

MAKHADO MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE FIFTY THIRD (53RD) MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 29 OCTOBER 2009 AT 17:00 IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, KROGH STREET, LOUIS TRICHARDT.

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PRESENT

Councillors

BALADZI P
BALOYI R S
BOPAPE M B
CHAYA A A
DU PLOOY A
DZHOMBE J
GUNDULA A S
HLONGWANE B F
HLONGWANI X N C
HOORZUK J
KENNEALY A
KUMALO J D
LERULE M M
LOWANE L B
MABILA M N
MABOHO N K
MABOHO T E
MACHOVANI R G
MAGUGA S G
MAHANI M F
MAHWAI S J
MAKANANISE M M
MAKHADO M M
MAKHERA M A
MAKHOMISANI S E
MAKHUBELE R T

MANGANYI S D S
MAPHALA O S
MASHAU L P
MATODZI A N
MATUMBA J
MAVHUNGU K
MBOYI M D
MUDAU T J
MUFAMADI M R
MULOVHEDZI M D
MUNUGUFHALA M L
MUTAVHATSINDI F D
MUVHUMBE M A
NCHAUBA T G
NDHLIWAYO B T
NEKHUMBE L M
NGOBENI N E
NGOBENI E H
NGWANA A G
RADAMBA M S
RAMASHIA N G
RAMUDZULI S D
REKHOTSO S M
RIKHOTSO F J
SELEPE M R
SIPHUMA A L
TSHAVHUYO T G

Traditional Leaders

KHOSI N T L MASHAMBA

Officials

R H MALULEKE (ACTING MUNICIPAL MANAGER & DIRECTOR FINANCE)
T S NDOU (DIRECTOR CORPORATE & SHARED SERVICES)
M D SINTHUMULE (DIRECTOR DEVELOPMENT & PLANNING)
T E RALULIMI (DIRECTOR TECHNICAL SERVICES)
E L MUGARI (DIRECTOR COMMUNITY SERVICES)
N C KHARIDZHA (ASSISTANT MANAGER: LEGAL & COMMITTEES)
T E SHIRINGANI (ADMINISTRATIVE OFFICER: COMMITTEES)
J LUKHELI (ASSISTANT MANAGER COUNCILLORS AFFAIRS)

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1. OPENING

The Speaker, Cllr J Hoorzuk 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 paragraph 5 of the Council's Rules and Orders, 2007 in respect of the Council meeting held on 29 October 2009 to Cllrs N S Matamela, X N C Honwana, D Maletle, F F Rumani, N J Murovhi, R G Nkanyani, K D Mauba, S Masuka, L T Ntulane, E Maduwa, M N Makhado and M A Helm.
2. THAT it be noted that Cllrs M E Lebea, N V Mahlaule, K P Nephawe, P R J Nemalegeni, A J Mukhaha, H A Mushamba, W N Mashele and P Q Reyneke as well as Hosi N T L Mashamba, Hosi M S Bungeni, Hosi Majosi H.N, Khosi S A Mulima, Hosi Mukhari S.T, Hosi Baloyi J, Khosi M C Masakona, Khosi M A Madzivhandila, Khosi T P Nesengani, Khosi T R V Mashau, Khosi M V Netsianda, Khosi S E Sinthumule and Khosi V C Ramabulana were absent from the meeting and leave of absence was not granted 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 29 October 2009.

3. OFFICIAL ANNOUNCEMENTS

The Speaker, Cllr J Hoorzuk announced that the Makhado Annual Show had started and would be officially opened by the Mayor, Cllr M M Lerule on Friday, 30 October 2009.

4. PROPOSAL OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER:

- 4.1 The Speaker, Cllr J Hoorzuk proposed congratulations to the newly elected ANC Regional Executive Committee, Vhembe Region members who were also members of Council , viz. Cllrs F J Rikhotso, M B Bopape, N J Matumba and F F Rumani.
- 4.2 The Speaker, Cllr J Hoorzuk proposed congratulations for the successful 4th Regional Conference of the ANC wherein Comrade Philimon Falaza Mdaka, the Executive Mayor of Vhembe District Municipality, was re-elected the Chairperson of Vhembe ANC Region.
- 4.3 The Speaker, Cllr J Hoorzuk proposed congratulations to Cllr A A Chaya who won the Red Cross Gold Award presented to him by the MEC of Health and Social Development.
- 4.4 The Speaker, Cllr J Hoorzuk on behalf of the Chief Whip, Cllr F J Rikhotso proposed congratulations to Cllr A A Chaya for donating two bags of mealie meal to support Heritage Celebrations in Ward 8 held at Mhluri Primary School on 24 September 2009.
- 4.5 The Speaker, Cllr J Hoorzuk wished all Grade 12 students a successful examination.
- 4.6 The Speaker, Cllr J Hoorzuk proposed congratulations to Cllr A Kennealy of DA for being elected as councilor of Makhado Municipality.
- 4.7 The Speaker, Cllr J Hoorzuk proposed congratulations to the three directors who were

appointed by Makhado Municipality, viz.:
 Director Corporate Support & Shared Services, Ms T S Ndou
 Director Development & Planning, Ms M D Sinthumule
 Director Technical Services, Mr T E Ralulimi.

- 4.8 The Speaker, Cllr J Hoorzuk proposed congratulations to Cllr O S Maphala for receiving a Certificate of Appreciation from Makwathini Secondary School in Ward 32.

5. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY OTHER COUNCILLORS
 None

6. CONFIRMATION OF MINUTES

6.1 REMARK:

Upon a proposal by Cllr M A Muvhumbe duly seconded by Cllr G Tshavhuyo, it was

RESOLVED -

THAT the minutes of the 52nd Meeting of the Council held on 13 August 2009, 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

REMARK:

Cllr A du Plooy withdrew all the questions that he had put to Council.

8. MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETING

None

9. REPORT OF THE EXECUTIVE COMMITTEE: OCTOBER 2009

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 September to October 2009

ITEM A.76.29.10.09

COUNCIL LAND: PROPOSED EXCHANGE OF LAND: ERF 2011 TSHIKOTA EXTENSION 1 TOWNSHIP FOR PORTION OF PORTION 3 OF ERF 608, TSHIKOTA TOWNSHIP (TE 2011; TE 608 & 7/3/2/1)

RESOLVED A.76.29.10.09 -

THAT the application of Pastor T. P. Mashau on behalf of *Shalom Baptist Church* to exchange erf 2011, Tshikota extension 1 township for a portion of portion 3 of erf 608, Tshikota township due to the topographic deficiencies of erf 2011, be approved; subject to the following conditions and procedures:

