

# MAKHADO LOCAL MUNICIPALITY

## OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE SIXTY SIXTH (66<sup>TH</sup>) MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 31 JANUARY 2013 AT 14:00 IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, KROGH STREET, MAKHADO.

### PRESENT

#### Councillors

BALIBALI, N P	MATHAVHA, H F
BALOYI, S R	MATHOMA, M P
DAVHANA, N D	MATODZI, A M
DU PLOOY, A	MATUMBA, M T
GABARA, M J	MATUMBA, N J
HLABIOA, M M	MMBADI, T A
HLUNGWANE, F B	MOGALE, L B
HLUNGWANI, K A	MUKHARI, M F
KENNEALY, A	MULOVHEDZI, M D
KUTAAMA, N	MUNYAI, N S
LUDUVHUNGU, V S	MUTAVHATSINDI, F D
MACHETE M S	MUTELE, T M
MADAVHU, F F	NDWAMMBI M T
MADZHIGA, F N	NDZOVELA, N G
MAHANI, M G	NELUVHOLA, A T
MAHLADISA S V	NEMAFHOHONI, M G
MAKHUBELA, R T	NETSHIVHULANA, T P
MAKHUVHA, V S	NGOBENI, N E
MALANGE, R	NKANYANE, R G
MALANGE, T M	RAMUDZULI, S D
MALIMA, M E	RASIMPHI, M P
MAMAFHA, T C	RATSHIKUNI, D T
MAMAFHA T J	REKHOTSO, S M
MAMATSIARI, M S	RIKHOTSO, F J
MAMOROBELA, T P	SHANDUKANI, M J
MAPHAHLA, A Z	SINYOSI, S M
MAPHALA, O S	THANDAVHATHU, R
MASHI,BYE, P F	TSHAVHUYO, T G
MASUKA, S	UNDERWOOD, J P
MATHALISE, L B	

#### Traditional Leaders

KHOSI T P NESENGANI	KHOSI R H SINTHUMULE
KHOSI T R V MASHAU	HOSI T J MUKHARI

#### Officials

I P MUTSHINYALI	(MUNICIPAL MANAGER)
T E RALULIMI	(DIRECTOR TECHNICAL SERVICES)
T S NDOU	(DIRECTOR CORPORATE SUPPORT & SHARED SERVICES)
M P MAKHUBELA	(CHIEF FINANCIAL OFFICER)
M D SINTHUMULE	(DIRECTOR DEVELOPMENT PLANNING)
M J KANWENDO	(ACTING DIRECTOR COMMUNITY SERVICES)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

## 1. OPENING

The Speaker, Cllr L B Mogale ruled that a moment 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 31 January 2013 to Cllrs N F Chililo, M M Lerule-Ramakhanya, E H Ludere, R Ludere, M P Mazibuko, A J Mukhaha, M Q Ratshivhombela, I Sakhwari and M S Tshilamyana.
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 31 January 2013:  
Cllrs J Zooma, M R Madzivhandila, M R Magada, M D Mboyi, S Z Mtombeni, M R Selepe as well as Traditional Leaders, Hosi M S Bungeni, Khosi S A Mulima, Khosi M C Masakona, Hosi H N Majosi, Hosi S T Mukhari, Hosi J Baloyi, Khosi M A Madzivhandila, Hosi T J Mukhari, Khosi M W Netsianda, Khosi N T L Mashamba and Khosi V C Ramabulana.
3. THAT it be noted that a vacancy existed in that Mr M O Ahmed had resigned as proportional representative councillor of Makhado Municipality with retrospective effect of February 2012 as recorded in a letter received 11 October 2012.

