

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE SIXTY FIRST (61ST) MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 27 OCTOBER 2011 AT 14:00 IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, KROGH STREET, LOUIS TRICHARDT.

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PRESENT

Councillors

BALIBALI, N P
 CHILILO, N F
 DAVHANA, N D
 DU PLOOY, A
 GABARA, M J
 HLABIOA, M M
 HLONGWANE, B F
 HLUNGWANI, K A
 KUTAMA, N
 LERULE, M M
 LUDUVHUNGU, V S
 MADAVHU, F F
 MADZHIGA, F N
 MADZIVHANDILA, M R
 MAGADA, M R
 MAHANI, M G
 MAKHUBELE, R T
 MAKHUVHA, V S
 MALANGE, R
 MALANGE, T M
 MALIMA, M E (left 15:11)
 MAMAFHA, T J
 MAMAFHA, T C
 MAMATSIARI, M S
 MAPHAHLA, A Z
 MAPHALA, O S
 MASHIMBYE, P F
 MASUKA, S
 MATHAVHA, H F
 MATHOMA, M P
 MATODZI, A M
 MATUMBA, M T

MATUMBA, N J
 MAZIBUKO, M P
 MMBADI, T A
 MOGALE, L B
 MTHOMBENI, S Z
 MUKHAHA, A J
 MUKHARI, M F
 MULOVHEDZI, M D
 MUNYAI, N S
 MUTAVHATSINDI, F D
 MUTELE, T M
 NDWAMMBI, M T
 NDZOVELA, N G
 NELUVHA, T
 NEMAFHOHONI, M G
 NETSHIVHULANA, T P
 NGOBENI, N E
 NKANYANE, R G
 RAMUDZULI, S D
 RASIMPHI, M P
 RATSHIKUNI, D T
 REKHOTSO, S M
 RIKHOTSO, F J
 SAKHWARI, I
 SHANDUKANI, M J
 SINYOSI, S M
 TANDAVHATHU, R
 TSHAVUYO, T G
 TSHILAMBYANA, M S
 UNDERWOOD, J P

Traditional Leaders

KHOSI M W NETSIANDA
 KHOSI S A MULIMA
 KHOSI N T L MASHAMBA

Officials

A S TSHIKALANGE
 T S NDOU
 R H MALULEKE
 A S MATHONSI

(MUNICIPAL MANAGER)
 (DIRECTOR CORPORATE SUPPORT & SHARED SERVICES)
 (CHIEF FINANCIAL OFFICER)
 (ACTING DIRECTOR COMMUNITY SERVICES)

M D SINTHUMULE (DIRECTOR DEVELOPMENT & PLANNING)
 M D MUNYAI (ADMINISTRATIVE OFFICER: COMMITTEES)
 T E SHIRINGANI (ADMINISTRATIVE OFFICER: COMMITTEES)

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1. OPENING

The Speaker, Cllr F D Mutavhatsindi ruled that a minute of silence be observed for meditation and prayer whereafter he declared the meeting officially opened.

2. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLVED –

1. THAT leave of absence be granted in accordance with the provisions of Rule 5 of the Council's Rules and Orders, 2007 in respect of the Council meeting held on 27 October 2011 to Cllrs S R Baloyi, A S Gundula, M S Machete, T P Mamorobela, M Q Ratshivhombela, E H Ludere, A Kennealy and L M Mathalise.
2. THAT it be noted that the following councillors were absent from the meeting without leave of absence in accordance with the provisions of sub-paragraph 5(1)(a) of the Council's Rules and Orders published under Provincial Gazette Notice no. 1391 dated 31 August 2007 in respect of the Council meeting held on 27 October 2011:
 Cllrs M O Ahmed, Z Jooma, R Ludere, S V Mahladisa, M D Mboyi as well as Hosi M S Bungeni, Khosi M C Masakona, Hosi H N Majosi, Khosi T P Nesengani, Hosi S T Mukhari, Hosi J Baloyi, Khosi V C Ramabulana and Khosi T R V Mashau.

3. OFFICIAL ANNOUNCEMENTS

- 3.1 The Speaker, Cllr F D Mutavhatsindi announced that Mr K M Molokomme, Senior Magistrate Officer was present to conduct the Ceremony of Declaration for the Oath or Solemn Affirmation of newly elected Councillors of Makhado Municipality.

The ceremony of the Declaration for the Oath or Solemn Affirmation of Newly Elected Councillors were conducted and the following councillors duly participated in the process:

Cllr Hlabioa, M M
 Cllr Luduvhungu, V S
 Cllr Madzivhandila, M R
 Cllr Mahani, M G
 Cllr Masuka, S
 Cllr Mutele, T M
 Cllr Matumba, M T
 Cllr Ndzovela, N G
 Cllr Neluvhola, A T
 Cllr Netshivhulana, T P
 Cllr Ramudzuli, S D
 Cllr Ratshivhombela, M Q
 Cllr Sakhwari, I

- 3.2 The Speaker, Cllr F D Mutavhatsinidi announced that Council was honoured by the presence of a Veteran former Councillor of Makhado Municipality, Mr A A Chaya.

4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER

The Speaker, Cllr F D Mutavhatsindi proposed condolences to the bereaved families of the unknown persons who had died in a car accident in the municipal area. They were employed in the project of Census Statistics South Africa.

5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY COUNCILLORS

- 5.1 The Mayor, Cllr M M Lerule proposed congratulations to all Councillors who was attending the Council meeting for the first time.
- 5.2 The Mayor, Cllr M M Lerule announced that the Minister of Arts and Culture, Mr Paul Mashatile promulgated the name change of Louis Trichardt to be Makhado in the Government Gazette. The official launch of the new name will be hosted in due course.
- 5.3 Cllr F N Madzhiga proposed congratulations to the African National Congress for having won all five wards of Makhado Municipality during the October 2011 by-elections.
- 5.4 Cllr A du Plooy proposed congratulations to Ms Lindiwe Mazibuko who has been elected as a Member of Parliament to represent the Democratic Alliance Party.

6. CONFIRMATION OF MINUTES

6.1 REMARK:

Upon proposal by Cllr F N Madzhiga, duly seconded by Cllr L B Mogale, it was -

RESOLVED -

THAT the minutes of the 60th meeting of the Council held on 1 August 2011, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson, with the following amendment:

Page 11, Item A.55.01.08.11

- “3.1 THAT in future the Audit Report be submitted to Council, as soon as is received by the Municipality” be substituted with the following “THAT Audit Committee Report be brought back at the next Council meeting”.

6.2 REMARK:

Upon proposal by Cllr N D Davhana, duly seconded by Cllr N E Ngobeni, it was -

RESOLVED -

THAT the minutes of the 72nd Special meeting of the Council held on 21 September 2011, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson, with the following amendment:

That the Remark “*Cllr R Ludere proposed, duly seconded by Cllr T G Tshavhuyo that Cllr P F Mashimbye be removed from the list of Councillors to visit Swaziland and that Cllr S Z Mthombeni be included to represent the Portfolio Committee: Sports and Recreation.*” be substituted with the following statement: “*THAT Cllr R Ludere proposed, duly seconded by Cllr T G Tshavhuyo that Cllr S Z Mthombeni be included in the list of councillors to visit Swaziland to represent Portfolio Committee: Sports and Recreation*”.

7. QUESTIONS OF WHICH NOTICE HAD BEEN GIVEN

7.1 QUESTION RECEIVED FROM CLLR A DU PLOOY ON 1 SEPTEMBER 2011

The following questions were received under the provisions of clause 35 of the Council’s Rules and Orders published in Provincial Gazette No. 1391 dated 31 August 2007.

“In terms of Section 35(1) (b) of Council’s Rules and Orders, Promulgated under Local Authority Notice 228 in Provincial Gazette No 1391 dd. 31 August 2007, the following questions are put:

With regards to all the photo copier / printing machines in all the offices of the Makhado Municipality:

- (a) How many machines are under contract from Data Master Xerox/Xerox/Bytes Technology Group/Bytes Document Solutions;*
- (b) What is the term of each contract;*
- (c) What is the monthly amount for each contract;*
- (d) Which contracts are renewals;*
- (e) What is the comparison rental amounts for each of these contracts (previous and new);*
- (f) Who were the other bidders for each of these contracts;*
- (g) Who are the owners of this company/service provider;*
- (h) Have any contracts been cancelled with this company/service provider; if so, what are the relevant details;*
- (i) Which Municipal Official signed off each of the contracts;*
- (j) Where was provision made in the budget for each of these contracts;*

Whether any other company/service provider is under contract for copier/printing machines in any of the Municipality’s offices; if so, what are the relevant details?”

REMARK:

In terms of the provisions of the Rules and Orders dated 31 August 2007 the questions were answered by the Director Corporate Support and Shared Services, as follows:

Question *(a) How many machines are under contact from Data Master Xerox/Xerox/Bytes Technology Group/Bytes Document Solutions?*

Reply: None

Questions (b) to (j)

Reply: In view of the reply to Question (a), the questions under (b) to (j) need not be answered as no contract has been concluded with any of the mentioned service providers.

Question *(k) Whether any other company / service provider is under contract for copier/printing machines in any of the Municipality’s offices; if so, what are the relevant details?*

Reply: Tender no 22 of 2010 was awarded to Palesa Tech Pty Ltd of Polokwane after the proper bidding procedures was implemented in terms of Council's Procurement Policy and the Local Government: Supply Chain Management Regulations, 2005.

A rental agreement was signed with Palesa Tech Pty Ltd on 12 October 2010 whereby ten (10) respective copiers of different description and capacity with related accessories are leased for a period of 36 months commencing on 1 October 2010 – a fixed monthly rental of R21 590,55 (exc VAT) is payable. The copiers are placed at different locations at the Civic Center as well as the Regional Offices of Makhado Municipality.

The Speaker, Cllr F D Mutavhatsindi requested Cllr A du Plooy to apologise to Council for wasting Council's time on false allegations.

Cllr A du Plooy honoured the Speaker's request and apologised, but also thanked administration for responding to the questions in time.

8. MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETING

None

9. REPORT OF THE EXECUTIVE COMMITTEE: OCTOBER 2011

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 August 2011 to October 2011

284th Executive Committee meeting held on 25 August 2011

285th Executive Committee meeting held on 1 August 2011

286th Executive Committee meeting held on 6 October 2011

287th Executive Committee meeting held on 20 October 2011

288th Executive Committee meeting held on 27 October 2011

ITEM A.57.27.10.11

FINANCES: TENDERS AWARDED DURING 2010/2011 FINANCIAL YEAR

(8/3/2/1 & 10/1/4/3)

RESOLVED A.57.27.10.11 –

1. THAT Council takes note of the list of tenders awarded by the Municipality during the 2010/2011 financial year, as more fully recorded in Annexure A attached to the report in this regard. (MM/CFO)
2. THAT the Accounting Officer forthwith verify with the Finance Department whether a tenderer owes any monies to the Municipality before the relevant tender is awarded, and that such tenderer cannot be contracted while monies were owed to the Municipality.