1. The intention to perform a land exchange 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 professional land surveyor must be appointed to subdivide portion 3 of erf 608, Tshikota township so that the portion so created be equal in value (purchase price) to that of erf 2011, Tshikota extension 1 township.
3. A market related valuation of the portion of portion 3 of erf 608, Tshikota township must be acquired which will serve as the purchase price to be accounted for in the land exchange transaction, keeping in mind that Municipality already received R155 000 as purchase price for erf 2011 – an offset will be implemented against this money already received; any shortfall will have to be paid in cash and any excess will have to be paid back to the purchaser upon signing of the land exchange agreement.
4. The Premier's approval that a portion of portion 3 of erf 608, Tshikota Township be sold at 50% of the market related valuation by means of a land exchange transaction must be acquired.
5. Council's attorneys must register a separate title deed for the portion of portion 3 of erf 608.
6. A professional town-planner must be appointed to rezone portion of portion 3 of erf 608, Tshikota township for the purpose of place of public worship and related activities.
7. A land exchange agreement must be formally concluded between municipality and Shalom Baptist Church and Municipality will not be liable for any possible damages suffered in this regard.
8. The cost of the professional land surveyor, Council's attorneys who would perform the conveyancing of the newly created portion of portion 3 of erf 608, and that of the professional town-planner, will be carried by Council.
9. No guarantees can be given on bulk services availability since municipality is not the bulk service provider of water, sewer and electricity – municipal services to the site, including tarmac roads will be subject to the services installation program of the Department Technical Services / Department Development and Planning; Council will not be liable for any claims of damage or loss suffered as a result of delays or slow progress with commissioning of municipal services according to the program.
10. The extent of the proposed portion of Portion 3 of erf 608 must be equal to the value of the purchase price of erf 2011.
11. Shalom Baptist Church may not conduct any business on the property and must use it for bona-fide Church activities and an orphanage as intended.
12. The property may not be sold and if not developed for the purpose acquired, it shall revert to Council. This condition must be embodied in the Title Deed of the subject property.

(DCS)

ITEM A.77.29.10.09

**COUNCIL LAND: APPLICATION FOR PURCHASE OF ERF 7 SITUATED AT VUWANI TOWNSHIP
(7/4/13)**

REMARK:

This matter was withdrawn from the 249th Executive Committee agenda.

(DCS)

ITEM A.78.29.10.09

LAND: APPLICATION FOR PURCHASE, SUBDIVISION AND REZONING OF A PORTION OF PORTION 7 OF THE FARM SCHUYNSHOOGTE NO. 29 LT, VUWANI TOWNSHIP (15/3/8)

REMARK:

This matter was withdrawn from the 249th Executive Committee agenda.

(DCS)

ITEM A.79.29.10.09

FINANCES: PRO-FORMA REPORT TO COUNCIL TO SECURE COUNCIL APPROVAL THAT THERE WERE NO EXISTING TAXES PRIOR TO THE ENACTMENT THE MUNICIPAL FISCAL POWERS AND FUNCTIONS ACT IN ORDER TO COMPLY WITH SECTION 12 OF THE ACT (10/1/5/2)

RESOLVED A.79.29.10.09 –

THAT Council, according to legislation, approve as confirmation that there are no taxes (other than Property Rates and Surcharges included in a user charge/ tariff) levied by the Municipality that existed prior to the enactment of the Municipal Fiscal Powers and Functions Act. (DF)

ITEM A.80.29.10.09

TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT: PROPOSED LIMITED OVERNIGHT ACCOMMODATION: ERF 2692, LOUIS TRICHARDT EXTENSION 7 TOWNSHIP (15/3/15 & E2692)

REMARK:

This matter is substituted for item B.95.26.10.09 and the recording under item B.95.26.10.09 must be implemented.

ITEM A.81.29.10.09

TOWN-PLANNING AND CONTROL: PROPOSED TOWNSHIP ESTABLISHMENT: GETRUDSBURG:

1. PORTION 9 OF THE FARM LEDIG 289 L.S. AND

2. REMAINDER OF FARM LEDIG 289 L.S.

(15/4/2/2/1/214; 15/3/15)

RESOLVED A.81.29.10.09 –

1. THAT the Conditions of Establishment for the establishment of Getrudsburg township on Portion 9 and the Remainder of the farm Ledig 189 L.S., as submitted by Jamela Consulting and dated 7 May 2009, be approved subject to the following conditions:

1.1 The suitability of on site sanitation must be reviewed in the context of ground water pollution and alternative to on site sanitation must be investigated.

- 1.2 The use of boreholes for water storage to which Makhado Local Municipality holds the user license must be clarified between Council's Director Technical Services and the township developer prior to the signing of Services Agreements.
- 1.3 Township Developer will be liable to pay bulk services contributions in order to proportionally defray Council's cost for the provision of bulk services to the development area. (DDP)
2. THAT the layout plan of Gertrudsburg dated 9 May 2008 as submitted to Council on 26 January 2009, attached to a report in this regard as Annexure C be finally approved. (DDP)
3. THAT the Portfolio Committee Development and Planning and Portfolio Committee Roads, Transport, Disaster and Land Reform arrange a meeting with the beneficiaries of Gertrudsburg and the developers to investigate any new development. (DDP)

GetrudsburgCOE_itm

ITEM CA.82.29.10.09 CONFIDENTIAL

CONFIDENTIAL MATTER

ITEM A.83.29.10.09

**COUNCIL LAND: LEASE OF GRAZING PADDOCKS: FARM BERGVLIET 288 L.S. AND FARM RIETVLY 276 L.S.
(8/3/2/826)**

REMARK

The item was referred as item B.90.01.10.09. (DCSS)

ITEM A.84.29.10.09

**PERSONNEL: MINUTES OF LABOUR FORUM MEETING HELD ON 9 JULY 2009
(4/21/2)**

REMARK

The item was referred as item B.91.01.10.09. (DCSS)

ITEM A.85.29.10.09

**APPLICATION TO PURCHASE AND REPLACE THE OFFICIAL MOTOR-VEHICLE OF THE MAYOR: 2007 LAND ROVER DISCOVERY 3 Td V6 S A/T
(5/5/3/B)**

RESOLVED A.85.29.10.09 –

THAT the Land Rover Discovery 3 TD V6 S A/T be replaced and a Mercedes Benz ML 320 CDI be purchased for the Mayor for the purpose of utilization for official activities, subject to the following:-

1. The settlement amount of the current vehicle, Land Rover Discovery, an amount of R380 038,33 be paid-up with the bank.

