

# MAKHADO LOCAL MUNICIPALITY

## OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE SIXTY FIFTH (65<sup>TH</sup>) MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 8 NOVEMBER 2012 AT 14:00 IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, KROGH STREET, MAKHADO.

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### **PRESENT**

#### **Councillors**

BALIBALI, N P  
BALOYI, S R  
CHILILO, N F  
DAVHANA, N D  
DU PLOOY, A  
GABARA, M J  
HLABIOA, M M  
HLUNGWANI, K A  
JOOMA Z  
KENNEALY, A  
LERULE-RAMAKHANYA, M M  
LUDERE E H  
LUDUVHUNGU, V S  
MACHETE M S  
MADAVHU, F F  
MADZHIGA, F N  
MADZIVHANDILA, M R  
MAGADA M R  
MAHANI, M G  
MAHLADISA S V  
MAKHUBELA, R T  
MAKHUVHA, V S  
MALANGE, T M  
MALIMA, M E  
MAMAFHA, T C  
MAMAFHA T J  
MAMATSIARI, M S  
MAMOROBELA, T P  
MAPHALA, O S  
MASUKA, S  
MATHAVHA, H F  
MATHOMA, M P

MATODZI, A M  
MATUMBA, M T  
MAZIBUKO, M P  
MBOYI, M D  
MMBADI, T A  
MOGALE, L B  
MTHOMBENI, S Z  
MUKHAHA, A J  
MUKHARI, M F  
MULOVHEDZI, M D  
MUNYAI, N S  
MUTAVHATSINDI, F D  
NDWAMBI M T  
NDZOVELA, N G  
NELUVHOLA, A T  
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  
SELEPE, M E  
SHANDUKANI, M J  
SINYOSI, S M  
THANDAVHATHU, R  
TSHAVHUYO, T G  
UNDERWOOD, J P

#### **Traditional Leaders**

KHOSI T P NESENGANI  
KHOSI T R V MASHAU  
KHOSI S A MULIMA

KHOSI N T L MASHAMBA  
KHOSI M W NETSIANDA

#### **Officials**

I P MUTSHINYALI  
T E RALULIMI  
T S NDOU  
M P MAKHUBELA  
M D SINTHUMULE

(MUNICIPAL MANAGER)  
(DIRECTOR TECHNICAL SERVICES)  
(DIRECTOR CORPORATE SUPPORT & SHARED SERVICES)  
(CHIEF FINANCIAL OFFICER)  
(DIRECTOR DEVELOPMENT PLANNING)

M J KANWENDO  
M D MUNYAI

(ACTING DIRECTOR COMMUNITY SERVICES)  
(ADMINISTRATIVE OFFICER: COMMITTEES)

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**1. OPENING**

The Speaker, Cllr L Mogale 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 8 November 2012 to Cllrs F B Hlongwane, N Kutama, R Ludere, R Malange, A Z Maphahhla, L M Mathalise, N J Matumba, T M Mutele, M G Nemafohoni and M Q Ratshivhombela.
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 8 November 2012:  
Cllrs P F Mashimbye and M S Tshilambyana as well as Traditional Leaders, Hosi M S Bungeni, Khosi M C Masakona, Hosi H N Majosi, Hosi S T Mukhari, Hosi J Baloyi, Khosi M A Madzivhandila, Hosi T J Mukhari and Khosi V C Ramabulana.
3. THAT it be noted that there is a vacancy in that Mr M O Ahmed had resigned as councillor of Makhado Municipality with retrospective effect of February 2012 as recorded in a letter received 11 October 2012.

**3. OFFICIAL ANNOUNCEMENTS**

- 3.1 The Speaker, Cllr L B Mogale announced that the Municipality took pleasure in welcoming its newly appointed Municipal Manager, Mr Isaac Pandelani Mutshinyali at his first official Council meeting in his capacity as the Accounting Officer. The Municipality was looking forward to a pleasant working relationship and encouraged him to be strengthened for the daunting tasks ahead.
- 3.2 The Speaker, Cllr L B Mogale also welcomed the newly appointed Chief Financial Officer, Ms Mikateko Makhubela at her first Council meeting and expressed the wish that she will serve the institution well.
- 3.3 Quarterly Report about activities of the VDM by Cllr N S Munyai  
*"Madam Speaker, his worship the Mayor, Chief Whip, Councillors, Municipal Manager, Directors, our honourable chiefs and the House in large, on behalf of Councillors representing Municipality in the Vhembe District Municipality (VDM), I would like to thank you for the opportunity afforded to me to report on our quarterly activities undertaken on behalf of Council in the VDM.*

*Madam Speaker, this report covers all our activities undertaken since our previous quarterly report presented on the 02<sup>nd</sup> August 2012 to the 08<sup>th</sup> November 2012 as Municipal Council representatives in the Vhembe District Municipality (VDM).*

*Madam Speaker, we have since then held one Council Meeting on the 30<sup>th</sup> August 2012 at 11h00 VDM Council Chamber, where we resolved amongst others that VDM Security Services be in-house rather than outsourcing with effect from September 2012. At the end of each tender there would be security guards employed instead of further extension to bidders. On the Annual Bid Report for 2011/2012 financial year, out of 135 bids advertised, 117 were evaluated, 106 were adjudicated, 86 were awarded and 20 were cancelled.*

*Madam Speaker, on the Expenditure Report for 30 June 2012, the total approved budget for 2011/2012 financial year was R1 081 327 677 and only R1 054 764 681 was collected which is 98% of the budgeted revenue. The total operational and capital expenditure for 30 June 2012 was R1 047 913 849 which is 99% of the total money collected. We have adopted the 2012/13 District IDP Framework and IDP/Budget Process Plan as required in terms of section 27 and 28 of the Municipal Systems Act, Act 32 of 2000 and Section 21(1) of the Municipal Finance Management Act, Act 56 of 2003.*

*Madam Speaker, we have appointed Technical Services and Development Planning General managers i.e. Mr Tshivhengwa Nyadzeni Freedy and Mr Mudau Pandelani Midas respectively in terms of section 56 of the Municipal Systems Act, Act no. 32 of 2000, as amended.*

*Madam Speaker, on Council Committees, we have adopted a new Governance Module, which requires Council to introduce Multiparty Whippery System of Governance wherein each Section 80/Portfolio Committee has a Chairperson and a Whip. Each local Municipality is requested through the office of the Chief Whip to follow suite and also identify one councillor among its representatives in the VDM who will Whip all Councillors representing the Local Municipality in the VDM. We would also like to inform you that Cllr Suzan Sibiya has resigned as VDM PR Councillor with effect from 30<sup>th</sup> August 2012.*

*Madam Speaker, the final Mayoral Soccer Tournament Competition was held on the 04<sup>th</sup> August 2012 from 10:00-18:00 at Makwarela Stadium where Madombidzha Arsenal from Makhado Municipality played with Ngwenani Young Chiefs from Thulamela Municipality. At the end of the game, Ngwenani Young Chiefs defeated Madombidzha Arsenal 4-3 and it went home with R40 000,00 while Madombidzha Arsenal went home with R25 000,00. The tournament was also attended by SAFA President, Mr Kerstin Nematandani.*

