

# MAKHADO LOCAL MUNICIPALITY

## OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE SIXTY THIRD (63<sup>RD</sup>) MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 10 MAY 2012 AT 14:00 IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, KROGH STREET, MAKHADO.

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### **PRESENT**

#### **Councillors**

BALIBALI, N P	MATHALISE, L M
BALOYI S R	MATHOMA, M P
CHILILO, N F	MATODZI, A M
DAVHANA, N D	MATUMBA, M T
DU PLOOY, A	MBOYI, M D
GABARA, M J	MMBADI, T A
HLABIOA, M M	MOGALE, L B
HLUNGWANI, K A	MTHOMBENI, S Z
JOOMA Z	MUKHAHA, A J
LERULE, M M	MUKHARI, M F
LUDERE E H	MULOVHEDZI, M D
LUDERE R	MUNYAI, N S
LUDUVHUNGU, V S	MUTAVHATSINDI, F D
MACHETE M S	MUTELE, T M
MADAVHU, F F	NDWAMBI M T
MADZHIGA, F N	NDZOVELA, N G
MADZIVHANDILA, M R	NELUVHOLA, A T
MAHANI, M G	NEMAFHOHONI, M G
MAHLADISA S V	NETSHIVHULANA, T P
MAKHUBELA, R T	NGOBENI, N E
MAKHUVHA, V S	NKANYANE, R G
MALANGE, R	RAMUDZULI, S D
MALANGE, T M	RASIMPHI, M P
MALIMA, M E	RATSHIVHOMBELA, M
MAMAFHA, T C	RIKHOTSO, F J
MAMATSIARI, M S	SAKHWARI, I
MAMOROBELA, T P	SELEPE, M E
MAPHAHLA, A Z	SHANDUKANI, M J
MAPHALA, O S	TSHILAMBYANA, M S
MASHIMBYE, P F	UNDERWOOD, J P
MASUKA, S	

#### **Traditional Leaders**

KHOSI T P NESENGANI	KHOSI N T L MASHAMBA
KHOSI T R V MASHAU	KHOSI R W SINTHUMULE

#### **Officials**

T E RALULIMI	(ACTING MUNICIPAL MANAGER)
T S NDOU	(DIRECTOR CORPORATE SUPPORT & SHARED SERVICES)
P G MAPHETO	(ACTING CHIEF FINANCIAL OFFICER)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)
T E SHIRINGANI	(ADMINISTRATIVE OFFICER: COMMITTEES)
H J LUKHELI	(ASSISTANT MANAGER: COUNCIL AFFAIRS)
A A CHAYA	(AMBASSADOR)

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## 1. OPENING

The Acting Speaker, Cllr P T Mamorobela ruled that a minute of silence be observed for meditation and prayer whereafter she declared the meeting officially opened.

## 2. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLVED –

1. THAT leave of absence be granted in accordance with the provisions of Rule 5 of the Council's Rules and Orders, 2007 in respect of the Council meeting held on 10 May 2012 to Cllrs H Mathavha, N J Matumba, S M Sinyosi, M R Magada, N R Thandavhathu, M P Mazibuko and G Tshavhuyo.

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 10 May 2012:

Cllrs M O Ahmed, A Kennealy, N Kutama, F B Hlungwane, T J Mamafha, S M Rekhotso, D T Ratshikuni, Hosi M S Bungeni, Khosi S A Mulima, Khosi M C Masakona, Hosi H N Majosi, Khosi M W Netsianda, Hosi S T Mukhari, Hosi J Baloyi and Khosi V C Ramabulana.

## 3. OFFICIAL ANNOUNCEMENTS

3.1 The Acting Speaker, Cllr T M Mamorobela welcomed Mr K M Molokomme, Magistrate from Makhado, who officiated the ceremony to have the newly elected Ward Councillor for Ward 24, Cllr R M Selepe sworn in. She then called on him to proceed with the ceremony.

Mr K M Molokomme, Senior Magistrate (Makhado Cluster) conducted the ceremony of declaration for the Oath of Solemn Affirmation by Councillor M R Selepe.

The duly signed Oath of Solemn Affirmation was filed in Council's official records.

*“Oath*

*I, Mr M R Selepe swear that I will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic of South Africa, and I solemnly promise to perform my functions and duties as a councillor of Makhado Local Municipality to the best of my ability. So help me God.”*

3.2 The Acting Speaker, Cllr T M Mamorobela announced that the Minister of Health, Dr Aaron Matsoaledi invited all councillors to attend the Consultative Meeting on the Implementation of the National Health Insurance on the 14<sup>th</sup> May 2012 at Thohoyandou Town Hall at 09:00.

**4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER**

The Acting Speaker, Cllr T M Mamorobela proposed congratulations to Ambassador A A Chaya for donating food to Nesengani Day Care Centre, a centre for persons with disabilities.

**5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY COUNCILLORS**

Cllr T Malange proposed congratulations to Cllr F D Mutavhatsindi for being elected as the Mayor of Makhado Municipality.

**6. CONFIRMATION OF MINUTES**

**6.1 REMARK:**

Upon proposal by Cllr N D Davhana, duly seconded by Cllr R Ludere, it was -

RESOLVED -

THAT the minutes of the 62<sup>nd</sup> meeting of the Council held on 31 January 2012, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

**6.2 REMARK:**

Upon proposal by Cllr N D Davhana, duly seconded by Cllr R Ludere, it was -

RESOLVED -

THAT the minutes of the 74<sup>TH</sup> Special meeting of the Council held on 27 February 2012, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

**6.3 REMARK:**

Upon proposal by Cllr N D Davhana, duly seconded by Cllr R Ludere, it was -

RESOLVED -

THAT the minutes of the 75<sup>th</sup> Special meeting of the Council held on 29 March 2012, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

**7. QUESTIONS OF WHICH NOTICE HAD BEEN GIVEN**

None

**8. MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETING**

None

**9. REPORT OF THE EXECUTIVE COMMITTEE: MAY 2012****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 of February to May 2012**293<sup>rd</sup> Executive Committee meeting held on 23 February 2012294<sup>th</sup> Executive Committee meeting held on 27 February 2012295<sup>th</sup> Executive Committee meeting held on 23 March 2012296<sup>th</sup> Executive Committee meeting held on 29 March 2012297<sup>th</sup> Executive Committee meeting held on 19 April 2012298<sup>th</sup> Executive Committee meeting held on 10 May 2012**ITEM A.17.27.02.12****FINANCES: MUNICIPAL ADJUSTMENT BUDGET: 2011/2012 FINANCIAL YEAR  
(6/1/1(11/12))****REMARK:**This matter was already considered at the 74<sup>th</sup> Special Council meeting held on 27 February 2012.**ITEM A.18.10.05.12 (originally A.18.29.03.12)&(Originally A.18.26.04.12)****COUNCIL COMMITTEES:****REPLACEMENT OF MEMBERS WHO HAD RESIGNED AS COUNCILLORS: VARIOUS  
PORTFOLIO COMMITTEES, MUNICIPAL PUBLIC ACCOUNTS COMMITTEE AND  
REPRESENTATIVES IN VHEMBE DISTRICT MUNICIPALITY: DEMOCRATIC  
ALLIANCE**

(4/1/B)

RESOLVED A.18.10.05.12 -

1. THAT Council Resolution A.52.01.08.11 be amended in as far as the representatives of the Democratic Alliance is concerned as follows:

