial gazette and local newspapers.
4. LIM 345 be responsible for hearings and meetings payments related to their applications (sitting and travelling allowance) for MPT and Appeals.
5. The Acting Director Planning and Development (Brenda Louw) be added as a member of the joint MPT and her name be gazetted together with the agreement.
6. Members of Makhado MPT and the Appeal Authority be informed.
7. Expenditure for regazetting after 12 months lapse be paid by LIM 345.
8. Professional Planners be reimbursed in accordance with Government Gazette Number 3878.
9. Other Committee members be remunerated for preparation and attendance of meetings according to National Treasury Regulation that regulate the remuneration of commission and committee and also be reimbursed for expenses incurred for attending Audit Committee meetings.
10. LIM 345 also pays to Makhado Municipality expenditure incurred in respect of municipal services rendered at the former Vuwani Regional Office of Makhado. (DDP)

AppealAuthorityLIM345_itm

ITEM A.37.26.04.17**COUNCIL LAND: PROPOSED SALE OF PORTION OF REMAINDER OF ERF 1312, HA-TSHIKOTA TOWNSHIP (VLEYFONTEIN)
(7/4/1/1)**

RESOLVED A.37.26.04.17 (COUNCIL)

1. THAT the application for proposed purchase of a portion measuring 1,6ha of the Remainder of erf 1312, Ha-Tshikota Township for the purpose of establishing a lodge, hall, swimming pools and parking area received from Mr Makananisa Z P be disapproved. (DDP)
2. THAT the applicant be informed of the fact that the property had already been applied for.

ProposedPurchaseErf1312Makananisa_itm

(DDP)

ITEM A.38.26.04.17**COUNCIL LAND: PROPOSED LEASE: SITES TO ERECT BILLBOARDS: LOUIS TRICHARDT TOWNSHIP
(15/3/9 & 7/3/2/9)**

RESOLVED A.38.26.04.17 (COUNCIL) –

THAT the application received from Ms F M Mochaki as Sales and Marketing Executive for the Brand Company for municipal land proposal to erect billboards around the town of Louis Trichardt be approved subject to the following terms and conditions read with the provisions of Chapter 4 and Chapter 5 of the Makhado Municipality Outdoor Signs By-Laws:

1. The intention to lease municipal land(s) be in terms of the provisions of section 79(18) of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) as amended be advertised in one (1) of the local newspapers for comments and objections, if any.

LOCALITY	EXTENT
Corner of Joubert and Krogh Street	3m x 12m
Corner of Grobler and Rissik Street	3m x 12m
Grobler Street	3m x 12m
Krogh Street	3m x 12m
Rissik Street x 4	3m x 12m

2. A market related rental for the lease of municipal land determined by a Professional valuer.
3. The rental be escalated by 10% per annum at the beginning of each financial year until the end of the lease agreement.
4. The term of lease be for a period of five (5) years, with lease renewal option.
5. A standard lease agreement be made and entered into by and between Makhado Local Municipality and Ms F M Mochaki as Sales and Marketing Executive for the Brand Company.
6. The applicant be informed in terms of the provisions of item 17(t) read with item 18(4) of the Makhado Local Municipality Immovable Property Land Disposal Policy that a request in the

above regard cannot be processed unless first confirmed in writing that they will bear all costs relative to the advertisements and valuation.

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

7.1 **Electricity:** Electricity is available at the above localities. The monthly usage of electricity shall be determined as per Councils policy to the existing.

The electrical department must be consulted before any ground excavations begins so that the services can be shown to the client.

7.2 **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.

7.3 **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.

7.4 **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.

BillboardsAroundTown_itm

(DDP)

ITEM A.39.26.04.17

COUNCIL LAND: PROPOSED SALE: PORTION OF ERF 1, ELTIVILLAS TOWNSHIP: RESTAURANT PURPOSE: MR B DLADLAMA (EE 1)

RESOLVED A.39.26.04.17 (COUNCIL)

THAT the proposed sale of a portion measuring 3000m² on erf 1, Elti Villas Township for the purpose of developing a restaurant to Mr Dladlama B be approved, subject to the following conditions:

1. The intention to sell a portion measuring 3000m² on erf 1, Eltivillas Township be in terms of the provisions of section 79(18) of the Local Government Ordinance 1939, (Ordinance 17 of 1939) as amended be advertised in one (1) of the local newspapers for comments and objections, if any.
2. A portion measuring 3000m² on erf 1 be sold at a market related valuation determined by the Professional Valuer which will serve as the purchase price for the property.
3. Opportunity for erf locality be given to the applicant who had first applied.
4. In order to promote a desired land use, the property must be solely used for the development restaurant as defined by Municipality Land Use Scheme and associates activities, and this must be embedded in Deed of sale agreement and title deed.
5. In the event that the property is sold, the purchaser must also develop the property for the purpose of a restaurant.
6. Before any development proposal, the property be first registered in the names of the client at the Deeds Office in Pretoria.

7. The purchaser must appoint a Professional Land Surveyor for the subdivision of a portion measuring 3000m² on erf 1 and the approved subdivided diagram must be used by the Professional Valuer for the determination of purchase price.
8. After the registration of the property, the purchaser must submit an application for the rezoning of the subdivided property to “Special” for the purpose of a Restaurant.
9. 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.
10. In the event that the developer failed to complete the development as required under paragraph 8 above, the property shall revert back to Council without compensation by the Municipality to the developer for any improvements on the property.
11. The standard conditions for the sale of Municipal land will further apply.
12. A memorandum of agreement made and entered into by and between Makhado Local Municipality and Dladlama B.
13. In the event that the applicant fails to make a payment after 90 days, the Deed of Sale will be cancelled without further notice.
14. The applicant be informed in terms of the provisions of item 17(t) read with item 18(4) of the Makhado Local Municipality Immovable Disposal Policy that a request in the above regard cannot be processed unless first confirmed in writing that he/she will bear all costs relative to the advertisements and valuation.
15. The approval is further subject to the following conditions:
 - 15.1 **Electricity:** Erf 1 Eltivillas has no existing electricity connection. After subdivision, rezoning and the property is registered in the clients name only then we can made available a maximum of 50kVA to the property.
 There is a transformer and recloser with a MV cable on the northern side of the property. A servitude of the existing infrastructure and 10 meters to the south thereof must be kept clean for the Municipality to have excess to the said infrastructure.
 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.