*Madam Speaker, on the 11<sup>th</sup> August 2012, Indigenous Games were held at 09:00 Tshikombani Sports Ground – Nzhelele. On the 13<sup>th</sup> August 2012, a COGSTA Ministerial Imbizo attended by Minister Richard Baloyi was held at 09:00 Malamulele Boxing Gym. The District Golden Games Selection Event was also held on the 05<sup>th</sup> September 2012 at 09:00 Tshifulanani Stadium.*

*Madam Speaker, the VDM held a successful Mayoral Imbizo on the 21<sup>st</sup> of September 2012 at 10:00 Tshifudi Stadium wherein communities were given opportunities to interact with their elected leaders in Government on service delivery issues. The launching of Makhado Name Change of the town event was successfully held on the 29<sup>th</sup> September 2012 at 10:00 Makhado Tourism Information Centre. We held Batho Pele District event from the 18<sup>th</sup>-19<sup>th</sup> October 2012 at 10:00 Zwigodini Sports Ground – Mutale.*

*Madam Speaker, we held the 2<sup>nd</sup> sitting of 2012/13 VDM IDP Representative Forum Meeting on the 02<sup>nd</sup> November 2012 at 08:30 VDM Council Chamber where we were dealing with Draft 2013/14 IDP Review Analysis focusing on prioritization of problems/issues in the District which was done through four commissions namely: Infrastructure, Social and Justice, Governance and Administration and Economic Cluster.*

*Madam Speaker, in our previous quarterly report, we urged those who are supposed to attend these types of forums to attend when invited and also submit projects to be dealt with by VDM such as water and others in order to minimize challenges when the District IDP is adopted. We are thankful that the Municipality was this time highly represented by Portfolio Councillors, Directors and other Municipal Officials and we say well done to His Worship the Mayor, Cllr Mutavhatsindi F D who precisely dealt with the delegation comprised of Municipality's politicians and technocrats.*

*Madam Speaker, in conclusion, the VDM is going to launch its Shared Anti-Fraud and Corruption Hotline on the 14<sup>th</sup> November 2012 at 10:00 Makhado Show Ground and we are all invited."*

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

- 4.1 The Speaker, Cllr L B Mogale proposed congratulations to the President of United States of America, Mr. Barack Obama for being re-elected as President for a second term.
- 4.2 The Speaker, Cllr L B Mogale proposed congratulations to the following councillors with their birthdays which they celebrated since our Council meeting held on 24 August 2012, and wished them good health:
- Cllr L B Mogale – 31 August
  - Cllr M D Mboyi – 8 September
  - Cllr M S Machete – 10 September
  - Cllr M P Mathoma – 12 September
  - Cllr M G Nemafohoni – 13 September
  - Cllr T M Malange – 13 September
  - Cllr N E Ngobeni – 22 September
  - Cllr M Q Ratshivhombela – 5 October
  - Cllr A du Plooy – 18 October
  - Cllr N F Chililo – 5 November

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

- 5.1 Cllr M E Malima proposed congratulations to Mr. P Tshikotshi of the Congress of People (COPE) for being elected as a member of Parliament.
- 5.2 Cllr T C Mamafha proposed congratulations to the Department of Community Services for quick response to the recent disaster as a result of storms at Nzhelele region.
- 5.3 Cllr S Masuka proposed congratulations to President Jacob Zuma for his excellent leadership and appointment of Mr. Nathi Mthethwa who was securing peace on the continent of Africa.
- 5.4 Cllr M P Mathoma proposed congratulations to the national team of Banyama Banyama who for the first time in soccer history beat Nigeria Squad.

## 6. CONFIRMATION OF MINUTES

### 6.1 REMARK:

Upon proposal by Cllr N D Davhana, duly seconded by Cllr F N Madzhiga, it was -

RESOLVED -

THAT the minutes of the 64<sup>th</sup> meeting of the Council held on 2 August 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 F N Madzhiga, it was -

RESOLVED -

THAT the minutes of the 80<sup>th</sup> Special meeting of the Council held on 24 August 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

The questions recorded under items 7.1, 7.2 and 7.3 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 the said Rules, the Chairperson of the Executive Committee replied to the questions, one after the other, as fully recorded herein below.

### 7.1 QUESTION RECEIVED FROM CLLR M T NDWAMMBI ON 10 OCTOBER 2012

*"The Council at its 77<sup>th</sup> Special council meeting 31-05-2012 have amongst others resolved under item no. A.62.31.05.12 to refer the matter to MPAC for investigation before irregular expenditure (Deviation) is/are condoned by Council (Annexure C).*

1. *Why did the office of the municipal manager refer issues under item mentioned above in part to MPAC for investigation (See Annexure A)?*

**REPLY:** The Office of the Municipal Manager acted in terms of the Resolution of Council which read as follows: A62.31.05.12 "The Council resolved that it be noted that in the case of irregular expenditure (deviations) and the wasteful expenditure of R 980 253,00 for 2011/12 financial year, thorough investigation must be conducted by the Municipal Public Accounts Committee (MPAC) before condonation by Council .

Procedurally the Municipal Manager accounts to the Executive Committee and the Executive Committee accounts to Council, as a result it is the Council that can appoint MPAC. MPAC would then communicate with EXCO and Mayor on such matters.

It is the Executive Committee or Mayor that can instruct the Municipal Manager to respond to any matter, the emphasis it should be that MPAC oversees the work done by the Executive Committee. Executive Committee oversees the work done the Municipal Manager and/or Administration.

2. *Why did MPAC fail to verify information before it whereas they were part of council meeting dated 31-05-2012.*

REPLY: This question will be referred to MPAC for written reply to the Mayor.

3. *Is this how Council get reports from MPAC (see MPAC chairperson's comments on Annexure A)*

REPLY: This question will be referred to MPAC for written reply to the Mayor.

4. *Was the matter dealt with by MPAC Committee members or was the chairperson only? If so, when was that?*

REPLY: This question will be referred to MPAC for written reply to the Mayor.

5. *Paragraph no. 5 was left out for the investigation, why? (refer to Annexure C and D).*

REPLY:

Annexure C. The process to fill vacant posts that were advertised in 2011 was stopped as part of cash flow management. The organogram is bloated and would need serious review.

Annexure D. This question will be referred to MPAC for written reply to the Mayor.

## 7.2 QUESTION RECEIVED FROM CLLR N P BALIBALI ON 10 OCTOBER 2012

*"1. With reference to essential service it was resolved by Council under item A.87.27.10.11 that both Eskom and the Municipality should conduct an investigation in the Sinthmule/Kutama area in order to have on supply authority which will curb or prevent serious injuries to operators of MV and LV electrical system of both suppliers.*

- 1.1 What are the findings of such investigations?*

REPLY: The findings are not yet available.

- 1.2 What is the total cost of Councils Assets that were transferred to Eskom without compensation at the end of 2011/2012 financial year and what are the precautions that are put into place to avoid such mishaps in the future?*

REPLY: The total cost to Council of the assets that will finally be transferred to Eskom amounts to R28,016,011,82 for electrification.