ITEM A.58.27.10.11**FINANCES: WRITE OFF OF UNCLEARED TRANSACTIONS: SUSPENSE GENERAL ACCOUNT (VOTE NO: 948/707058): 2009/10 AUDIT REPORT (6/B/1/1/1 & 6/B/2/2)**

RESOLVED A.58.27.10.11 -

THAT Council approves the write-off of the suspense account balance as at 30 June 2009 as detailed in Annexure A attached to the report in this regard. (CFO)

SuspenseAccountWriteOff_itm

ITEM A.59.27.10.11**COUNCIL COMMITTEES:**

- (1) **COMPOSITION OF EXECUTIVE COMMITTEE - REVIEW**
- (2) **RESIGNATION OF MEMBERS WHO HOLD FULL-TIME EMPLOYMENT IN THE PUBLIC SERVICE: VACANCIES IN EXECUTIVE COMMITTEE 2011/2012 TO 2015/2016 TERM OF OFFICE (3/2/5; 3/3/3)**

RESOLVED A.59.27.10.11 -

1. THAT the seat allocation of Council's Executive Committee be in accordance with the seat calculation of parties that was issued for LIM334 as recorded by the I E C in a letter dated 20 May 2011. (DCSS)
2. THAT it be noted that Cllr M B Bopape and Cllr N A Makhanda have resigned with effect of 30 and 29 June 2011 respectively as Councillors, and that two councillors be elected in the vacancies that have come about due to the said resignations. (DCSS)
3. THAT with reference to paragraph 2 above the affected political party submits names of the candidates that will fill the vacancies at the Executive Committee meeting. (DCSS)

ITEM A.60.27.10.11**COUNCIL LAND: PROPOSED PRINCIPLE APPROVAL: LEASE OF LAND TO ERECT EXCLUSIVE ADVERTISING BILLBOARDS (15/3/9; 7/3/2/3)**

RESOLVED A.60.27.10.11-

THAT the application received from Ms Ipfi Maumela as the Group CEO acting on behalf of the Limpopo Advertising Agency for approval to lease municipal land on which billboards can be erected upon identification of sites, be considered and if approved, it be subject to the following conditions:

1. The approval of the relevant Roads Agency be first acquired if signs are visible from National roads, Provincial roads and/or District roads.

2. Municipality's approval to lease the right of advertisement on municipal land be not implemented if the relevant Roads Agency has not approved of the billboard and/or advertisement structure along the roads which is part of its competency
3. A market related rental for the lease of municipal land determined by a valuator be collected
4. The term of lease be for three (3) years only.
5. The specific proposed location of each sign must first be submitted to Executive Committee for approval before administration grants permission for erection thereof
6. Building plans of the structures must be submitted for approval before any construction is permitted
7. The lessee will be liable for payment of full costs of electricity connections and will be liable to pay for all consumption through Council's monthly billing system
8. Billboards cannot be permitted where electricity overhead lines or underground cables are present
9. The provisions of the Building By-laws, Chapter XII will be enforced by Department Technical Services
10. Billboards may not be erected where it encroaches on existing rights of other lessees of municipal land for billboards.
11. The provisions of the Occupational Health and Safety Act, 1993 and its Regulations will be applied in regard to electricity, water and sewer infrastructure in the vicinity of such billboards.
12. A standard lease agreement be made and entered into by and between Makhado Local Municipality and the Limpopo Media Agency.
13. The intention of Council to lease the rights be advertised for objections, if any, and the final approval of the application will be subject to the outcome of such process.
14. The provisions of the draft Outdoor Signs (Advertising and Other) By-laws, as may be amended in its final phase, will be applied and applicant must note that same will be imposed.

LimpopoMediaAgency_itm

(DDP)

ITEM A.61.27.10.11

**COUNCIL LAND: PROPOSED RENEWAL OF ADVERTISING AGREEMENT:
PRIMEDIA OUTDOOR: NZHELELE – TSHIPISE – MAKHADO R293 TOWNSHIP
(DZANANI)
(15/3/9 & 7/3/2/3)**

RESOLVED A.61.27.10.11 -

THAT the application of Primedia Outdoor to extend the period of the lease agreement of a right to advertise on municipal (and state) land at Nzhelele – Tshipise – Makhado R293 Township (Dzanani) be approved subject to the following terms and conditions:

1. The conditions as contained in the original lease agreement be applicable i.e.
 - 1.1. the rental be escalated by 10% per annum, beginning on 1 July 2011 and 1 January 2012;
 - 1.2. the conditions of the draft agreement attached to the report in this regard be approved by Council;
 - 1.3. the registered landowner must first approve of the application and contents of agreement;
 - 1.4. the rental be as determined by the Director Finance.
2. An addendum to the lease agreement be concluded whereby the lease period be extended for a period of three (3) years as from 1 September 2011.
3. The rental be reviewed in line with Department Finance directive and calculations, with the standard annual escalation.
4. The provisions of the draft Outdoor Signs (Advertising and Other) By-laws, as may be amended in its final phase, will be applied and applicant must note that same will be imposed.

PrimediaOutdoor_itm

(DDP)

ITEM A.62.27.10.11

**ESSENTIAL SERVICE: ELECTRICAL DISTRIBUTION: MAINTENANCE POLICY & PROPOSED BUSH CLEARING POLICY
(16/2/3 & 16/2/B)**

RESOLVED A.62.27.10.11 –

1. THAT the Maintenance Policy that will become part of the future maintenance plan, attached to the report in this regard as Annexure A, be approved, and regarded as the Electricity Distribution Maintenance Policy. (DTS)
2. THAT the Bush Clearing Policy that is part of the maintenance plan, attached to the report in this regard as Annexure B, be approved, and regarded as the Bush Clearing Policy.

MaintenancePolicy_itm

(DTS)

ITEM A.63.27.10.11

**TOWN-PLANNING AND CONTROL:PROPOSED FILLING STATION AND SHOPPING CENTRE ON A PORTION OF THE FARM MALMESBURY 72 LT IN TERMS OF THE DEVELOPMENT FACILITATION ACT, 1995 (ACT 67 OF 1995)
(15/3/15 & 15/3/8)**

REMARK:

This item was referred as item B.27.25.08.11.

ITEM A.64.27.10.11**TOWN-PLANNING AND CONTROL:**

- 1. APPLICATION FOR LAND DEVELOPMENT AREA: PORTION 2 AND PORTION 3 OF THE FARM SILOAM 199 MT: SHOPPING CENTRE AND TAXI RANK**
- 2. CONSOLIDATION OF PORTION 2 AND PORTION 3 OF THE FARM SILOAM 199 MT**
- 3. INCLUSION OF THE DEVELOPMENT INTO MAKHADO LAND USE SCHEME, 2009**

(15/3/15 & 15/3/8)

REMARK:

This item was referred as item B.28.25.08.11.

ITEM A.65.27.10.11

**TOWN PLANNING AND CONTROL: REZONING OF ERF 638, LOUIS TRICHARDT TOWNSHIP FROM ‘RESIDENTIAL 1’ TO “RESIDENTIAL 3” SIMULTANEOUSLY WITH SPECIAL CONSENT FOR THE PURPOSE OF “RESIDENTIAL BUILDING” IN ORDER TO ERECT BACHELOR FLATS
(E 638 & 15/4/2/2/1/243)**

RESOLVED A.65.27.10.11 -

THAT the Council in terms of section 56 of the Town Planning and Townships Ordinance (Ordinance 15 of 1986) approve the application received from Milingoni Gumani Meschack Gabeni to rezone Erf 638, Louis Trichardt township from “Residential 1” to “Residential 3” simultaneously with the special consent for “Residential Building” in order to erect Bachelor Flats, subject to the following conditions:

1. The Department of Development and Planning must verify with the Finance Department if Milingoni Gumani Meschack Gabeni are not owing the Municipality. If they are owing they must first pay their debts before the approval can be implemented.
2. No building operations may commence without approved building plans.
3. Site development plan must be submitted before any building plans can be approved.
4. The development must comply with the Makhado Land Use Scheme, 2009 with “Residential 3” as the use zone.
5. The rooms within or forming part of a residential building shall not include kitchen of their own.
6. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
7. The measurement of the perpendicular or angled parking must not less than 5,5m x 2,7m and 6,0m x 2,7m for parallel parking.
8. Engineering services contributions for water, sewer and electricity will be payable and will be calculated in accordance with Council’s formula for such services.
9. The applicant will be liable for payment of actual cost for service provisions in the event that larger capacities than what is available under the present zoning may be required.

10. The applicable contents of Council Resolution A.78.24.07.08 will apply without failure and Council cannot be held liable for any losses suffered for whatever reason in this regard.

Rezoning_Erf638

(DDP)

ITEM A.66.27.10.11

TOWN PLANNING AND CONTROL: REZONING OF REMAINDER OF ERF 659, LOUIS TRICHARDT TOWNSHIP FROM ‘RESIDENTIAL 1’ TO “BUSINESS 3” (E659 & 15/4/2/2/1/240)

RESOLVED A.66.27.10.11 –

THAT the Council in terms of section 56 of the Town Planning and Townships Ordinance (Ordinance 15 of 1986) approve the application received from Tshiongolwe Development Planning Consultants on behalf of their client Mr Masala Murovhi to rezone the Remainder Erf 659, Louis Trichardt township from “Residential 1” to “Business 3 subject to the following conditions:

1. The Department of Development and Planning must verify with the Finance Department if Mr Masala Murovhi is not owing the Municipality. If he is owing he must first pay his debts before the approval can be implemented.
2. No building or alteration operations may commence without approved building plans.
3. Site development plan must be submitted before any building plans can be approved.
4. The development must comply with the Makhado Land Use Scheme, 2009 with “Business 3” as the use zone.
5. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
6. Four (4) parking per 100m² gross leasable floor area should be provided on the property.
7. The measurement of the perpendicular or angled parking must not less than 5,5m x 2,7m and 6,0m x 2,7m for parallel parking.
8. Engineering services contributions for water, sewer and electricity will be payable and will be calculated in accordance with Council’s formula for such services.
9. The applicant will be liable for payment of actual cost for service provisions in the event that larger capacities than what is available under the present zoning may be required.
10. The applicable contents of Council Resolution A.78.24.07.08 will apply without failure and Council cannot be held liable for any losses suffered for whatever reason in this regard.

Rezoning_Erf 659

(DDP)

ITEM A.67.27.10.11**TOWN PLANNING AND CONTROL: REZONING OF ERF 645, LOUIS TRICHARDT TOWNSHIP FROM 'RESIDENTIAL 1' TO "RESIDENTIAL 3" SIMULTANEOUSLY WITH THE SPECIAL CONSENT FOR THE PURPOSE OF "RESIDENTIAL BUILDING" IN ORDER TO ERECT BACHELOR FLATS (E 645 & 15/4/2/2/1/234)**

RESOLVED A.67.27.10.11 –

THAT the Council in terms of section 56 of the Town Planning and Townships Ordinance (Ordinance 15 of 1986) approve the application received from Fulwana Planning Consultants on behalf of their client Jane Mufamadi to rezone Erf 645, Louis Trichardt township from "Residential 1" to "Residential 3" simultaneously with the special consent for "Residential Building" in order to erect Bachelor Flats, subject to the following conditions:

1. The Department of Development and Planning must verify with the Finance Department if Jane Mufamadi is not owing the Municipality. If she is owing she must first pay her debts before the approval can be implemented.
2. No building operations may commence without approved building plans.
3. Site development plan must be submitted before any building plans can be approved.
4. The development must comply with the Makhado Land Use Scheme, 2009 with "Residential 3" as the use zone.
5. The rooms within or forming part of a residential building shall not include kitchen of their own.
6. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
7. The measurement of the perpendicular or angled parking must not less than 5,5m x 2,7m and 6,0m x 2,7m for parallel parking.
8. Engineering services contributions for water, sewer and electricity will be payable and will be calculated in accordance with Council's formula for such services.
9. The applicant will be liable for payment of actual cost for service provisions in the event that larger capacities than what is available under the present zoning may be required.
10. The applicable contents of Council Resolution A.78.24.07.08 will apply without failure and Council cannot be held liable for any losses suffered for whatever reason in this regard.