## 3. OFFICIAL ANNOUNCEMENTS

### 3.1 Quarterly Report about activities of the VDM by Cllr L M Mathalise

*"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, as we are coming from the festive seasons, we regret to inform you that we had many accidents around Vhembe District Municipality wherein innocent passengers, pedestrians and drivers have lost their lives. May their souls rest in peace.*

*Madam Speaker, this report covers all our activities undertaken since our previous quarterly report presented on the 08<sup>th</sup> November 2012 to the 31<sup>st</sup> of January 2013 as Municipal Council representatives in the Vhembe District Municipality (VDM).*

*Madam Speaker, we have since then held three (3) Council Meetings, i.e. on the 3<sup>rd</sup> of December 2012, 14<sup>th</sup> December 2012 and lastly 31<sup>st</sup> January 2013 at VDM Council Chamber.*

*Madam Speaker, the Anti-Fraud and corruption Hotline was launched by his worship Executive Mayor, Cllr T B Matibe on the 14<sup>th</sup> of November 2012 at 10:00, Makhado Showground and the toll free number is 0800668538 which we are encouraged to use to report any corrupt activities.*

*Madam Speaker, we attended the SALGA Consultative meeting on the determination of upper limits of councillors held at Thohoyandou Town Hall on the 20<sup>th</sup> of November 2012 at 17:00 wherein Councillors have attended in large numbers and got an opportunity to raise their concern regarding their welfare.*

*Madam Speaker, the handing over of Mulima Traditional office was done on the 13<sup>th</sup> December 2012 at 10:00, Mulima Traditional office and the occasion was also graced by premier Cassel Mathale.*

*In conclusion, Madam Speaker, we have recently experienced heavy rains that started in early January 2013 wherein many houses fell down, roads have been destroyed, bridges have collapsed and so many bad things happened as a result of rain and Vhembe is the hardest hit. Some of the families at Musina Municipality were trapped by Vhembe River and they were rescued by the helicopter. We would like to thank the District Disaster Management Team led by Mr Lalumbe Tshidumbu and our Local Disaster Coordinator, Mr Munzhelele Osmond in particular, as well as the Political and Administrative Component of the Municipality for the commitment and support shown in assisting our people. We have also been visited by the Minister in the Office of the President, Collins Chabane, COGHSTA, Minister Baloyi Richard, COGHSTA MEC Motsepe and Safety and Liaison MEC Radzilani Florence. We are hoping that Limpopo Province will declare Vhembe District as a Disaster Area. Thanks.*

*Compiled and reported by Cllr L M Mathalise at Council Meeting held on 31<sup>st</sup> January 2013."*

- 3.2 Cllr P F Mashimbye announced that on Friday, 1 February 2013, a public participation Mayoral Imbizo event would be held at Shalom Christian Centre, Waterval (Ward 16) at 13:00.
- 3.3 Cllr S Masuka reported that forty (40) persons were invited to interviews at the proposed mall; ten (10) from Ward 20; ten (10) from Ward 17; nine (9) from Ward 15 and eleven (11) from Ward 16. None of the forty (40) persons have yet been called to commence working.

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

- 4.1 The Speaker, Cllr L B Mogale proposed condolences to the bereaved family of Lawrence Nematandani, an employee of the Municipality who passed away on 31 December 2012 and was buried on 7 January 2013.
- 4.2 The Speaker, Cllr L B Mogale proposed congratulations to Mr Jacob Zuma for being elected for a second term as President of the African National Congress Party at the Mangaung Conference held in December 2012.

- 4.3 The Speaker, Cllr L B Mogale proposed congratulations to the African National Congress Party for conducting a peaceful Conference at Mangaung in December 2012.