2. *The resolution under item A.90.27.10.11 indicates that it is also the sole responsibility of PR Councillors to identify beneficiaries for RDP units.*

- 2.1 Why are PR Councillors not involved in the execution of such an essential task?*

*Why do Ward Councillors not invite PR councillors whenever they hold community or Ward based meetings?*

REPLY: This is a political question which is difficult to be answered by administration. Let it please be processed politically.

3. *As part of the Action Plan as assessment of inventory items had to be done before the end of 2011 financial year, the purpose being to write off or dispose obsolete, damaged and slow moving inventory.*

- 3.1 Was such as assessment done?*

REPLY: Yes. Stock take was done before the end of financial year and the outcome prepared for submission to Council.

3.2 If YES, what is the possible estimated generated income that the Council can achieve if certain goods are auctioned?

REPLY: It is not possible to calculate as it might need the involvement of specialised different valuers.

4. Are there members of WARD COMMITTEES that have not been paid due to non-attendance of meetings or a failure to submit reports, if YES, how many and how much expenditure has been incurred so far?

REPLY: We are still reconciling figures.

### 7.3 QUESTION RECEIVED FROM CLLR M E MALIMA ON 23 OCTOBER 2012

*“How much have been spent on the following events?”*

1. *2012/13 Budget Speech at Tshedza.*

REPLY: The amount was R211 600,00.

2. *Inauguration of the current Mayor.*

REPLY: The total expenditure amounted to R389 992,40

3. *Name Change Event at the Information Centre.*

REPLY: The total costs are still being calculated. Not all invoices relating to event have yet been processed.

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

None

**9. REPORT OF THE EXECUTIVE COMMITTEE: NOVEMBER 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 August to November 2012**

- 9.1 The report of the 307<sup>th</sup> Executive Committee meeting held on 2 August 2012 (Already considered at 64<sup>th</sup> Council meeting of 2 August 2012)
- 9.2 The report of the 308<sup>th</sup> Executive Committee meeting held on 22 August 2012 (already considered at 80<sup>th</sup> Special Council meeting of 24 August 2012)
- 9.3 The report of the 309<sup>th</sup> Executive Committee meeting held on 24 August 2012 (already considered at 80<sup>th</sup> Special Council meeting of 24 August 2012)
- 9.4 The report of the 310<sup>th</sup> Executive Committee meeting held on 20 September 2012
- 9.5 The report of the 311<sup>th</sup> Executive Committee meeting held on 1 November 2012
- 9.6 The report of the 312<sup>th</sup> Executive Committee meeting held on 8 November 2012

**ITEM A.144.08.11.12 (originally A.144.25.10.12)**

**ELECTIONS: AMENDMENT OF SECTIONS 12 AND 18 OF LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: DETERMINATION FOR DESIGNATION OF FULL-TIME COUNCILORS (3/3/5; (6/11/1/4; 5/5/5/2/1)**

**REMARK:**

Cllr S Masuka proposed, duly seconded by Cllr M D Mulovhedzi that the item be referred back to the Portfolio Committee: Finance for further investigation.

RESOLVED A.144.08.11.12 -

THAT the item be referred back to the Portfolio Committee: Finance for further investigation.

FullTimeDesignation

(CFO)

**ITEM A.145.08.11.12 (originally A.145.25.10.12)**

**DOMESTIC SERVICES: COMPUTER SERVICES: INFORMATION COMMUNICATION TECHNOLOGY – ICT GOVERNANCE FRAMEWORK, 2012 (8/2/3)**

RESOLVED A.145.08.11.12 -

1. THAT the ICT Governance Framework, 2012 be approved and hereby becomes the official ICT Governance Framework, 2012 according to which the information and communication technology of Municipality be governed and that it be implemented in phases according to the capacity and infrastructure. (DCSS)
  2. THAT the structure of the ICT Unit be referred to the 2013/2014 Organogram review process in order to comply fully with the requirements of the Auditor-General. (DCSS)
  3. THAT the Communication Officer be designated as member of the ICT Steering Committee. (DCSS/DCOMS)
- ICTGovernanceFramework\_itm(2)



**ITEM A.146.08.11.12 (originally A.146.25.10.12)****DOMESTIC SERVICES: POLICY FOR ICT EQUIPMENT USAGE, 2012  
(8/2/3)**

RESOLVED A.146.08.11.12 -

THAT the Policy for I C T Equipment Usage be adopted as more fully set out in Annexure A attached to the report in this regard, and be forthwith known as Municipality's I C T Equipment Usage Policy, 2012 whereby the use of I C T equipment by employees in the executing of their duties are managed and controlled. (DCSS)

ICTEquipmentUsePolicy\_itm(2)

**ITEM A.147.08.11.12 (originally A.147.25.10.12)****COUNCIL POLICIES: PROPOSED DISASTER MANAGEMENT POLICY  
FRAMEWORK, 2012  
(12/3/3/50)**

RESOLVED A.147.08.11.12 -

1. THAT Council adopts and approves the Disaster Policy Framework, 2012 in line with the National and Provincial Disaster Policy Framework. (DCOMS)
2. THAT the Disaster Management Unit implements the Municipal Disaster Policy Framework after approval by Council. (DCOMS)

DisasterPolicy\_itm

**ITEM A.148.08.11.12 (originally A.148.25.10.12)****ESSENTIAL SERVICES: PAVEMENT MANAGEMENT POLICY – STREET  
MAINTENANCE 2012  
(16/5/B)**

RESOLVED A.148.08.11.12 –

1. THAT Council approves the Pavement Management Policy, 2012 to be used by the Municipality in identification of streets to be maintained and rehabilitated per year. (DTS)
2. THAT all previous policies and practices regarding pavement management and/or street maintenance is substituted for the Pavement Management Policy, 2012 referred to in paragraph 1 above. (DTS)

PavementManagementPolicy\_itm

**ITEM A.149.08.11.12 (originally A.149.25.10.12)****TOWN-PLANNING AND CONTROL: SUBDIVISION OF ERF 427, VUWANI EXTENTION 1 TOWNSHIP (7/4/1/3 & 15/3/8)**

RESOLVED A.149.08.11.12 –

THAT the application submitted by Geoland Surveys on behalf of the Makhado Local Municipality to subdivide erf 427 Vuwani Extension 1 Township into three portions be approved, subject to the following conditions.

1. Development must comply with the Makhado Land Use Scheme, 2009 and as per current use zone.
2. 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.
3. 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.
4. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
5. The subdivision be registered in the Deeds office within two years.
6. That the Department of Co-operative Governance, Human Settlements and Traditional Affairs be informed of Council's decision.
7. The electrical jurisdiction falls under ESKOM as they are the supply authority.

SubdivisionErf427\_itm

(DDP)

**ITEM A.150.08.11.12 (originally A.150.25.10.12)****TOWN-PLANNING AND CONTROL: PROPOSED SUBDIVISION OF PORTION 32, FARM RIETVLY 276 LS (15/3/8 & 15/3/15)****REMARK:**

This item was referred as item B.31.20.09.12.