The Section 80 Committees

1. Housing, Roads and Transport

The vacancy created as a result of resignation of former Cllr Mahwai be filled by newly elected Cllr I Sakhwari

3. Sports and Recreation, Arts and Culture

The vacancy created as a result of resignation by former Cllr Maboho be filled by newly elected Cllr I Sakhwari

4. Youth, Women, Elderly, Gender People with Disability and Children:

The vacancy created as a result of resignation of former Cllr Mahwai be filled by newly elected Cllr R Madzavandila

9. Disaster, Moral Regeneration and Pastors Forum

The vacancy created as a result of former Cllr Maboho be filled by newly elected Cllr R Madzavandila. (DCSS)

2. THAT Council Resolution A.121.01.12.11, paragraph 4 be further extended to include Cllr A Kennealy as DA representative Councillor to be a member of the Municipal Public Accounts Committee. (DCSS)
  3. THAT Council Resolution A.46.31.05.11, paragraph 2 be amended in that the name of Cllr A Kennealy be substituted for the name of Cllr I Sakhwari, to represent Makhado Local Municipality in the Vhembe District Municipality. (DCSS)
  4. THAT the Chairperson of Portfolio Committee: Corporate Services be designated with the power to recommend to the Executive Committee the name of a Councillor who will replace Cllr A S Gundula to represent Local Municipality in Vhembe District Municipality. (DCSS)
- ExcoReport Council Committees amendments Jan 12 (DCSS)

**ITEM A.19.10.05.12 (originally A.19.29.03.12)&(originally A.19.26.04.12)**

**TOWN PLANNING AND CONTROL: REZONING OF ERF 419, LOUIS TRICHARDT TOWNSHIP, FROM “RESIDENTIAL 1” TO “BUSINESS 2” (E 419 & 15/4/2/2/1/244)**

RESOLVED A.19.10.05.12 –

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 Anna Maryna Swanepoel to rezone Erf 419, Louis Trichardt Township from “Residential 1” to “Business 2” subject to the following conditions:

1. No building or alteration operations may commence without approved building plans.
2. Site development plan must be submitted before any building plans can be approved.
3. The development must comply with the Makhado Land Use Scheme, 2009 with “Business 2” as the use zone.
4. Should the existing electricity supply not be enough, only a maximum of a 100KVA 3phase supply will be allowed.
5. The developer must appoint a professional electrical engineer to apply for connection, to design and to supervise the installation work.
6. Only an electrical contractor (registered 3phase installation electrician) shall be allowed to install, test and certify the installation work.

7. All actual and engineering services contributions costs will be for the developer's account and the applicable tariff shall apply.
8. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
9. 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.
10. Engineering services contributions will be payable and will be calculated in accordance with Council's formula for such services.
11. 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.
12. 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.

RezoningErf419\_itm

(DDP)

**ITEM A.20.10.05.12 (originally A.20.29.03.12)&(originally A.20.26.04.12)**

**TOWN PLANNING AND CONTROL: REZONING OF ERF 422 FROM "RESIDENTIAL 1" TO "RESIDENTIAL 2" SIMULTANEOUSLY WITH THE SPECIAL CONSENT IN TERMS OF CLAUSE 22 OF THE MAKHADO LAND USE SCHEME, 2009, TO CONDUCT A "GUEST HOUSE" (E 422 & 15/4/2/2/1/250)**

RESOLVED A.20.10.05.12 –

THAT the Council in terms of section 56 1(b) (i) of the Town-Planning and Townships Ordinance (Ordinance 15 of 1986) approve the application received from Developlan on behalf of their client Jacobus Pieter Holtzkampf to rezone Erf 422 from "Residential 1" to "Residential 2" simultaneously with the special consent in terms of clause 22 of the Makhado Land Use Scheme, 2009 to conduct a "Guest House" on the property subject to the following conditions:

1. No building or alteration operations may commence without approved building plans.
2. Site development plan must be submitted before any building plans can be approved.
3. The development must comply with the Makhado Land Use Scheme, 2009 with "Residential 2" as the use zone.
4. Only a maximum of a 100KVA 3phase electricity supply can be made available.
5. The developer must appoint a professional electrical engineer to apply for the connection, to design and supervise the installation work.
6. Only an electrical contractor (registered 3phase installation electrician) shall be allowed to install, test and certify the installation work. And all actual and engineering services contribution costs will be for the developer account.
7. Only one (1) kitchen per establishment is allowed.
8. Meals and all facilities shall be provided to, and are for the exclusive use of paying guest only .

9. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
10. The measurement of the perpendicular or angled parking must not be less than 5,5m x 2,7m and 6,0m x 2,7m for parallel parking.
11. The internal drive ways shall be constructed and maintained by the owner as required by the Municipality.
12. Engineering services contributions will be payable and will be calculated in accordance with Council's formula for such services.
13. 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.
14. 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.

RezoningErf422\_itm

(DDP)

**ITEM A.21.26.04.12 (originally A.21.29.03.12)&(originally A.21.26.04.12)**

**TOWN PLANNING AND CONTROL: REZONING OF ERF 656, LOUIS TRICHARDT TOWNSHIP, FROM "RESIDENTIAL 1" TO "BUSINESS 1" (E 656 & 15/4/2/2/1/252)**

RESOLVED A.21.10.05.12 –

THAT the Council in terms of section 56 of the Town-Planning and Township Ordinance (Ordinance 15 of 1986) approve the application received from Developlan on behalf of their client Pierre Armand Grobler van den Heever to rezone Erf 656, Louis Trichardt Township from "Residential 1" to "Business 1" subject to the following conditions:

1. No building or alteration operations may commence without approved building plans.
2. Site development plan must be submitted before any building plans can be approved.
3. Should the existing electricity supply not be enough then only a maximum of a 100KVA 3phase supply will be allowed.
4. The developer must appoint a professional electrical engineer to apply for the connection, to design and to supervise the installation work.
5. Only an electrical contractor (registered 3phase installation electrician) shall be allowed to install, test and certify the installation work.
6. All actual and engineering services contribution costs will be for the developer account and applicable tariff shall apply.
7. The development must comply with the Makhado Land Use Scheme, 2009 with "Business 1" as the use zone.
8. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.

9. The measurement of the perpendicular or angled parking must not be less than 5,5m x 2,7m and 6,0m x 2,7m for parallel parking.
10. Engineering services contributions will be payable and will be calculated in accordance with Council's formula for such services.
11. 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.
12. 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.

RezoningErf656\_itm

(DDP)

**ITEM A.22.10.05.12 (originally A.22.29.03.12 & A.22.26.04.12)**

**TOWN PLANNING AND CONTROL: REZONING OF PORTION 2 AND PORTION 3 OF THE FARM SILOAM 199 MT FROM "AGRICULTURAL" TO "GOVERNMENT" IN TERMS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) (15/3/15 & 15/4/2/1/235)**

RESOLVED A.22.20.05.12 –

THAT the Council in terms of section 56 of the Town Planning and Townships Ordinance (Ordinance 15 of 1986) approve the application received from Pieterse, Du Toit and Associates Town and Regional Planners on behalf of their client to rezone Portion 2 and Portion 3 of the farm Siloam 199 M.T Tshavhalovhedzi Village from "Agricultural" to "Government" subject to the following conditions:

1. No building operations may commence without approved building plans.
2. Site development plan must be submitted before submission of building plans for consideration.
3. The development must comply with the Makhado Land Use Scheme, 2009 with "Government" as the use zone.
4. Four (4) parking spaces per 100m<sup>2</sup> Gross Leasable Floor Area must be provided inside the property, specifically for portion 2.
5. Numbers of dwelling units on Portion 3 are subject to twenty (20) units per hectare and building lines of three (3) meters from the street front and two (2) meters on side and rear will be applicable.
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. An agreement must be concluded with the Municipality for engineering services required.
8. Recommendation as indicated on the studies conducted must be adhered to before actual work commence.