**(REMARK:** The following councillors celebrated their birthdays since the last Council meeting held on 13 December 2012:

Cllr N R Thandavhathu	16 December 2012
Cllr T C Mamafha	1 January 2013
Cllr T G Tshavhuyo	1 January 2013
Cllr M R Magada	1 January 2013
Cllr M D Mulovhedzi	2 January 2013
Cllr N Kutama	3 January 2013
Cllr S Z Mthombeni	19 January 2013
Cllr N D Davhana	27 January 2013
Cllr J P Underwood	30 January 2013

## 5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY COUNCILLORS

- 5.1 The Mayor, Cllr F D Mutavhatsindi proposed condolences to all the bereaved families who lost loved ones caused by disaster affecting Vhembe District Municipal region.
- 5.2 Cllr N D Davhana proposed congratulations to the Grade 12 learner, Mr Farisani Ramabulana, who resides in Thiozwi Village, for being ranked best of the top learners in the whole country after obtaining 100% in both Mathematics and Science in the 2012 final Grade 12 examination.
- 5.3 Cllr M P Mathoma proposed congratulations to all 26 Grade 12 learners of Mugoidwa Secondary School for obtaining 100% pass rate. He further congratulated Bafana Bafana soccer team for a good performance when qualifying for the quarter finals at the Orange African Cup of Nations.
- 5.4 Cllr S Masuka expressed gratitude to Almighty God who protected delegates of the African National Congress Party in Mangaung Conference in December 2012, and he further thanked all councillors of Makhado Local Municipality who were delegated to attend the Conference for exemplary behaviour.

## 6. CONFIRMATION OF MINUTES

### 6.1 REMARK:

Upon proposal by Cllr N D Davhana, duly seconded by Cllr T M Mutele, it was -

RESOLVED -

THAT the minutes of the 65<sup>th</sup> meeting of the Council held on 8 November 2012, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson, with the following amendment:

Paragraph 5.1, Page 4

That the name "Mr P Tshikoshi" be substituted for the name "Mr P Sekotshi" and further that the word "Parliament" be substituted for the word "Legislature".

**6.2 REMARK:**

Upon proposal by Cllr N D Davhana, duly seconded by Cllr T M Mutele, it was -

RESOLVED -

THAT the minutes of the 81<sup>st</sup> Special meeting of the Council held on 15 November 2012, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

**6.3 REMARK:**

Upon proposal by Cllr N D Davhana, duly seconded by Cllr T M Mutele, it was -

RESOLVED -

THAT the minutes of the 82<sup>nd</sup> Special meeting of the Council held on 13 December 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 item 7.1 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 A DU PLOOY ON 15 JANUARY 2013***Question 1:*

*What is the value on Municipal Infrastructure Grant (MIG) that was returned at the end of June 2012.*

**Reply:**

Provincial Treasury has confirmed that the unspent amount that must be surrendered back is R14 million. As the municipality was unable to surrender the amount at June 2012 year end, the R14 million will be withheld on the final equitable share allocation in March 2013. The approved DORA allocation for 2012/2013 for the 3<sup>rd</sup> quarter is R58 million, but we will only receive R44 million of which will further strain the liquidity status of the Municipality.

Thus we are monitoring the MIG of 2012/2013 to ensure it is not used for non-capital expenditure as to avoid a continued pattern into 2013/14 financial year.

*Question 2:*

*What steps are the Municipality taking to remedy the lack of capacity to spend the MIG funding effectively.*

**Reply:**

In relation funds not surrendered at year end, due to funds not available as they were used to fund operations, the issue is not about the lack of capacity but rather about the liquidity status of the Municipality."

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

None

**9. REPORT OF THE EXECUTIVE COMMITTEE: JANUARY 2013**

**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 December 2012 to January 2013**

**9.1 The report of the 312<sup>th</sup> Executive Committee meeting held on 8 November 2012 (already considered in 65<sup>th</sup> Council of 8 November 2012)**

**9.2 The report of the 313<sup>th</sup> Executive Committee meeting held on 15 November 2012 (already considered in 81<sup>st</sup> Special Council of 15 November 2012)**

**9.3 The report of the 314<sup>th</sup> Executive Committee meeting held on 7 December 2012 (already considered in 82<sup>nd</sup> Special Council of 13 December 2012)**

**9.4 The report of the 315<sup>th</sup> Executive Committee meeting held on 13 December 2012 (already considered in 82<sup>nd</sup> Special Council of 13 December 2012)**