**ITEM A.151.08.11.12 (originally A.151.25.10.12)****TOWN-PLANNING AND CONTROL: PROPOSED SUBDIVISION: FARM MARTON 231 LS (15/3/8 & 15/3/15)****REMARK:**

This item was referred as item B.32.20.09.12.

**ITEM A.152.08.11.12 (originally A.152.25.10.12)****TOWNPLANNING AND CONTROL: PROPOSED SUBDIVISION: REMAINDER OF PORTION 309, FARM LEVUBU 15 LT (15/3/8 & 15/3/15)**

RESOLVED A.152.08.11.12 –

THAT the Municipality has no objection against approval of the subdivision of the Remainder of Portion 309 of the Farm Levubu 15 LT into two portions in extent 3,1990 and 1,2138 hectares respectively, subject to the following conditions:

1. The property is still zoned “agricultural” with agriculture uses as primary rights.
2. An application for the change of land use rights must be submitted if other uses than the permitted be planned.
3. The Department of Co-operative Governance, Human Settlements and Traditional Affairs must give consent to this subdivision.
4. Each portion must have its own standard electrical connection.
5. Actual costs for the supply of electricity consisting of medium volt lines and transformers will be payable.
6. Only the existing electricity capacity currently on the farm can be made available to both portions. Should this capacity not be enough, the applicant will have to apply for additional capacity (enlargement of the existing connection) through a professional electrical engineer for consideration by top management.
7. A professional electrical engineer must do the design of the electrical layout and only an electrical contractor (registered 3 phase installation electrician) shall be allowed to install, test and certify the installation work under supervision of the electrical engineer. This contractor will have to register with the municipality before any work commence. (DDP)

SubdivisionLevubu15LT\_itm

**ITEM A.153.08.11.12 (originally A.153.25.10.12)****TOWN-PLANNING AND CONTROL: CONSOLIDATION OF ERVEN 1190 AND 1192, LOUIS TRICHARDT TOWNSHIP (15/3/8; E 1190 & E 1192)****REMARK:**

This item was referred as item B.33.20.09.12.

**ITEM A.154.08.11.12 (originally A.154.25.10.12)****TOWN-PLANNING AND CONTROL:**

- 1. CONSOLIDATION OF ERF 1180 AND ERF 822, MAKHADO A TOWNSHIP**
- 2. SIMULTANEOUS RE-SUBDIVISION OF CONSOLIDATED ERF: NEW LAYOUT (7/4/1/4, 15/3/6 & 15/3/8)**

RESOLVED A.154.08.11.12 –

THAT the application of Geoland Surveys on behalf of their client Louise Dekker of Kern and Dekker Attorneys, the executrix on behalf of the estate of Mr Nthangeni David Netshidaulu to consolidate erf 1180 with erf 822 Makhado A township (Dzanani), simultaneously with the subdivision thereafter be approved in terms of Section 18(1) and 19 of the Venda Land Affairs Proclamation 45 of 1990 subject to the following conditions:

1. Development must comply with the Makhado Land Use Scheme, 2009 and as per current use zone.
2. 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.
3. 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.
4. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
5. The consolidation and subdivision be registered in the Deeds office within two years.
6. The Department of Co-operative Governance, Human Settlements and Traditional Affairs be informed of Council's decision.
7. Application for electricity supply must be lodged with Eskom. (DDP)

Subdivision\_E11180Dzanani

**ITEM A.155.08.11.12 (originally A.155.25.10.12)**

**TOWN-PLANNING AND CONTROL: PROPOSED REZONING OF ERF 429, LOUIS TRICHARDT TOWNSHIP FROM 'RESIDENTIAL 1' TO "BUSINESS 1": MAKHADO AMENDMENT SCHEME NO. 34 (E.429 & 15/4/2/2/1/266)**

RESOLVED A.155.08.11.12 –

THAT the Council in terms of section 56 of the Town-Planning and Townships Ordinance (Ordinance 15 of 1986) approve the application received from Fulwana Planning Consultants on behalf of their client Maria Sewela Kalane to rezone Erf 429, Louis Trichardt Township from "Residential 1" to "Business 1" subject to the following conditions:

1. No building 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 3” as the use zone.
4. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
5. The measurement of the perpendicular or angled parking must not less than 5,5m x 2,7m and 6,0m x 2,7m for parallel parking.
6. Engineering services contributions will be payable and will be calculated in accordance with Council’s formula for such services.
7. 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.
8. 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.
9. Only a 3 phase 50KVA electricity connection can be made available. Should this capacity not be enough, the applicant will have to apply for additional capacity (enlargement of the existing connection up to 100 kVA) through a professional electrical engineer for consideration by top management, whose decision is final.
10. Engineering services contributions will be payable. Actual costs will be payable.
11. A professional electrical engineer must do the design of the electrical layout and only an electrical contractor (registered 3 phase installation electrician) shall be allowed to install, test and certify the installation work under supervision of the electrical engineer. This contractor will have to register with the municipality before any work commence.
12. That Research has to be conducted on the possibility of rezoning moratorium pending the provision of bulk services. (DDP)

RezoningErf429\_itm

**ITEM A.156.08.11.12 (originally A.156.25.10.12)**

**TOWN PLANNING AND CONTROL: REZONING OF REMAINDER OF ERF 663, LOUIS TRICHARDT TOWNSHIP FROM ‘RESIDENTIAL 1’ TO “BUSINESS 1”: AMENDMENT SCHEME NO. 10 (E663/R & 15/4/2/1/242)**

RESOLVED A.156.08.11.12 –

THAT the Council in terms of section 56 of the Town Planning and Townships Ordinance (Ordinance 15 of 1986) approve the application received from Plankonsult Town and Regional Planning on behalf of their client to rezone the Remainder Erf 663, 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. The development must comply with the Makhado Land Use Scheme, 2009 with “Business 1”

as the use zone.

4. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
5. Four (4) parking per 100m<sup>2</sup> gross leasable floor area shall be provided on the property.
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 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.
10. Only a 3 phase 25 KVA electricity connection can be made available. Should this capacity not be enough, the applicant will have to apply for additional capacity (enlargement of the existing connection up to 100 kVA) through a professional electrical engineer for consideration by top management, whose decision is final.
11. Engineering services contributions will be payable. Actual costs will be payable.
12. Only an electrical contractor (registered 3 phase installation electrician) shall be allowed to install, test and certify the installation work under supervision of the electrical engineer. This contractor will have to register with the municipality before any work commence.
13. That Research has to be conducted on the possibility of rezoning moratorium pending the provision of bulk services. (DDP)

Rezoning of the remainder of Erf 663

**ITEM A.157.08.11.12 (originally A.157.25.10.12)**

**TOWN-PLANNING AND CONTROL: PROPOSED REZONING OF ERF 964, LOUIS TRICHARDT TOWNSHIP FROM 'RESIDENTIAL 1' TO "RESIDENTIAL 3": MAKHADO AMENDMENT SCHEME NO. 36 (E.964 & 15/4/2/2/1/268)**

RESOLVED A.157.08.11.12 –

THAT the Council in terms of section 56 of the Town-Planning and Townships Ordinance (Ordinance 15 of 1986) approve the application received from Fulwana Planning Consultants on behalf of their client Ramaano Mukosi Samuel and Ramaano Tendani Josephine to rezone Erf 964, Louis Trichardt township from "Residential 1" to "Residential 3" in order to erect dwelling units, 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 3" as the use zone.

4. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
5. The measurement of the perpendicular or angled parking must not less than 5,5m x 2,7m and 6,0m x 2,7m for parallel parking.
6. Engineering services contributions will be payable and will be calculated in accordance with Council's formula for such services.
7. Only a 3 phase 50KVA electricity connection can be made available. Should this capacity not be enough, the applicant will have to apply for additional capacity (enlargement of the existing connection up to 100 kVA) through a professional electrical engineer for consideration by top management, whose decision is final.
8. Engineering services contributions will be payable. Actual costs will be payable.
9. A professional electrical engineer must do the design of the electrical layout and only an electrical contractor (registered 3 phase installation electrician) shall be allowed to install, test and certify the installation work under supervision of the electrical engineer. This contractor will have to register with the municipality before any work commence.
10. 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.
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. 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.
13. 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.
14. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
15. 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. (DDP)

**ITEM A.158.08.11.12****ELECTIONS: RESIGNATION BY ONE (1) COUNCILOR AND FILLING OF VACANCY, 2012  
(3/2/5; 3/2/6)**

RESOLVED A.158.08.11.12 -

THAT note be taken of the written resignation dated 20 February 2012 received from Mr M O Ahmed, proportional representative councilor of the African National Congress and that the I E C Makhado was notified of the resignation in a letter dated 11 October 2012, and that a further report be submitted to Council as soon as the response of the I E C is received.

ResignCllrAhmed\_itm

(CFO/DCOMS)

**ITEM A.159.08.11.12****PERSONNEL: CLOSING OF MUNICIPAL OFFICES DURING FESTIVE SEASON 2012/2013  
(5/6/5 & 5/6/B)**

RESOLVED A.159.08.11.12 -

THAT Council approves the closure of the municipal offices at 12:00 on Monday, 24 December 2012, at 12:00 on Thursday, 27 December 2012, at 12:00 on Friday, 28 December 2012 and at 12:00 on Monday, 31 December 2012, subject to the following conditions:

1. The Director Finance must make arrangements that the water and lights counter is opened on Monday, 24, Thursday, 27 December 2012, Friday, 28 December 2012, Monday 31 December 2012 from 08h00 – 13h00 for the purpose of selling electricity to clients.
2. The Director Technical Services must also ensure that during the period mentioned in paragraph 1 above, electricity and water connections for new consumers be made temporarily and the necessary records be opened on the first working day.
3. The Director Community Services must devise a management plan on disaster, emergency and traffic services during the festive season and the Call Centre must be fully functional.
4. Proper notice accordingly must be published in the local media and displayed at strategic points in good time in order to inform members of public of the closure.
5. All emergency and stand-by municipal services will continue uninterrupted as is the case in regard to all public holidays and during week-ends.
6. The Municipal Call Centre at Eltivillas must have two (2) officers on duty every shift and a proposed plan on how to deal with disaster issues during this time, must be submitted to the Mayor.

Closing Offices 2012

(ALL DIRS)



**ITEM A.160.08.11.12****FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING 30 SEPTEMBER 2012 (1<sup>ST</sup> QUARTER)  
6/1/1(2012/2013)**

RESOLVED A.160.08.11.12 -

1. THAT the in-year monitoring financial report for the month of September 2012 be noted.  
(CFO)
2. THAT the Municipal Manager restructures the Supply Chain Management Unit to effectively manage supply chain management processes, and submit a report to Council on the proposed restructuring.  
(MM)
3. THAT Portfolio Councillors and Heads of Departments compile action plans by no later than Friday, 9 November 2012 on how to improve expenditure levels.

MonitoringSeptember2012\_itm

(MM/ALL DIRS)

**ITEM A.161.08.11.12****FINANCES: PROCUREMENT: CLAUSE 36: QUOTATION DEVIATIONS: 2011/2012 FINANCIAL YEAR  
(6/1/1(2011/1212))****REMARK:**

Cllr N D Davhana proposed, duly seconded by Cllr S Masuka that the matter of condoning deviations be referred back pending submission of the names of officials involved in the deviation procedures. The proposal was accepted in general and recorded in paragraph 1 accordingly.

RESOLVED A.161.08.11.12 -

1. THAT condonation in terms of clause 36 of the Municipal Supply Chain Regulations, 2005 promulgated under the Local Government: Municipal Finance Management Act, 2003, the procurement by means of quotations during the 2011/2012 financial year in the amount of R8 141 646,36 be referred back pending the action recorded in paragraph 3 below. (CFO)
2. THAT the Supply Chain Management Policy be reviewed during the 2012/13 financial year and submitted to Council for consideration. (CFO)
3. THAT the names of employees who are involved in the process and procedures of quotation deviations be submitted to the Council.

QuotationDeviations\_itm

(CFO)

**ITEM A.162.08.11.12****FINANCE: WRITE-OFF OF PROPERTY, PLANT AND EQUIPMENT 2010/2011 FINANCIAL YEAR (6/1/1 (10/11); 6/13/1/2/1)**

RESOLVED CA.162.08.11.12 -

1. THAT Council approves the write-off of Township Development assets to the value of R42,677,721.00 as disclosed in the Assets Register and the Annual Financial Statements for the year ended 30 June 2011. (CFO)
2. THAT Council takes note that the necessary accounting entries will be processed to remove the assets from the Asset Register and the Annual Financial Statements for the year ended 30 June 2012. (CFO)
3. THAT note be taken that the Asset Register must only disclose assets that are in existence and controlled by the municipality. (CFO)
4. THAT the Chief Financial Officer publish a public notice in the local media of the write-off in paragraph 1 above to inform the community thereof.

Assets Register Write off

(CFO)

**ITEM A.163.08.11.12****FINANCES: REQUEST FOR APPROVAL TO SPEND UNSPENT PORTION OF CONDITIONAL GRANTS AS AT 30 JUNE 2012 TO FUND OPERATIONAL ACTIVITIES (6/1/1(2011/2012))****REMARK:**

The item was referred as item B.38.01.11.12.

**ITEM A.164.08.11.12****COUNCIL LAND: PROPOSED PURCHASE, SUBDIVISION, REZONING OF PORTION OF PORTION 1309, FARM VLEYFONTEIN 316 LS, HA-TSHIKOTA TOWNSHIP (7/4/1/3 & 15/3/8)**

RESOLVED A.164.08.11.12 –

THAT the application for the purchase, subdivision and rezoning of portion of portion 1309, in extent 2ha, Farm Vleyfontein 316 LS, Ha-Tshikota Township by His Grace Bishop Dr. B. E. Lekganyane on behalf of Zion Christian Church per private contract be approved in principle, subject to the following conditions: -

1. The intention to purchase, subdivision and rezoning of portion of portion 1309, Farm Vleyfontein 316 LS, Ha-Tshikota Township be advertised in a local newspaper for comments and objections.