ITEM A.68.27.10.11**TOWN PLANNING AND CONTROL: REZONING OF ERF 2182, LOUIS TRICHARDT EXTENSION 2, FROM “RESIDENTIAL 1” TO “BUSINESS 3” FOR THE PURPOSE OF ERECTING MEDICAL CONSULTING ROOMS/OR OFFICES (E 2182 & 15/4/2/2/1/245)**

RESOLVED A.68.27.10.11 –

THAT the Council in terms of section 56 of the Town Planning and Townships Ordinance (Ordinance 15 of 1986) approve the application received from Developlan on behalf of their client Fulufhelo Tshivhula to rezone Erf 2182, Louis Trichardt Extension 2 township from “Residential 1” to “Business 3 subject to the following conditions:

1. The Department of Development and Planning must verify with the Finance Department if Fulufhelo Tshivhula is not owing the Municipality. If he is owing he must first pay his debts before the approval can be implemented.
2. No building or alteration operations may commence without approved building plans.
3. Site development plan must be submitted before any building plans can be approved.
4. The development must comply with the Makhado Land Use Scheme, 2009 with “Business 3” as the use zone.
5. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
6. The measurement of the perpendicular or angled parking must not less than 5,5m x 2,7m and 6,0m x 2,7m for parallel parking.
7. Engineering services contributions for water, sewer and electricity will be payable and will be calculated in accordance with Council’s formula for such services.
8. The applicant will be liable for payment of actual cost for service provisions in the event that larger capacities than what is available under the present zoning may be required.
9. The applicable contents of Council Resolution A.78.24.07.08 will apply without failure and Council cannot be held liable for any losses suffered for whatever reason in this regard.

Rezoning_Erf2182

(DDP)

ITEM A.69.27.10.11**TOWN PLANNING AND CONTROL: REZONING OF ERF 4298, LOUIS TRICHARDT TOWNSHIP FROM ‘RESIDENTIAL 1’ TO “RESIDENTIAL 3” SIMULTANEOUSLY WITH THE SPECIAL CONSENT TO INCREASE RIGHTS FROM 45 UNITS TO 65 UNITS PER HECTOR (E4298 & 15/4/2/2/1/233)**

RESOLVED A.69.27.10.11 –

THAT the Council in terms of section 56 of the Town Planning and Townships Ordinance (Ordinance 15 of 1986) approve the application received from Mavona and Associates Development Consultants on behalf of their client Tshipuliso Francis Valentile Ndou to rezone Erf 4298, Louis

Trichardt township form “Residential 1” to “Residential 3” with existing rights of 45 units per hectore subject to the following conditions:

1. The Department of Development and Planning must verify with the Finance Department if Tshipuliso Francis Valentile Ndou is not owing the Municipality. If he is owing he must first pay his debts before the approval can be implemented.
2. No building operations may commence without approved building plans.
3. Site development plan must be submitted before any building plans can be approved.
4. The development must comply with the Makhado Land Use Scheme, 2009 with “Business 3” as the use zone.
5. Only a primary right of 45 units per hectore is approved and Separate application for special consent for the relaxation to more than 65 units should be submitted for consideration.
6. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
7. The measurement of the perpendicular or angled parking must not less than 5,5m x 2,7m and 6,0m x 2,7m for parallel parking.
8. Engineering services contributions for water, sewer and electricity will be payable and will be calculated in accordance with Council’s formula for such services.
9. The applicant will be liable for payment of actual cost for service provisions in the event that larger capacities than what is available under the present zoning may be required.
10. The applicable contents of Council Resolution A.78.24.07.08 will apply without failure and Council cannot be held liable for any losses suffered for whatever reason in this regard.

Rezoning_Erf4298

(DDP)

ITEM A.70.20.09.11

**EMPLOYEES ASSISTANCE PROGRAMME: PARTICIPATION IN SOUTHERN AFRICA INTER-MUNICIPAL GAMES: SWAZILAND (MBABANE, MANZINI CORRIDOR)
(12/3/3/78)**

REMARK:

This item was already considered at the 72nd Special Council meeting held on 21 September 2011.

ITEM A.71.20.09.11

**ORGANIZATIONS: ANNUAL GENERAL MEETING OF MCLI AND STAKEHOLDER CONFERENCE: 30 SEPTEMBER, MAPUTO, MOZAMBIQUE
(12/3/2/2)**

REMARK:

This item was already considered at the 72nd Special Council meeting held on 21 September 2011.

ITEM CA.72.20.09.11**ESSENTIAL SERVICES: PROPOSED POWER PURCHASE AGREEMENT: BULK PURCHASE FROM MAXWELL MOSS & ASSOCIATES
(16/2/2)****REMARK:**

This item was already considered at the 72nd Special Council meeting held on 21 September 2011.

ITEM A.73.27.10.11**ORGANIZATION AND EMBLEMS: INTRODUCING A NEW VISION AND MISSION, AS WELL AS VALUES: FORWARD PLANNING 2011/2012 AND BEYOND
(2/2/1; 2/2/2/5)**

RESOLVED A.73.27.10.11 -

THAT Council officially approves of the following Vision, Mission and Values that will be effective from the date of approval, and that all signage of Municipality be amended accordingly -

VISION

Moving towards a dynamic and progressive center of socio-economic development by 2025

MISSION

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

VALUES

Transparency
Accountability
Excellence
Effectiveness
Efficiency
Innovation

(DCSS)

NewVisionMissionValues_itm

ITEM A.74.27.10.11**LEGISLATION: LOCAL GOVERNMENT: MUNICIPAL SYSTEMS AMENDMENT ACT: NO 7 OF 2011: SALGA CIRCULAR 29 OF 2011
(1/1/74; 2/1/2/1; 12/2/1/54)**

RESOLVED A.74.27.10.11 -

1. THAT note be taken of the contents of the Local Government: Municipal Systems Amendment Act, No 7 of 2011 which was promulgated in Government Gazette Number 34433 dated 5 July 2011, and which came into effect and operation on 5 July 2011.

(ALL DIRS)

2. THAT the Municipal Manager ensures that governance, operations and policies are amended to take into account the compelling provisions of the Amendment Act referred to in paragraph 1 above, and that further reports to amend existing employment related policies accordingly, be submitted in due course. (MM/DCSS)
3. THAT it be noted that notwithstanding paragraph 2 above, all present existing policies and practices will with immediate effect be aligned to implement according to the contents of Amendment Act referred to in paragraph 1 above. (MM/DCSS)

LGSystemsAmendNo7_itm

ITEM A.75.27.10.11

ELECTIONS: COUNCILLORS DECLARED ELECTED: PROPORTIONAL REPRESENTATIVES IN SIX VACANCIES OF MUNICIPAL COUNCILLORS (3/2/5; 3/2/6)

RESOLVED A.75.27.10.11 -

1. THAT it be noted that the following six (6) candidates were declared duly elected in terms of clause 18 of Schedule 1 of the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998) with retrospective effect of 30 August 2011, and that they thus serve as municipal councillors with effect of such date –

<i>NAME OF NEW COUNCILLOR</i>	<i>PROPOR-TIONAL</i>		<i>DATE DECLARED ELECTED</i>
<i>1. S D Ramudzuli (Ms)</i>	<i>PR(17)</i>	<i>African National Congress</i>	<i>26 August 2011</i>
<i>2. T M Mutele (Ms)</i>	<i>PR (7)</i>	<i>African National Congress</i>	<i>26 August 2011</i>
<i>3. M Q Ratshivhombela (Ms)</i>	<i>PR (23)</i>	<i>African National Congress</i>	<i>26 August 2011</i>
<i>4. M G Mahani</i>	<i>PR (9)</i>	<i>African National Congress</i>	<i>26 August 2011</i>
<i>5. S R Baloyi</i>	<i>PR (11)</i>	<i>African National Congress</i>	<i>26 August 2011</i>
<i>6. M T Matumba (Ms)</i>	<i>PR (15)</i>	<i>African National Congress</i>	<i>26 August 2011</i>

(DCOMS/CFO/DCSS)

2. THAT note be taken of the written notice of resignation dated 5 August 2011 that was received from Clr M E Lebea and that the replacement in his post as notified in the Memo of the Electoral Commission dated 26 August 2011 is applied accordingly.

Elections declared councillors Aug 2011

(DCSS/CFO)

ITEM A.76.27.10.11

**COUNCIL LAND: PROPOSED SALE OF ERF 18, 19 AND 20, AND REVERSAL OF ERF 27, TSHIKOTA TOWNSHIP
(TE18, TE19, TE20, TE25, TE26, TE27 & 7/3/2/1)**

REMARK:

Cllr F N Davhana proposed, duly seconded by Cllr R Thandavhathu that the item be held in abeyance for further consultation.

RESOLVED A.76.27.10.11 –

THAT the matter be held in abeyance for further consultation (DDP)

TshidandaniChildCare_itm

ITEM A.77.27.10.11

**COUNCIL LAND: PROPOSED SALE OF ERF 199, TSHIKOTA TOWNSHIP
(TE199)**

REMARK:

Cllr N Kutama proposed, seconded by Cllr M R Magada that the item be held in abeyance for further consultation.

RESOLVED A.77.27.10.11 –

THAT the matter be held in abeyance for further consultation (DDP)

SaleOfErf199 Tshikota_itm

ITEM A.78.27.10.11

**TOWN-PLANNING AND CONTROL: PROPOSED FILLING STATION AND SHOPPING CENTRE ON A PORTION OF THE FARM MALMESBURY 72 LT IN TERMS OF THE DEVELOPMENT FACILITATION ACT, 1995 (ACT 67 OF 1995)
(15/3/15 & 15/3/8)**

REMARK:

This item was referred as item B.40.06.10.11.

ITEM A.79.27.10.11**TOWN-PLANNING AND CONTROL:**

1. **APPLICATION FOR LAND DEVELOPMENT AREA: PORTION 2 AND PORTION 3 OF THE FARM SILOAM 199 MT: SHOPPING CENTRE AND TAXI RANK**
2. **CONSOLIDATION OF PORTION 2 AND PORTION 3 OF THE FARM SILOAM 199 MT**
3. **INCLUSION OF THE DEVELOPMENT INTO MAKHADO LAND USE SCHEME, 2009**

(15/3/15 & 15/3/8)

RESOLVED A.79.27.10.11 –

THAT the application of Fulwana Planning Consultants, on behalf of their client Malnet Holdings (PTY) LTD, for the establishment of a Shopping Centre and Taxi rank on Portion 2 and Portion 3 of

the farm Siloam 199MT, simultaneously with the consolidation of Portion 2 and Portion 3 of the farm Siloam 199 MT and inclusion of the development area into the Makhado Land Use Scheme, 2009 be approved subject to the following conditions:

1. A service level agreement be concluded between the Municipality and the Developer.
2. Comments from Vhembe District Municipality for the provision of services must be obtained.
3. The approval of the Limpopo Development Tribunal has to be acquired and conditions imposed must be adhered to.
4. The development must comply with the Makhado Land Use Scheme, 2009.
5. The estate would remain a private township and Municipality will not be obliged to take over any infrastructure or its maintenance function or its repair function and any service which Municipality would have to render, i.e. refuse removal must be clearly outlined in a service agreement for this purpose.
6. Conditions from Road Agency Limpopo and Department of Economic Development, Environment and Tourism must be adhered to.
7. Comments from the Department of Agriculture, Forestry and Fisheries, Eskom and Department of Water Affairs must be obtained, and conditions imposed must be adhered to.
8. Site development plan must be submitted to the Municipality for consideration prior to the submission of building plans.
9. Recommendation as stated in the Technical reports must be adhered to before the development of any structures.