**9.5 The report of the 316<sup>th</sup> Executive Committee meeting held on 29 January 2013**

**9.6 The report of the 317<sup>th</sup> Executive Committee meeting held on 31 January 2013**

**ITEM A.1.31.01.13**

**REPORTS AND SURVEYS: MID-YEAR PERFORMANCE ASSESSMENT: 2012/13 FINANCIAL YEAR: SDBIPs OF ALL DEPARTMENTS (10/1/4/1; 10/1/2)**

**RESOLVED A.1.31.01.13 –**

1. THAT Council takes note of the Summary of the Mid Year Performance Assessment Report for 2012/13 Financial Year which was compiled under the leadership of the Municipal Manager, a copy of which is attached hereto as Annexures A to E, which was delivered to the Department of Housing and Local Government during January 2013, as required under section 72 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003).  
(CFO/MM)
2. THAT the SDBIP for Department Community Services include the Community Safety Forum (CSF) as a project and that progress reporting be accordingly reflected in the Midyear Performance Assessment 2012/13 financial year.  
(DCOMS)
3. THAT with regard to the progress report of Department Technical Services attached as Annexure D, it be noted that the amount reflected against project no. 95, Rehabilitation of Street, Eltivillas Business Area stands to be corrected.  
(DTS)

**ITEM A.2.31.01.13**

**PUBLICITY: DRAFT ANNUAL REPORT 2011/12: APPROVAL AND SUBMISSION:  
DEPARTMENT NATIONAL TREASURY AND DEPARTMENT PROVINCIAL AND  
LOCAL GOVERNMENT  
(10/1/2; 10/1/4/1-8)**

**REMARK:**

This report was substituted by item A.7.31.01.13.

**ITEM A.3.31.01.13**

**FINANCES: MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT: SECTION 72  
REPORT  
(10/1/4/1, 10/1/5/2)**

**REMARK:**

This report was substituted by item A.6.31.01.13.

**ITEM A.4.31.01.13**

**COUNCIL LAND: DRAFT POLICY ON IMMOVABLE PROPERTY (LAND) DISPOSAL  
(7/B)**

RESOLVED A.4.31.01.13 -

1. THAT Council adopts and approves the Draft Policy on Immovable Municipal Property (Land) Disposal attached to the report in this regard as Annexure A. (DDP)
2. THAT the Department Development Planning invite public comments in terms of section 21 of the Municipal Systems Act (Municipal Systems Act 32 of 2000) immediately after approval of the Draft Policy by Council. (DDP)
3. THAT the Draft Policy be submitted again to Council for final approval after public comments have been invited and/or received. (DDP)
4. THAT the Department Development Planning implements the new proposed policy after final approval thereof by Council. (DDP)

Immovable Property (Land) Disposal Policy itm

**ITEM A.5.31.01.13****TOWN PLANNING AND CONTROL: ALIENATION OF PORTION OF THE FARM WATERVAL NO. 45 LT  
(7/4/1/3)**

RESOLVED A.5.31.01.13 -

THAT the Council support the disposal of land in extent 4470m<sup>2</sup> in favour of Mr M B Tlakula on the farm Waterval No 45 LT subject to the following conditions:

1. The applicant must submit formal application for rezoning
2. Comments from Vhembe district municipality with regard to the supply of water and sewer must be submitted together with the application
3. Developer must submit signed Services Agreement with Vhembe District Municipality for water and sewer services.
4. Comments from Telkom, ESKOM, DWA, RAL and LEDET must be obtained, and submitted together with the application.

NjhakanjhakaLandDisposal\_itm

(DDP)

**ITEM A.6.31.01.13****REPORTS AND SURVEYS: 2012/13 MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT: MUNICIPAL FINANCE MANAGEMENT ACT - SECTION 72 REPORT  
(10/1/4/1, 10/1/5/2)****REMARK:**

Item A.3.31.01.13 on page EC 2013/590 was SUBSTITUTED in whole for this report.