ProposedPurchaseErf1EltivillasDladlama_itm

(DDP)

ITEM A.40.26.04.17

COUNCIL LAND: PROPOSED SALE: PORTION OF ERF 1, ELTIVILLAS TOWNSHIP: RESTAURANT PURPOSE: MS P LISHIBA (EE 1 & 7/3/2/1)

RESOLVED A.40.26.04.17 (COUNCIL)

THAT the proposed sale of a portion measuring 3000m² of erf 1, Elti Villas Township for the purpose of developing a restaurant to Ms Lishiba P be approved, subject to the following conditions:

1. The intention to sell a portion measuring 3000m² on erf 1, Eltivillas Township be in terms of the provisions of section 79(18) of the Local Government Ordinance 1939, (Ordinance 17 of 1939) as amended be advertised in one (1) of the local newspapers for comments and objections, if any.
2. A portion measuring 3000m² on erf 1 be sold at a market related valuation determined by the Professional Valuer which will serve as the purchase price for the property.
3. Opportunity for erf locality be given to the applicant who had first applied.
4. Before any development proposal the property be first registered in the name of the client at the Deeds Office in Pretoria.
5. In order to promote a desired land use, the property must be solely used for the development restaurant as defined by Municipality Land Use Scheme and associates activities, and this must be embedded in deed of sale agreement and title deed.
6. In the event that the property is sold, the purchaser must also develop the property for the purpose of a restaurant.
7. The purchaser must appoint a Professional Land Surveyor for the subdivision of a portion measuring 3000m² on erf 1 and the approved subdivided diagram must be used by the Professional Valuer for the determination of purchase price.
8. After the registration of the property, the purchaser must submit an application for the rezoning of the subdivided property to "Special" for the purpose of a Restaurant.
9. The developer submits a development proposal for consideration.
10. 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.

11. In the event that the developer failed to complete the development as required under paragraph 8 above, the property shall revert back to Council without compensation by the Municipality to the developer for any improvements on the property.
12. The standard conditions for the sale of Municipal land will further apply.
13. A memorandum of agreement made and entered into by and between Makhado Local Municipality and Lishiba P.
14. In the event that the applicant fails to make a payment after 90 days, the Deed of Sale will be cancelled without further notice.
15. The applicant be informed in terms of the provisions of item 17(t) read with item 18(4) of the Makhado Local Municipality Immovable Disposal Policy that a request in the above regard cannot be processed unless first confirmed in writing that he/she will bear all costs relative to the advertisements and valuation.
16. The approval is further subject to the following conditions:
 - 16.1 **Electricity:** Erf 1 Eltivillas has no existing electricity connection. After subdivision, rezoning and the property is registered in the clients name only then we can made available a maximum of 50kVA to the property.

There is a transformer and recloser with a MV cable on the northern side of the property. A servitude of the existing infrastructure and 10 meters to the south thereof must be kept clean for the Municipality to have excess to the said infrastructure.

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.

16.2 **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.

16.3 **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.

16.4 **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.

ProposedPurchaseErf1EltivillasLishiba_itm

(DDP)

ITEM A.41.26.04.17

**COUNCIL LAND: PROPOSED SALE: PORTION OF ERF 1, ELTIVILLAS TOWNSHIP:
RESTAURANT PURPOSE: MR A B VAHID
(EE 1)**

RESOLVED A.41.26.04.17 (COUNCIL)

THAT the proposed sale of a portion, measuring 6000m², of erf 1, Elti Villas township for the purpose of developing a restaurant to Mr Vahid A B be approved, subject to the following conditions:

1. The intention to sell a portion measuring 6000m² on erf 1, Eltivillas Township be in terms of the provisions of section 79(18) of the Local Government Ordinance 1939, (Ordinance 17 of 1939) as amended be advertised in one (1) of the local newspapers for comments and objections, if any.
2. A portion measuring 6000m² on erf 1 be sold at a market related valuation determined by the Professional Valuer which will serve as the purchase price for the property.
3. Opportunity for erf locality be given to the applicant who had first applied.
4. In order to promote a desired land use, the property must be solely used for the development restaurant as defined by Municipality Land Use Scheme and associates activities, and this must be embedded in deed of sale agreement and title deed.
5. In the event that the property is sold, the purchaser must also develop the property for the purpose of a restaurant.
6. Before any development proposal the property be first registered in the name of the client at the Deeds Office in Pretoria.
7. Before any subdivision, valuation and development proposal the property be first registered in the names of the client at the Deeds Office in Pretoria.
8. The purchaser must appoint a Professional Land Surveyor for the subdivision of a portion measuring 6000m² on erf 1 and the approved subdivided diagram must be used by the Professional Valuer for the determination of purchase price.
9. After the registration of the property, the purchaser must submit an application for the rezoning of the subdivided property to "Special" for the purpose of a Restaurant.
10. 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.
11. In the event that the developer failed to complete the development as required under paragraph 8 above, the property shall revert back to Council without compensation by the Municipality to the developer for any improvements on the property.
12. The standard conditions for the sale of Municipal land will further apply.

13. A memorandum of agreement made and entered into by and between Makhado Local Municipality and Mr Vahid A B.
14. In the event that the applicant fails to make a payment after 90 days, the Deed of Sale will be cancelled without further notice.
15. The applicant be informed in terms of the provisions of item 17(t) read with item 18(4) of the Makhado Local Municipality Immovable Disposal Policy that a request in the above regard cannot be processed unless first confirmed in writing that he/she will bear all costs relative to the advertisements and valuation.
16. The approval is further subject to the following conditions:
 - 16.1 **Electricity:** Erf 1 Eltivillas has no existing electricity connection. After subdivision, rezoning and the property is registered in the clients name only then we can made available a maximum of 50kVA to the property.

There is a transformer and recloser with a MV cable on the northern side of the property. A servitude of the existing infrastructure and 10 meters to the south thereof must be kept clean for the Municipality to have excess to the said infrastructure.

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.

16.2 **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.

16.3 **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.