2. The property be sold at a market related purchase price determined by a valuator.
3. The developer submits a development proposal for consideration by the Executive Committee.
4. The property be developed within 3 (Three) years from the date of signing the Deed of Sale, provided that Council may allow an extension of a further 2 (Two) years.
5. In the event that the developer failed to complete the development as required under paragraph 4 above, the property shall revert back to Council without compensation by the Municipality to the developer for any improvements on the property.
6. The standard conditions for sale of Municipal land will further apply.
7. The purchaser will be responsible for rezoning of the land to suit the use and carry all costs thereof.
8. The landowner must appoint a surveyor for the subdivision and the costs will be embodied in the purchase price.
9. The Municipality cannot guarantee water, sewer and electricity services to the site.
10. Park closure must be done first before rezoning and subdivision.

PurchasePortion1309Tshikota\_itm(2)

(DDP)

#### **ITEM A.165.08.11.12**

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

RESOLVED A.165.08.11.12 –

THAT Council sell erf 199, Tshikota Township by private contract to the original beneficiary “G.M. Mabuela” for the sole purpose of developing a dwelling house, subject to the following conditions:

1. The intention to perform a land transaction must be advertised in terms of the provisions of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) in order to call for objections, if any.
2. A land sale transaction agreement “Deed of Sale” must be formally concluded between Makhado Local Municipality and G.M. Mabuela and municipality will not be liable for any possible damages, direct or indirect, suffered in this regard.
3. A market related valuation of the property must be acquired from a professional valuer and this will serve as the purchase price.
4. All costs incidental to the matter be carried or borne by the client.
5. The purpose of the sale is for the development of a dwelling house and it must be embodied as such in the title deed of the property.
6. And all other standard conditions as for the sale of municipal land will also apply in this case.
7. Transfer of property ownership will be conducted by Council’s attorneys and Client will bear costs for this purpose.

8. That Erf 199, Tshikota Township be sold to Ms G M Mabuela and she must pay all the money she is owing to the Council and the value of the site.

SaleOfErf199 Tshikota\_itm

(DDP)

**ITEM A.166.08.11.12**

**COUNCIL LAND: PROPOSED PRINCIPLE APPROVAL: LEASE OF LAND TO ERECT ELECTRONIC ADVERTISING BILLBOARDS (15/3/9; 7/3/2/3)**

RESOLVED A.166.08.11.12 –

1. THAT the application received from Cindy Coetzee acting on behalf of the Bulldogs for approval to lease municipal land for the erection of electronic advertising billboards in Makhado Local Municipality, be approved, subject to the following conditions:
  - 1.1. The intention to lease municipal land be advertised in local newspapers for any objections.
  - 1.2. The approval of the relevant Roads Agency be first acquired if signs are visible from National roads, Provincial roads and/or District roads
  - 1.3. 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/advertisement structure along the roads which is part of its competency
  - 1.4. A market related rental for the lease of municipal land determined by a Professional valuator be collected.
  - 1.5. The term of lease be for five (5) years only, with an annual option to renew.
  - 1.6. Building plans of the structures must be submitted for approval before any construction is permitted.
  - 1.7. 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.
  - 1.8. Billboards cannot be permitted where electricity overhead lines or underground cables are present.
  - 1.9. The provisions of the Building By-laws, Chapter XII will be enforced by Department Development Planning.
  - 1.10. A standard lease agreement be made and entered into by and between Makhado Local Municipality and Bulldogs. (DDP)
  
2. THAT a policy regarding the erection of advertisements signs be submitted to Council for adoption. (DDP)

Bulldog Ads\_itm

**ITEM A.167.08.11.12**

**DEPARTMENT OF DEVELOPMENT PLANNING: LOCAL ECONOMIC DEVELOPMENT: LEASE OF AN OPEN CAST MINE/QUARRY: W.G WEARNE ( PTY) LTD: PORTION OF FARM RIETVLY 276LS  
(7/3/2/3/4)**

**REMARK:**

This matter was referred as item B.39.01.11.12

**ITEM A.168.08.11.12**

**FINANCES: REQUEST FOR APPROVAL TO SPEND UNSPENT PORTION OF CONDITIONAL GRANTS AS AT 30 JUNE 2012 TO FUND OPERATIONAL ACTIVITIES  
(6/1/1(2011/2012))**

RESOLVED A.168.08.11.12 -

1. THAT Council approves the spending of **R 11,750,446.00** unspent conditional grants as at 30 June 2012 in order to fund operational activities during 2011/2012 financial year.

(CFO)

2. THAT the Accounting Officer and Chief Financial Officer together with Management determine a strategy to reduce financial expenditure and review the 2012/13 Estimates accordingly.

(CFO)

UnspentConditionalGrants\_itm

**ITEM A.169.08.11.12**

**COUNCIL COMMITTEES: RETURN OF ATTENDANCE OF MEETINGS OF COUNCIL AND ITS COMMITTEES – JANUARY 2012 TO JUNE 2012 – QUARTER 3 AND 4, 2011/2012 FINANCIAL YEAR  
(4/1/B)**

RESOLVED A.169.08.11.12 -

1. THAT note be taken of the number of meetings held by Council and its Committees for the period 1 January 2012 to 30 June 2012 as follows:

DATE 2012	PORTFOLIO COMMITTEES	EXECUTIVE COMMITTEE	COUNCIL
JANUARY	5	2	1
FEBRUARY	7	2	1
MARCH	19	2	1
APRIL	2	1	1
MAY	9	3	2
JUNE	7	2	1

(DCSS)

2. THAT note be taken of the *Return of Attendance of meetings by councilors* for the period 1 January 2012 to 30 June 2012 as more fully recorded in the report in this regard. (DCSS)
3. THAT the Office of the Speaker take action in respect of councillors that fail to attend meetings of Council and its Committees effectively from first quarter of 2012/2013 financial year, as ruled by the Code of Conduct for Councillors and the Rules and Orders, 2007 of Makhado Municipality. (DCOMS)

Return of Attendance Jan 2012 to June 2012

**ITEM A.170.08.11.12**

**COUNCIL COMMITTEE: MPAC: INVESTIGATION OF VUWANI TRAFFIC STATION CASE: M P MUILA (4/33)**

RESOLVED A.170.08.11.12 –

THAT MPAC submits this report to the Council for cognisance that an official who was stationed at Vuwani Traffic Station by the name of Mr M P Muila had already been dismissed from Municipality's employ. (MM)

MPACReportMPMuila

**ITEM A.171.08.11.12**

**COUNCIL COMMITTEES: INVESTIGATION BY MPAC: TENDER 6 OF 2012 – DEBT COLLECTION FOR PERIOD OF THREE YEARS (4/33)**

**REMARK:**

Cllr R M Selepe proposed, duly seconded by Cllr F D Mutavhatsindi that the matter be referred back to the MPAC for further investigation. The proposal was accepted in general and recorded as Council's Resolution.