RESOLVED A.6.31.01.13 -

1. THAT Council note an adjustment budget for income and expenditure projections for the financial year ending 30 June 2013 will be compiled in terms of section 28 of the Municipal Finance Management Act, Act no. 56 of 2003. (CFO)
2. THAT the report of the Municipal Manager about the 2012/13 Mid-year budget and performance assessment submitted in terms of section 72(1)(a)(i) and (ii), as more fully set out in Annexures A to E attached to the report in this regard, be noted and that Council's final Resolution on this assessment be officially submitted to the National and Provincial Treasury as well as the Provincial Department of Cooperative Governance, Human Settlement and Traditional Affairs, subject to the following correction:
  - 2.1 With reference to the table on page EC 2013/780 the CFO submit information about electricity distribution losses as it was not reflected accordingly in the report. (CFO)



3. THAT it be noted that the complete mid-year assessment report was on 25 January 2013 submitted to the Mayor, the National and the Provincial Treasury as well as Provincial COGHSTA in order to meet legislative requirements and that this action be condoned in the light of the timelines. (CFO)
4. THAT it further be noted that a special Council meeting will be convened for 28 February 2013 at 14:00 in order to consider a proposed Adjustment Budget for 2012/13 which came about as a result of the mid-year financial and performance assessment of municipal operations. (CFO)
5. THAT it be noted that the overall performance assessment of the municipality can be further viewed in separate reports submitted elsewhere in the agenda as follows:
- 5.1. The full Quarter 1 and Quarter 2 progress reports of each municipal Department's 2012/2013 SDBIP which is attached as Annexures to item A.1.31.01.13 on page EC2013/1 of the Executive Committee agenda distributed under Notice dated 22 January 2013.
- 5.2. The Draft Annual Report 2011/2012, as amended, and submitted under item A.7.31.01.13 of the Executive Committee agenda distributed under Notice dated 25 January 2013.
- MidyearBudgetandPerformanceAssessment\_itm (CFO/MM)

### **ITEM A.7.31.01.13**

**PUBLICITY: DRAFT ANNUAL REPORT 2011/12: APPROVAL AND SUBMISSION:  
DEPARTMENT NATIONAL TREASURY AND DEPARTMENT PROVINCIAL AND  
LOCAL GOVERNMENT  
(10/1/2; 10/1/4/1-/8)**

**REMARK:**

Item A.2.31.01.13 on page EC 2013/174 was SUBSTITUTED as a whole for this report.

RESOLVED A.7.31.01.13 -

1. THAT the Draft Annual Report 2011/2012 attached as Annexure A to the report in this regard, be approved by Council, and that it be advertised for public comments. (MM)
2. THAT it be noted that the initial draft Annual Report submitted under item A.2.31.01.13 was reviewed as a whole upon instruction by the Municipal Manager, and amongst others addressed the inaccuracies pointed out by Portfolio Committees, and that the version of the Draft Annual Report under this Resolution (A.7.31.01.13) will be the official Draft Annual Report 2011/2012. (MM)