16.4 **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 A.42.26.04.17**COUNCIL LAND: PROPOSED SALE: PORTION OF ERF 1, ELTIVILLAS TOWNSHIP:
RESTAURANT PURPOSE: MR S A KALLA
(EE 1)**

RESOLVED A.42.26.04.17 (COUNCIL)

THAT the proposed sale of a portion, measuring 4000m² on erf 1, Elti Villas Township for the purpose of establishing restaurants to Mr S A Kalla on behalf of Autumn Property Investments 10 CC be approved, subject to the following conditions:

1. The intention to sell a portion measuring 4000m² on erf 1, Eltivillas Township be in terms of the provisions of section 79(18) of the Local Government Ordinance 1939, (Ordinance 17 of 1939) as amended be advertised in one (1) of the local newspapers for comments and objections, if any.
2. A portion measuring 4000m² on erf 1 be sold at a market related valuation determined by the Professional Valuer which will serve as the purchase price for the property.
3. Opportunity for erf locality be given to the applicant who had first applied.
4. Before any rezoning and development proposal the property be first registered in the name of the client at the Deeds Office in Pretoria.
5. In order to promote a desired land use, the property must be solely used for the development restaurant as defined by Municipality Land Use Scheme and associates activities, and this must be embedded in deed of sale agreement and title deed.
6. In the event that the property is sold, the purchaser must also develop the property for the purpose of a restaurant.
7. The purchaser must appoint a Professional Land Surveyor for the subdivision of a portion measuring 4000m² on erf 1 and the approved subdivided diagram must be used by the Professional Valuer for the determination of purchase price.
8. After the registration of the property, the purchaser must submit an application for the rezoning of the subdivided property to "Special" for the purpose of Restaurants.
9. The developer submits a development proposal for consideration.
10. 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.
11. In the event that the developer failed to complete the development as required under paragraph 10 above, the property shall revert back to Council without compensation by the Municipality to the developer for any improvements on the property.
12. The standard conditions for the sale of Municipal land will further apply.
13. A memorandum of agreement made and entered into by and between Makhado Local Municipality and Mr S A Kalla on behalf of Autumn Property Investments 10 Cc.
14. In the event that the applicant fails to make a payment after 90 days, the Deed of Sale will be cancelled without further notice.

15. The applicant be informed in terms of the provisions of item 17(t) read with item 18(4) of the Makhado Local Municipality Immovable Disposal Policy that a request in the above regard cannot be processed unless first confirmed in writing that he/she will bear all costs relative to the advertisements and valuation.
16. The approval is further subject to the following conditions:
- 16.1 **Electricity:** Erf 1 Eltivillas has no existing electricity connection. After subdivision, rezoning and the property is registered in the clients name only then we can made available a maximum of 50kVA to the property.

There is a transformer and recloser with a MV cable on the northern side of the property. A servitude of the existing infrastructure and 10 meters to the south thereof must be kept clean for the Municipality to have excess to the said infrastructure.

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.

16.2 **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.

16.3 **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.

16.4 **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 A.43.26.04.17**COUNCIL LAND: PROPOSED SALE: ERVEN 1182 - 1183, HA-TSHIKOTA TOWNSHIP
(7/4/1/3)**

RESOLVED A.43.26.04.17 (COUNCIL)

THAT the proposed sale of erven 1182 and 1183, Ha-Tshikota Township for purpose of retail business to Mr O O Raulinga as Managing Director for the MSG Manufacturing be approved, subject to the following conditions:

1. The intention to sell erven 1182 and 1183, Ha-Tshikota Township be in terms of the provisions of section 79(18) of the Local Government Ordinance 1939, (Ordinance 17 of 1939) as amended be advertised in one (1) of the local newspapers for comments and objections, if any.
2. The Makhado Local Municipality General Valuation Roll for the period 2014 to 2018 will serve as the purchase price for the property.
3. The property be first in the names of the client before any rezoning and development proposal.
4. At the expense of the applicant rezoning and consolidation of erven 1182 and 1183, Ha-Tshikota Township be transacted.
5. 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.
6. In the event that the developer failed to complete the development as required under paragraph 5 above, the property shall revert back to Council without compensation by the Municipality to the developer for any improvements on the property.
7. The standard conditions for sale of Municipal land will further apply.
8. A memorandum of agreement made and entered into by and between Makhado Local Municipality and Mr O O Raulinga as Managing Director for the MSG Manufacturing.
9. THAT the applicant be informed in terms of the provisions of item 17(t) read with item 18(4) of the Makhado Local Municipality Immovable Disposal Policy that a request in the above regard cannot be processed unless first confirmed in writing that he/she will bear all costs relative to the advertisements and valuation.
10. The approval is further subject to the following conditions:
 - 10.1 **Electricity:** Erven 1182 - 1183 Ha-Tshikota falls in the Eskom area of supply.
 - 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 A.44.26.04.17**COUNCIL LAND: PROPOSED SALE: ERF 1272, TSHIKOTA TOWNSHIP (TE1272)**

RESOLVED A.44.26.04.17 (COUNCIL)

THAT the proposed sale of erf 1272, Tshikota Township for purpose of establishing a proper place of worship to Mr F A Lishivha as the Pastor acting on behalf of the United Apostolic Faith Church be approved, it be subject to the following conditions:

1. A proposed purchase be considered only upon rental payment determined by a Professional Valuer to the municipality retrospective to 2007 when they commenced occupying erf 1272, Tshikota Township without the consent of the municipality.
2. The intention to sell erf 1272, Tshikota Township be in terms of the provisions of section 79(18) of the Local Government 1939, (Ordinance 17 of 1939) as amended be advertised in one (1) of the local newspapers for comments and objections, if any.
3. The valuation roll for the period of 2014 / 2018 which will serve as the purchase price for erf 1272, Tshikota Township be considered.
4. The property be first in the names of the client before any rezoning proposal.
5. The purchaser will be responsible for rezoning of the property to suit the intended land use and will carry all related costs.
6. The developer submits a site development plan for scrutiny.
7. 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.
8. In the event that the developer failed to complete the development as required under paragraph 6 above, the property shall revert back to Council without compensation by the Municipality to the developer for any improvements on the property.
9. A the standard conditions for sale of Municipal land will further apply.
10. A memorandum of agreement made and entered into by and between Makhado Local Municipality and F A Lishivha as the Pastor acting on behalf of the United Apostolic Faith Church.
11. The applicant be informed in terms of the provisions of item 17(t) read with item 18(4) of the Makhado Local Municipality Immovable Disposal Policy that a request in the above regard cannot be processed unless first confirmed in writing that he/she will bear all costs relative to the advertisements and valuation.
12. The approval is further subject to the following conditions:
 - 12.1 **Electricity:** Erf 1272 Tshikota has no existing electrical connection. Only a supply of 16kVA can be made available. 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.