(DDP)

RezoningPortion2&3Siloam\_itm



**ITEM A.23.27.02.12 (originally A.23.29.02.12)****TOWN-PLANNING AND CONTROL: OFFER TO PURCHASE A SITE IN EXTENT ONE (1) HECTARE ON PORTION 1 OF THE FARM STYLDRIFT 46 LT FOR THE PURPOSE OF CEMETERY****(7/4/1/3)****REMARK:**

This matter was already considered at the 74<sup>th</sup> Special Council meeting held on 27 February 2012.

**ITEM A.24.10.05.12 (originally A.24.29.03.12 & A.24.26.04.12)****COUNCIL LAND: APPLICATION FOR PLACEMENT AND/OR CORE-USE OF CELL PHONE MAST BY TELKOM MOBILE (8ta) ON THE EXISTING MTN MAST AT MAKHADO WATER RESERVOIR****(7/3/2/3)****REMARK:**

This matter was referred as item B.11.23.02.12.

**ITEM A.25.10.05.12 (originally A.25.29.03.12 & A.25.26.04.12)****COMMUNITY SERVICES: DRAFT: MAKHADO LOCAL TRANSPORT FORUM CONSTITUTION****(14/2/1/6/1)**

RESOLVED A.25.10.05.12 -

1. THAT the Draft Constitution of Makhado Local Transport Forum be approved, with the following amendments:
  - a. Page 3 – “Final Draft Constitution” be replaced by “Draft Constitution”.
  - b. Page 3 – “3 June 2010” be replaced by “October 2011”
  - c. Page 8 – item 7.3 be removed
  - d. Page 8 – item 7.4 be renumbered to 7.3
  - e. Page 8 – item 6.8 “50+1%” be replaced by “50% + 1” (DCOMS)
  
2. THAT the Constitution referred to in paragraph 1 above be implemented after it has been duly approved by Council. (DCOMS)

TransportConstitution\_itm

**ITEM A.26.27.02.12****PERSONNEL: RESIGNATION: CHIEF FINANCIAL OFFICER, MR H R MALULEKE: FEBRUARY 2012****(SP 3/1; 5/3/4/3/30)****REMARK:**

This matter was already considered at the 74<sup>th</sup> Special Council meeting held on 27 February 2012.

**ITEM A.27.27.02.12****COUNCIL COMMITTEES: APPOINTMENT OF AUDIT AND PERFORMANCE COMMITTEE MEMBERS  
(4/11/1)****REMARK:**

This matter was already considered at the 74<sup>th</sup> Special Council meeting held on 27 February 2012.

**ITEM A.28.10.05.12 (originally A.28.26.04.12)****COUNCIL COMMITTEES:**

- 1. RETURN OF ATTENDANCE OF MEETINGS OF COUNCIL AND ITS COMMITTEES – OCTOBER TO DECEMBER 2011 – QUARTER 2, 2011/2012 FINANCIAL YEAR**
- 2. SEAT CALCULATION: EXECUTIVE COMMITTEE COMPOSITION**

**(4/1/B)**

RESOLVED A.28.10.05.12 -

1. THAT note be taken of the number of meetings held by Council and its Committees for the period 1 October 2011 to 31 December 2011 as follows:

<b>DATE 2011</b>	<b>PORTFOLIO COMMITTEES</b>	<b>EXECUTIVE COMMITTEE</b>	<b>COUNCIL</b>
OCTOBER	10	3	1
NOVEMBER	10	1	0
DECEMBER	0	1	1

(DCSS)

2. THAT note be taken of the *Return of Attendance of meetings by councillors* for the period 1 October 2011 to 31 December 2011 as more fully recorded in the report in this regard.

(DCOMS)

3. THAT a report be submitted to the Rules and Ethics Committee at their next meeting about the composition of Council's Executive Committee and seat calculation of parties that was issued for LIM 344 by the IEC on 20 May 2011. (DCSS)

Return of Attendance Oct to Dec 2011

**ITEM A.29.10.05.12 (originally A.29.26.04.12)****COUNCIL LAND: CONDONATION OF PAYMENT OF ENGINEERING SERVICE CONTRIBUTION: ERF 2726, MAKHADO EXTENSION 6 TOWNSHIP (E2726)**

RESOLVED A.29.10.05.12 –

THAT Council regards this report as a special case in particular after having received the second version of the case and/or matter, simply put in particular that the church board was not up and running subject to the following conditions:

1. Condonation of not honouring the Conditions of Sale of erf 2726, Louis Trichardt Extension 6 township in favour of the Evangelical Presbyterian Church in South Africa be accordingly considered.
2. Relative to erf 2726, Makhado Extension 6 Township Mr T. G. Bandi on behalf of the EPCSA, be granted permission to pay the engineering services contribution, calculated in accordance with Council's valid in use practice of adding the annual percentage increase to the initial amount which was payable by the client.
3. The applicant pays all outstanding municipal services charges in full as calculated by the Chief Financial Officer, plus interest in terms of Council's Debt Collection and Credit Control Policy. (DDP/CFO)

**ITEM A.30.29.03.12****PERSONNEL: EMPLOYMENT CONTRACT END OF TERM: MR A S TSHIKALANGE, MUNICIPAL MANAGER (5/3/4/9/2 & 5/3/B)****REMARK:**

This matter was already considered at the 75<sup>th</sup> Special Council meeting held on 29 March 2012.

**ITEM A.31.29.03.12****PUBLICITY: ANNUAL REPORT 2010/11: OVERSIGHT REPORT AND FINAL APPROVAL: SUBMISSION TO DEPARTMENT NATIONAL TREASURY AND DEPARTMENT PROVINCIAL AND LOCAL GOVERNMENT (10/1/4/1-8)****REMARK:**

This matter was already considered at the 75<sup>th</sup> Special Council meeting held on 29 March 2012.

**ITEM A.32.29.03.12**

**FINANCES: DRAFT CAPITAL AND OPERATIONAL ESTIMATES 2012/2013 TO 2014/2015 FINANCIAL YEAR  
(6/1/1 (2012/2013))**

**REMARK:**

This matter was already considered at the 75<sup>th</sup> Special Council meeting held on 29 March 2012.

**ITEM A.33.29.03.12**

**DRAFT INTEGRATED DEVELOPMENT PLAN, 2012/13 TO 2016/17  
(15/7/1)**

**REMARK:**

This matter was already considered at the 75<sup>th</sup> Special Council meeting held on 29 March 2012.

**ITEM A.34.29.03.12**

**DRAFT PERFORMANCE MANAGEMENT SYSTEM POLICY, 2012  
(1/3/54/1)**

**REMARK:**

This matter was already considered at the 75<sup>th</sup> Special Council meeting held on 29 March 2012.

**ITEM A.35.10.05.12 (originally A.35.26.04.12)**

**LEGISLATION: FINAL MUNICIPAL FACILITIES: HIRING OF MUNICIPAL PREMISES AND AMENITIES BY-LAWS  
(1/3/60/1)**

RESOLVED A.35.10.05.12 -

THAT the Makhado Municipality Municipal Facilities: Hiring of Municipal Premises and Amenities By-laws, 2012 be approved and the date of commencement of the By-law be the date on which the By-law is promulgated in the Provincial Gazette for Limpopo.