3. THAT the Municipal Public Account Committee (MPAC) proceed with the oversight component of the Draft Annual Report 2011/2012 in order to have an Overview on the Report as more fully set out in National Treasury *Circular No 32 of 15 March 2006*, which *Committee* must conclude their task within the given timelines as dictated by legislation, for final submission of the final report to Council by no later than 31 March 2013. (MM)
4. THAT members of the Audit Committee be invited to serve as technical assistance to the Municipal Public Account Committee in the oversight task 2011/2012 referred to in paragraph 2 above. (MM)
5. THAT it be noted that Council's final resolve on the 2011/12 Annual Report must be passed by no later than 31 March 2013 whereupon it must be submitted to National Treasury and the Provincial Department of Local Government and Housing for submission to the Minister of Cooperative Governance and Traditional Affairs, and the Auditor General as Makhado Local Municipality's demonstration of municipal performance to its community. (MM)
6. THAT with reference to p22 of the organogram which is an annexure to the Draft Annual Report 2011/2012, and the request of the Portfolio Committee that Control Room Attendants and Disaster Officer be appointed, it be noted that the Municipal Manager is presently conducting a review of the organizational structure jointly with all the stakeholders, and the outcome would be submitted to Council in due course. (MM)
7. THAT note be taken of the following subjects raised as concerns and/or requests and that it be attended to further in appropriate manner:
  - 7.1. All posts for Department Community Services which have been approved in the 2011/2012 Organisational Structure must be filled.
  - 7.2. By-laws for Sport must be compiled as a matter of urgency. (DCSS)

**ITEM A.8.31.01.13****COUNCIL COMMITTEES: INVESTIGATION BY MPAC: TENDER 6 OF 2012 – DEBT COLLECTION FOR PERIOD OF THREE YEARS  
(4/33)****REMARK:**

When this matter was considered, Cllr M D Mulovhedzi proposed, seconded by Cllr F D Mutavhatsindi that the Municipal Manager must appoint an Independent Legal Advisor to investigate Tender no. 6 of 2012, Debt Collection for a period of three years, related to an element of conflict of interest, and submit the finding to Council as soon as it is available. The proposal was accepted in general and recorded as Council Resolution.

RESOLVED A.8.31.01.13 -

THAT the Municipal Manager appoint an Independent Legal Advisor to investigate Tender no. 6 of 2012, Debt Collection for a period of three years, related to an element of conflict of interest, and submit the finding to Council as soon as it is available. (DCSS)

MPAC Report Tender 6 of 2012

\* \* \* \* \*

**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 December 2012 to January 2013**

**9.1 The report of the 312<sup>th</sup> Executive Committee meeting held on 8 November 2012 (already considered in 65<sup>th</sup> Council of 8 November 2012)**

**9.2 The report of the 313<sup>th</sup> Executive Committee meeting held on 15 November 2012 (already considered in 81<sup>st</sup> Special Council of 15 November 2012)**

**9.3 The report of the 314<sup>th</sup> Executive Committee meeting held on 7 December 2012 (already considered in 82<sup>nd</sup> Special Council of 13 December 2012)**

**9.4 The report of the 315<sup>th</sup> Executive Committee meeting held on 13 December 2012 (already considered in 82<sup>nd</sup> Special Council of 13 December 2012)**

**9.5 The report of the 316<sup>th</sup> Executive Committee meeting held on 29 January 2013**

**9.6 The report of the 317<sup>th</sup> Executive Committee meeting held on 31 January 2013**

**ITEM B.1.29.01.13 (originally B.1.24.01.13)**

**TOWN-PLANNING AND CONTROL: SUBDIVISION OF PORTIONS 1 AND 2 OF ERF 3446, LOUIS TRICHARDT TOWNSHIP (15/3/8, E3446/1 & E3446/2)**

RESOLVED B.1.29.01.13 –

THAT the application of Freddy Makondo and Associates on behalf of their client Mr. R.E Rammuda and Mr. T.R.R Ramathuba to further subdivide portions 1 and 2 of Erf 3446, Makhado township be approved subject to the following conditions:

1. Each property 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. Only a single 60A single-phase connection (pre-paid or conventional) will be available for each stand. The amount payable for the electrical connections will be that of a non standard connection. The connections will be provided at the erf's boundary. The applicant must take note that the municipality will not be able to provide additional electricity supply capacity.
3. 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.
4. 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.
5. 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.
6. The proposed subdivision and consolidation must be registered in the Deeds Office within two years from date of approval of the application.
7. The 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.