12.2 **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.

12.3 **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.

12.4 **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.

ProposedPurchaseErf1272Tshikota_itm

(DDP)

ITEM A.45.26.04.17

COUNCIL LAND: PROPOSED SALE: REMAINDER ERF 4633 MEASURING 3161M² LOUIS TRICHARDT EXTENSION 8 TOWNSHIP (E4633)

RESOLVED A.45.26.04.17 (COUNCIL)

THAT the proposed sale of Remainder of erf 4633, Louis Trichardt Extension 8 Township, measuring 3161m², for purpose of establishing the Non-Profit Organizational Structure to Mr N O Mukwevho as the CEO acting on behalf of the MMK Funeral Administrators be considered and if approved, it be subject to the following conditions:

1. The intention to sell Remainder of erf 4633 measuring 3161m², Louis Trichardt Extension 8 Township be in terms of the provisions of section 79(18) of the Local Government 1939, (Ordinance 17 of 1939) as amended be advertised in a local newspapers for comments and objections, if any.
2. The property be sold at a market related valuation determined by the Professional Valuer which will serve as the purchase price for the property.
3. The property be first registered in the names of the client at the Deeds Office in Pretoria before any development proposal.
4. Application for special consent to accommodate orphanage be lodged by the applicant.

5. The municipality will facilitate the steps for subdivision in order to sell Remainder of erf 4633 measuring 3161m²), Louis Trichardt Extension 8 Township.
6. The developer submits a development proposal for consideration,
7. 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.
8. In the event that the developer failed to complete the development as required under paragraph 7 above, the property shall revert back to Council without compensation by the Municipality to the developer for any improvements on the property.
9. The standard conditions for sale of Municipal land will further apply.
10. A memorandum of agreement made and entered into by and between Makhado Local Municipality and N O Mukwevho as the CEO acting on behalf of the MMK Funeral Administrators.
11. The applicant be informed in terms of the provisions of item 17(t) read with item 18(4) of the Makhado Local Municipality Immovable Disposal Policy that a request in the above regard cannot be processed unless first confirmed in writing that he/she will bear all costs relative to the advertisements and valuation.
12. The approval is further subject to the following conditions:

12.1 **Electricity:** Remainder of Erf 4633 Louis Trichardt Extension 8 township has no existing connection. There is only a 50kVA available for the whole stand. That means that only a 16kVA connection can be made available for each of the three portions. 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.

12.2 **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.

12.3 **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.

12.4 **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.

ProposedPurchaseErf4633_itm

(DDP)

(REMARK: Items A.46.30.03.17, A.47.30.03.17, A.48.30.03.17 and A.49.30.03.17 were already considered at the 119th Special Council meeting which was held on 30 March 2017.)

ITEM A.50.26.04.17

COUNCIL LAND: LEASE OF A PORTION ON PORTION 1 OF THE FARM RIETVLY 276 LS: AERODROME (7/2/2/3/3 & 7/3/2/3/2)

RESOLVED A.50.26.04.17 (COUNCIL)

THAT the application to lease a portion on portion 1 of the farm Rietvly 276 LS for starting of an Airline route purpose received from Mr K Ramovha, be approved, subject to the following conditions:

1. The intention to lease be in terms of the provisions of section 79(18) of the Local Government Ordinance 1939, (Ordinance 17 of 1939) as amended be advertised in local newspapers for comments, if any.
2. A subdivisional sketch diagram (not for purpose of registration) clearly delineating the aerodrome area be done by a professional Land Surveyor prior determination of market related rental.
3. Costs for the Professional Land Surveyor be paid by the applicant.
4. The property be leased at a market related valuation determined by the Professional Valuer.
5. A lease be for a period of five years with renewal option starting from the date of signing of lease agreement.
6. Monies for lease rental be paid after the applicant acquire Airline license from the Department of Transport.
7. The standard conditions for the lease of Municipal land will further apply.
8. A memorandum of agreement be made and entered into by and between Makhado Local Municipality and Mr K Ramovha.
9. The applicant be informed in terms of the provisions of the Makhado Local Municipality Immovable Disposal Policy that a request in the above regard cannot be processed unless first confirmed in writing that he/she will bear all costs relative to the advertisements and valuation.
10. The approval is further subject to the following conditions:
 - 10.1 **Electricity:** The runway at the aerodrome is stretching **over two farms;**
 1. A part of Portion 1 Rietvly 276 LS ;
 2. A part of the Remainder of farm Naturelle Lokasie 272 LS.

The electrical infrastructure is mainly on a part of Portion 1 Rietvly 276, except for a part of the run way and landing lights at Remainder of Naturelle Lokasie 272 LS, which has existing electricity supply capacity of :

1 x 40 kVA 3ph 60 Amp at the runway for wind sock, landing lights and control.

1 x 25kVA 3ph 40 Amp for one private hanger.

3 x 13kVA 1ph 40 Amp for the office, hangers, flying club and terrain lighting.

1 x 16kVA 1ph 60 Amp for the aeronautical beacon.

No additional capacity can be made available but would later be subject to the 22MVA main substation upgrade.

10.2 The maintenance and operation as well as the costs thereof for the landing lights, the runway tarmac and its fencing, the aeronautical beacon as well as the other electrical maintenance of the buildings and hangers should clearly be recorded in a Service Level Agreement to cover the risk, responsibilities and liabilities.

10.3 The municipality currently has a license to operate the aerodrome and the conditions therein in compliance with the aviation authority's regulations must at all-time be adhered to. Therefore it is essential that the Service Level Agreement must cater for all safety risks, licensing and conditions thereof in compliance with all legal aspects of the proposed airline route, as required by Aviation legislation. If it is required that an air traffic control centre be established, the applicant is responsible for same.