2. The current vehicle, serve as a Trade-In for the purchase of the new Mercedes Benz ML 320 CDI, with the value of R210 000-00.
3. The new Mercedes Benz ML 320 CDI be purchased after settlement of R380 000-00 which will be paid from Vote Number 336/235 067, for the maintenance budget for 2009/10 financial year.
4. The new Mercedes Benz ML 320 CDI, be purchased on a lease of 60 months (5 years) with monthly instalments of R10 600,00.
5. The vote used for the purchase of the new Mercedes Benz ML 300 CDI will be adjusted during the adjustment budget of 2009/10 financial year. (DCommS/DF)

MayoralVehicle_itm

ITEM A.86.29.10.09

COUNCIL, EXECUTIVE AND PORTFOLIO COMMITTEE MEETINGS: PROGRAMME OF MEETINGS: JANUARY 2010 TO DECEMBER 2010 (4/2/1 & 4/3/1)

RESOLVED A.86.29.10.09 –

1. THAT the programme of Council, Executive Committee and Portfolio Committee meetings for the year 2010, whereby the Executive Committee embarks on its programme to meet the communities, be approved as follows:

Portfolio Committee 15:00 and onward	Executive Committee 15:00	Council 17:00
	21 January	28 January
1, 2 & 3 February 15, 16 & 17 February	11 February 25 February	
8, 9 & 10 March	18 March	25 March (Draft Budget)
5, 6 & 7 April	15 April	29 April
3, 4 & 5 May 17, 18 & 19 May	13 May 27 May	28 May (Final Budget)
14, 15 & 17 June	24 June	
5, 6 & 7 July	15 July	29 July
2, 3 & 4 August 16, 17 & 18 August	12 August 26 August	
30, 31 Aug & 1 September 13, 14 & 15 September	9 September 23 September	
11, 12 & 13 October	21 October	28 October
1, 2 & 3 November	11 November	30 November

15, 16 & 17 November

25 November

(Special Council)

(DCS)

2. THAT the Special Council meetings to approve draft budget and the final budget be held on 25 March 2010 and 28 May 2010 respectively. (DF)
3. THAT a Special Council meeting before Council recession during December, be held on 30 November in order to consider any outstanding issues before the commencement of the 2nd and the last half of the 2010/2011 financial year. (DCS)
4. THAT the dates of meetings be as far as possible be aligned with the schedule of meetings of Vhembe District Municipality. (DCS)

ITEM A.87.29.10.09

ELECTIONS: REPLACEMENT OF PROPORTIONAL REPRESENTATIVE OF DEMOCRATIC ALLIANCE: RESIGNATION: (FORMER) COUNCILLOR J F SMALLE (3/3/5; 3/3/3; 3/3/1; 3/3/4 & 3/2/5)

RESOLVED A.87.29.10.09 –

1. THAT it be noted that the Electoral Commission in a letter dated 24 August 2009 and received in the Municipality's Office on 7 October 2009, has informed about the replacement of former Clr J F Smalle as municipal councilor. (DComS/DCS)
2. THAT it be noted that Ms A Kennealy has been declared elected as proportional representative for the Democratic Alliance to replace former Clr J F Smalle who had resigned, with effect of end of October 2009. (DComS/DCS/DF)

Kennealy_itm

ITEM A.88.29.10.09

POLICY ON SALE OF COUNCIL LAND: R293 TOWNS (BUSINESS) (15/3/23, 7/3/2/1 & 7/3/2/B)

REMARK:

This item was referred as item B.100.26.10.09.

ITEM A.89.29.10.09

COUNCIL LAND: LEASE OF GRAZING PADDOCKS: FARM BERGVLIET 288 L.S. AND FARM RIETVLY 276 L.S. (8/3/2/826)

REMARK:

This resolution must be read with item A.103.29.10.09.

RESOLVED A.89.29.10.09 –

1. THAT subject to paragraph 2 below, the Department Corporate & Shared Services be authorized to call for tenders for the lease of Grazing Paddocks R2, R5, R6, R21, R23, R24 and R25 in order to make it available by lease to contenders, subject to the following:
 - a. The tender specifications be similar to those under Tender 39 of 2008,
 - b. The tender reserve price be based on market related rental for agricultural / grazing land as at September 2009.
 - c. Council's Valuer be requested to determine the market related rental.
 - d. Supply Chain Management procedure be followed and tenders awarded to the highest bidder which may not be lower than the reserve price as purposed in 3 above.
 - e. The period of lease must co-incide with that under Tender No. 39 of 2008.
 - f. Grazing paddocks that form part of the Masagani land claim must be excluded from the Tender. (DCS)

2. THAT the matter also be considered by the Portfolio Committee Finance and their recommendation to the Executive Committee at the next Executive Committee meeting, be taken into account in implementing paragraph 1 above. (DCS)

GrazingPaddocks_itm

ITEM A.90.29.10.09

PROPOSED SALE OF VARIOUS ERVEN: VUWANI EXTENSION 1 TOWNSHIP (15/B; 7/4/1/3; 7/3/2/1; 15/3/23)

RESOLVED A.90.29.10.09 –

1. THAT Council's valuer be requested to determine a market related valuation of erven situated on the western boundary of Vuwani extension 1 township adjacent to erf 471, Vuwani township in order to establish a market related selling price for the erven. (DCS)

2. THAT Department Development and Planning ensure that the surveying of the area referred to in paragraph 1 above was formally documented and that erven has indeed been demarcated. (DDP)

3. THAT Council must prioritise development and extension of all R293 townships during the 2010/2011 IDP Cycle. (DDP)

BusinessErvenVuwani_itm

ITEM A.91.29.10.09

TOWN-PLANNING AND CONTROL: MASAGANI LAND CLAIM: FARM BERGVLIET 288 LS (15/3/23)

REMARK:

This matter was referred as item B.101.26.10.09.

ITEM A.92.29.10.09

TOWN-PLANNING AND CONTROL: CONDITIONS OF ESTABLISHMENT: PROPOSED LOUIS

**TRICHARDT, EXTENSION 13 TOWNSHIP
(15/3/15; 15/5/18/1)**

RESOLVED A.92.29.10.09 –

1. THAT the Conditions of Township Establishment for the proposed Louis Trichardt Extension 13 Township which was received on 2 October 2008 from M&DS, a full copy of which is attached to the report in this regard as Annexure 2, be approved as amended by hand. (DDP)
2. THAT it be noted that the contents of the Conditions of Township Establishment is in exact similarity than the Conditions of Township Establishment that was submitted under item A.4.31.01.08 and that no additions have been made to it (DDP)
3. THAT the approval and conditions of approval set by the Department of Economic Development, Environment and Tourism as more fully recorded in a letter dated 30 May 2008 be noted and applied accordingly. (DDP)
4. THAT no development be commenced with until municipal services, that is sewer, water and electricity, has been provided to the proposed development area. (DDP)
5. THAT the layout plan for Louis Trichardt Extension 13 township as attached to the report in this regard, be approved. (DDP)
6. THAT before Council establish another new township, the Director Development and Planning must report about the township of the area south of Pretorius Street as that area would be first priority for development. (DDP)

EstablishmentLTTEExtension13_itm(2)

ITEM A.93.29.10.09

**TOWN PLANNING AND CONTROL: ADOPTION OF MAKHADO TOWN PLANNING SCHEME, 2009 (LAND USE MANAGEMENT PLAN TO BE)
(8/3/2/702 & 15/3/15)**

RESOLVED A.93.29.10.09 -

1. THAT the Makhado Town-planning Scheme, 2009, attached to a report in this regard as Annexure A be approved as draft statutory document. (DDP)
2. THAT the Director Development and Planning must first include all sections and report back to the Executive Committee before the Makhado Town-planning Scheme, 2009 can be promulgated in the Limpopo Provincial Gazette and implemented with effect of the date of promulgation thereof. (DDP)

ITEM CA.94.29.10.09

TOWN-PLANNING AND CONTROL:

1. **PROPOSED REZONING OF PORTIONS 3 AND 8 OF ERF 61, ELTI VILLAS TOWNSHIP FROM INDUSTRIAL 3 TO BUSINESS 2**
2. **SIMULTANEOUS APPLICATION FOR CONSENT USE FOR OVERNIGHT ACCOMMODATION**
3. **CONSOLIDATION OF PORTIONS 3 AND 8 OF ERF 61, ELTI VILLAS TOWNSHIP (15/3/15 & 15/4/2/2/1/224)**

REMARK:

This item was considered in committee and as the last business of the meeting.