BylawHiringFacilitiesFinal\_itm

(DCSS)

**ITEM A.36.10.05.12 (originally A.36.26.04.12)**

**LEGISLATION: FINAL ENVIRONMENT: INFLAMMABLE LIQUIDS AND SUBSTANCES BY-LAWS  
(1/3/29/2)**

RESOLVED A.36.10.05.12 -

THAT the Makhado Municipality Environment: Inflammable Liquids and Substances By-laws, 2012 be approved and the date of commencement of the By-law be the date on which the By-law is promulgated in the Provincial Gazette for Limpopo.

BylawInflammableFinal\_itm

(DCSS)

**ITEM A.37.10.05.12 (originally A.37.26.04.12)****LEGISLATION: FINAL TARIFF BY-LAWS  
(1/3/56/2)**

RESOLVED A.37.10.05.12 -

THAT the Makhado Municipality Tariffs By-laws, 2012 be approved and the date of commencement of the By-law be the date on which the By-law is promulgated in the Provincial Gazette for Limpopo. (DCSS)

BylawTariffsFinal\_itm

**ITEM A.38.10.05.12 (originally A.38.26.04.12)****LEGISLATION: FINAL CREDIT CONTROL AND DEBT COLLECTION BY-LAWS  
(1/3/55/2)**

RESOLVED A.38.10.05.12 -

THAT the Makhado Municipality Credit Control and Debt Collection By-laws, 2012 be approved and the date of commencement of the By-law be the date on which the By-law is promulgated in the Provincial Gazette for Limpopo. (DCSS)

BylawCreditControlFinal\_itm

**ITEM A.39.10.05.12 (originally A.39.26.04.12)****LEGISLATION: FINAL CHILD CARE FACILITIES BY-LAWS  
(1/3/25/2)**

RESOLVED A.39.10.05.12 -

THAT the Makhado Municipality Child Care Facilities By-laws, 2012 be approved and the date of commencement of the By-law be the date on which the By-law is promulgated in the Provincial Gazette for Limpopo.

BylawChildCareFacilitiesFinal\_itm

(DCSS)

**ITEM A.40.10.05.12 (originally A.40.26.04.12)****LEGISLATION: FINAL PUBLIC HEALTH: FUMIGATION BY-LAWS  
(1/3/57/2)**

RESOLVED A.40.10.05.12 -

THAT the Makhado Municipality Public Health: Fumigation By-laws, 2012 be approved and the date of commencement of the By-law be the date on which the By-law is promulgated in the Provincial Gazette for Limpopo.

BylawFumigationFinal\_itm

(DCSS)

**ITEM A.41.10.05.12 (originally A.41.26.04.12)****LEGISLATION: FINAL TRADING: DRAFT STREET TRADING BY-LAWS  
(1/3/41/2)**

RESOLVED A.41.10.05.12 -

1. THAT the Makhado Municipality Regulation on Trading: Street Trading By-laws, 2012 be approved and the date of commencement of the By-law be the date on which the By-law is promulgated in the Provincial Gazette for Limpopo. (DCSS)
2. THAT the street trading hours in the by-law be defined and Council delegate powers to the Municipal Manager to make exemption on certain street trading places (like Tshakhuma Fruit Market) to trade beyond the street trading hours.

BylawStreetTradingFinal\_itm

(DCSS)

**ITEM A.42.10.05.12 (originally A.42.26.04.12)****LEGISLATION: FINAL PARKING METER AND PARKING GROUND BY-LAWS  
(1/3/31/2 & 1/3/32/2)**

RESOLVED A.42.10.05.12 -

THAT the Makhado Municipality Parking Meter and Parking Ground By-laws, 2012 be approved and the date of commencement of the By-law be the date on which the By-law is promulgated in the Provincial Gazette for Limpopo.

BylawParkingMeterFinal\_itm

(DCSS)

**ITEM A.43.10.05.12 (originally A.43.26.04.12)****LEGISLATION: FINAL ENVIRONMENT (OPEN SPACE): CARAVAN PARK BY-LAWS  
(1/3/53/2)**

RESOLVED A.43.10.05.12 -

THAT the Makhado Municipality Environment (Open Space): Caravan Park By-laws, 2012 be approved and the date of commencement of the By-law be the date on which the By-law is promulgated in the Provincial Gazette for Limpopo.

BylawCaravanParkFinal\_itm

(DCSS)

**ITEM A.44.10.05.12 (originally A.44.26.04.12)****LEGISLATION: FINAL ENVIRONMENT (OPEN SPACE): PARKS, GARDENS AND PUBLIC OPEN SPACES BY-LAWS  
(1/3/30/2)**

RESOLVED A.44.10.05.12 -

THAT the Makhado Municipality Environment (Open Space): Parks, Gardens and Public Open Spaces By-laws, 2012 be approved and the date of commencement of the By-law be the date on which the By-law is promulgated in the Provincial Gazette for Limpopo.

BylawOpenSpacesFinal\_itm

(DCSS)

**ITEM A.45.10.05.12 (originally A.45.26.04.12)****LEGISLATION: FINAL MUNICIPAL FACILITIES: SPORT FACILITIES BY-LAWS  
(1/3/58/2)**

RESOLVED A.45.10.05.12 -

THAT the Makhado Municipality Municipal Facilities: Sport Facilities By-laws, 2012 be approved and the date of commencement of the By-law be the date on which the By-law is promulgated in the Provincial Gazette for Limpopo.

BylawSportFacilitiesFinal\_itm

(DCSS)

**ITEM A.46.10.05.12 (originally A.46.26.04.12)****LEGISLATION: FINAL OUTDOOR SIGNS (ADVERTISING AND OTHER) BY-LAWS  
(1/3/59/2)**

RESOLVED A.46.10.05.12 -

THAT the Makhado Municipality Outdoor Advertisement By-laws, 2012 be approved and the date of commencement of the By-law be the date on which the By-law is promulgated in the Provincial Gazette for Limpopo.

BylawOutdoorSignsFinal\_itm

(DCSS)

**ITEM A.47.10.05.12 (originally A.47.26.04.12)****COUNCIL COMMITTEE: AUDIT AND PERFORMANCE COMMITTEE CHARTER:  
2011/2012 AND 2012/2013  
(10/1/5/2)****REMARK:**

The item was referred as item B.12.19.04.12.