SiloamDevelopment_itm(2)

(DDP)

ITEM A.80.27.10.11

COUNCIL AND EXECUTIVE COMMITTEE MEETINGS: AMENDMENT IN FREQUENCY – NOVEMBER 2011 TO JUNE 2012 (4/2/1 & 4/3/1)

RESOLVED A.80.27.10.11 -

THAT the program of meetings of Council and its Committees which was adopted under Resolution A.78.28.10.10 be extended to add to it the following further dates for Executive Committee meetings:

10 November 2011
 5 January 2012
 9 February 2012
 8 March 2012
 5 April 2012
 10 May 2012
 14 June 2012

ChangeMeetingDates2012_itm

(DCSS)

ITEM A.81.27.10.11**PERSONNEL: ANNUAL SALARY INCREASE: MUNICIPAL MANAGER AND MANAGERS ACCOUNTABLE TO THE MUNICIPAL MANAGER (5/5/2/1)**

RESOLVED A.81.27.10.11 -

THAT for the reasons stated in the report in this regard, the annual remuneration for the Municipal Manager be increased at 6.3% and the Managers directly accountable to the Municipal Manager be increased at 7.3% with effect from 1 July 2011.

AnnualSalaryMM&Dirsi_tm(2)

(CFO)

ITEM A.82.27.10.11**FINANCES: CIRCULAR 37/2011: WAGE AND SALARY INCREASE: 2011/2012 FINANCIAL YEAR (6/1/1(2011/2012))**

RESOLVED A.82.27.10.11 -

1. THAT Circular no. 37/2008 Wage and Salary Increase 2011/2012 Financial Year be implemented with a salary increase of 6,08% with effect from 1 July 2011, calculated on basic salaries as at 30 June 2011. (CFO)
2. THAT Finance Department accordingly implement all the provisions of Circular no. 37/2011 Wage and Salary Increase 2011/2012 Financial Year. (CFO)

SalaryIncreaseEmployees_tm

ITEM A.83.27.10.11**PERSONNEL: PLACEMENT POLICY: MAKHADO MUNICIPALITY (5/1/1/B & 4/2/4)**

RESOLVED A.83.27.10.11 -

1. THAT the Placement Policy attached as Annexure A to the report in this regard be approved with the following amendments –
paragraph 12.4, paragraph 12.5 and paragraph 12.6 on page 10 of the policy be deleted. (DCSS)
2. THAT the Director Corporate Support and Shared Services proceed to arrange for placement of personnel in accordance with the policy referred to in paragraph 1 above, and further subject to the contents of paragraph 3 below. (DCSS)
3. THAT the Placement Committee established on 14 September 2011 by the Local Labour Forum be confirmed as follows:

3.1 Management

Ms T S Ndou, Mr M M Makhado, Mr C N Kharidzha, Mr T K Mphaphuli, Ms N S Nekhavhambe

3.2 Trade Union (SAMWU)

Ms T Matamela, Mr L Murovhi, Ms M Singo, Mr B Bungela

3.3 Trade Union (IMATU)

Ms T Maphalaphatwa.

(DCSS)

PlacementPolicy_itm

ITEM A.84.27.10.11

ELECTIONS:

1. **NOTICE OF TERMINATION OF PROPORTIONAL REPRESENTATIVE MEMBERS: DEMOCRATIC ALLIANCE - AUGUST 2011**
2. **NOTICE OF FILLING OF TWO (2) VACANCIES OF PROPORTIONAL REPRESENTATIVE MEMBERS: DEMOCRATIC ALLIANCE – AUGUST 2011 (3/2/5; 3/2/6)**

RESOLVED A.84.27.10.11 -

1. THAT note be taken of the written notice received from the Chairperson of the Federal Executive, Democratic Alliance, whereby the Municipal Manager was informed of the termination of the Democratic Alliance membership of two (2) Proportional Representative councilors of the Municipality and that it be noted that the following two Councillors therefore seized to be Councillors **with effect of 2 August 2011:**

NAME OF COUNCILOR	WARD	PARTY	DATE OF TERMINATION
	PROPORTIONAL		
Clr S J Mahwai	PR (4)	Democratic Alliance	2 August 2011
Clr I K Maboho	PR (3)	Democratic Alliance	August 2011

2. THAT it be noted that the Municipal Manager has notified the Municipal Electoral Office about the two (2) vacancies in the party list that came about with the termination of Democratic Alliance membership of the councilors as recorded in paragraph 1 above, as required in Schedule 1, clause 18 read with clause 20 of the Local Government Municipal Structures Act, 117 of 1998, and that the reply of the Municipal Electoral Officer about proportional presentation elections is being awaited.

(DCSS/DCOMS/CFO)

3. THAT it be noted that the IEC Makhado Office notified the Municipality in a letter dated 7 September 2011 that the following two members be regarded duly elected in terms of the provisions of section 18 of Schedule 1 of the Local Government: Municipal Structures Act,

117 of 1998 as proportional representatives in the two (2) vacancies that came about on
(29 July 2011) 2 August 2011:

NAME	IDENTITY NUMBER	POLITICAL PARTY Proportional Representative Councilor
Mr Itani Sakhwari	810224 6035 089	(Effective 22 August 2011) Democratic Alliance
Mr Mmboneni Reckson Madzivhandila	600713 5384 088	(Effective 22 August 2011) Democratic Alliance

Councils resign 1

(DCSS/DCOMS/CFO)

ITEM A.85.27.10.11

ELECTIONS: FILLING OF VACANCIES, 2011 – FIVE (5) WARD COUNCILORS (3/2/5; 3/2/6)

RESOLVED A.85.27.10.11 -

THAT it be noted that the following candidates were duly elected in terms of the provisions of section 25 of the Local Government: Municipal Structures Act, 1998, Act 117 of 1998 read with the provisions of section 19 and 22 of the Local Government: Municipal Electoral Act, 2000, Act 27 of 2000, in the capacity of ward councilors of the Makhado Local Municipality for the wards as indicated against each name with effect of 5 October 2011 -

WARD NUMBER	CANDIDATE ELECTED as WARD COUNCILLOR	PARTY
4	Mapule Miriam Hlabioa ID 6708130047089	African National Congress
10	Nkhensani Grace Ndzovela ID 6608060775081	African National Congress
11	Vhumbani Sarah Luduvhungu ID 5302021228080	African National Congress
15	Sipho Masuka ID 7203155316087	African National Congress
38	Ananeas Thambatshira Neluvhola ID 5607215824084	African National Congress

(DCSS/DCOMS/CFO)

Election5Oct2011_itm

ITEM A.86.27.10.11

ESSENTIAL SERVICES: ELECTRICITY: ELECTRIFICATION PLAN FOR 2011/12 (16/2/1 & 16/2/B)

RESOLVED A.86.27.10.11 –

1. THAT the contents of the report be noted. (DTS)
2. THAT the Electrification Plan for Makhado Municipality for the 2011/12 year be approved as more fully set out in the report in this regard, subject to the following:

- a. Sendedza and Manngo be joined together as one project under number 74 of the approved priority list for Makhado Electrification.
 - b. It be accepted as norm that villages which are to be electrified which are geographically close to one another be regarded as one project in future.
 - c. The Portfolio Committee be authorized to re-consider the priority list in those special cases where villages that are located close to one another be combined as one project. (DTS)
3. THAT the expenditure for the implementation of the Electrification Plan 2011/2012 be financed from Makhado Municipality's Income Budget and Eskom, as well as the Department of Energy. (CFO/DTS)
 4. THAT urgent note be taken that an amount of approximately R15mil must be provided for in the Adjustment Budget 2011/2012 to finance the current projected deficit for electrification projects of 2010/2011 not yet completed, as more fully indicated in Annexure A attached to the report in this regard; and further that the CFO be authorized to investigate the possibility of utilizing the VAT returns from 2010/11 from SARS for the deficit as mentioned above similarly as was done for the previous year's projects. (CFO/DTS)
 5. THAT Council cannot condone any form of illegal electricity service connection and communities must follow the National norm, procedures and process through their political structures to obtain legal electrical services. (DTS)
 6. THAT the villages identified to be electrified by Eskom during the 2012/2013 financial year as reflect in the report in this regard be approved with the following amendments:

	VILLAGE NAME	ESTIMATED CONNECTIONS	REGION
	Midorono	319	MAKHADO
	Shirley	27	WATERVAL
	Tshivhuyuni	20	WATERVAL
	Misevhe A&C	350	VUWANI
	Malonga	50	VUWANI
	Muraleni	216	MAKHADO
	Makhakhe	530	WATERVAL
	Tshifhefhe	150	VUWANI
	Nkuzana	400	VUWANI
	Tshitungulwane	120	VUWANI
	Tshirolwe	560	MAKHADO
	Kwaaidraai	47	WATERVAL
	Mamvuka/Matsa and Manyi	200	DZANANI
	Wisa Galaza	100	WATERVAL
	Vuvha	135	DZANANI
	Posaito	64	DZANANI
	Mpheni A&C / Dilinde	500	WATERVAL

	VILLAGE NAME	ESTIMATED CONNECTIONS	REGION
	Mathothwe	10	VUWANI
	Funyufunyu/Muromani	130	DZANANI
	TOTAL	3928	

ElectrificationPlan2011-12_itm

(DTS)

ITEM A.87.27.10.11

ESSENTIAL SERVICE: IN-PRINCIPLE APPROVAL FOR INVESTIGATION INTO ONE ELECTRICAL DISTRIBUTOR OF THE SINTHUMULE / KUTAMA AREA: MV OPERATIONS: OCCUPATIONAL HEALTH AND SAFETY (16/2/1)

RESOLVED A.87.27.10.11 -

1. THAT note is taken of the contents of the report and Annexures A to C attached to it.
(DTS)
2. THAT it be approved in-principle that an investigation by both Eskom and the Municipality be conducted in the Sinthumule/Kutama area to become one supply authority to prevent serious injuries to operators of the MV as well as LV electrical systems of both suppliers.
(DTS)
3. THAT a report with regard to the findings of the investigation be submitted to Council for further consideration and that such report be covering all aspects of the area, i.e. financial, service delivery, occupational health and safety, financial implications, tariffs, asset transversal and compensation, community participation and any other input that will be affected with regard to such proposals.
(DTS)
4. THAT Eskom and the Municipality be tasked to proceed with such investigation and to report the outcome thereof back to Council.
(DTS)

ej/exco_68

ITEM A.88.27.10.11

DOMESTIC SERVICES: PROPOSED FLEET MANAGEMENT POLICY (8/3/2/1/B)

RESOLVED A.88.27.10.11 -

1. THAT the Fleet Management Policy attached as Annexure to the report in this regard be approved and implemented by the Finance Department, with the following additions:
 - 1.1. Page 2, item iii Passengers
The following paragraph must be added:
“It is further put on record that Municipality is not liable for claims of loss or damage of any nature whatsoever suffered as a result of casual passengers in municipal vehicles.

Furthermore, officials and councilors who receive transport allowances as fixed part of the salary structure, may not use municipal vehicles in performing their duties.”

1.2. Page 2, item iv Authority to use a vehicle

The following paragraph must be inserted at the end of this item:

“It is understood that municipal councilors and ward committee members may travel as passengers in municipal vehicles in the execution and/or participation of/in municipal related activities. This provision must also be read as valid for item iii Passengers.”

1.3. Page 3, item F

The following paragraph must be inserted at the end of this item:

“The control and management of this house rule rests with the supervisor of the relevant official and must be strictly applied.