RESOLVED CA.94.29.10.09 -

1. THAT note be taken of an appeal submitted by Developlan on behalf of their clients for the consolidation, rezoning and consent use of portion 3 and 8 of erf 61, Elti Villas. (DDP)
2. THAT the Council attorneys of record be instructed to represent Council in the Township Board hearing to be held in this regard in due course, and that Council's Attorneys be permitted to also acquire the services of a senior counsel as well as professional town-planner services in the matter, if required.

(DDP/DCS)

ITEM A.95.29.10.09

TOWN PLANNING AND CONTROL: REZONING OF THE REMAINDER OF ERF 637, LOUIS TRICHARDT TOWNSHIP: LOUIS TRICHARDT AMENDMENT SCHEME 109 (E637 & 15/4/2/2/1/228)

RESOLVED A.95.29.10.09 –

THAT the application from Developlan on behalf of their client W & E Cronje Familie Trust to rezone the Remainder of erf 637, Louis Trichardt township from “Residential 1” to “Residential 3” be not approved but that rezoning to “Residential 2” be approved in terms of section 56 of the Town Planning and Township Ordinance (Ordinance 15 of 1986) subject to the following terms and conditions:

1. No building operations may commence without approved building plans. A site development plan must be submitted before any building plans can be approved.
2. Engineering services contributions will be payable within 30 days calculated from the date on which formal rezoning is proclaimed, and will be calculated in accordance with Council's formula for such services.
3. The following restrictions will be applicable;

Maximum Density:	20 units per hectare
Height:	2 storeys
F.A.R.	1.2
Coverage:	60%
Parking:	1 covered and 1 paved per dwelling
4. 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.
5. The applicable contents of Council resolve A.78.24.07.08 which will apply without failure and Council cannot be held liable for any losses suffered for whatever reason in this regard.

ITEM A.96.29.10.09**TOWN PLANNING AND CONTROL: REZONING OF PORTION 91 (A PORTION OF PORTION 7) OF THE FARM BERGVLIET 288 L.S.: AMENDMENT SCHEME 108 (15/4/2/2/1/227)**

RESOLVED A.96.29.10.09 -

1. THAT the application received from Plantecnic on behalf of their client Mr C Vosloo to rezone Portion 91 (A portion of portion 7) of the farm Bergvliet 288, L.S from "Agriculture" to "Residential 4" be approved in terms of section 56 of the Town Planning and Township Ordinance (Ordinance 15 of 1986). (DDP)
2. THAT 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.

RezoningPortion91_itm

(DDP)

ITEM A.97.29.10.09**STATUS REPORT FOLLOWING THE MEETINGS AS WELL AS THE OPERATIONS PURSUANT TO THE RESOLUTIONS TAKEN FROM THE MEETING HELD BETWEEN THE VLEIFONTEIN, HA-KUTAMA/SINTHUMULE AND THE PETITIONS COMMITTEE FROM THE LIMPOPO LEGISLATURE ON PUBLIC PARTICIPATION CONCERNING THE ALLEGED BAD SERVICES BY PHADZIRI BUS COMPANY (14/3/1/2)**

RESOLVED A.97.29.10.09 -

1. THAT The Executive Committee takes note of the report as attached to the report in this regard. (DComS)
2. THAT the recommendation of the Portfolio Committee: Roads, Transport, Disaster and Land Reform be incorporated as contents of the report of the Director Community Services.

TransportCrisis_itm

(DComS)

ITEM A.98.29.10.09**FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING JULY 2009 (6/1/1(2009/10))**

RESOLVED A.98.29.10.09 -

THAT the in-year monitoring financial report for the month of July 2009 be referred back to the Portfolio Committee Finance for discussion and re-submission to the Executive Committee.

MonitoringJuly_itm

(DF)

ITEM A.99.29.10.09**FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING AUGUST 2009
(6/1/1(2009/10))**

RESOLVED A.99.29.10.09 –

THAT the in-year monitoring financial report for the month of August 2009 be referred back to the Portfolio Committee Finance for discussion and re-submission to the Executive Committee.

MonitoringAugust_itm

(DF)

ITEM A.100.29.10.09**PERSONNEL: MINUTES OF LABOUR FORUM MEETING HELD ON 9 JULY 2009
(4/21/2)**

RESOLVED A.100.29.10.09 –

1. THAT note be taken of the Minutes of the Local Labour Forum of their 21st to 31st meetings held since 1 June 2008 as more fully set out in Annexure A attached to the report in this regard.

(DCS)

2. THAT the status quo remains, and in particular on the specific matters listed below:

- 2.1. Placement of staff, item 3

The placement of staff in accordance with the approved Organogram, 2009 and in terms of criteria and guidelines by SALGA and legislation related to the field, will be done through participative process with the Local Labour Forum. The placement of staff will not be done until we get assessment report from SALGA and submit it to Council.

- 2.2. Forensic report and findings, item 6

The Municipality's accounting officer does not have access to the report and can therefore not make it available; therefore the Executive Committee has to consider the way forward with this request

- 2.3. Transfer of Mr H M Mulaudzi back to Vuwani, item 8

The Top Management will listen to the audio recording of the Executive Committee meetings held on 26 May 2009 and 29 May 2009 and will thereafter submit a recommendation to the Portfolio Committee Corporate Services.

- 2.4. Temporary employ – Ms C de Waal, item 7

The contractual services of Ms C de Waal as Administrative Officer (Town-planning) will continue for at least thirty (30) days after the new incumbent has commenced duty in order to ensure a smooth and complete hand over of functions, duties and information from the contractual employee to the new incumbent.

- 2.5. Transfer of Ms F Maboko back to Waterval, item 9

The placement of staff project which is to be implemented in the 2009/2010 financial year will address the way forward with this staff member if it happens to be that she was

transferred into the wrong post.

(DCS)

LabourForumMinutes_itm

ITEM A.101.29.10.09

1. **1ST AND 2ND REPORT OF THE AUDIT COMMITTEE: 2ND COUNCIL MEETING: 2009/2010 FINANCIAL YEAR**
 2. **AUDIT COMMITTEE CHARTER**
 3. **INTERNAL AUDIT CHARTER**
- (4/11)

REMARK:

This matter was referred as item B.102.26.10.09.