RESOLVED A.171.08.11.12 -

THAT the matter be referred back to the MPAC for further investigation and submission of the outcome to Council. (MM)

MPAC Report Tender 6 of 2012

**ITEM A.172.08.11.12**

**COUNCIL COMMITTEE: MPAC: INVESTIGATION: TENDER 36 OF 2011 - ANTI-FRAUD AND ANTI-CORRUPTION TRAINING PROJECT (4/33)**

RESOLVED A.172.08.11.12 –

THAT it be noted that –

1. MPAC is still pursuing further investigations of Tender No. 36 of 2012, Anti-fraud and Anti-corruption Training and the claim received from Gobela Consulting CC.
2. This matter needs further engagement between the Gobela Consulting CC, Municipal Manager, Mayor and Chairperson of Municipal Public Account Committee to avoid incurring other costs for the Municipality.
3. The matter must be resolved internally. (MM)

MPACReportTender36of2011

**ITEM A.173.08.11.12**

**LEASE OF AN OPEN CAST MINE (QUARRY): W G WEARNE (PTY) LTD: PORTION OF FARM RIETVLY 276 LS (7/3/2/3/4)**

RESOLVED A.173.08.11.12 –

1. THAT Council takes note of the report of the Municipal Manager regarding the implementation of Council Resolution A.104.02.08.12. (MM)
2. THAT the Department of Development and Planning be afforded an opportunity to engage relevant Provincial and National Departments on how the Municipality can implement paragraph 4 of Council Resolution A.104.02.08.12 and report back to Council as soon as possible. (DDP)
3. THAT in the meantime the month to month lease agreement concluded between the Municipality and W G Wearne (Pty) Ltd be continued with on the same terms and conditions as in the original lease agreement. (DDP/DCSS)

LeaseWGWearne\_itm

**ITEM A.174.08.11.12**

**PERSONNEL: DRAFT OVERTIME POLICY, 2012 (5/5/3/B)**

RESOLVED A.174.08.11.12 -

1. THAT the draft Overtime Policy attached as Annexure A to the report be approved, and that there be further engagement before it becomes Council Policy. (ALL DIRS)
2. THAT Council takes note of the Minimum Essential Services Level Agreement attached as Annexure B to the report in this regard. (ALL DIRS)

OvertimePolicy\_itm

**ITEM A.175.08.11.12**

**COUNCIL LAND: PROPOSED INTENTION TO ESTABLISH A TOWNSHIP:**

- 1. SUBDIVISION AND CLOSURE OF CERTAIN STREETS SOUTH OF PRETORIUS STREET**
- 2. REMAINDER OF PORTION 7 OF FARM BERGVLIET 288 LS AND PORTION OF LOUIS TRICHARDT TOWNSHIP**

**(15/5/1/2)**

RESOLVED A.175.08.11.12 -

THAT Council approves the proposed intention to establish a township, subdivision and closure of certain streets South of Pretorius Street on a portion of Portion 7 of the Farm Bergvliet 288 LS (Pad Kamp and surrounding areas), as well as a part of Louis Trichardt township. (DDP)

Padkamp\_itm

**ITEM A.176.08.11.12**

**COUNCIL COMMITTEES: ANNUAL WORK PROGRAMME – MUNICIPAL PUBLIC ACCOUNT COMMITTEE: 2012/13 FINANCIAL YEAR**

**(4/33; 10/1/2)**

RESOLVED A.176.08.11.12 -

THAT the 2012/2013 MPAC Work Programme, compiled in terms of Clause 6 of the Guidelines for MPACs adopted by Council under Resolution A.121.01.12.11, attached as Annexure A to the report in this regard be approved. (MM)

MPACWorkProgramme2012-13

\* \* \* \* \*



**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 August to November 2012**

- 9.1 The report of the 307<sup>th</sup> Executive Committee meeting held on 2 August 2012 (Already considered at 64<sup>th</sup> Council meeting of 2 August 2012)**
- 9.2 The report of the 308<sup>th</sup> Executive Committee meeting held on 22 August 2012 (already considered at 80<sup>th</sup> Special Council meeting of 24 August 2012)**
- 9.3 The report of the 309<sup>th</sup> Executive Committee meeting held on 24 August 2012 (already considered at 80<sup>th</sup> Special Council meeting of 24 August 2012)**
- 9.4 The report of the 310<sup>th</sup> Executive Committee meeting held on 20 September 2012**
- 9.5 The report of the 311<sup>th</sup> Executive Committee meeting held on 1 November 2012**
- 9.6 The report of the 312<sup>th</sup> Executive Committee meeting held on 8 November 2012**

**ITEM B.28.20.09.12**

**TOWN-PLANNING AND CONTROL: SUBDIVISION OF ERF 578, LOUIS TRICHARDT TOWNSHIP  
(15/3/8; E 578)**

RESOLVED B.28.20.09.12 –

THAT the application of Geoland Surveys on behalf of their clients Mr J.A and Mrs A. Wilson to subdivide erf 578, Louis Trichardt township into two portions be approved in terms of section 92 (a) of the Town-Planning and Townships 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 electricity connection will be available for each portion of the subdivision. Should this capacity not be enough, the applicant will have to apply for additional capacity (enlargement of the existing connection up to 100 kVA) through a professional electrical engineer for consideration by top management.
4. The actual costs for electricity supply 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. 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.
8. 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.

9. Servitude of 2, 0 meters wide in favour of the Municipality shall be provided for municipal services along any boundary, other than a street boundary, where such services are installed or planned to be installed.
10. No building or other structure or any part of its foundations may be erected in the servitude area and no tree with a potentially large root system may be planted within the servitude area or within 2, 0 meters thereof except with the permission of the Municipality.
11. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
12. The Municipality may through its authorized officials, enter the property at all reasonable times to conduct any inspection which may be considered necessary or desirable.
13. The proposed subdivision must be registered in the Deeds Office within two years from date of approval of the application.
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.

SubdivisionErf578\_itm

(DDP)

**ITEM B.29.20.09.12**

**TOWN-PLANNING AND CONTROL: SUBDIVISION OF ERF 581, LOUIS TRICHARDT TOWNSHIP (15/3/8; E 581)**

RESOLVED B.29.20.09.12 –

THAT the application of Geoland Surveys on behalf of their client F A Engelbrecht to subdivide erf 581, 58 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. 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 electricity connection will be available for each portion of the subdivision.
4. The actual electricity supply 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. The proposed subdivision must be registered in the Deeds Office within two years from date of approval of the application.
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.