This house rule is also applicable for essential service workers.” (CFO)

2. THAT the Fleet Management Policy becomes effective from the date on which Council approves thereof. (CFO)

FleetManagementPolicy_itm

ITEM A.89.27.10.11

PERSONNEL: TRAINING OF TRAINERS COOPERATIVE DEVELOPMENT COURSE: COMMON WEALTH LOCAL GOVERNMENT PROGRAM: INDIA JUNAGADH AGRICULTURAL UNIVERSITY (12/3/3/66; 5/4/2)

RESOLVED A.89.27.10.11 -

THAT Council takes note that Mr H G Shirindzha attended the training of Cooperatives in the Common Wealth Local Government Program funded by the (CLGF) from 12 to 17 September 2011 and that Council only spent money towards the subsistence allowance and that the training would go a long way in assisting our cooperatives within our Municipality. (DDP/DCSS)

TrainingCommonWealth_itm(2)

ITEM A.90.27.10.11

COMMUNITY SERVICES: ALLOCATION OF RDP HOUSING UNITS FOR THREE YEAR CYCLE FINANCIAL YEARS (2012 / 2013 TO 2014/2015): VARIOUS WARDS AND VILLAGES (17/4/1 & 17/20)

RESOLVED A.90.27.10.11 -

1. THAT Council approves the allocation and the development areas of RDP housing units for the following three (3) financial years as set out in Annexure A, B and C respectively attached to the report in this regard. (DDP)

2. THAT the identification of beneficiaries for RDP units be the sole responsibilities of Ward Councilors, PR Councilors, Traditional Leaders, Ward Committee members, CDW'S and other recognized structures within the respective wards. (DDP)
3. THAT the allocation of housing units be strictly in accordance with the listed villages so that they are not scattered all over the wards as this becomes a challenge to the developers in terms of the construction. (DDP)
4. THAT the Developers work hand in hand with project managers and all other structures on the ground where houses are to be constructed for the sake of meeting construction deadlines and acceptable quality houses for the identified beneficiaries. (DDP)
5. THAT RDP Project Manager submit housing progress reports to the Director Development Planning to be consolidated into monthly, quarterly and annual reports. (DDP)
6. THAT instead of Smokey being allocated 100 units, it will be allocated 50 units and the other 50 units will be allocated to Khomela Village, and that the Ward Councilor of Ward 37 informs the community accordingly. (DDP)

AllocationRDPUunits_itm

ITEM A.91.27.10.11

LEGISLATION: DRAFT CREDIT CONTROL AND DEBT COLLECTION BY-LAWS (1/3/1)

RESOLVED A.91.27.10.11 –

1. THAT the Executive Committee submits this report as its proposal to introduce a draft by-law on Credit Control and Debt Collection to Council in terms of Rule 3 of the Council's Rules and Orders, with the following amendments:
 - 1.1 Page 4, item 7 Arrangements to pay arrears
The following must be added after item (2):
“(3) In the event that an arrangement to pay arrears was made, but not honored accordingly, the municipal supply of services be suspended.”
 - 1.2 Page 4, item 8 Agreements with debtor's employer
In paragraph 2, the words “may by agreement” be substituted for the word “must”.
(DCSS)
2. THAT Council provisionally adopts the draft Credit Control and Debt Collection By-law and it be advertised for at least 30 calendar days for public comments. (DCSS)

3. THAT the Municipal Manager as soon as possible after the closing date for public comments submit a report to the Executive Committee in accordance with Rule 6 of the Council's Rules and Orders, and the Executive Committee make a recommendation to Council. (MM)

BylawCreditControl_itm

ITEM A.92.27.10.11

LEGISLATION: DRAFT TARIFF BY-LAWS

(1/3/1)

RESOLVED A.92.27.10.11 -

1. THAT the Executive Committee submits this report as its proposal to introduce a draft Tariff By-law to Council in terms of Rule 3 of the Council's Rules and Orders. (DCSS)
2. THAT Council provisionally adopts the draft Tariff By-law and it be advertised for at least 30 calendar days for public comments. (DCSS)
3. THAT the Municipal Manager as soon as possible after the closing date for public comments submit a report to the Executive Committee in accordance with Rule 6 of the Council's Rules and Orders, and the Executive Committee make a recommendation to Council. (MM)

BylawTariffs_itm

ITEM A.93.27.10.11

LEGISLATION: DRAFT CHILD CARE FACILITIES BY-LAWS

(1/3/1)

RESOLVED A.93.27.10.11 -

1. THAT the Executive Committee submits this report as its proposal to introduce a draft by-law on Child Care Facilities to Council in terms of Rule 3 of the Council's Rules and Orders. (DCSS)
2. THAT Council provisionally adopts the draft Child Care Facilities By-law and it be advertised for at least 30 calendar days for public comments. (DCSS)
3. THAT the Municipal Manager as soon as possible after the closing date for public comments submit a report to the Executive Committee in accordance with Rule 6 of the Council's Rules and Orders, and the Executive Committee make a recommendation to Council.

(MM)

BylawChildCareFacilities_itm

ITEM A.94.27.10.11**LEGISLATION: DRAFT REGULATION OF BURSARY LOANS BY-LAWS
(1/3/1)**

RESOLVED A.94.27.10.11 –

1. THAT the Executive Committee submits this report as its proposal to introduce a draft by-law on the Regulation of Bursary Loans to Council in terms of Rule 3 of the Council's Rules and Orders. (DCSS)
2. THAT Council provisionally adopts the draft the Regulation of Bursary Loans By-law and it be advertised for at least 30 calendar days for public comments. (DCSS)
3. THAT the Municipal Manager as soon as possible after the closing date for public comments submit a report to the Executive Committee in accordance with Rule 6 of the Council's Rules and Orders, and the Executive Committee make a recommendation to Council. (MM)

BylawBursaryLoans_itm

ITEM A.95.27.10.11**LEGISLATION: PUBLIC HEALTH: DRAFT FUMIGATION BY-LAWS
(1/3/1)**

RESOLVED A.95.27.10.11 –

1. THAT the Executive Committee submits this report as its proposal to introduce a draft by-law on Public Health: Fumigation to Council in terms of Rule 3 of the Council's Rules and Orders. (DCSS)
2. THAT Council provisionally adopts the draft Public Health: Fumigation By-law and it be advertised for at least 30 calendar days for public comments. (DCSS)
3. THAT the Municipal Manager as soon as possible after the closing date for public comments submit a report to the Executive Committee in accordance with Rule 6 of the Council's Rules and Orders, and the Executive Committee make a recommendation to Council. (MM)

BylawFumigation_itm

ITEM A.96.27.10.11**LEGISLATION: ENVIRONMENT: DRAFT INFLAMMABLE LIQUIDS AND SUBSTANCES BY-LAWS
(1/3/1)**

RESOLVED A.96.27.10.11 –

1. THAT the Executive Committee submits this report as its proposal to introduce a draft by-law on Environment: Inflammable Liquids and Substances to Council in terms of Rule 3 of the Council's Rules and Orders. (DCSS)
2. THAT Council provisionally adopts the draft Environment: Inflammable Liquids and Substances By-law and it be advertised for at least 30 calendar days for public comments. (DCSS)
3. THAT the Municipal Manager as soon as possible after the closing date for public comments submit a report to the Executive Committee in accordance with Rule 6 of the Council's Rules and Orders, and the Executive Committee make a recommendation to Council. (MM)

BylawInflammable_itm

ITEM A.97.27.10.11**LEGISLATION: TRADING: DRAFT STREET TRADING BY-LAWS
(1/3/1)**

RESOLVED A.97.27.10.11 –

1. THAT the Executive Committee submits this report as its proposal to introduce a draft by-law on Trading: Street Trading to Council in terms of Rule 3 of the Council's Rules and Orders. (DCSS)
2. THAT Council provisionally adopts the draft Trading: Street Trading By-law and it be advertised for at least 30 calendar days for public comments. (DCSS)
3. THAT the Municipal Manager as soon as possible after the closing date for public comments submit a report to the Executive Committee in accordance with Rule 6 of the Council's Rules and Orders, and the Executive Committee make a recommendation to Council. (MM)

BylawStreetTrading_itm

ITEM A.98.27.10.11**LEGISLATION: DRAFT PARKING METER AND PARKING GROUND BY-LAWS
(1/3/1)**

RESOLVED A.98.27.10.11 -

1. THAT the Executive Committee submits this report as its proposal to introduce a draft by-law on Parking Meter and Parking Ground to Council in terms of Rule 3 of the Council's Rules and Orders. (DCSS)
2. THAT Council provisionally adopts the draft Parking Meter and Parking Ground By-law and it be advertised for at least 30 calendar days for public comments. (DCSS)
3. THAT the Municipal Manager as soon as possible after the closing date for public comments submit a report to the Executive Committee in accordance with Rule 6 of the Council's Rules and Orders, and the Executive Committee make a recommendation to Council. (MM)

BylawParkingMeter_itm

ITEM A.99.27.10.11**LEGISLATION: MUNICIPAL FACILITIES: DRAFT HIRING OF MUNICIPAL PREMISES AND AMENITIES BY-LAWS
(1/3/1)**

RESOLVED A.99.27.10.11 –

1. THAT the Executive Committee submits this report as its proposal to introduce a draft by-law on Municipal Facilities: Hiring of Municipal Premises and Amenities to Council in terms of Rule 3 of the Council's Rules and Orders. (DCSS)
2. THAT Council provisionally adopts the draft Municipal Facilities: Hiring of Municipal Premises and Amenities By-law and it be advertised for at least 30 calendar days for public comments. (DCSS)
3. THAT the Municipal Manager as soon as possible after the closing date for public comments submit a report to the Executive Committee in accordance with Rule 6 of the Council's Rules and Orders, and the Executive Committee make a recommendation to Council. (MM)

BylawHiringFacilities_itm

ITEM A.100.27.10.11**LEGISLATION: MUNICIPAL FACILITIES: DRAFT SPORT FACILITIES BY-LAWS
(1/3/1)**

RESOLVED A.100.27.10.11 -

1. THAT the Executive Committee submits this report as its proposal to introduce a draft by-law on Municipal Facilities: Sport Facilities to Council in terms of Rule 3 of the Council's Rules and Orders. (DCSS)
2. THAT Council provisionally adopts the draft Municipal Facilities: Sport Facilities By-law and it be advertised for at least 30 calendar days for public comments. (DCSS)
3. THAT the Municipal Manager as soon as possible after the closing date for public comments submit a report to the Executive Committee in accordance with Rule 6 of the Council's Rules and Orders, and the Executive Committee make a recommendation to Council. (MM)

BylawSportFacilities_itm

ITEM A.101.27.10.11**LEGISLATION: MUNICIPAL FACILITIES: DRAFT CEMETERIES BY-LAWS
(1/3/1)**

RESOLVED A.101.27.10.11 -

1. THAT the Executive Committee submits this report as its proposal to introduce a draft by-law on Municipal Facilities: Cemeteries By-law to Council in terms of Rule 3 of the Council's Rules and Orders. (DCSS)
2. THAT Council provisionally adopts the draft Municipal Facilities: Cemeteries By-law and it be advertised for at least 30 calendar days for public comments. (DCSS)
3. THAT the Municipal Manager as soon as possible after the closing date for public comments submit a report to the Executive Committee in accordance with Rule 6 of the Council's Rules and Orders, and the Executive Committee make a recommendation to Council. (MM)

BylawCemeteries_itm

ITEM A.102.27.10.11**LEGISLATION: ENVIRONMENT (OPEN SPACE): DRAFT PARKS, GARDENS AND PUBLIC OPEN SPACES BY-LAWS
(1/3/1)**

RESOLVED A.102.27.10.11 -

1. THAT the Executive Committee submits this report as its proposal to introduce a draft by-law on the Environment (Open Space): Parks, Gardens and Public Open Spaces to Council in terms of Rule 3 of the Council's Rules and Orders. (DCSS)
2. THAT Council provisionally adopts the draft Environment (Open Space): Parks, Gardens and Public Open Spaces By-law and it be advertised for at least 30 calendar days for public comments. (DCSS)
3. THAT the Municipal Manager as soon as possible after the closing date for public comments submit a report to the Executive Committee in accordance with Rule 6 of the Council's Rules and Orders, and the Executive Committee make a recommendation to Council.