ITEM A.102.29.10.09

**PERSONNEL: RECRUITMENT: MUNICIPAL MANAGER
(5/3/4/9/2 & 5/3/B)**

RESOLVED A.102.29.10.09 -

1. THAT it be noted that the successful candidate following interviews held on 28 July 2009 for the vacant post of Municipal Manager, informed on 27 October 2009 that he could not continue to accept Council's offer of employ due to another calling by Mpumalanga Provincial Government.
(DCS)
2. THAT the Director Corporate Support and Shared Services proceed as matter of urgency to call for applications in the vacant post of municipal manager through national media, and that due to the urgency of the matter candidates be afforded maximum of fourteen (14) days to submit applications.
(DCS)
3. THAT the Director Corporate Support and Shared Services, Ms T S Ndou, be appointed as Acting Municipal Manager in the place of Mr R H Maluleke, Director Finance, with effect from the date of this resolution.
(DF/DCS)

ITEM A.103.29.10.09

**COUNCIL LAND: LEASE OF GRAZING PADDOCKS: FARM BERGVLIET 288 L.S. AND FARM RIETVLY 276 L.S.
(8/3/2/826)**

REMARK:

This resolution must be read in conjunction with resolve under item A.89.29.10.09.

RESOLVED A.103.29.10.09 -

THAT the Department Corporate Support & Shared Services be authorized to call for tenders for the lease of Grazing Paddocks R2, R5, R6, R21, R23, R24 and R25 in order to make it available by lease to contenders, subject to the following:

1. The tender specifications be similar than those under Tender 39 of 2008,

- 2. The tender reserve price be based on market related rental for agricultural / grazing land as at September 2009.
- 3. Council’s Valuer be requested to determine the market related rental.
- 4. Supply Chain Management procedure be followed and tenders awarded to the highest bidder which may not be lower than the reserve price as purposed in 3 above.
- 5. The period of lease must co-incide with that under Tender No. 39 of 2008.
- 6. Grazing paddocks that form part of the Masagani land claim must be excluded from the Tender.
- 7. That the standard lease contract for grazing paddocks be reviewed. (DCS)
- 8. That it be a condition of the bid that bidders who are indebted to the Municipality would not be awarded the bid. (DCS)

GrazingPaddocks_itm

ITEM A.104.29.10.09

FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING JULY 2009 (6/1/1(2009/10))

RESOLVED A.104.29.10.09 -

THAT the in-year monitoring financial report for the month of July 2009 be noted. (DF)

MonitoringJuly_itm

ITEM A.105.29.10.09

FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING AUGUST 2009 (6/1/1(2009/10))

RESOLVED A.105.29.10.09 -

THAT the in-year monitoring financial report for the month of August 2009 be noted. (DF)

MonitoringAugust_itm

* * * * *

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 June to August 2009

**The report of the 245th Executive Committee meeting held on 25 June 2009.
 The report of the 246th Executive Committee meeting held on 16 July 2009.
 The report of the 247th Executive Committee meeting held on 5 August 2009.
 The report of the 248th Executive Committee meeting held on 13 August 2009.**

ITEM B.77.11.09.09

TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE OF ERF 423, ELTI VILLAS EXTENSION 1 TOWNSHIP: PLACE OF INSTRUCTION (15/3/8; EE423)

REMARK:

This matter was withdrawn from the 249th Executive Committee agenda. (DDP)

ITEM B.78.11.09.09

TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE OF ERF 1781, LOUIS TRICHARDT EXTENSION 2 TOWNSHIP: GRANNY FLAT (15/3/8; E1781)

RESOLVED B.78.11.09.09 –

THAT the application for special consent use in order to utilize erf 1781, Louis Trichardt extension 2 township for the purposes of erecting a granny flat be approved in terms of section 16 of the Louis Trichardt Town-planning Scheme, subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. All costs that may arise as a result of this approval be for the account of the applicant.
3. 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.
4. 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:
 - 4.1. The maximum floor area must not exceed 70m² outbuildings excluded.
 - 4.2. The granny flat must at least consist of a kitchen, bathroom and living/bedroom.
 - 4.3. Only one connection point per service per erf will be provided.
 - 4.4. The granny flat may not be subdivided unless it is situated in an area that allows for densification.
 - 4.5. Building plans must be submitted and approved before the ‘granny flat’ may be erected.
5. No additional municipal services will be provided on the property and connections must be made from the existing dwelling.
6. All municipal services will be restricted to “residential 1” zoning and no additional capacity will be considered. (DDP)

ITEM B.79.11.09.09**FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING JUNE 2009
(6/1/1(2008/09))**

RESOLVED B.79.11.09.09 –

THAT the in-year monitoring financial report for the month of June 2009 be noted. (DF)

ITEM B.80.01.10.09**QUARTERLY REPORTS: DEPARTMENT OF CORPORATE SERVICES:****A. MUNICIPAL SECRETARIAT DIVISION: 2nd & 3rd QUARTER 2008/2009****B. HUMAN RESOURCES DIVISION: 2nd & 3rd QUARTER 2008/2009
(10/1/5/1 & 10/1/5/7)**

RESOLVED B.80.01.10.09 –

THAT the item be referred back to the Portfolio Committee: Corporate Services.

SDP/QuarterlyReport_DCS(2&3)(08-09)

(DCSS)

ITEM B.81.01.10.09**TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE:
PROPOSED GRANNY FLAT ON REMAINDER OF ERF 3248, LOUIS TRICHARDT TOWNSHIP
(15/3/8; E3248/R)**

RESOLVED B.81.01.10.09 –

THAT the application for special consent use in order to utilize the Remainder of erf 3248, Louis Trichardt township for the purposes of erecting a granny flat be approved in terms of section 16 of the Louis Trichardt Town-planning Scheme, subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. All costs that may arise as a result of this approval be for the account of the applicant.
3. 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.
4. 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:
 - 4.1 The maximum floor area must not exceed 70m² outbuildings excluded
 - 4.2 The granny flat must at least consist of a kitchen, bathroom and living/bedroom.
 - 4.3 Only one connection point per service per erf will be provided
 - 4.4 The granny flat may not be subdivided unless it is situated in an area that allows for densification
 - 4.5 Building plans must be submitted and approved before the ‘granny flat’ may be allowed.
5. No additional municipal services will be provided on the property and connections must be made from the existing dwelling. (DDP)

ConsentErf3248Remainder_itm

ITEM B.82.01.10.09**TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE: PROPOSED GRANNY FLAT ON PORTION 1 OF ERF 3248, LOUIS TRICHARDT TOWNSHIP: GRANNY FLAT (15/3/8; E3248/1)**

RESOLVED B.82.01.10.09 –

THAT the application for special consent use in order to utilize Portion 1 of erf 3248, Louis Trichardt township for the purposes of erecting a granny flat be approved in terms of section 16 of the Louis Trichardt Town-planning Scheme, subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. All costs that may arise as a result of this approval be for the account of the applicant.
3. 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.
4. 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:
 - 4.1 The maximum floor area must not exceed 70m² outbuildings excluded
 - 4.2 The granny flat must at least consist of a kitchen, bathroom and living/bedroom.
 - 4.3 Only one connection point per service per erf will be provided
 - 4.4 The granny flat may not be subdivided unless it is situated in an area that allows for densification
 - 4.5 Building plans must be submitted and approved before the ‘granny flat’ may be allowed.
5. No additional municipal services will be provided on the property and connections must be made from the existing dwelling.

