

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SUPPORT AND SHARED SERVICES

MINUTES OF THE ONE HUNDRED AND THIRD (103rd) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 12 NOVEMBER 2015 IN THE COUNCIL CHAMBER, CIVIC CENTRE, KROGH STREET, MAKHADO AT 14:00.

PRESENT

Councillors

DAVHANA, N D	MATUMBA, N J
GABARA, M J	MBOYI, M D
HLABIOA, M M	MOGALE, L B
HLUNGWANE, F B	MPASHE, M
KUTAMA, N	MTHOMBENI, S Z
LUDERE, E H	MUDAU, T S
LUDERE, R	MUNYAI, N S
LUDUVHUNGU, V S	MUKHARI, M F
MACHETE, M S	MULOVHEDZI, M D
MADAVHU, F F	MUTAVHATSINDI, F D
MADZHIGA, F N	MUTELE, T M
MAFHALA, N A	NDZOVELA, N G
MADZIVHANDILA, M R	NELUVHOLA, A T
MAGADA, M R	NEMAFHOHONI, M G
MAHANI, M G	NGOBENI, N E
MAHLADISA, S V	NKANYANI, R G
MAKHUVHA, V S	RAMUDZULI, S D
MALANGE, R	RASIMPHI, M P
MALANGE, T M	RATSHIKUNI, D T
MALIMA, M E	RATSHIVHOMBELEA, M Q
MAMATSIARI, M S	RIKHOTSO, S M
MAMUROBELA, T P	RIKHOTSO, F J
MAPHAHLA, A Z	SELEPE, M R
MAPHALA, O S	SHANDUKANI, M J
MASHIMBYE, P F	SINYOSI, S M
MASUKA, S	THANDAVHATHU, R
MATHAVHA, H F	TSHAVHUYO, T G
MATHOMA, M P	TSHILAMBYANA, M S
MATODZI, A M	UNDERWOOD, J P
MATUMBA, M T	

Traditional Leaders

NONE

Officials

I P MUTSHINYALI	(MUNICIPAL MANAGER)
M D SINTHUMULE	(DIRECTOR: DEVELOPMENT PLANNING)
M P MAKHUBELA	(CHIEF FINANCIAL OFFICER)
S M CAROTO	(ACTING DIRECTOR: CORPORATE SERVICES)
C W MOLOKOMME	(DIRECTOR TECHNICAL SERVICES)
M J KANWENDO	(DIRECTOR COMMUNITY SERVICES)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

1. OPENING

The Speaker, Cllr L B Mogale ruled that a minute of silence be observed for meditation and prayer, whereafter she declared the meeting officially opened and welcomed everyone present.

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

Vision "A Dynamic Hub For Socio – Economic Development By 2025"

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

2. APPLICATION FOR LEAVE OF ABSENCE

RESOLVED –

THAT leave of absence be granted in terms of the provisions of Rule 5 of the Council's Rules and Orders published under Provincial Gazette Notice no. 1391 dated 31 August 2007 in respect of the Special Council meeting held on 12 November 2015 to Cllrs P F Mashimbye, L M Mathalise, S Z Mthombeni, M M Lerule-Ramakhanya and A du Plooy.

REMARK:

The following Councillors were not present at the meeting:

1. Cllrs N P Balibali, R S Baloyi, N B Baloyi, M P Mazibuko, T A Mmbadi, M T Ndwambi, T P Netshivhulana R T Makhubele, T J Mamafha and T C Mamafha.
2. Khosi S A Mulima, Khosi M C Masakona, Hosi H N Majosi, Hosi J Baloyi, Hosi T J Mukhari, Khosi N T L Mashamba, Khosi T P Nesengani, Khosi T R V Mashau, Khosi R H Sinthumule, Khosi S T Mukhari and Khosi V C Ramabulana.

REMARK: Khosi M W Netsianda, Khosi M A Madzivhandila and Hosi M S Bungeni had passed away.

3. OFFICIAL ANNOUNCEMENTS

The Speaker, Cllr L B Mogale announced that a Mayoral Imbizo was scheduled at Kwaimano Sports Ground, Valdezia in Ward 15 for 10:00 on Friday, 13 November 2015. All Councilors were invited to attend it.

4. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY THE SPEAKER

None

5. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY OTHER COUNCILLORS

Cllr V S Luduvhungu proposed congratulations to the MEC of Public Works, Roads and Infrastructure, Mr Jerry Ndou who visited Ha-Mashamba on 4 November 2015 and promised to tar a road, a project that would commence on 2 April 2016.

6. MATTERS CONSIDERED:

6.1 Resolutions of the Council in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): 103rd Special Council Meeting: 12 November 2015

The report of the 387th and 388th Executive Committee meeting held on 10 and 12 November 2015 respectively.

ITEM A.164.12.11.15 (originally A.164.03.12.15)

FINANCES: PROCUREMENT: CLAUSE 36: DEVIATION FROM PROCUREMENT PROCESSES: REPLACEMENT OF OFFICIAL VEHICLE FOR THE MAYOR (10/1/5/2)

RESOLVED A.164.12.11.15 (COUNCIL) -

1. THAT in terms of clause 36 of the Municipal Supply Chain Regulations, 2005 promulgated under the Local Government: Municipal Finance Management Act, 2003, in procurement in the amount of R1,096,592.38 by means of quotations duly approved by the Accounting Officer before it was procured, be condoned by Council. (CFO)
2. THAT a further report about the reimbursement received by the Municipality from the Insurance Service Provider be submitted to the Executive Committee as soon as it is known by the Municipality. (CFO)

DeviationReplacementMayorVehicle_itm

ITEM A.165.12.11.15 (originally A.165.03.12.15)