10.4 **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.

10.5 **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.

10.6 **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.

ProposedLeasePtn1FarmRietvlyRamovha_itm

(DDP)

ITEM A.51.26.04.17

FINANCES: IMPLEMENTATION: MUNICIPAL SUPPLY CHAIN MANAGEMENT POLICY, 2016: QUARTER 3, 2016/2017 FINANCIAL YEAR (1/3/54/1 & 10/1/5/2)

RESOLVED A.51.26.04.17 (COUNCIL) –

THAT note be taken of the implementation of Supply Chain Management Policy, 2016 during Quarter 3 of 2016/2017 financial year which report is submitted in order for the Council to exercise its oversight role in terms of section 6 of the Municipal Supply Chain Management Policy, 2016.

ImplementationQuarter3-2016-2017SCMPolicy_itm

(CFO)

ITEM A.52.26.04.17

FINANCES: PROCUREMENT: CLAUSE 36: QUOTATION DEVIATIONS: 3rd QUARTER: 2016/2017 FINANCIAL YEAR (10/1/5/2)

RESOLVED A.52.26.04.17 (COUNCIL)

THAT in terms of clause 36 of the Municipal Supply Chain Regulations, 2005 promulgated under the Local Government: Municipal Finance Management Act, 2003, in procurement by means of quotations during Quarter 3 of the 2016/2017 financial year in the amount of R1,123,775.52 and which each was duly approved by the Accounting Officer before it was procured, be condoned by Council.

QuotationDeviation3rdQuarter2016-2017_itm

(CFO)

ITEM A.53.26.04.17

FINANCES:

(1) REVIEW: CELLULAR PHONE POLICY, 2017

(2) RATIFICATION OF EXPENDITURE

(5/5/3/B)

RESOLVED A.53.26.04.17 (COUNCIL)

1. THAT Council approves the Cellular Phone Policy, 2017 a copy of which is attached as Annexure A to the report in this regard, and that it becomes effective on the date of Council Resolution of approval thereof. (CFO)
2. THAT in view thereof that the existing (2010) Cellular Policy was last reviewed in 2010 and was not adapted to present circumstances, payment of data and air time allowance for senior managers exceeded the threshold due to available packages currently used at Vodacom, and that expenditure already incurred equating to R33,408 thus be ratified by Council. (CFO)

CellphonePolicy_itm

ITEM A.54.26.04.17

FINANCE: REQUEST TO WRITE OFF: PRESCRIBED DEBT: R22,282,573,81 (6/6/6 & 13/1/1)

REMARK:

The recommendation of the Section 79 Oversight Committee: Finance was approved by Council and recorded as its Resolution accordingly.

RESOLVED A.54.26.04.17 (COUNCIL)

THAT Council approves the write off of the old debt based on Section 11(d) of the Prescription Act, No. 68 of 1969 to the value of R22,282,573.81, consisting of services fees etc., but excluding property rates which in terms of the relevant legislation prescribes after a period of fifteen (15) years, as more fully set out in the report in this regard: Provided complete itemized information of such prescribed debt be first submitted to Council.

WriteOffPrescribedDebt_itm

(CFO)

ITEM A.55.26.04.17**COUNCIL LAND: PROPOSED SALE: ERF 59, ELTIVILLAS TOWNSHIP: PROPOSED VENDOR STALLS, TOILETS, CAR WASH AND BUSINESS UNITS (EE 59)****REMARK:**

The recommendation of the Section 79 Oversight Committee: Development Planning was approved by Council and recorded as its Resolution accordingly.

RESOLVED A.55.26.04.17 (COUNCIL)

THAT the matter be referred back for further investigation and more information.

ProposedPurchaseErf59Eltivillas_itm

(DDP)

ITEM A.56.26.04.17**COUNCIL LAND: PROPOSED CROSS OVER BRIDGE TO ERVEN 1754 AND 1766, DZANANI TOWNSHIP: NORTHERN COMPLEX SHOPPING CENTRE: MAKHADO-A DZANANI TOWNSHIP (7/4/1/4)**

RESOLVED A.56.26.04.17 (COUNCIL)

THAT the proposed construction of cross over bridge to erven 1754 and 1766, Makhado-A Dzanani Township "Northern Complex Shopping Centre" be approved, subject to the following conditions:

1. The Director Technical Services be consulted before the construction of such an cross over bridge.
2. A professional engineer must be appointed for the supervision and construction of the cross over bridge, and the design, and plan must be submitted to the Department of Technical Services for consideration
3. The intention to construct cross over bridge to erven 1754 and 1766, Makhado-A Dzanani Township "Northern Complex Shopping Centre" be in terms of the provisions of section 79(18) of the Local Government 1939, (Ordinance 17 of 1939) as amended be advertised in one of the local newspapers for objections and comments, if any.
4. The property be disposed, for no cost and free of market value.
5. Council be indemnified against any hurt, loss and damages that might be incurred in the above regard.
6. The applicant be informed in terms of the provisions of item 17(t) read with item 18(4) of the Makhado Local Municipality Immovable Disposal Policy that a request in the above regard cannot be processed unless first confirmed in writing that he/she will bear all costs relative to the advertisements and valuation.
7. The approval is further subject to the following conditions:
 - 7.1 **Electricity:** Erven 1754 to 1766 Dzanani falls in the Eskom area of supply.

7.2 **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.

7.3 **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.

7.4 **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.

ConstructCrossOverBridge_itm

(DDP)

ITEM A.57.26.04.17

PERSONNEL: PROPOSED ONCE OFF PAYMENT OF NON-PENSIONABLE ALLOWANCE: ALL FULL-TIME EMPLOYEES ON PL 15 TO PL 3 (4/21/2 & 6/1/1(17/18))

REMARK:

When this matter was considered, Cllr M A Mashamba proposed, duly seconded by Cllr P N Musandiwa that recommendation 4 be substituted for the following:

“4. THAT the amount of R15 000,00 be paid in two batches being R7 500,00 each, during May 2017 and September 2017 respectively: Provided LIM 345 Local Municipality have paid their obligation to Makhado Local Municipality by 30 April 2017.”