ConsentErf3248_itm

(DDP)

ITEM B.83.01.10.09**TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE: DENSITY INCREASE: ERF 907, LOUIS TRICHARDT TOWNSHIP (15/3/8; E 907)**

RESOLVED B.83.01.10.09 –

THAT the application for special consent use in order to erect a second dwelling unit on erf 907, Louis Trichardt township be approved in terms of section 16 of the Louis Trichardt Town-planning Scheme, subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. All costs that may arise as a result of this approval be for the account of the applicant.
3. 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.
4. Engineering services contributions be paid in terms of Council’s rezoning policy.
5. Each house must have its own water, sewer and electricity connections, for which standard connection

fees will be payable.

6. Each house must be located on its own 700m² portion of land. (DDP)

Consent_Erf907

ITEM B.84.01.10.09

TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE: PROPOSED LIMITED OVERNIGHT ACCOMMODATION: ERF 1635, LOUIS TRICHARDT EXTENSION 7 TOWNSHIP (15/3/8; E 1635)

REMARK:

This matter is substituted for item B.96.26.10.09 and the recording under item B.96.26.10.09 must be implemented.

ITEM B.85.01.10.09

TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE: PROPOSED BEAUTY SALON: ERF 1848, LOUIS TRICHARDT EXTENSION 2 TOWNSHIP (15/3/8; E 1848)

RESOLVED B.85.01.10.09 –

THAT the application for special consent use in order to operate a beauty salon in the buildings situated on erf 1848, Louis Trichardt extension 2 township be approved in terms of section 16 of the Louis Trichardt Town-planning Scheme, as no additional service points will be allowed with regard to water and sewer and electricity subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. All costs that may arise as a result of this approval be for the account of the applicant.
3. 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.
4. A maximum of five (5) persons may be employed or taken into partnership.
5. Not more than 20% of the dwelling including the outbuildings may be utilized for the purpose of the service industry, subject to the further condition that such portion, or portions, shall be determined by including therein all areas used in conjunction therewith, such as offices, work area, storerooms, public toilets, corridors and reception area.
6. The house's residential character must be retained and it must be permanently occupied.
7. Erection of logos or sign boards illuminated by neon lights is prohibited.
8. No business may be conducted on Sundays or public holidays.
9. No display of any notice or sign, except such notice or sign as is commonly displayed at a dwelling house or dwelling unit to indicate the profession or occupation of the occupant shall be allowed: Provided that it shall not exceed 450mm x 900mm in size, unless mounted on a permanent structure constructed of clay bricks and/or plastered to the satisfaction of the local authority.
10. Two paved parking spaces for use by clients and adequate parking for employees/partners must be provided on the property.

- 11. The Director Finance will collect charges and tariffs in accordance with a business tariff for the duration of the practice on the property.
- 12. Should any complaints about the operations be received, and after fair and just procedure be found valid, the consent hereby granted will be reviewed by Council.

Consent_Erf1848

(DDP)

ITEM B.86.01.10.09

TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE: PROPOSED: ERF 2514, LOUIS TRICHARDT EXTENSION 5 TOWNSHIP: NOXIOUS INDUSTRY – TAXIDERMY & CURIO SHOP (15/3/8; E 2514)

REMARK:

This matter is substituted for item B.97.26.10.09 and the recording under item B.97.26.10.09 must be implemented.

ITEM B.87.01.10.09

TOWN-PLANNING AND CONTROL: PROPOSED SUBDIVISION OF ERF 2540, LOUIS TRICHARDT EXTENSION 5 TOWNSHIP (15/3/8; E 2540)

REMARK:

This matter is substituted for item B.98.26.10.09 and the recording under item B.98.26.10.09 must be implemented.

ITEM B.88.01.10.09

TOWN PLANNING AND CONTROL: REZONING OF PORTION 91 (A PORTION OF PORTION 7) OF THE FARM BERGVLIET 288 L.S.: AMENDMENT SCHEME 108 (15/4/2/2/1/227)

RESOLVED B.88.01.10.09 –

THAT the matter be referred back for further investigation by the Portfolio Committee Planning, Economic Development and Tourism. (DDP)

RezoningPortion91_itm

ITEM B.89.01.10.09**TOWN PLANNING AND CONTROL: REZONING OF THE REMAINDER OF ERF 603, LOUIS TRICHARDT TOWNSHIP: LOUIS TRICHARDT AMENDMENT SCHEME 107 (E603 & 15/4/2/2/1/226)**

RESOLVED B.89.01.10.09 –

THAT the application from Pieterse & du Toit on behalf of their client Tnagele properties CC. to rezone erf 603, Louis Trichardt township from “Residential 1” to “Business 3” be approved in terms of section 56 of the Town Planning and Township Ordinance (Ordinance 15 of 1986) subject to the following terms and conditions:

1. No building operations may commence without approved building plans. A site development plan must be submitted before any building plans can be approved.
2. Engineering services contributions will be payable within 30 days calculated from the date on which formal rezoning is proclaimed, and will be calculated in accordance with Council’s formula for such services.
3. The following restrictions will be applicable;
 - a. Height: 2 storeys
 - b. F.A.R. 2.0
 - c. Coverage: 60%
 - d. Parking: 3 per 100m² G.L.F.A.
4. 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.
5. The applicable contents of Council resolve 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.

Rezoning_Erf603

(DDP)

ITEM B.90.01.10.09**COUNCIL LAND: LEASE OF GRAZING PADDOCKS: FARM BERGVLIET 288 L.S. AND FARM RIETVLY 276 L.S. (8/3/2/826)****REMARK**

The item was referred from item A.83.29.10.09.

RESOLVED B.90.01.10.09 -

THAT the matter be referred back for further investigation by the Portfolio Committee Corporate Services to ensure that it does not form part of the claimed Masagani Community and also to check those beneficiaries who were owing the Municipality and the report be re-submitted to the Executive Committee for consideration.

(DCSS)

GrazingPaddocks_itm

ITEM B.91.01.10.09**PERSONNEL: MINUTES OF LABOUR FORUM MEETING HELD ON 9 JULY 2009
(4/21/2)****REMARK**

The item was referred from item A.84.29.10.09.