**ITEM A.48.10.05.12 (originally A.48.26.04.12)****REMUNERATION OF AUDIT COMMITTEE MEMBERS AND RISK MANAGEMENT AND ANTI-FRAUD AND CORRUPTION COMMITTEE CHAIRPERSON USING PARTNERS RATES DETERMINED BY THE SOUTH AFRICAN INSTITUTE OF CHARTED ACCOUNTANTS IN CONSULTATION WITH AUDITOR GENERAL SOUTH AFRICA****(5/5/2/1)**

RESOLVED A.48.10.05.12 -

1. That it be noted that the Municipality has resolved under Council Resolution **A.27.27.02.12** to appoint its own Audit and Performance Committee comprising of 4 (four) members.  
(MM/CFO)
2. That the appointed Audit and Performance Audit Committee be remunerated on an hourly basis per meeting, i.e. including preparation time, taking account the tariffs determined by the South African Institute of Chartered Accountants in consultation with the Auditor General (SA), as it was reflected on the advertisement for invitation for Audit Committee members. Notice No. 154 of 2011.  
(MM/CFO)
3. That the remuneration for a member be for Sitting allowance including Preparation (4 hours\* 2 309=9236) per meeting excluding travelling expenses.  
(MM/CFO)
4. That the remuneration for a Chairperson be for Sitting allowance including Preparation (5 hours\*2 309=11545) per meeting excluding travelling expenses.  
(MM/CFO)
5. That the Municipal Manager proceeds with the adjustments of the rates/tariffs as and when The South African Institute of Chartered Accountants in consultation with the Auditor General (SA) rates/tariffs are amended annually.  
(MM/CFO)

RemunerationACMembers\_itm

**ITEM A.49.10.05.12 (originally A.49.26.04.12)****COUNCIL COMMITTEES:****APPOINTMENT OF MEMBERS IN COUNCIL COMMITTEES: AMENDMENT OF COMPOSITION OF SECTION 79 COMMITTEES****(4/1/B)**

RESOLVED A.49.10.05.12

1. THAT paragraph 3 of Council Resolution A.52.01.08.11 be revoked and be substituted for the proposed list of recomposed Section 79 Committees as set out immediately hereafter as follows -



**B. SECTION 79 COMMITTEES**

1.	<b>Housing, Roads and Transport :</b> Cllr Mathalise L M (Chairperson)	Mukhari M F Matodzi H A Nkanyani R G <del>Kennealy A (MPAC)</del> Mazibuko M P <del>Shandukani J (MPAC)</del> Matumba M T Ramudzuli S D
2.	<b>Finance:</b> Cllr Chililo N F (Chairperson)	Mmboyi D <del>Shandukani M J (MPAC)</del> Tshilambwana M J Magada M R Sakhwari I Maphahla A Z <del>Malange T M (MPAC)</del> <del>Madzivhandila M R (MPAC)</del>
3.	<b>Sports and Recreation, Arts and Culture:</b> Cllr Tshavhuyo T G (Chairperson)	Mukhaha A J Davhana N D Munyai N S Mulovhedzi M D Thandavhathu N R Maphaha A Z Masuka S
4.	<b>Youth, Women, Elderly, Gender, People with Disability and Children:</b> Cllr Mthombeni S Z (Chairperson)	<del>Mutele T M (MPAC)</del> Mukhaha A J <del>Hlungwani B F (MPAC)</del> Tshavhuyo T G Rekhotso S M Nemafhohoni M G <del>Ratshivhombela M Q (MPAC)</del>
5.	<b>Technical Services and Infrastructure:</b> Cllr Hlungwani K A (Chairperson)	Tshavhuyo G Maphala O S <del>Hlungwani B F (MPAC)</del> Madavhu F F Thandavhathu N R Malima M E <del>Baloyi R S (MPAC)</del>
6.	<b>Community Services:</b> Cllr Mathalise L M (Chairperson)	Kutama N Mulovhedz M D Balibali N P <del>Shandukani M J (MPAC)</del> Luduvhundu V J Hlabioa M M Malima M E
7.	<b>Corporate Services:</b> Cllr Mamafha T J (Chairperson)	Mahomed O Maphala O S Makhuvha V S Mmbadi T A Ludere E H Mamatsiari M S Sakhwari I
Sub-committees	<b>Corporate Services Sub-Committees</b> <b>A. Local Labour Forum</b> Cllr Mamafha T C (Chairperson)	Mathoma P Mamafha T J
	<b>B. Employment Equity</b> Cllr Kutama N (Chairperson)	Matladise L M Ludere E H Malange R
	<b>C. Pension Funds</b> Cllr Mathladise S V (Chairperson)	<del>Kennealy A (MPAC)</del> Munyai N S Magada M R
8.	<b>Planning, Economic Development, Tourism</b>	Rasimphi M P

	<b>and Traditional Affairs:</b> Cllr Mathoma P (Chairperson)	Ndzovela N G <del>Mahani M G</del> (MPAC) Ramudzuli S D Thandavhathu N R Mamafha T J Neluvhola A T
9.	<b>Disaster, Moral Regeneration and Pastors Forum:</b> Cllr Davhana D (Chairperson)	Mathoma P Rasimphi M P Mukhaha A J Mavhunda M D <del>Kennealy A</del> (MPAC) Malange R Matodzi A N Mathladise L M Ndou M E
10.	<b>Rules and Ethics:</b> Cllr F N Madzhiga (Chairperson)	Matodzi A M Mmbadi T A Mamafha T C Rasimphi M P Nemafhohoni M J Balibali M P
11.	<b>Municipal Public Accounts Committee</b> Remark: This Committee was composed by Council Resolution dated 1 December 2011 as follows: Cllr R S Baloyi (*Chairperson) [*as appointed on 23 January 2012]  <i>* The DA informed in a letter dated 30 December 2011 about their representative in MPAC</i>	Mugale L B Malange T Shandukani J Hlungwani B F Madzivhandila M R Mamorobela T P Mutele M Ratshivhombela Q Mahani M G Mathavha H Kennealy A *

(DCSS)

2. THAT it be noted that the Municipal Public Accounts Committee was composed by Council Resolution of 1 December 2011 and as such already functions with a full-time Chairperson as Section 79 Committee as it submits recommendations directly to Council. (DCSS)

3. THAT the Chief Whip in consultation with Council be delegated with the power to appoint the respective Chairperson of the Section 79 Committees. (DCSS)

4. THAT the Chief Whip in performing the delegation under paragraph 3 above take into account that the Housing, Roads and Transport as well as the Community Services Committees have the same Chairperson and further that there is no gender balance in the Section 79 Committees and the Chairpersons thereof. (DCSS)

5. THAT the Department Corporate Support & Shared Services identify all councillors who are serving in the Municipal Public Accounts Committee before the Executive Committee meeting and remove them from any other Portfolio Committees of Council.

(DCSS)

Section 79 Coms March 2012

**ITEM A.50.10.05.12 (originally A.50.26.04.12)**

**COUNCIL AND EXECUTIVE COMMITTEE MEETINGS: JUNE 2012 TO DECEMBER 2013**  
(4/2/1 & 4/3/1)

RESOLVED A.50.10.05.12

1. THAT the program of meetings of Council and its Committees for the period 1 July 2012 to 31 December 2013 be adopted and meetings be convened accordingly, as set out herein below:

<b>JULY 2012 TO DECEMBER 2012</b>		
<b>PORTFOLIO COMMITTEES</b> <b>09:00 onwards</b> <b>Monday, Tuesday, Wednesday</b>	<b>EXECUTIVE COMMITTEE</b> <b>10:00</b> <b>Thursday</b>	<b>COUNCIL</b> <b>14:00</b> <b>Thursday</b>
2, 3 and 4 July 2012 9, 10 and 11 July 2012	12 and 19 July 2012	26 July 2012
30, 31 July and 1 August 2012 13, 14 and 15 August 2012	8 and 23 August 2012	Nil
27, 28 and 29 August 2012 10, 11 and 12 September 2012	6 and 20 September 2012	Nil
25 and 26 September 2012 8, 9 and 10 October 2012	4 and 18 October 2012	25 October 2012
29, 30 and 31 October 2012 12, 13 and 14 November 2012	8 and 22 November 2012	Nil
19, 20 and 21 November 2012	29 November 2012	6 December 2012 ( <i>Special if required</i> )
<b>JANUARY 2013 TO DECEMBER 2013</b>		
<b>PORTFOLIO COMMITTEES</b> <b>09:00 onwards</b> <b>Monday, Tuesday, Wednesday</b>	<b>EXECUTIVE COMMITTEE</b> <b>10:00</b> <b>Thursday</b>	<b>COUNCIL</b> <b>14:00</b> <b>Thursday</b>
7, 8 and 9 January 2013 14, 15 and 16 January 2013 <i>*Draft Annual Report consideration</i>	17 and 24 January 2013 <i>*Draft Annual Report consideration</i>	31 January 2013 <i>*Draft Annual Report consideration</i>
28, 29 and 30 January 2013 11, 12 and 13 February 2013	7 and 21 February 2013	Nil
25, 26 and 27 February 2013 11, 12 and 13 March 2013	7 and 20 March 2013 <i>Draft Budget consideration</i> <i>Draft IDP consideration</i>	28 March 2013 <i>Draft Budget consideration</i> <i>Draft IDP consideration</i>