(MM)

BylawOpenSpaces_itm

ITEM A.103.27.10.11**LEGISLATION: DRAFT OUTDOOR SIGNS (ADVERTISING AND OTHER) BY-LAWS
(1/3/1)**

RESOLVED A.103.27.10.11 –

1. THAT the Executive Committee submits this report as its proposal to introduce a draft by-law on Outdoor Advertisement to Council in terms of Rule 3 of the Council's Rules and Orders and in terms of Section 12 of the Municipal Structures Act, 117 of 1998. (DCSS)
2. THAT Council provisionally adopts the draft Outdoor Advertisement By-law and it be advertised for at least 30 calendar days for public comments in terms of Section 13 of the Municipal Structures Act, 117 of 1998. (DCSS)
3. THAT the Municipal Manager as soon as possible after the closing date for public comments submit a report to the Executive Committee in accordance with Rule 6 of the Council's Rules and Orders, and the Executive Committee make a recommendation to Council. (MM)

BylawOutdoorSigns_itm

ITEM A.104.27.10.11**INTERNAL AUDIT & RISK MANAGEMENT: RISK, ANTI-FRAUD AND AUDIT MANAGEMENT STRATEGY, PLANS, POLICIES, INTERNAL AUDIT AND AUDIT COMMITTEE CHARTERS (6/13/11)**

RESOLVED A.104.27.10.11-

1. THAT the Risk Management Framework; Strategic Risk Assessment Report ; Enterprise Risk Management Implementation Plan; Fraud Response Plan; Internal Audit Manual; Internal Audit three year plan and annual plan; Internal Audit Charter; Operation Clean Audit 2014 Task Team terms of reference; and Risk Management and Anti-Fraud and Corruption Committee Charter be noted. (MM)
2. THAT the Risk Management Strategy, Fraud Policy, Whistle-Blowing Policy; and Audit Committee Charter be approved to ensure proper risk management and an effective Internal Audit and Risk Management division. (MM)

Audit&RiskManagement&Policies_itm

ITEM A.105.27.10.11**ORGANIZATIONS: INVITATION TO ATTEND: HE'ATID RURAL DEVELOPMENT AND CO-OPERATIVES SEMINAR – NOVEMBER 2011 IN ISRAEL: THE MAYOR (12/3/2/2)**

RESOLVED A.105.27.10.11 -

THAT the invitation dated 3 October 2011 and received in this office on 17 October 2011 from Wayne Sussman via Chief Livhu Matsila, whereby the Mayor of Makhado Local Municipality is invited to participate in the *2011 He'atid Rural Development and Co-Operatives Seminar* from 20 to 30 November 2011 in Israel, be considered, and if approved, it be subject to the following conditions:

1. The Mayor and the Speaker be delegated to participate in the seminar.
2. The expenditure be financed through the sponsorship arranged by Wayne Sussman: Provided Council/Municipality is not bound and/or expected to counter deliver on the basis of the sponsorship.
3. In the event that the Mayor and the Speaker would have to incur expenditure not foreseen, proof of same be submitted upon return and the Chief Financial Officer be permitted to make good such expenditure subject to the policy of reimbursement of traveling and subsistence allowances.
4. The Department of Co-operative Governance and Traditional Affairs (Limpopo) and the Office of the Premier be notified that MLM would participate in the ten day seminar in Israel.
5. A report of the conference outcomes be submitted to Council upon return to the Office.

IsraelSeminar_itm

(DCOMS)

ITEM A.106.27.10.11**ELECTIONS: RESIGNATION BY ONE (1) COUNCILOR AND FILLING OF VACANCY, 2011
(3/2/5; 3/2/6)**

RESOLVED A.106.27.10.11 -

THAT note be taken of the written resignations received from Mr J Dzhombe, proportional representative councillor of the African National Congress and that the Electoral Commission, SA has in its notice dated 13 October 2011 and received on 18 October 2011 declared the candidate duly elected in the vacancy that came about by the said resignation, as follows –

<i>NAME OF COUNCILOR</i>	<i>PROPORTIONAL</i>	<i>PARTY</i>	<i>DATE OF RESIGNATION</i>
J Dzhombe		African National Congress	30 September 2011
<i>NAME OF NEW COUNCILOR</i>	<i>PROPORTIONAL</i>	<i>PARTY</i>	<i>DATE ON WHICH DECLARED DULY ELECTED</i>
Mr T P Netshivhulana		African National Congress	13 October 2011

(DCSS/DCOMS/CFO)

* * * * *

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 August 2011 to October 2011

- 284th Executive Committee meeting held on 25 August 2011
- 285th Executive Committee meeting held on 1 August 2011
- 286th Executive Committee meeting held on 6 October 2011
- 287th Executive Committee meeting held on 20 October 2011
- 288th Executive Committee meeting held on 27 October 2011

ITEM B.17.25.08.11**FINANCES: IDP AND BUDGET TIME SCHEDULE FOR 2012/2013
(6/1/1 2012/2013 & 15/7/1)**

RESOLVED B.17.25.08.11 -

THAT Council approve the 2012/2013 IDP and Budget time schedule as proposed in Annexure A attached to the report in this regard that has been compiled in accordance with the Guidelines of National Treasury, and that Administrative Management as well as the Political component comply fully with the requirements to adhere to the time schedule herewith adopted.

ITEM B.18.25.08.11**FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING 30 JUNE 2011
(4th QUARTER)
(6/1/1(2010/2011) & 10/1/5/2)**

RESOLVED B.18.25.08.11 -

THAT the in-year monitoring financial report for the month of June 2011, which also reflects on Quarter 4, be noted.

MonitoringJune2011_itm

(CFO)

ITEM B.19.25.08.11**PERFORMANCE MANAGEMENT: DRAFT SERVICE DELIVERY AND BUDGET
IMPLEMENTATION PLANS: DEPARTMENT TECHNICAL SERVICES: 2011/12
FINANCIAL YEAR
(6/1/1(10/11), 5/B, 5/5/2/1; 5/2/1/3)**

RESOLVED B.19.25.08.11 -

THAT the 2011/2012 SDBIP of the Department Technical Services attached as Annexure A to the report in this regard be approved and service delivery for the 2011/2012 financial year be implemented accordingly.

DraftSDBIPtech_itm

(DTS)

ITEM B.20.25.08.11**PERFORMANCE MANAGEMENT: DRAFT SERVICE DELIVERY AND BUDGET
IMPLEMENTATION PLAN: DEPARTMENT CORPORATE SUPPORT AND SHARED:
2011/12 FINANCIAL YEAR
(6/1/1(10/11), 5/B, 5/5/2/1; 5/2/1/3)**

RESOLVED B.20.25.08.11 -

THAT the 2011/2012 SDBIP of the Department Corporate Support and Shared Services attached as Annexure A to the report in this regard be approved and service delivery for the 2011/2012 financial year be implemented accordingly.

DraftSDBIPdcss

(DCSS)

ITEM B.21.25.08.11**PERFORMANCE MANAGEMENT: DRAFT SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN: DEPARTMENT COMMUNITY SERVICES: 2011/12 FINANCIAL YEAR****(6/1/1(10/11), 5/B, 5/5/2/1; 5/2/1/3)**

RESOLVED B.21.25.08.11 -

THAT the 2011/2012 SDBIP of the Department Community Services attached as Annexure A to the report in this regard be approved and service delivery for the 2011/2012 financial year be implemented accordingly.

DraftSDBIPComm_itm

(DCOMS)

ITEM B.22.25.08.11**TOWN-PLANNING AND CONTROL: IDP PROCESS PLAN 2011/12****(15/7/1 & 6/1/1(11/12))**

RESOLVED B.22.25.08.11 –

1. THAT the IDP Process Plan for the 2011/2012 financial year be approved. (DDP)
2. THAT the IDP process have to commence at Ward level, that the process be people driven, and that the contents thereof be realistic in order to realize the IDP objectives and to achieve service delivery objectives. (DDP)

DraftIDP2011-12_itm

ITEM B.23.25.08.11**PERFORMANCE MANAGEMENT: DRAFT SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN: DEPARTMENT DEVELOPMENT PLANNING: 2011/12 FINANCIAL YEAR****(6/1/1(11/12); 10/1/4/2)**

RESOLVED B.23.25.08.11 -

1. THAT the 2011/2012 SDBIP of the Department Development Planning attached as Annexure A to the report in this regard be approved and service delivery for the 2011/2012 financial year be implemented accordingly. (DDP)
2. THAT the service providers of the Makhado Annual Show must transfer skills to the municipal employees and the Service Level Agreement must indicate that the Municipality must receive 40% out of the profit generated through the Annual Show event; that the specifications indicate accordingly in the advertisement. (DDP/DCOMS)

SDBIP ddp 11-12

ITEM B.24.25.08.11**TOWN-PLANNING AND CONTROL: SUBDIVISION OF ERF 111, LOUIS TRICHARDT TOWNSHIP
(15/3/8; E 111)**

RESOLVED B.24.25.08.11 –

1. THAT the application of Geoland Surveys on behalf of their clients Mr. T.S and Ms A Maboya to subdivide erf 111, Kruger Street, Louis Trichardt township into two portions be approved in terms of section 92 of the Town-Planning and Townships Ordinance, 15 of 1986, subject to the following conditions:
 - 1.1. The Department of Development and Planning must verify with Finance Department if Mr T S and Ms A Maboya are not owing the Municipality. If they are owing, they must first pay their debts before the approval can be implemented.
 - 1.2. Each house must have its own water and sewer connections for which the installation cost and normal standard connection fees will be payable. Over and above the connection fees, and engineering services contribution for water and for sewer will be payable.
 - 1.3. Each property must have its own electricity connection for which standard fees will be payable. Only a single 60A single-phase connection (Pre-paid or conventional) will be available for each stand. The amount payable for the electrical connections will be that of a standard connection as the connection will be provided at the erf's border. The applicant must take note that the municipality will not be able to provide additional electricity supply capacity. Over and above the connection fee, an engineering services contribution for electricity will be payable.
 - 1.4. Municipal servitudes and building lines must be in line with the Conditions of Establishment of the township as well as such other servitudes as may be required in this specific instance as may be imposed by the Director Technical Services.
 - 1.5. Development on the proposed portion must comply with the Makhado Land Use Scheme, 2009 and may only be used accordance with its approved land use zone as determined by the Land Use Scheme.
 - 1.6. Servitude of 2, 0 meters wide in favour of the Municipality shall be provided for municipal services along any boundary, other than a street boundary, where such services are installed or planned to be installed.
 - 1.7. No building or other structure or any part of its foundations may be erected in the servitude area and no tree with a potentially large root system may be planted within the servitude area or within 2, 0 meters thereof except with the permission of the Municipality.
 - 1.8. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.

- 1.9. The slope of the panhandle shall not exceed 1:8 except with the written consent of the municipality
 - 1.10. The registered owner of the panhandle portion shall pave the panhandle prior or simultaneously with the erection of any building on the property.
 - 1.11. The registered owner of the panhandle portion shall erect screen walls or dense barriers along the boundaries of the panhandle to the satisfaction of the municipality and no buildings or structures except such walls and barriers shall be erected in the panhandle
 - 1.12. The extent, material, design, height, position and maintenance of such screen walls or barriers shall be to the satisfaction of the municipality
 - 1.13. The Municipality may through its authorized officials, enter the property at all reasonable times to conduct any inspection which may be considered necessary or desirable.
 - 1.14. The proposed subdivision must be registered in the Deeds Office within two years from date of approval of the application.
 - 1.15. The applicable contents of Council Resolution A.78.24.07.08 which will apply without failure and Council cannot be held liable for any losses suffered for whatever reason in this regard. (DDP)
2. THAT the Director Development & Planning arrange for an information workshop where councillors can be made more aware of the legislation, processes and procedures related to town-planning and related affairs.