RESOLVED B.91.01.10.09 -

THAT the matter be referred back to the Portfolio Committee Corporate Services for a recommendation to the Executive Committee. (DCSS)

LabourForumMinutes_itm

ITEM B.92.26.10.09 (Originally B.92.23.10.09)**QUARTERLY REPORTS: DEPARTMENT OF CORPORATE SERVICES:**

C. MUNICIPAL SECRETARIAT DIVISION: 2nd & 3rd QUARTER 2008/2009

D. HUMAN RESOURCES DIVISION: 2nd & 3rd QUARTER 2008/2009

(10/1/5/1 & 10/1/5/7)

RESOLVED B.92.26.10.09 –

1. THAT cognizance be taken of the 2nd & 3rd quarterly reports of the Department Corporate Services in respect of the period 1 October 2008 to 31 March 2009. (DCS)
2. THAT in the next financial year, the Director Corporate Services and the Chairperson of the Portfolio Committee: Corporate Services must first discuss the quarterly report before it is considered by any committee of Council. (DCS)
3. THAT in the next financial year the quarterly report must be aligned to the five Local Government Agenda Key Performance Areas (KPA) as well as the Directorate Service Delivery Budget Implementation Plans (SDBIP) and therefore the structural design of the quarterly report must accordingly be similar to the SDBIP reporting design. (DCS)

ITEM B.93.26.10.09 (Originally B.93.23.10.09)**TOWNPLANNING AND CONTROL: PROPOSED MUILA TOWNSHIP ESTABLISHMENT:
PURCHASE OF LAND
15/7/1 & 7/4/1/3)**

RESOLVED B.93.26.10.09 -

1. THAT the Muila Project in the above regard follow the normal procedure for sites demarcation through a community resolution up the General Plan Level. (DDP)
2. THAT in the light of the above, the Tribal Authority would be responsible for the allocation of the sites and benefit from the proceeds thereof. (DDP)

3. THAT notwithstanding the above, the Municipality and the Provincial Department of Local Government and Housing would, on request be available to assist the Muila Tribal Authority.

PurchaseMuila_itm

(DDP)

ITEM B.94.26.10.09 (Originally B.94.23.10.09)

TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE OF ERF 423, ELTI VILLAS EXTENSION 1 TOWNSHIP: PLACE OF INSTRUCTION (15/3/8; EE423)

RESOLVED B.94.26.10.09 -

THAT the application for special consent use in order to utilize erf 423, Elti Villas township for the purposes of a place of instruction be approved in terms of section 16 of the Louis Trichardt Town-planning Scheme, subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. All costs that may arise as a result of this approval be for the account of the applicant.
3. 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.
4. The special consent shall be for a period of twenty four (24) months, calculated from the date of the approval letter, whereafter extension thereof may be considered by Council.
5. The applicant must appropriately rezone the property within twenty four (24) months, calculated from the date of the approval letter.
6. The building to be erected must comply with municipal By-laws especially with regard to health issues and the building must comply with National Building regulations.
7. A maximum of five (5) persons may be employed or taken into partnership.
8. Erection of logos or sign boards illuminated by neon lights is prohibited.
9. No display of any notice or sign, except such notice or sign as is commonly displayed at a dwelling house or dwelling unit to indicate the profession or occupation of the occupant shall be allowed: Provided that it shall not exceed 450mm x 900mm in size, unless mounted on a permanent structure constructed of clay bricks and/or plastered to the satisfaction of the local authority.
10. Eight (8) dust free parking spaces per 100m² G.L.F.A. must be provided on the property.
11. The Director Finance will collect charges and tariffs in accordance with a business tariff for the duration of the practice on the property.
12. No additional municipal services will be provided on the property than what is currently available.
13. All health and building regulations will be imposed as the subject property is in a formally proclaimed town.

(DDP)

Consent_Erf423

ITEM B.95.26.10.09 (Originally B.95.23.10.09)**TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT: PROPOSED LIMITED OVERNIGHT ACCOMMODATION: ERF 2692, LOUIS TRICHARDT EXTENSION 7 TOWNSHIP (15/3/15 & E2692)**

RESOLVED B.95.26.10.09 –

1. THAT the application that was received from Mr O K Y A Ayob owner of erf 2692, Louis Trichardt extension 7 township for special consent use to utilise a portion of the buildings situated on erf 2692 for the purpose of limited overnight accommodation under clause 16 of the Louis Trichardt Town-planning Scheme, 2000, be approved subject to the following conditions:
 - 1.1 No development may commence without approved building plans.
 - 1.2 The operation of the consent use may not be commenced with without approved building plans and inspections be conducted by officials from the Director Community Services and Technical Services so as to ensure that all health and building by-laws are complied with..
 - 1.3 All costs that may arise as a result of this approval be for the account of the applicant.
 - 1.4 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.
 - 1.5 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.
 - 1.6 A maximum of six persons may be accommodated and such accommodation must be of a temporary nature, the property may not be used as a boarding house.
 - 1.7 The house's residential character must be retained and it must be permanently occupied by the registered property owner.
 - 1.8 Erection of logos or sign boards illuminated by neon lights are prohibited.
 - 1.9 One paved parking space per bedroom must be provided on the property itself to the satisfaction of the Director Technical Services and Director Planning and Development, and physical inspections be conducted in this regard.
 - 1.10 All health regulations and by-laws that may be applicable and enforceable by the Director Community Services and Council be adhered to.
 - 1.11 Adequate measures must be taken to prevent excessive noise which causes a nuisance to neighbors.
 - 1.12 Any other statutory requirements (e.g. Businesses Act, 71 of 1991) pertaining to the relevant undertaking must be complied with.
 - 1.13 The applicant must be the registered owner or spouse of the registered owner of the property, or in the event of a company, a shareholder, or if a closed corporation, a member, and the applicant must also be the user of the required consent use and may not cede or sublet such right.
 - 1.14 The monthly charge for assessment rates, basic levies and consumption with effect from 1 October 2009 will be charged as proclaimed for the business category.
 - 1.15 Food may only be served to guests utilizing the overnight facility.

1.16 No liquor may be sold or served to guests.

1.17 Should any complaints about the operations be received, and after fair and just procedure be found valid, the consent hereby granted will be reviewed by Council. (DDP)

2. THAT the objector be informed of the outcome of the objection and conditions as stated in paragraph 1 above. (DDP)

ConsentErf2692Hearing_itm

ITEM B.96.26.10.09 (Originally B.96.23.10.09)

TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE: PROPOSED LIMITED OVERNIGHT ACCOMMODATIONS: ERF 1635, LOUIS TRICHARDT EXTENSION 7 TOWNSHIP (15/3/8; E 1635)

RESOLVED B.96.26.10.09 -

THAT the application for special consent use in order to operate a limited overnight accommodation facility from the buildings situated on erf 1635, Louis Trichardt extension 7 township be approved in terms of section 16 of the Louis Trichardt Town-planning Scheme, as no additional service points will be allowed with regard to water and sewer and electricity subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. All costs that may arise as a result of this approval be for the account of the applicant.
3. 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.
4. 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.
5. A maximum of six persons may be accommodated and such accommodation must be of a temporary nature.
6. The house's residential character must be retained and it must be permanently occupied by the owner.
7. Erection of logos or sign boards illuminated by neon lights are prohibited.
8. One paved parking space per bedroom must be provided on the property.
9. The Director: Finance will collect charges and tariffs in accordance with a business tariff for the duration of the practice on the property.
10. All health regulations and by-laws that may be applicable and enforceable by the Director Community Services and Council be adhered to.
11. Food may only be served to guest using the overnight facility and no food may be served to off the street customers.
12. No liquor may be sold on the premises.
13. Should any complaints about operations on the property be received and, after a fair and just procedure be found valid, the consent hereby granted will be reviewed by Council.