SubdivisionErf581\_itm

(DDP)

#### **ITEM B.30.20.09.12**

#### **TOWN-PLANNING AND CONTROL: SUBDIVISION OF ERF 911, LOUIS TRICHARDT TOWNSHIP (15/3/8; E 911)**

RESOLVED B.30.20.09.12 –

THAT the application of Geoland Surveys on behalf of their clients Maligana Alpheus and Tshilidzi Cynthia Singo to subdivide erf 911 situated at 32 Cronje Street, Louis Trichardt township into two portions be approved in terms of section 92 (a) of the Town-Planning and Townships 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 electricity connection will be available for each portion of the subdivision. Should this not be enough, applicant will have to apply for additional capacity through a professional electrical engineer for consideration by Top Management whose decision is final.
4. The actual costs of electricity provision 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. 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.
8. Development on the proposed portions 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.
9. Servitude of 2, 0 meters wide in favour of the Municipality shall be provided for municipal services along any boundary, other than a street boundary, where such services are installed or planned to be installed.
10. No building or other structure or any part of its foundations may be erected in the servitude area and no tree with a potentially large root system may be planted within the servitude area or within 2, 0 meters thereof except with the permission of the Municipality.
11. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
12. The Municipality may through its authorized officials, enter the property at all reasonable times to conduct any inspection which may be considered necessary or desirable.
13. The proposed subdivision must be registered in the Deeds Office within two years from date of approval of the application.
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.

SubdivisionErf911\_itm

(DDP)

**ITEM B.31.20.09.12**

**TOWN-PLANNING AND CONTROL: PROPOSED SUBDIVISION OF PORTION 32,  
FARM RIETVLY 276 LS  
(15/3/8 & 15/3/15)**

**REMARK:**

This item was referred from item A.150.25.10.12.

RESOLVED B.31.20.09.12 –

THAT the item be referred back to Department Development Planning pending further investigation to allow for an electricity supply capacity of 100 kVA connection.

SubdivisionPortion32FarmRietvley\_itm

(DDP)

**ITEM B.32.20.09.12**

**TOWN-PLANNING AND CONTROL: PROPOSED SUBDIVISION: FARM MARTON 231 LS**  
**(15/3/8 & 15/3/15)**

**REMARK:**

This item was referred from item A.151.25.10.12.

RESOLVED B.32.20.09.12 –

THAT the item be referred back to the Department Development Planning pending further investigation to allow for an electricity supply capacity of 100 kVA connection.

Subdivision\_FarmMarton

(DDP)

**ITEM B.33.20.09.12**

**TOWN-PLANNING AND CONTROL: CONSOLIDATION OF ERVEN 1190 AND 1192, LOUIS TRICHARDT TOWNSHIP**  
**(15/3/8; E 1190 & E 1192)**

**REMARK:**

This item was referred from item A.153.25.10.12.

RESOLVED B.33.20.09.12 –

THAT the matter be referred back to the Department Development Planning for submission of a clearly understandable motivation report. (DDP)

Consolidation erf 1190 and erf 1992

**ITEM B.34.01.11.12**

**REPORTS AND SURVEYS: PERFORMANCE ASSESSMENT: QUARTER 1 PROGRESS REPORTS OF 2012/2013 SDBIP: DEPARTMENT CORPORATE SUPPORT AND SHARED SERVICES**  
**(10/1/4/1; 10/1/2)**

RESOLVED B.34.01.11.12 -

THAT note be taken of Quarter 1 Progress report of the Department Corporate Support and Shared Services in respect of the SDBIP for the 2012/2013 financial year, attached to the report in this regard as Annexure A. (DCSS)

SDBIPQ1Progress2012-13DCSS

**ITEM B.35.01.11.12****COMMUNITY SERVICES: PROPOSED SPEED HUMPS: HIGH ACCIDENT PRONE AREAS: RISSIK, KROGH, ANDERSON STREETS, LOUIS TRICHARDT AND OTHER MUNICIPAL ROADS****(17/2/2/1/1)**

RESOLVED B.35.01.11.12 –

1. THAT it be approved in terms of the provisions of sections 63, 79(1) and 80(70) of the Local Government Ordinance, Ordinance 17 of 1939 that speed humps be constructed in municipal streets that are high prone to accidents, as may be identified by the Director Community Services according to set criteria, who are responsible to regulate and control traffic, processions and gatherings at or in public places. (DCOMS)
2. THAT in each case the public be duly notified about the fact that a speed hump will be constructed, prior to it being constructed and the public be further notified that nobody may remove or cause to be removed a speed hump constructed by Municipality in a municipal street. (DCOMS)
3. THAT clearly visible warning signs alerting motorists of speed humps be erected both directions from any speed hump in a street in order to address liability sufficiently, and that speed humps be highlighted by road marking for enhanced visibility. (DCOMS)

SpeedHumps\_itm

**ITEM B.36.01.11.12****TOWN-PLANNING AND CONTROL: SPECIAL CONSENT USE: ERF 2690, LOUIS TRICHARDT EXTENSION 1 TOWNSHIP: GRANNY FLAT (15/3/8; E2690)**

RESOLVED B.36.01.11.12 –

THAT the application for special consent submitted by E J 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 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 70m<sup>2</sup> 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.
7. Only 1 X 60A single phase connection will be available. Should this capacity not be enough, the applicant will have to apply for additional capacity (enlargement of the existing connection up to 100 kVA) through a professional electrical engineer for consideration by top management.
8. An electrical contractor (registered 3phase installation electrician) shall be allowed to install, test and certify the installation work. This contractor will have to register with the municipality before any work commence.
9. All actual and engineering costs, where applicable, will be for the developers account. The applicable tariff shall apply. (DDP)

SpecialConsentErf2690\_itm

**ITEM B.37.01.11.12**

**ORGANISATIONS AND ASSOCIATIONS: SALGA MUNICIPAL BENCHMARKING: STRENGTHENING MUNICIPAL CAPACITY AND GOVERNANCE (12/2/1/54; 2/5)**

RESOLVED B.37.01.11.12 -

THAT the Municipality do not participate in the proposed SALGA benchmarking program in 2012/13, but that proposed participation be referred to the 2013/14 financial estimates for consideration. (DCSS)

SALGABenchmarking\_itm

**ITEM B.38.01.11.12**

**FINANCES: REQUEST FOR APPROVAL TO SPEND UNSPENT PORTION OF CONDITIONAL GRANTS AS AT 30 JUNE 2012 TO FUND OPERATIONAL ACTIVITIES (6/1/1(2011/2012))**

**REMARK:**

The item was referred from item A.163.08.11.12.

RESOLVED B.38.01.11.12 -

THAT the item be referred back for further clarification of the amount of R36 130 084,00 and a further report be submitted at the next following Executive Committee meeting which will be considering this minutes.

UnspentConditionalGrants\_itm

(CFO)

**ITEM B.39.01.11.12**

**DEPARTMENT OF DEVELOPMENT PLANNING: LOCAL ECONOMIC DEVELOPMENT: LEASE OF AN OPEN CAST MINE/QUARRY: W.G WEARNE ( PTY) LTD: PORTION OF FARM RIETVLY 276LS (7/3/2/3/4)**

**REMARK:**

This matter was referred from item A.167.08.11.12.

RESOLVED B.39.01.11.12 –

THAT the matter be deferred pending report by the Municipal Manager about the termination of the lease agreement between Municipality and W.G Wearne Pty Ltd, as contained in paragraph 3 of Council Resolution A.104.02.08.12. (MM)

LEDReportOnWearne\_itm

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10. PETITIONS

None

11. NEW MOTIONS

None

\* \* \* \* \*

The meeting was closed and adjourned at 15:45.

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 6 December 2012.

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CHAIRPERSON