	<i>Final Annual Report consideration</i>	<i>Final Annual Report consideration</i>
25, 26 and 27 March 2013 8, 9 and 10 April 2013	4 and 18 April 2013	25 April 2013
29 and 30 April and 1 May 2013 13, 14 and 15 May 2013	9 and 23 May 2013	30 May 2013 <i>Approval of Budget and IDP</i>
27, 28 and 29 May 2013 10, 11 and 12 June 2013	6 and 20 June 2013	Nil
24, 25 and 26 June 2013 8, 9 and 10 July 2013	4 and 18 July 2013	25 July 2013
29, 30 and 31 July 2013 12, 13 and 14 August 2013	8 and 22 August 2013	Nil
26, 27 and 28 August 2013 9, 10 and 11 September 2013	5 and 19 September 2013	Nil
23, 24 and 25 September 2013 7, 8 and 9 October 2013	3 and 17 October 2013	31 October 2013
4, 5 and 6 November 2013 18, 19 and 20 November 2013	14 and 28 November 2013	5 December 2013 <i>Special if required</i>

(DCSS)

2. THAT notices of all meetings be distributed by the Department Corporate Support and Shared Services no less than seven (7) days in advance of the date of the meeting.

(DCSS)

3. THAT the Special Council meeting for consideration of the Draft Estimates 2013/2014 and the Draft IDP 2013/2014 and the Annual Report 2011/2012 be held on 28 March 2013 and the Special Council meeting for consideration of the final Estimates 2013/14 and final Integrated Development Plan 2013/14 be held on 30 May 2013.

(DCSS)

4. THAT a Special Council meeting before Council recession during December 2012 be held on 6 December 2012 and 5 December 2013 in order to consider any outstanding issues before the commencement of the 2<sup>nd</sup> and last half of the 2012/2013 and 2013/2014 financial years.

Meetings 2012 and 2013

(DCSS)

**ITEM A.51.10.05.12 (originally A.51.26.04.12)****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)**

RESOLVED A.51.10.05.12 –

THAT the Council considers the application for the purchase of erven 18, 19, 20 and reversal of erf 27, Tshikota Township received from Reverend G. L. Schnetler on behalf of the Tshitandani Child Care Foundation, subject to the following conditions:

1. The intention to sell erven 18, 19 and 20, Tshikota Township be advertised in a local newspaper for comments and objections, and
2. Erven be sold by private contract to the applicant, and not by means of calling for tenders and/or auction which is the policy for sale of residential and business land in Makhado, Tshikota and Elti Villas.
3. Erf 27, Tshikota Township be reversed back to council as given agreement by the client.
4. A market related valuation be performed by a registered professional valuer which will serve as the purchase price for the property
5. Municipality will not be held liable for any damages or losses suffered as a result of the transaction, directly or indirectly
6. Building plans must be submitted for approval
7. All other standard conditions for the sale of municipal land will also apply in this case
8. Transfer of property ownership will be conducted by Council's attorneys.
9. Council be able to take transfer of erf 27 free of any legal hindrance and also be able to transfer the property to a third party either by sale or donation.

Sale Erf18 19 and 20 Tshikota

(DDP)

**ITEM A.52.10.05.12 (originally A.52.26.04.12)****COUNCIL COMMITTEE: AUDIT AND PERFORMANCE COMMITTEE CHARTER:  
2011/2012 AND 2012/2013  
(10/1/5/2)**

RESOLVED A.52.10.05.12

1. THAT it be noted that the Council appointed Audit and Performance Committee on 27 February 2012. (MM)
2. THAT the Audit and Performance Committee's Charter, attached to the report in this regard, be approved for the 2011/12 and 2012/13 financial years, and that the said Committee operate according to the Charter to ensure effective and efficient oversight and monitoring of specific responsibilities assigned by the Council to the Audit and Performance Committee.

Audit&amp;PerformanceCharter\_itm

(MM)

**ITEM A.53.10.05.12 (originally A.53.26.04.12)****COUNCIL COMMITTEES: REVIEW OF SECTION 80 COMMITTEES' COMPOSITION (4/1/B)**

RESOLVED A.53.10.05.12

1. THAT paragraph 4 of Council Resolution A. 52.01.08.11 be amended to the extent that the councillors indicated below be withdrawn from Section 80 Committees and alternative designations be made in their place, and that the Chief Whip be vested with the power to designate such councillors:

<b>Councillor to be withdrawn</b>	<b>Section 80 Committee</b>
Cllr T M Malange	Youth, Women, Elderly, Gender People with Disability and Children  Community Services
Cllr M J Shandukani	Youth, Women, Elderly, Gender People with Disability and Children  Technical Services and Infrastructure
Cllr M R Madzivhandila	Youth, Women, Elderly, Gender People with Disability and Children  Disaster, Moral Regeneration and Pastors Forum
Cllr T P Mamorobela	Technical Services and Infrastructure
Cllr H Mathavha	Community Services
Cllr A Kenneally	Youth, Women, Elderly, Gender People with Disability and Children  Corporate Services  Planning, Economic Development, Tourism & Traditional Affairs

(DCSS)

2. THAT Councillors be designated in the vacancy of Chairperson of the following two Section 80 Committees:

2.1 Housing, Roads and Transport

2.2 Sports and Recreation, Arts and Culture.

(DCSS)

3. THAT it be noted that Cllr F D Mutavhatsindi was elected as Mayor on 24 April 2012 from which date he is also the Chairperson of the Portfolio Committee: Finance, and that Council Resolution A.52.01.08.11 be amended accordingly.

(DCSS)

Review section 80 Committees

**ITEM A.54.10.05.12 (originally A.54.26.04.12)****ELECTIONS: FILLING OF VACANCY IN WARD 24: BY ELECTIONS: MARCH 2012  
(3/2/5; 3/2/6)**

RESOLVED A.54.10.05.12 -

THAT it be noted that the following candidate was duly elected in terms of the provisions of the Local Government: Municipal Structures Act, 1998 read with the provisions of the Local Government: Municipal Electoral Act, 1998 in the capacity of ward councillor of the Makhado Local Municipality for Ward 24 with effect of 28 March 2012:

WARD NUMBER	CANDIDATE ELECTED as WARD COUNCILLOR	PARTY
24	MR MOTLATSO RUFUS SELEPE ID 600607 6109 082	African National Congress

(DCSS)

By elections Clr Selepe

**ITEM A.55.10.05.12 (originally A.55.26.04.12)****GRIEVANCE LODGED BY FORMER DIRECTOR FINANCE, R H MALULEKE AND  
DIRECTOR COMMUNITY SERVICES, E L MUGARI  
(5/6/2, SP 3/1 & SP 6/21)****REMARK:**

This matter was withdrawn from the agenda by the Executive Committee.