Consent_Erf1635

(DDP)

ITEM B.97.26.10.09 (Originally B.97.23.10.09)**TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE:
PROPOSED BEAUTY SALON: ERF 1848, LOUIS TRICHARDT EXTENSION 2 TOWNSHIP
(15/3/8; E 1848)**

RESOLVED B.97.26.10.09 –

THAT the application for special consent use in order to operate a beauty salon in the buildings situated on erf 1848, Louis Trichardt extension 2 township be approved in terms of section 16 of the Louis Trichardt Town-planning Scheme, as no additional service points will be allowed with regard to water and sewer and electricity subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. All costs that may arise as a result of this approval be for the account of the applicant.
3. 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.
4. The special consent shall be for a period of twenty four (24) months, calculated from date of approval letter issued whereafter extension thereof may be considered by Council.
5. A maximum of five (5) persons may be employed or taken into partnership.
6. Not more than 20% of the dwelling including the outbuildings may be utilized for the purpose of the service industry, subject to the further condition that such portion, or portions, shall be determined by including therein all areas used in conjunction therewith, such as offices, work area, storerooms, public toilets, corridors and reception area.
7. The house's residential character must be retained and it must be permanently occupied.
8. Erection of logos or sign boards illuminated by neon lights is prohibited.
9. No business may be conducted on Sundays or public holidays.
10. No display of any notice or sign, except such notice or sign as is commonly displayed at a dwelling house or dwelling unit to indicate the profession or occupation of the occupant shall be allowed: Provided that it shall not exceed 450mm x 900mm in size, unless mounted on a permanent structure constructed of clay bricks and/or plastered to the satisfaction of the local authority.
11. Two paved parking spaces for use by clients and adequate parking for employees/partners must be provided on the property.
12. The Director Finance will collect charges and tariffs in accordance with a business tariff for the duration of the practice on the property.
13. Should any complaints about the operations be received, and after fair and just procedure be found valid, the consent hereby granted will be reviewed by Council. (DDP)

ITEM B.98.26.10.09 (Originally B.98.23.10.09)**TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE:
PROPOSED: ERF 2514, LOUIS TRICHARDT EXTENSION 5 TOWNSHIP: NOXIOUS INDUSTRY
– TAXIDERMY & CURIO SHOP
(15/3/8; E 2514)**

RESOLVED B.98.26.10.09 –

THAT the application for special consent use in order to operate a noxious industry, taxidermy and curio shop on erf 2514, Louis Trichardt extension 5 township be approved in terms of section 16 of the Louis Trichardt Town-planning Scheme, as no additional service points will be allowed with regard to water and sewer and electricity subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. All costs that may arise as a result of this approval be for the account of the applicant.
3. 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.
4. The special consent shall be for a period of twenty four (24) months, calculated from date of approval letter issued whereafter extension thereof may be considered by Council.
5. Must adhere to all health regulations, by-laws and relevant legislation in this regard.
6. A certificate issued by a medical officer of health of a local government must be submitted to Council certifying that that the process proposed to be used in connection with the business being operated on the said premises will eliminate any nuisance or health hazard in the vicinity of the property due to:
 - 6.1 vapours, smoke or odours
 - 6.2 fluid or effluent originating on the property; and in the event of it being proposed to dispose of such materials by land treatment, the nature, slope and surface of the land concerned, as well as its location in relation to streams or water courses shall be disclosed;
 - 6.3 solid waste matter.
7. Should any complaints about the operations be received, and after fair and just procedure be found valid, the consent hereby granted will be reviewed by Council. (DDP)

Consent_Erf2514

ITEM B.99.26.10.09 (Originally B.99.23.10.09)**REQUEST TO FACILITATE ALLOCATION OF THE INFRASTRUCTURE NUMBER OF
WATERVAL REGISTRATION AUTHORITY
(15/10/6)**

RESOLVED B.99.26.10.09 –

1. THAT the Waterval Region be granted authority to provide licensing services of motor vehicles licensing and registrations, renewals of motor vehicles licenses, renewals of driving licenses and issuing of temporary licenses services. (DComS)

2. THAT the office space provided by the Waterval regional office be utilized as a license premises until such time that a new traffic station is erected. (DComS)
3. THAT the identified site at Waterval Township be further investigated for the provision of permanent infrastructure for the traffic station to be allocated funds during the 2010/2011 financial year. (DComS)
4. THAT the department of Community Services be mandated to proceed with the submission of the application of the Waterval Registering Authority to the department of Roads and transport. (DComS)

ITEM B.100.26.10.09

**POLICY ON SALE OF COUNCIL LAND: R293 TOWNS (BUSINESS)
(15/3/23, 7/3/2/1 & 7/3/2/B)**

REMARK:

This item was referred from item A.88.29.10.09.

RESOLVED B.100.26.10.09 –

THAT the matter be referred back to the Department Corporate Support and Shared Services and Department Development and Planning to submit full information at the next Executive Committee meeting.

PolicySaleOfCouncilLand_itm

(DCS/DDP)

ITEM B.101.26.10.09

**TOWN-PLANNING AND CONTROL: MASAGANI LAND CLAIM: FARM BERGVLIET 288 LS
(15/3/23)**

REMARK:

This matter was referred from item A.91.29.10.09 –

RESOLVED B.101.26.10.09 -

THAT the matter be referred back to acquire more information and that the Portfolio Committee: Roads, Transport, Disaster & Land Reform together with the Department Development and Planning meet with representatives of Masagani claimants to finalize the matter and submit the outcome to the Executive Committee. (DDP/DCS)

ITEM B.102.26.10.09

1. **1ST AND 2ND REPORT OF THE AUDIT COMMITTEE: 2ND COUNCIL MEETING: 2009/2010 FINANCIAL YEAR**
2. **AUDIT COMMITTEE CHARTER**
3. **INTERNAL AUDIT CHARTER**
(4/11)

REMARK:

This matter was withdrawn from the agenda.

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10. **PETITIONS**

None

11. **NEW MOTIONS**

11.1 MOTION NO. 219: RECEIVED ON 28 SEPTEMBER 2009

A motion was received on 28 September 2009. This matter must be dealt with under the provisions of clause 40 of the Council’s Rules and Orders published in Provincial Gazette No. 1391 dated 31 August 2007.

In terms of Rule 40(4) “Motions” of Council Rules and Orders “a motion shall only be regarded as having been submitted to Council for decision if the proposal which introduce that motion was duly seconded.” This motion is defective in that it was seconded by a person not a councillors at the time when the motion was given to the Municipal Manager. Item A.87.29.10.09 of this Council agenda attest to this fact.

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The meeting was closed and adjourned at 18:20.

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 next Council meeting of 28 January 2010.

CHAIRPERSON