Subdivision_Erf111

(DDP)

ITEM B.25.25.08.11**TOWN-PLANNING AND CONTROL: SUBDIVISION OF ERF 946, LOUIS TRICHARDT TOWNSHIP (15/3/8; E 946)**

RESOLVED B.25.25.08.11 –

THAT the application of Geoland Surveys on behalf of their clients Mr. R.J.P and Mrs. J.S Grobler to subdivide erf 946, Kock Street, Louis Trichardt township into two portions be approved in terms of section 92 of the Town-Planning and Townships Ordinance, 15 Of 1986, subject to the following conditions:

1. The Department of Development and Planning must verify with the Finance Department if Mr R J P and Mrs J S Grobler are not owing the Municipality. If they are owing they must first pay their debts before the approval can be implemented.
2. Each house must have its own water and sewer connections for which the installation cost and normal standard connection fees will be payable. Over and above the connection fees, an engineering service contribution for water and for sewer will be payable up front.

3. Each property must have its own electricity connection for which standard fees will be payable. Only a single 60A single-phase connection (Pre-paid or conventional) will be available for each stand. The amount payable for the electrical connections will be that of a standard connection as the connection will be provided at the erf's border. The applicant must take note that the municipality will not be able to provide additional electricity supply capacity. Over and above the standard connection fee, an engineering service contribution for electricity will be payable up front.
4. Municipal servitudes and building lines must be in line with the Conditions of Establishment of the township as well as such other servitudes as may be required in this specific instance as may be imposed by the Director Technical Services.
5. Development on the proposed portion must comply with the Makhado Land Use Scheme, 2009 and may only be used accordance with its approved land use zone as determined by the Land Use Scheme.
6. Servitude of 2, 0 meters wide in favour of the Municipality shall be provided for municipal services along any boundary, other than a street boundary, where such services are installed or planned to be installed.
7. No building or other structure or any part of its foundations may be erected in the servitude area and no tree with a potentially large root system may be planted within the servitude area or within 2, 0 meters thereof except with the permission of the Municipality.
8. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
9. The slope of the panhandle shall not exceed 1:8 except with the written consent of the municipality
10. The registered owner of the panhandle portion shall pave the panhandle prior or simultaneously with the development of any building on the property.
11. The registered owner of the panhandle portion shall erect screen walls or dense barriers along the boundaries of the panhandle to the satisfaction of the municipality and no buildings or structures except such walls and barriers shall be erected in the panhandle
12. The extent, material, design, height, position and maintenance of such screen walls or barriers shall be to the satisfaction of the municipality
13. The Municipality may through its authorized officials, enter the property at all reasonable times to conduct any inspection which may be considered necessary or desirable.
14. The proposed subdivision must be registered in the Deeds Office within two years from date of approval of the application.
15. The applicable contents of Council Resolution A.78.24.07.08 which will apply without failure and Council cannot be held liable for any losses suffered for whatever reason in this regard.

ITEM B.26.25.08.11

**TOWNPLANNING AND CONTROL: PROPOSED SUBDIVISION OF PORTION 8 OF THE FARM VONDELING 285 LS IN TERMS OF ROADS AND RIBBON DEVELOPMENT ACT, (ACT 21 OF 1940) AND SUBDIVISION OF AGRICULTURAL LAND ACT, (ACT 70 OF 1970)
(15/3/8 & 15/3/15)**

RESOLVED B.26.25.08.11 –

THAT the Municipality does not have any objection to the proposed subdivision of Portion 8 of the Farm Vondeling 285 LS into two portions in extent 30, 18 and 6, 65 hectares respectively , subject to the following conditions:

1. The Department of Development and Planning must verify with the Finance Department if Mr C D and Mrs Burger are not owing the Municipality. If they are owing they must first pay their debts before the approval can be implemented.
2. The recommendation is for the subdivision of the subject property.
3. The property is still zoned “agricultural” and agriculture uses remain primary rights.
4. In the event that new land rights except that of “agricultural” should be applied for, the appropriate legislation must be followed and the application be submitted to relevant institution for comments.
5. In the event that electricity provision is required, each portion must have its own electricity connection for which purpose the standard connection fees and costs in accordance with Council’s policy must be paid.
6. Applicant must submit satisfactory proof that each proposed portion has its own sustainable potable water supply source that will provide sufficiently for the intended land use. This condition must be a condition of sale and embodied in the Title Deed of each property.
7. The Department of Local Government and Housing must consent to this subdivision.

Subdivision_Portion8Vondeling

(DDP)

ITEM B.27.25.08.11

**TOWN-PLANNING AND CONTROL:PROPOSED FILLING STATION AND SHOPPING CENTRE ON A PORTION OF THE FARM MALMESBURY 72 LT IN TERMS OF THE DEVELOPMENT FACILITATION ACT, 1995 (ACT 67 OF 1995)
(15/3/15 & 15/3/8)**

REMARK:

This item was referred from item A.63.27.10.11.

RESOLVED B.27.25.08.11 –

THAT consideration of the proposed filling station and shopping centre on a portion of Farm Malmesbury 72 LT be held in abeyance pending a presentation that must be made by the applicant at the next Executive Committee meeting.

FillingStationMavona_itm

(DDP)

ITEM B.28.25.08.11**TOWN-PLANNING AND CONTROL:**

1. **APPLICATION FOR LAND DEVELOPMENT AREA: PORTION 2 AND PORTION 3 OF THE FARM SILOAM 199 MT: SHOPPING CENTRE AND TAXI RANK**
2. **CONSOLIDATION OF PORTION 2 AND PORTION 3 OF THE FARM SILOAM 199 MT**
3. **INCLUSION OF THE DEVELOPMENT INTO MAKHADO LAND USE SCHEME, 2009**
(15/3/15 & 15/3/8)

REMARK:

This item was referred from item A.64.27.10.11.

RESOLVED B.28.25.08.11-

THAT consideration of the proposed shopping centre and taxi rank on a portion of Farm Siloam 199MT be held in abeyance pending a presentation that must be made by the applicant at the next Executive Committee meeting.

SiloamDevelopment_itm

(DDP)

ITEM B.29.06.10.11

PERFORMANCE MANAGEMENT: SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLANS: OFFICE OF THE MUNICIPAL MANAGER: 2011/2012 FINANCIAL YEAR
(6/1/1(11/12), 10/1/4/1)

RESOLVED B.29.06.10.11 -

1. THAT the 2011/2012 SDBIP of the Department Finance attached as Annexure A to the report in this regard be approved and service delivery for the 2011/2012 financial year be implemented accordingly, with the following amendment:
 - 1.1. The second last entry relating to section 52 reports be deleted since it does not vest with the Municipal Manager.
 - 1.2. All other columns be populated to indicate percentages per quarter. (MM)
2. THAT note be taken of the National Treasury MFMA Circular No. 13 dated 31 January 2005 about Service Delivery and Budget Implementation Plan attached to the report in this regard as Annexure B. (CFO)

SDBIP 11-12 mm

ITEM B.30.06.10.11**PERFORMANCE MANAGEMENT: SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLANS: DEPARTMENT FINANCE: 2011/12 FINANCIAL YEAR (6/1/1(10/11), 5/B, 5/5/2/1; 5/2/1/3)**

RESOLVED B.30.06.10.11 -

THAT the item be referred back and be submitted to the next Executive Committee meeting with the changed version. (CFO)

DraftSDBIPfinance(2)

ITEM B.31.06.10.11**TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE OF ERF 2690, LOUIS TRICHARDT EXTENSION 1 TOWNSHIP: GRANNY FLAT (15/3/8; E2690)**

RESOLVED B.31.06.10.11 –

THAT the application for special consent use submitted by Eugene Johannes Maree to utilize erf 2690, Louis Trichardt Extension 1 Township for the purposes of erecting a granny flat, be approved in terms of section 22 of the Makhado Land Use Scheme, 2009 subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. Development must comply with the Makhado Land Use Scheme 2009.
3. All costs including that of electricity, water and sewer that may arise as a result of this approval be for the account of the applicant.
4. The consent granted be implemented within twelve (12) months of the date of the resolution, failure which the approval will automatically be withdrawn without any further notice.
5. The building to be erected must comply with municipal By-laws and the building must comply with National Building regulations as well as minimum requirements for a granny flat namely:
 - 5.1. The maximum floor area must not exceed 70m² outbuildings excluded
 - 5.2. The granny flat must at least consist of a kitchen, bathroom and living/bedroom.
 - 5.3. Only one connection point per service per erf will be provided
 - 5.4. The granny flat may not be subdivided unless it is situated in an area that allows for densification
 - 5.5. Building plans must be submitted and approved before the ‘granny flat’ may be allowed
 - 5.6. In addition to main dwelling unit, with the proviso that if a second dwelling unit has already being erected, no granny flat shall be permitted and visa-versa.
6. No additional municipal services will be provided on the property and connections must be made from the existing dwelling. (DDP)

ConsentErf2690_itm

ITEM B.32.06.10.11**TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE OF ERF 1624, LOUIS TRICHARDT EXTENSION 1 TOWNSHIP: GRANNY FLAT (15/3/8; E1624)**

RESOLVED B.32.06.10.11 –

THAT the application for special consent use submitted by Brenda Le Roux to utilize erf 1624, Louis Trichardt Extension 1 Township for the purposes of erecting a granny flat, be approved in terms of section 22 of the Makhado Land Use Scheme, 2009 subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. Development must comply with the Makhado Land Use Scheme 2009.
3. All costs, including that of electricity, water and sewer, that may arise as a result of this approval be for the account of the applicant.
4. The consent granted be implemented within twelve (12) months of the date of the resolution, failure which the approval will automatically be withdrawn without any further notice.
5. The building to be erected must comply with municipal By-laws and the building must comply with National Building regulations as well as minimum requirements for a granny flat namely:
 - a. The maximum floor area must not exceed 70m² outbuildings excluded
 - b. The granny flat must at least consist of a kitchen, bathroom and living/bedroom.
 - c. Only one connection point per service per erf will be provided
 - d. The granny flat may not be subdivided unless it is situated in an area that allows for densification
 - e. Building plans must be submitted and approved before the ‘granny flat’ may be allowed
 - f. In addition to main dwelling unit, with the proviso that if a second dwelling unit has already being erected, no granny flat shall be permitted and visa versa.
6. No additional municipal services will be provided on the property and connections must be made from the existing dwelling. (DDP)

ITEM B.33.06.10.11**TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE
REMAINDER OF ERF 1823, LOUIS TRICHARDT EXTENSION 2 TOWNSHIP: GRANNY
FLAT****(15/3/8; E1823/R)**