\* \* \* \* \*

**9.2 Report of the Executive Committee in terms of section 59(1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) for the months of February to May 2012**

- 293<sup>rd</sup> Executive Committee meeting held on 23 February 2012
- 294<sup>th</sup> Executive Committee meeting held on 27 February 2012
- 295<sup>th</sup> Executive Committee meeting held on 23 March 2012
- 296<sup>th</sup> Executive Committee meeting held on 29 March 2012
- 297<sup>th</sup> Executive Committee meeting held on 19 April 2012
- 298<sup>th</sup> Executive Committee meeting held on 10 May 2

**ITEM B.2.23.02.12**

**TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT TO UTILIZE PORTION 1 OF ERF 845 FOR THE PURPOSE OF FILLING STATION, LOUIS TRICHARDT TOWNSHIP  
(15/3/8; E845/1)**

RESOLVED B.2.23.02.12 –

1. THAT the application for special consent use submitted by Plankonsult Town and Regional Planning on behalf of their client to utilize the Portion 1 of Erf 845, Louis Trichardt township for the purpose of Filling Station, be not approved in terms of section 21 of the Makhado Land-use Scheme, 2009. (DDP)
2. THAT the Department of Economic Development, Tourism and Environment be notified and give comments on the proposed use. (DDP)
3. THAT the traffic impact, geotechnical and feasibility studies be conducted and submitted to the Council for further assessment. (DDP)
4. THAT the applicant should take note that provision of the studies mentioned does not guarantee approval and will only be used for assessment upon which decision will be taken.  
ConsentErf845Portion1FillingStation (DDP)

**ITEM B.3.23.02.12**

**TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE OF ERF 802 LOUIS TRICHARDT TOWNSHIP: PLACE OF INSTRUCTION  
(15/3/8; E802)**

RESOLVED B.3.23.02.12 –

THAT the application for special consent use submitted by L Dell to utilize Erf 802, Louis Trichardt for the purposes of Place of instruction be approved in terms of Clause 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 and National Building Regulations.



2. All costs that may arise as a result of this approval are for the account of the applicant.
3. No additional supply shall be made available for electricity, the existing supply to the premises must be utilized.
4. 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.
5. The special consent shall be for a period of twenty four (24) months, calculated from the date of the approval letter, where after extension thereof may be considered by Council.
6. The number of the persons to be instructed must not exceed ten (10).
7. 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.

ConsentErf802\_itm

(DDP)

#### **ITEM B.4.23.02.12**

#### **TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE OF ERF 260 LOUIS TRICHARDT TOWNSHIP: INCREASE DENSITY (15/3/8; E260)**

RESOLVED B.4.23.02.12 –

THAT the application for special consent use submitted by Verendra Kumar Ramjee on behalf of Shiraaz Aboobacker Kalla for the relaxation of existing rights of 45 units per hectare to 65 units per hectare on erf 260, Louis Trichardt township for the purpose of increasing the density be approved in terms of clause 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. Site Development Plan must be submitted for consideration prior to the submission of building plans.
3. Open space at a ratio of 39m<sup>2</sup> per dwelling unit must be provided for residents on the property.
4. Only one(1) bulk connection to a maximum of a 100KVA 3 phase electricity supply with meter connections and accounts for each dwelling can be made available.
5. The developer must appoint a professional electrical engineer to apply for connection, to design and to supervise the installation work.
6. Only an electrical engineer contractor (registered 3phase installation electrician) shall be allowed to install, test and certify the installation work and all the actual and engineering costs will be for the developer's account.
7. Development must comply with the Makhado Land Use Scheme, 2009.

8. The building to be erected must comply with Municipal By-laws and with National Building Regulations.
9. All costs that may arise as a result of this approval are for the account of the applicant.
10. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
11. One (1) dust free covered and one (1) uncovered parking per dwelling unit must be provided.
12. The measurement of the perpendicular or angled parking must not be less than 5,5m x 2,7m and 6,0m x 2,7m for parallel parking.
13. In case if the requirements are not met, the number of the units shall be reduced to accommodate such requirements and no consent for the relaxation of requirements will be given.
14. The internal driveways or paths on the property shall be constructed and maintained by the owners as required by the Municipality.
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)

IncreaseDensityErf260\_itm

#### **ITEM B.5.23.02.12**

#### **TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE OF REMAINDER OF ERF 548 LOUIS TRICHARDT TOWNSHIP: INCREASE DENSITY (15/3/8; E548/R)**

RESOLVED B.5.23.02.12 –

THAT the application for special consent use submitted by Mukwevho Solly on behalf of Nyadzani Olyvia Mukwevho for the relaxation of existing rights of 45 units per hectare to 65 units per hectare on the Remainder of erf 548, Louis Trichardt township for the purpose of increasing the density be approved in terms of clause 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. Site Development Plan must be submitted for consideration prior to the submission of building plans.
3. Open space at a ratio of 39m<sup>2</sup> per dwelling unit must be provided for residents on the property.
4. Only one (1) bulk connection to a maximum of a 100KVA 3phase electricity supply with meter connections and accounts for each dwelling can be made available.
5. The developer must appoint a professional electrical engineer to apply for the connection, to design and to supervise the installation work.

6. Only an electrical contractor (registered 3phase installation electrician) shall be allowed to install, test and certify the installation work.
7. All actual and engineering services contributions costs will be for the developer's account and the applicable tariff will apply.
8. Development must comply with the Makhado Land Use Scheme, 2009.
9. The building to be erected must comply with Municipal By-laws and with National Building Regulations.
10. All costs that may arise as a result of this approval are for the account of the applicant.
11. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
12. One (1) dust free covered and one (1) uncovered parking per dwelling unit must be provided.
13. 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.
14. In case if the requirements are not met, the number of the units shall be reduced to accommodate such requirements and no consent for the relaxation of requirements will be given.
15. The internal driveways or paths on the property shall be constructed and maintained by the owners as required by the Municipality.
16. 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)

IncreaseDensityRemainderErf548\_itm

#### **ITEM B.6.23.02.12**

#### **TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE OF PORTION 1 OF ERF 838 LOUIS TRICHARDT TOWNSHIP: INCREASE DENSITY (15/3/8; E838/1)**

RESOLVED B.6.23.02.12 –

1. THAT the application for special consent use submitted by Tshilidzi Suzan Mukwevho for the purpose of increasing the density on portion 1 of erf 838 in order to erect two dwelling units for rental purpose be not approved. (DDP)
2. THAT dwelling unit/s on a “Residential 1” use zones are meant and designed for occupation and use by a single or extended family and no rental or boarding is allowed unless it is for single or extended family. (DDP)
3. THAT if the applicant's intension will be to utilise the proposed structure for renting or boarding to different individuals, the use zone as well as the land use rights of the property should be changed. (DDP)

IncreaseDensityPortion1Erf838\_itm

**ITEM B.7.23.02.12****TOWN-PLANNING AND CONTROL: SUBDIVISION OF PORTION 1 OF ERF 750, LOUIS TRICHARDT TOWNSHIP  
(15/3/8; E750/1)**

RESOLVED B.7.23.02.12 –

THAT the application of Geoland Surveys on behalf of their client Mr Thomas Neluvhola to subdivide Portion 1 of Erf 750, Louis Trichardt Township into two portions be approved in terms of section 92(1)(a) of the Town-Planning and Township Ordinance, 1986 (Ordinance 15 of 1986), subject to the following conditions:

1. Each portion must have its own water and sewer connections for which the installation cost and normal standard connection fees will be payable.
2. Only a standard single phase 60A pre paid connection will be available for the subdivided portion. The actual costs shall be for the applicants account on application. An electrical contractor (registered 3phase installation electrician or single phase tester) shall be allowed to install, test and certify the installation work. All actual and engineering services contribution costs, if applicable, will be for the developer's account. The applicable tariff shall apply.
3. The applicant is liable to pay engineering services contributions for water and sewer.
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 as per current use zone.
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 Municipality may through its authorized officials, enter the property at all reasonable times to conduct any inspection which may be considered necessary or desirable.
10. The proposed subdivision must be registered in the Deeds Office within two years from date of approval of the application.