The proposal was accepted in general and recorded as Council’s Resolution herein below accordingly.

RESOLVED A.57.26.04.17 (COUNCIL)

1. THAT note be taken of the outcome of the SALGBC award in Case No. LPD 061606, attached as Annexure J to the report in this regard. (DCS)
2. THAT R15 000 once-off payment be recommended but excluding post level 1 Managers, Section 57 Managers, Project Workers, Interns as well as other associated employees. (DCS)
3. THAT it be noted that the financial cost as indicated in paragraph 2 above amounts to R9,870,000.00 as per the municipal payroll, calculated in **Annexure I** attached to the report in this regard. (DCS/CFO)
4. THAT the amount of R15 000,00 be paid in two batches being R7 500,00 each, during May 2017 and September 2017 respectively: Provided LIM 345 Local Municipality have paid their obligation to Makhado Local Municipality by 30 April 2017. (DCS/CFO)

ProposalToWorkers_itm(2)

CONFIDENTIAL

ITEM CA.58.26.04.17

CONFIDENTIAL MATTER

CONFIDENTIAL

ITEM CA.59.26.04.17

CONFIDENTIAL MATTER

ITEM A.60.26.04.17

**RESTRUCTURING OF REGIONAL OFFICES
(5/1/1/B)**

REMARK:

The matter was withdrawn from the agenda.

ITEM A.61.26.04.17

**PERSONNEL: 2017/2018 DRAFT ORGANIZATIONAL STRUCTURE REVIEW
(5/1/2/1-10)**

RESOLVED A.61.26.04.17 (COUNCIL)

1. THAT Council approves to adopt posts into the existing staff establishment recommended by management as set out in the Annexure attached to the report in this regard. (DCS)
2. THAT the 2016-2017 Staff Establishment remains valid until a new staff establishment is approved by Council. (DCS)

ReviewOrganizationalStructure2017-2018_itm

CONFIDENTIAL

ITEM CA.62.26.04.17

CONFIDENTIAL MATTER

* * * * *

9.3 Report of the Section 79 Standing Committee: Municipal Public Account Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): February 2017 to April 2017

ITEM A.63.26.04.17

**MPAC: MUNICIPAL VEHICLE ASSETS
(8/1/2/3/4)**

RESOLVED A.63.26.04.17 (COUNCIL)

THAT the Municipality must auction all old vehicles and purchase new vehicles. (CFO)

MPACmunicipalvehicleassets_itm

ITEM A.64.26.04.17

**MPAC: LIST OF EMPLOYEES SUSPENDED 2015/2016
(5/6/2)**

REMARK:

When this matter was considered, Cllr M D Ndou proposed, duly seconded by Cllr N F Chililo that the matter be referred back for further investigation. The proposal was accepted in general and recorded as Council's Resolution accordingly.

RESOLVED A.64.26.04.17 (COUNCIL)

THAT the matter be referred back for further investigation.

MPACListemployeessuspended2015-2016_itm

(DCS)

ITEM A.65.26.04.17

**MPAC: REPORT ON THE IMPLEMENTATION OF COUNCIL RESOLUTIONS:
QUARTER 4 OF 2015/2016 FINANCIAL YEAR
(4/33)**

RESOLVED A.65.26.04.17 (COUNCIL)

THAT the Administration must implement all unimplemented Council Resolutions. (ALL DIRS)

ITEM A.66.26.04.17

**MPAC: DEVIATION REPORTS OF PROCUREMENT: QUARTER 1, 2016/2017
FINANCIAL YEAR
(8/3/2/1)**

RESOLVED A.66.26.04.17 (COUNCIL)

1. THAT MPAC noted the Deviation Reports for Procurement Quarter 1 of 2016/2017 financial year. (CFO)

2. THAT MPAC are satisfied with the document received from the Accounting Officer.

MPACDeviationsQuarter1_itm

(CFO)

ITEM A.67.26.04.17**MPAC: DEVIATION REPORTS OF PROCUREMENT: QUARTER 2, 2016/2017 FINANCIAL YEAR (8/3/2/1)**

RESOLVED A.67.26.04.17 (COUNCIL)

1. THAT MPAC noted the Deviation Reports of Procurement Quarter 2 of the 2016/2017 financial year. (CFO)
2. THAT funds be provided to purchase new machinery e.g. one grader per region in order to avoid spending on repairs of old machinery with recurring breaking. (CFO)

MPACDeviationsQuarter2_itm

ITEM A.68.26.04.17**MPAC: ANNUAL FINANCIAL STATEMENTS FOR PERIOD ENDING 31 DECEMBER 2016 (6/1/1(16/17))**

RESOLVED A.68.26.04.17 (COUNCIL)

THAT MPAC noted the Annual Financial Statement for period ending 31 December 2016.

MPACAnnualFinancialStatements2016_itm (CFO)

ITEM A.69.26.04.17**MPAC: CAPITAL AND OPERATIONAL BUDGET: 2016/2017 FINANCIAL YEAR (SA25, A1, A5, A7 AND A8) (10/1/2)**

RESOLVED A.69.26.04.17 (COUNCIL)

1. THAT the MPAC noted the Capital and Operational Budget and expenditures for the 2016/2017 financial year. (CFO)
2. THAT the Administration must align with the approved and available Budget. (ALL DIRS)

ITEM A.70.26.04.17**FINAL CAPITAL EXPENDITURE REPORT: 31 DECEMBER 2016 (6/1/1(14/15))**

RESOLVED A.70.26.04.17 (COUNCIL)

1. THAT the existing condition as recorded in the report must be maintained since it is favourable for the municipality. (CFO)

2. THAT the Municipality must continue to urge people to pay their municipal rates, charges, levies and consumer services. (CFO)

ITEM A.71.26.04.17

**MPAC: PERFORMANCE MANAGEMENT: SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN: MID YEAR PERFORMANCE REPORT 2016/17 FINANCIAL YEAR
(10/1/4/1 – 10/1/4/8)**

RESOLVED A.71.26.04.17 (COUNCIL)