FINANCES: PROPOSED 2015/2016 ADJUSTMENT BUDGET: MAYORAL VEHICLE REPLACEMENT (6/1/1(15/16))

RESOLVED A.165.12.11.15 (COUNCIL)-

1. THAT the adjusted Capital Budget be approved in line with the unforeseen emergency procurement of a new Mayoral vehicle at R1,096,492.38. (CFO)
2. THAT the adjusted Capital Budget be increased by the above cost price of the Mayoral vehicle as recorded in paragraph 1 above. (CFO)
3. THAT it be noted that the insurance Service Provider will reimburse the cost of the insured amount on the previous Mayoral vehicle. (CFO)

UnforeseenExpenditure_itm

(REMARK: Items A.166.03.12.15 to A.167.03.12.15 will be considered at the Special Council meeting scheduled for 3 December 2015)

ITEM A.168.12.11.15 (originally A.168.03.12.15)

**COUNCIL LAND: UNSOLICITED BID: SALE OF MUNICIPAL LAND FOR THE EXTENSION OF MAKHADO CROSSING SHOPPING CENTRE ON PORTION 86, FARM BERGVLIET 288 LS
(7/3/2/1)**

RESOLVED A.168.12.11.15 (COUNCIL) -

THAT further omitted conditions applicable to alienation of municipal land, read with Council Resolution A.142.08.10.15, be approved by Council:

1. The intention to sell a portion of the Remainder of Portion 7 of the Farm Bergvliet 288 LS be in terms of the provisions of section 79(18) of the Local Government 1939, (Ordinance 17 of 1939), as amended, advertised in one of the local newspapers for comments and objections, if any.
2. A market price be determined by a Professional Valuer and part of the purchase price as determined must be used for the relocation of sporting facilities to the suitable area determined by the Municipality.
3. The applicant appoints a professional Land Surveyor to determine the exact size of the affected property and bear the costs.
4. The property be developed within three (3) years from the date of signing the Deed of Sale, provided that Council may allow an extension of a further two (2) years.
5. In the event that the developer failed to complete the development as required under paragraph 4 above the property shall revert back to Council without compensation by the Municipality to the developer for any improvements on the property.
6. A standard agreement of sale be entered into by the Developer and the Municipality.
7. The standard conditions for sale of Municipal land as stated in the Land Sale Policy will further apply.
8. The applicant be informed in terms of the provisions of item 17(t) read with item 18(4) of the Makhado Local Municipality Disposal Policy that a request in the above regard cannot be processed unless first confirmed that the applicant will bear the costs of advertisement and professional valuer.
9. Khulemani Masingita Holdings (Pty) Ltd, with the facilitation of the Municipality Legal Services Section under the Department of Corporate Services, and the Department of Development Planning to inform the current lessors with regard to relocation of the sports facilities of the quash and Rugby field sporting codes.
10. The applicant must at his own cost submit an application for the consolidation and rezoning of the property in order to accommodate the intended use, for consideration by the Municipal Planning Tribunal.
11. The approval is further subject to the following conditions:

11.1 **Electricity:** The Remainder of portion 7 of Farm Bergvliet 288 LS (Rugby, Netball fields, Wrestling hall and Pigeon Club facilities) has an existing electricity supply capacity of **630kVA** as follows:

Vodacom Tower	315kVA
Rugby club, netball, pigeon club and wrestling hall	<u>315kVA</u>
	630kVA

Should the sporting areas be taken over then the remaining capacity of only **315kVA** will be existing and available for the intended development.

No additional capacity other than the **315kVA** can be made available due to:-

- (a) Overall availability of capacity in the Municipality's electricity supply scheme.
- (b) Eskom's national generation capacity constraints.
- (c) The Makhado Main Sub Station reloading. (Eskom Ribolwa point and the MIG frontloading application)
- (d) Only a maximum of **50kVA** may in any way be considered according to present status of the electricity supply scheme and there is already a **315kVA** on the part of the premises which is up for application.

Should the application be considered further then the applicant is obliged to comply with the following conditions:

- (i) A fully motivated written application by the applicant which will be submitted to Senior Management for their consideration.
- (ii) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work.
- (iii) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993.
- (iv) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality.
- (v) Should the work involve Medium Volt work then a authorized MV electrical contractor shall be appointed by the applicant's electrical engineer.
- (vi) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront.

11.2 **Water:** The District Municipality must be consulted on the availability of water as the Water Services Authority.

11.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality.

11.4 **Property Rates:** Property rates will be payable with effect of date on which purchase agreement is signed. (DDP)

(**REMARK:** Items A.169.03.12.15 to A.174.03.12.15 will be considered at the Special Council meeting scheduled for 3 December 2015)

ITEM 175.12.11.15

ORGANISATIONS: ATTENDANCE: THE SOUTHERN AFRICAN WOMEN IN TOURISM, 2015, CONFERENCE, MALAWI (12/3/3/78)

RESOLVED A.175.12.11.15 (COUNCIL) –

THAT the Speaker, Cllr L B Mogale, the Portfolio Councillor for Youth, Women, Elderly, Gender, People with Disability and Children, Cllr R G Nkanyane, the Portfolio Councillor for Planning, Economic Development and Tourism, Cllr D T Ratshikuni and the Director Development Planning, Ms M D Sinthumule be delegated to attend the Southern African Women in Tourism conference in Malawi, as more fully set out in the report in this regard.

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The meeting was closed and adjourned at 14:49.

Approved and confirmed in terms of the provisions of Clause 34 of the Rules and Orders, 2007 promulgated in Provincial Gazette No. 1391 of 31 August 2007 under Local Authority Notice 228, by a resolution of the Council passed at the meeting held on 28 January 2016.

CHAIRPERSON

MDM/lh/SpecialCouncilMinutes_103