RESOLVED B.33.06.10.11 –

THAT the application for special consent use submitted by Jacob Jacobus Kotze to utilize Remainder of erf 1823, Louis Trichardt Extension 2 Township for the purposes of erecting a granny flat be approved in terms of section 22 of the Makhado Land Use Scheme, 2009 subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. Development must comply with the Makhado Land Use Scheme 2009.
3. All costs, including that of electricity, water and sewer that may arise as a result of this approval be for the account of the applicant.
4. The consent granted be implemented within twelve (12) months of the date of the resolution, failure which the approval will automatically be withdrawn without any further notice.
5. The building to be erected must comply with municipal By-laws and the building must comply with National Building regulations as well as minimum requirements for a granny flat namely:
 - 5.1. The maximum floor area must not exceed 70m² outbuildings excluded
 - 5.2. The granny flat must at least consist of a kitchen, bathroom and living/bedroom.
 - 5.3. Only one connection point per service per erf will be provided
 - 5.4. The granny flat may not be subdivided unless it is situated in an area that allows for densification
 - 5.5. Building plans must be submitted and approved before the ‘granny flat’ may be allowed
 - 5.6. In addition to main dwelling unit, with the proviso that if a second dwelling unit has already being erected, no granny flat shall be permitted and visa versa.
6. No additional municipal services will be provided on the property and connections must be made from the existing dwelling. (DDP)

ConsentErf1823R_itm

ITEM B.34.06.10.11**TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT TO UTILISE ERF 1759 LOUIS TRICHARDT EXTENSION 2 TOWNSHIP: HOUSEHOLD ENTERPRISE (HAIR DRESSING) (15/3/8; E1759)**

RESOLVED B.34.06.10.11 –

THAT the application for special consent use submitted by E M M Pretorius to utilize Erf 1759, Louis Trichardt Extension 2 township for the purposes of Hair Dressing be approved in terms of section 22 of the Makhado land-use scheme, 2009 subject to the following terms and conditions:

1. Development must comply with Makhado Land Use Scheme, 2009.
2. All costs, including that of electricity, water and sewer that may arise as a result of this approval be for the account of the applicant.
3. The consent granted must be implemented within twelve (12) months of the date of the resolution, failure which the approval will automatically be withdrawn without any further notice.
4. The special consent shall be for a period of twenty four (24) months, calculated from date of approval letter issued where after extension thereof may be considered by Council.
5. A maximum of five (5) persons may be employed or taken into partnership.
6. The house's residential character must be retained and it must be permanently occupied.
7. Erection of logos or sign boards illuminated by neon lights is prohibited.
8. No display of ant notice or sign, except such notice or as is commonly displayed at a dwelling house or dwelling unit to indicate the profession or occupation of the occupant shall be allowed: provided that it shall not exceed 450mm x 900mm in size, unless mounted on a permanent structure constructed of clay brick and/ or plastered to the satisfaction of the local authority.
9. Two paved parking spaces for use by client and adequate parking for employees/partners must be provided on the property.
10. The Director Finance will collect charges and tariffs in accordance with a business tariff for the duration of the practice on the property.
11. Should any complaints about the operations be received, and after fair and just procedure be found valid, the consent hereby granted will be reviewed by Council.
12. All health requirements and Council By-Law in this respect must be adhered to.
13. The Municipality may through its authorised officials, enter the property at all reasonable times to conduct any inspection which may considered necessary or desirable for the application of the Makhado Land Use Scheme, 2009.

ITEM B.35.06.10.11**TOWN-PLANNING AND CONTROL: RENEWAL OF SPECIAL CONSENT APPLICATION ON ERF 2188 FOR THE PURPOSE OF PLACE OF INSTRUCTION (15/3/8; E2188)**

RESOLVED B.35.06.10.11 –

THAT the request submitted by Mrs Y S Roux for the renewal of special consent use for the purpose of Place of Instruction on Erf 2188, Louis Trichardt Extension 2 township be granted, subject to the following conditions:

1. The special consent shall be for a period of twenty four (24) months, calculated from the date of the approval letter where after extension thereof may be considered by the Council.
2. The applicant must abide with the terms and conditions imposed by the Council during the first approval. (DDP)

ConsentErf2188_itm

ITEM B.36.06.10.11**TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT TO UTILIZE THE REMAINDER OF ERF 345 FOR THE PURPOSE OF RENAL UNIT, LOUIS TRICHARDT TOWNSHIP (15/3/8; E345/R)**

RESOLVED B.36.06.10.11 –

THAT the application for special consent use submitted by Developlan on behalf of their client Ms C.J Hoffmann to utilize the Remainder of erf 345 for the purpose of renal unit, Louis Trichardt township be approved in terms of section 21 of the Makhado Land-use Scheme, 2009 subject to the following terms and conditions:

1. Development must comply with the Makhado Land Use Scheme, 2009
2. The applicant will be liable for payment of actual cost for service provisions in the event that larger capacity than what is available under the present zoning may be required.
3. All costs, including that of electricity, water and sewer that may arise as a result of this approval be for the account of the applicant.
4. The consent granted be implemented within twelve (12) months of the date of the resolution, failure which the approval will automatically be withdrawn without any further notice.
5. The special consent shall be for a period of twenty four (24) months, calculated from date of approval letter issued where after extension thereof may be considered by Council.
6. The house's residential character must be retained and must be permanently occupied, and in case of alteration building plans must be submitted to the Municipality for consideration.
7. Erection of logos or sign boards illuminated by neon lights is prohibited.

8. No display of any notice or sign, except such notice or as is commonly displayed at a dwelling house or dwelling unit to indicate the profession or occupation of the occupant shall be allowed: provided that it shall not exceed 450mm x 900mm in size, unless mounted on a permanent structure constructed of clay brick and/ or plastered to the satisfaction of the local authority.
9. The Director Finance will collect charges and tariffs in accordance with a business tariff for the duration of the practice on the property.
10. Should any complaints about the operations be received, and after fair and just procedure be found valid, the consent hereby granted will be reviewed by Council.
11. Eight (8) parking per 100m² Gross Leasable Floor Area shall be provided and all parts of the property upon which motor vehicles may move or park, shall be provided with a permanent dust-free surface, and shall be paved, drained and maintained to the satisfaction of the Municipality.
12. The internal driveways or paths on the property shall be constructed and maintained by the owners as required by the Municipality.
13. The Municipality's By-laws and relevant legislations relating to health and safety standards must be adhered to.
14. Loading and off loading shall be within the property boundaries.
15. The Municipality may through its authorised officials, enter the property at all reasonable times to conduct any inspection which may be considered necessary or desirable for the application of the Makhado Land Use Scheme, 2009. (DDP)

Consent_Erf345

ITEM B.37.06.10.11

TOWN PLANNING AND CONTROL: APPLICATION FOR "PRINCIPLE APPROVAL" TO REZONE ERF 94 ELTI VILLAS EXTENSION 1 FROM "RESIDENTIAL 1" TO "RESIDENTIAL 2" (15/3/15& EE 94)

RESOLVED B.37.06.10.11 –

THAT the Council disapprove the application for principle approval received from Planning Concept Town and Regional Planning on behalf of their clients A.H.A and M.A.A Gurji to rezone Erf 94 Elti Villas Extension 1 township from "Residential 1" to "Residential 2" with a density of forty four (44) units per hectare as it is not in line with the Council's densification policy.

RezoningEE94_itm

(DDP)

ITEM B.38.06.10.11**TOWN PLANNING AND CONTROL: REZONING OF ERF 146, LOUIS TRICHARDT TOWNSHIP FROM 'RESIDENTIAL 1' TO "BUSINESS 3" SIMULTANEOUSLY SUBJECT TO THE CONDITION TO PROVIDE SEVEN PARKING BAYS WITHIN THE ROAD RESERVE****(E146 & 15/4/2/1)**

RESOLVED B.38.06.10.11 –

THAT the Council in terms of section 56 of the Town Planning and Township Ordinance (Ordinance 15 of 1986) approve the application received from Plankonsult Town and Regional Planning on behalf of their client Carel Alexander Hammann to rezone erf 146 Louis Trichardt township from "Residential 1" to "Business 3" subject to the following conditions:

1. No building operations may commence without approved building plans.
2. Site development plan must be submitted before any submission of building plans for consideration.
3. The development must comply with the Makhado Land Use Scheme, 2009 with "Business 3" as the use zone.
4. Accessible parking space must be provided inside the property.
5. The proposed number of units or their square meters should be reduced to accommodate the required number of parking and no parking bays should be provided within the road reserve since there is an alternative.
6. The measurement of the perpendicular or angled parking must not less than 5,5m x 2,7m and 6,0m x 2,7m for parallel parking.
7. Engineering services contributions will be payable and calculated in accordance with Council's formula for such services.
8. Operation for activities related to the land use rights applied for before the proclamation of rezoning and payment of engineering services is prohibited.
9. The applicant will be liable for payment of actual cost for service provisions in the event that larger capacities than what is available under the present zoning may be required.
10. The applicable contents of Council Resolution A.78.24.07.08 will apply without failure and Council cannot be held liable for any losses suffered for whatever reason in this regard.

RezoningErf146_itm

(DDP)

ITEM B.39.06.10.11**TOWN-PLANNING AND CONTROL: PROPOSED CONSOLIDATION OF ERF 1754 WITH ERF 2230 SIMULTANEOUSLY WITH THE SUBDIVISION OF THE CONSOLIDATED ERF, DZANANI TOWNSHIP
(15/3/8; 7/4/1/4)**

RESOLVED B.39.06.10.11 –

THAT the application submitted by Mtshali Maliga Surveys on behalf of their client Mr. R. Livhoyi to consolidate a Portion of Erf 1754 with Erf 2230 and simultaneously the subdivision thereof, Dzanani township be approved subject to the following conditions.

1. Each property must have its own electricity connection for which standard fees will be payable. The amount payable for the electrical connections will be that of a standard connection as the connection will be provided at the erf's border. The applicant must take note that the municipality will not be able to provide additional electricity supply capacity.
2. Development must comply with the Makhado Land Use Scheme, 2009.
3. Servitude of 2,0 meters wide in favour of the Municipality shall be provided for municipal services along any boundary, other than a street boundary, where such services are installed or planned to be installed.
4. No building or other structure or any part of its foundations may be erected in the servitude area and no tree with a potentially large root system may be planted within the servitude area or within 2, 0 meters thereof except with the permission of the Municipal.
5. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
6. The proposed subdivision and consolidation must be registered in the Deeds Office within two years from date of approval of the application.
7. The Department of Local Government and Housing be informed of Council's recommendation.
8. All related costs will be for the applicant's account.
9. The applicant must apply to Eskom for electrical services as Eskom is the licensed service provider in Dzanani.

ITEM B.40.06.10.11

TOWN-PLANNING AND CONTROL:PROPOSED FILLING STATION AND SHOPPING CENTRE ON A PORTION OF THE FARM MALMESBURY 72 LT IN TERMS OF THE DEVELOPMENT FACILITATION ACT, 1995 (ACT 67 OF 1995) (15/3/15 & 15/3/8)

REMARK:

This item was referred from item A.78.27.10.11.

RESOLVED B.40.06.10.11 –

THAT the application by Mavona Associates Development on behalf of their client, David Mabasa, be referred back pending clarification of outstanding issues and the item be submitted at the next Executive Committee meeting for consideration.

FillingStationMavona_itm(2)

(DDP)

ITEM B.41.20.10.11

PERFORMANCE MANAGEMENT: DRAFT SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLANS: DEPARTMENT FINANCE: 2011/12 FINANCIAL YEAR (6/1/1(10/11), 5/B, 5/5/2/1; 5/2/1/3)

RESOLVED B.41.20.10.11 –

THAT the changed version of the SDBIP of the Department Finance attached as Annexure A to the report in this regard be approved and service delivery for the 2011/2012 financial year be implemented accordingly.

DraftSDBIPfinance(3)

(CFO)

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10. PETITIONS

None

11. NEW MOTIONS

None

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The meeting was closed and adjourned at 17:40.

Approved and confirmed in terms of the provisions of section 27 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) by a resolution of the Council passed at the meeting held on the first following ordinary Council meeting of 26 January 2012.

CHAIRPERSON