1. THAT the Municipality must work towards generally accepted percentage of 35% or below of personnel cost over total. (DCS)
2. THAT an action plan be compiled against electricity losses in addition to those currently available. (CFO/DTS)
3. THAT MPAC note the Mid-Year Budget Statement: 31 December 2016 (July 2016 – December 2016). (CFO)

MPACMidYear2016-2017_itm

9.4 Resolutions of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): February to April 2017

421st Executive Committee Meeting: 2 February 2017
 422nd Executive Committee Meeting: 16 February 2017
 423rd Executive Committee Meeting: 20 February 2017
 424th Executive Committee Meeting: 23 February 2017
 425th Executive Committee Meeting: 9 March 2017
 426th Executive Committee Meeting: 23 March 2017
 427th Executive Committee Meeting: 30 March 2017
 428th Executive Committee Meeting: 20 April 2017
 429th Executive Committee Meeting: 26 April 2017

ITEM B.1.02.02.17

FINANCES: IMPLEMENTATION: MUNICIPAL SUPPLY CHAIN MANAGEMENT POLICY, 2016: QUARTER 2, 2016/2017 FINANCIAL YEAR (1/3/54/1 & 10/1/5/2)

RESOLVED B.1.02.02.17 –

1. THAT note be taken of the implementation of Supply Chain Management Policy, 2016 during Quarter 2 of 2016/2017 financial year which report is submitted in order for the Council to exercise its oversight role in terms of section 6 of the Municipal Supply Chain Management Policy, 2016. (CFO)
2. THAT it is noted that Tenders no. 59, 65 and 68 of 2016 were awarded to Tsentsse Manufacturers and the Chief Financial Officer must verify the Supply Chain Management Policy, 2016 permits this, and report the outcome to the Executive Committee.

REMARK:

The recommendation of the Section 79 Oversight Committee: Finance was confirmed.

ImplementationQuarter2-2016-2017SCMPolicy_itm (CFO)

ITEM B.2.02.02.17

REPORT: MUNICIPAL INFRASTRUCTURE GRANT (MIG) 2ND QUARTER: 2016/2017 FINANCIAL YEAR (16/8/1 & 10/1/5/3)

RESOLVED B.2.02.02.17 (EXECUTIVE COMMITTEE)

THAT Council takes note of the second (2nd) quarter report in relation to the implementation of the Municipal Infrastructure Grant (MIG) for 2016/17 financial year. (DTS)

ImplementationMIG Q2 2016-2017_itm

ITEM B.3.02.02.17**REPORT: MUNICIPAL EXTENDED PUBLIC WORK PROGRAMME (EPWP) GRANT:
2nd QUARTER: 2016/2017 FINANCIAL YEAR
(16/8/1 & 10/1/5/3)**

RESOLVED B.3.02.02.17 (EXECUTIVE COMMITTEE)

THAT Council takes note of the second quarter report in relation to the implementation of the Expanded Public Works Programme (EPWP) for 2016/17 financial year. (DTS)

ImplementationEPWP Q2 2016-2017_itm

ITEM B.4.02.02.17**TOWN PLANNING AND CONTROL: SPATIAL PLANNING AND LAND USE
MANAGEMENT ACT, 2013 (ACT NO. 16 OF 2013) AND ITS REGULATIONS**

1. AMENDMENT OF COUNCIL RESOLUTION (A.76.29.06.15)
2. AMENDMENT OF EXECUTIVE COMMITTEE DELEGATED POWERS
3. APPOINTMENT OF AUTHORISED OFFICIAL
4. APPOINTMENT OF MUNICIPAL PLANNING TRIBUNAL DEPUTY
CHAIRPERSON

(4/1/B & 15/B)

REMARK:

This matter was referred from item A.7.26.04.17.

RESOLVED B.4.02.02.17 (EXECUTIVE COMMITTEE)

THAT the matter be referred to Section 80 Committee: Development Planning and Municipal Infrastructure for consideration and resubmission to the Executive Committee at its next meeting.

LandUseManagement_itm

(DDP)

ITEM B.5.16.02.17**COUNCIL COMMITTEES: RETURN OF ATTENDANCE OF MEETINGS OF COUNCIL
AND ITS COMMITTEES – 3 AUGUST 2016 TO 30 SEPTEMBER 2016 – QUARTER 1,
2016/2017 FINANCIAL YEAR**

(4/1/B & 10/1/5/1)

RESOLVED B.5.16.02.17 (EXECUTIVE COMMITTEE)-

1. THAT note be taken of the number of meetings held by Council and its Committees for the period 3 August 2016 to 30 September 2016 as follows:

Table 10 SUMMARY OF MEETINGS HELD – QUARTER 1 OF 2016/17

DATE 2016	NUMBER OF PORTFOLIO COMMITTEES' MEETINGS	NUMBER OF EXECUTIVE COMMITTEE MEETINGS	NUMBER OF COUNCIL MEETINGS
August	1	2	2
September	0	0	0
TOTAL	1	2	2

(DCS)

2. THAT note be taken of the *Return of Attendance of meetings by councillors* for the period 3 August 2016 to 30 September 2016 as more fully recorded in the report in this regard.

(DCS)

3. THAT all councillors who were absent without an apology or for 3 or more consecutive meetings of Council and its committees be notified to appear before the Section 79 Oversight Committee: Ethics.

(DCS)

Return of Attendance Q1 of 2016-2017

ITEM B.6.16.02.17

COUNCIL COMMITTEES: RETURN OF ATTENDANCE OF MEETINGS OF COUNCIL AND ITS COMMITTEES – OCTOBER 2016 TO DECEMBER 2016 – QUARTER 2, 2016/2017 FINANCIAL YEAR (4/1/B & 10/1/5/1)

RESOLVED B.6.16.02.17 (EXECUTIVE COMMITTEE) -

1. THAT note be taken of the number of meetings held by Council and its Committees for the period 1 October 2016 to 31 December 2016 as follows:

Table 31 SUMMARY OF MEETINGS HELD – QUARTER 2 OF 2016/17

DATE 2016	NUMBER OF SECTION 79 COMMITTEES' MEETINGS	NUMBER OF EXECUTIVE COMMITTEE MEETINGS	NUMBER OF COUNCIL MEETINGS
October	1	4	2
November	2	3	1
December	8	2	1
TOTAL	Eleven (11) meetings were held of which one (1) did not form a quorum	9	4

**Excluding LLF meetings of which two (2) were held*

(DCS)

2. THAT note be taken of the *Return of Attendance of meetings by councilors* for the period 1 October 2016 to 31 December 2016 as more fully recorded in the report in this regard.