11. 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)

SubdivisionErf750\_itm

**ITEM B.8.23.02.12**

**TOWN-PLANNING AND CONTROL: SUBDIVISION OF ERF 925, LOUIS TRICHARDT TOWNSHIP (15/3/8; E925)**

RESOLVED B.8.23.02.12 –

THAT the application of Geoland Surveys on behalf of their client Mr Marubini Alfred Ramulifho to subdivide erf 925, situated at Number 30 Wolmarans Street, Louis Trichardt Township into three portions be approved in terms of section 92(1)(a) of the Town-Planning and Township Ordinance, 1986 (Ordinance 15 of 1986), subject to the following conditions:

1. Each portion must have its own water and sewer connections for which the installation cost and normal standard connection fees will be payable.
2. Each property must have its own electricity connection for which standard fees will be payable.
3. Only a standard single phase 60A pre paid connection will be available for each portion of the subdivision.
4. The actual costs shall be for the applicants account on application.
5. An electrical contractor (registered 3phase installation electrician or single phase tester shall be allowed to install, test and certify the installation work.
6. All actual and engineering services contribution costs, where applicable will be for the developer account and the applicable tariff shall apply.
7. Engineering service contribution for water and sewer shall be paid.
8. Municipal servitudes and building lines must be in line with the Conditions of Establishment of the township as well as such other servitudes as may be required in this specific instance as may be imposed by the Director Technical Services.
9. Development on the proposed portion must comply with the Makhado Land Use Scheme, 2009 and as per current use zone.
10. 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.
11. 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.

12. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
13. A right of way servitude of 4.00 meter must be registered over portion 1 in favour of Portion 2.
14. The registered owner of the servitude portion shall erect screen walls or dense barriers along the boundaries of the servitude area to the satisfaction of the municipality and no buildings or structures except such walls and barriers shall be erected in the servitude area.
15. The extent, material, design, height, position and maintenance of such screen walls or barriers shall be to the satisfaction of the municipality
16. 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.
17. The proposed subdivision must be registered in the Deeds Office within two years from date of approval of the application.
18. 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)

SubdivisionErf925RE\_itm

#### **ITEM B.9.23.02.12**

**TOWNPLANNING AND CONTROL: PROPOSED SUBDIVISION OF PORTION 10 OF THE FARM VONDELING 285 LS IN TERMS OF DIVISION OF LAND ORDINANCE, 1986 (ORDINANCE 20 OF 1986) AND SIMILTANEOUSLY AN APPLICATION IN TERMS OF ADVERTISING ON ROADS AND RIBBON DEVELOPMENT ACT, 1940 (ACT 21 OF 1940) (15/3/8 & 15/3/15)**

RESOLVED B.9.23.02.12 –

THAT the Municipality does not have objection against the subdivision of Portion 10 of the Farm Vondeling 285 LS into four portions in extent 6,14, 5,66, 5,0, 8,76 and 127,18 hectares respectively, subject to the following conditions:

1. The recommendation is for the subdivision of the subject property.
2. The property is still zoned “agricultural” and agriculture uses remain primary rights.
3. A professional electrical engineer as consultant shall be appointed by the developer to apply, design and supervise the electrical installation of each of the proposed developments. Only a standard connection three phase can be considered for approval. A qualified registered three phase electrical contractor shall also be appointed. The actual costs as well as all or any electrical engineering contributions shall be carried by the developer.

4. In the event that new land rights except that of “agricultural” should be applied for, proper 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 in the deed of transfer of ownership of each property.
7. The Department of Local Government and Housing must consent to this subdivision.

SubdivisonPortion10Vondeling\_itm

(DDP)

**ITEM B.10.23.02.12**

**TOWNPLANNING AND CONTROL: APPLICATION FOR COMMENTS IN TERMS OF SUBDIVISION OF AGRICULTURAL LAND ACT, 1970 (ACT 70 OF 1970) AND SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED AND NATIONAL ROADS ACT, 1998 (ACT 7 OF 1998) TO SUBDIVIDE THE REMAINDER OF PORTION 26 ON THE FARM CLOUDEND 279 LS (15/3/8 & 15/3/15)**

RESOLVED B.10.23.02.12 –

THAT the Municipality does not have objection against the subdivision of the Remainder of Portion 26 of the Farm Cloudend 279 LS into two portions in extent 3, 9903 (Portion A) and 3, 9903 (Remainder) hectares, subject to the following conditions:

1. The recommendation is for the subdivision of the subject property.
2. The property is still zoned “agricultural” and agriculture uses remain primary rights.
3. Only one dwelling unit is permitted on each portion.
4. In the event that new land rights except that of “agricultural” is proposed, proper legislation must be followed and the application be submitted to relevant institution for comments.
5. A standard electrical connection can be made available for the subdivided portion. The portion shall therefore have its own connection, meter point and electricity account with the new owner’s name. A registered electrical contractor (registered 3 phase installation electrician) shall be appointed by the new owner to install test and certify the installation in terms with the OHS Act. The applicable tariff shall apply.
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 in the deed of transfer of ownership of each property.
7. Comments from SANRAL must be obtained.

- 8. The Department of Co-operative Governance, Human Settlements and Traditional Affairs must consent to this subdivision. (DDP)

SubdivisionFarmCloudend

**ITEM B.11.23.02.12**

**COUNCIL LAND: APPLICATION FOR PLACEMENT AND/OR CORE-USE OF CELL PHONE MAST BY TELKOM MOBILE (8ta) ON THE EXISTING MTN MAST AT MAKHADO WATER RESERVOIR (7/3/2/3)**

**REMARK:**

This matter was referred from item A.24.26.04.12 (originally A.24.29.03.12).

RESOLVED B.11.23.02.12 –

THAT the matter be referred back for review of the rental payable by the present lessee in terms of the existing Lease Agreement.

MTNDzanani\_itm

(DDP)

**ITEM B.12.19.04.12**

**COUNCIL COMMITTEE: AUDIT AND PERFORMANCE COMMITTEE CHARTER: 2011/2012 AND 2012/2013 (10/1/5/2)**

**REMARK:**

The item was referred from item A.47.26.04.12.

RESOLVED B.12.19.04.12 –

THAT the item be referred back for consideration by the Audit and Performance Committee and be re-submitted to the Executive Committee for a recommendation to Council. (MM)

Audit&PerformanceCharter\_itm

\* \* \* \* \*

- 10. PETITIONS

None

- 11. NEW MOTIONS

None

\* \* \* \* \*

The meeting was closed and adjourned at 15:35.

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 April 2012.

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CHAIRPERSON