(DCS)

3. THAT all councillors who were absent without an apology or for 3 or more consecutive meetings of Council and its committees be notified to appear before the Section 79 Oversight Committee: Ethics.

(DCS)

Return of Attendance Q2 of 2016-2017

ITEM B.7.16.02.17

REPORTS AND SURVEYS: OUTSTANDING MATTERS: COUNCIL RESOLUTIONS – QUARTER 2: 2016/17 FINANCIAL YEAR (10/1/6/1)

RESOLVED B.7.16.02.17 (EXECUTIVE COMMITTEE) -

THAT note be taken of the progress with implementing Council Resolutions in respect of meetings held during Quarter 2 of the 2016/2017 financial year as more fully set out in Annexure E attached to the report in this regard.

(DCS)

CouncilResolutionImplementationQ2-2016-2017_itm

ITEM B.8.09.03.17**FINANCES: MFIP II PROGRESS REPORT ON THE SUPPORT PLAN ENDING 31 JANUARY 2017
(10/1/5/2)**

RESOLVED B.8.09.03.17 (EXECUTIVE COMMITTEE)

THAT note be taken of the progress report on the MFIP II Support Plan for the month ending 31 January 2017, as more fully set out in the Annexure attached to the report in this regard.

MFIPreportJanuary2017_itm

(CFO)

ITEM B.9.09.03.17**FINANCES: ASSESSMENT OF CONTRACTED SERVICE PROVIDERS: QUARTER 2, 2016/2017 FINANCIAL YEAR
(10/1/5/2)**

RESOLVED B.9.09.03.17 -

1. THAT in terms of clause 116 of the Municipal Finance Management Act, Act No. 56 of 2003, the assessment report of contracted service providers for Quarter 2 of the 2016/2017 financial year be noted by the Council. (CFO)
2. THAT the Director Technical Services must attend all Section 79 Oversight Committee: Finance meetings when the agenda has matters of Department Technical Services as its business. (DTS/CFO)

REMARK:

The recommendation of the Section 79 Oversight Committee: Finance was confirmed.

AssessmentServiceProvidersQ2 2016-2017_itm

ITEM B.10.09.03.17**REPORTING: SUBMISSION OF WARD COMMITTEE'S ACTIVITIES: QUARTER 2, 2016/2017 FINANCIAL YEAR
(10/1/5/1)**

RESOLVED B.10.09.03.17 (EXECUTIVE COMMITTEE) –

1. THAT Council takes note of the report of new Ward Committee activities for Quarter 2 of the 2016/17 financial year, i.e. attendance of a joint induction workshop on 9 December 2016 at the Show Hall, Makhado. (DCS)
2. THAT Council takes note of the structural challenges in the composition of Ward Committees. (DCS)

WardCommitteesQ2 2016-2017_itm

ITEM B.11.09.03.17

COUNCIL LAND: PROPOSED LEASE: LAMP POSTS FOR STREET POLE ADVERTISING USE
(7/3/2/3/2)

REMARK

This matter was referred from item A.23.26.04.17

RESOLVED B.11.09.03.17 (EXECUTIVE COMMITTEE) –

THAT the matter be referred back for further research on the issue of percentage of income that must be paid to Council. (DDP)

AdvertisingLamppost_itm

ITEM B.12.23.03.17

COMMUNITY SERVICES: DISASTER MANAGEMENT SERVICES: NOTIFICATION OF AMENDED DISASTER MANAGEMENT ACT NO. 16 OF 2015
(17/11/9)

RESOLVED B.12.23.03.17 (EXECUTIVE COMMITTEE)

THAT Council takes note of the Disaster Management Act, Act No. 16 of 2015 which amended Disaster Management Act, Act No. 57 of 2002 which is a guiding tool for handling disaster related issues. (DCOMS)

DisasterManagementAct_itm

(REMARK: Item B.13.23.03.17 was already considered at the 119th Special Council meeting which was held on 30 March 2017.)

ITEM B.14.23.03.17

PERSONNEL: PROPOSED ONCE OFF PAYMENT OF NON-PENSIONABLE ALLOWANCE: ALL FULL-TIME EMPLOYEES ON PL 15 TO PL 3
(4/21/2 & 6/1/1(17/18))

REMARK:

This item was referred from item A.30.30.03.17.

RESOLVED B.14.23.03.17 (EXECUTIVE COMMITTEE)

THAT the matter be referred back for further information by the member/s of the Executive Committee who serves in the Local Labour Forum, and submission at a next Executive Committee meeting.

ProposalToWorkers_itm

(DCS)

ITEM B.15.20.04.17

REPORT: MUNICIPAL INFRASTRUCTURE GRANT (MIG) 3rd QUARTER: 2016/2017 FINANCIAL YEAR (16/8/1 & 10/1/5/3)

RESOLVED B.15.20.04.17 (EXECUTIVE COMMITTEE)

THAT Council takes note of the third (3rd) quarter report in relation to the implementation of the Municipal Infrastructure Grant (MIG) for 2016/17 financial year.

ImplementationMIG Q3 2016-2017_itm (DTS)

ITEM B.16.20.04.17

REPORT: MUNICIPAL EXTENDED PUBLIC WORK PROGRAMME (EPWP) GRANT: 3rd QUARTER: 2016/2017 FINANCIAL YEAR (16/8/1 & 10/1/5/3)

RESOLVED B.16.20.04.17 (EXECUTIVE COMMITTEE)

THAT Council takes note of the third quarter report in relation to the implementation of the Expanded Public Works Programme (EPWP) for 2016/17 financial year.

ImplementationEPWP Q3 2016-2017_itm (DTS)

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10. PETITIONS

None

11. NEW MOTIONS

None

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The meeting was closed and adjourned at 16:08.

Approved and confirmed in terms of the provisions of section 27 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) by a resolution of the Council passed at the meeting held on the first following Council meeting of 27 July 2017.

CHAIRPERSON