8. That the Remainder of Portion 1 will be accessed by either Celliers or Pretorius Street.  
One access to the erf must be provided during submission of the building plan. (DDP)  
SubdivisionPortion1&2Erf3446\_itm

**ITEM B.2.29.01.13 (originally B.2.24.01.13)**

**TOWN-PLANNING AND CONTROL:**

- 1. REZONING OF ERF 2178, LOUIS TRICHARDT EXTENSION 2 TOWNSHIP FROM ‘RESIDENTIAL 1’ TO “BUSINESS 3”: MAKHADO AMENDMENT SCHEME NO. 46**
- 2. SIMULTANEOUS APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE CONDITIONS FROM THE TITLE DEED  
(E 2178 & 15/2/2/1/267)**

RESOLVED B.2.29.01.13 –

THAT the Council in terms of section 56 (9)(a) of the Town-Planning and Townships Ordinance (Ordinance 15 of 1986) approve the application received from Rian Beukes Town and Regional Planners and Property Consultants on behalf of their client (OPTIMPROPS 90 Pty Ltd) to rezone Erf 2178, Louis Trichardt Extension 2 Township from “Residential 1” to “Business 3”, simultaneously with the removal of restrictive title conditions from title deed for the purpose of erecting offices, 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 3” as the use zone.
4. Accessible parking space must be provided on the property and Municipal side walk may not be utilized as parking facilities.
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 supply is available.
8. The developer must appoint a professional electrical engineer to apply for the connection, design, and supervise the installation work.
9. Only an electrical contractor (registered 3phase installation electrician) shall be allowed to install, test and certify the installation work. And all actual and engineering costs will be for the developer account.
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. 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.
12. 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.
13. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
14. 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.
15. The Makhado Local Municipality does not have objection for the removal of restrictive title conditions (C [b-f] & [a-d]) from title deed T 49188/2012.
16. The Department of Co-operate Governance, Human Settlement and Traditional Affairs must give consent to the Removal of Restrictive Title Conditions on the subject property.

RezoningErf2178\_itm\_D

(DDP)

**ITEM B.3.29.01.13 (originally B.3.24.01.13)**

**TOWN-PLANNING AND CONTROL:**

- 1. PROPOSED REZONING OF PORTION 1 AND THE REMAINDER OF ERF 495, LOUIS TRICHARDT TOWNSHIP: “RESIDENTIAL 1” TO “RESIDENTIAL 3”: AMENDMENT SCHEME NO. 26**
- 2. SIMULTANEOUS CONSOLIDATION OF PORTION 1 AND ERF 495, LOUIS TRICHARDT TOWNSHIP**  
(E495/1; E45/R & 15/4/2/2/1/258; 15/3/6)

RESOLVED B.3.29.01.13 –

THAT the Council in terms of section 56 (9)(a) of the Town-Planning and Townships Ordinance (Ordinance 15 of 1986) approves the application received from Developlan on behalf of their clients George Frederick van der Merwe and Janene Holtzhausen to rezone Portion 1 and the Remainder of erf 495, Louis Trichardt Township from “Residential 1” to “Residential 3” for the purpose of erecting residential dwelling units, simultaneously the consolidation of the two properties in terms of section 92 (2) (b) of the Town-Planning and Townships Ordinance (Ordinance 15 of 1986) subject to the following conditions:

1. The consolidation must be registered to the Deeds Office and the consolidation diagram with the Surveyor General number be submitted to the Municipality within two years from date of approval of the application.
2. No building operations may commence without approved building plans.
3. Building plans will only be considered after the registration of the consolidation.

4. Site development plan must be submitted for consideration before the submission of building plans.
5. The development must comply with the Makhado Land Use Scheme, 2009 with “Residential 3” as the use zone.
6. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
7. The measurement of the perpendicular or angled parking must not be less than 5,5m x 2,7m and 6,0m x 2,7m for parallel parking.
8. Engineering services contributions will be payable and will be calculated in accordance with Council’s formula for such services.
9. Only a maximum of 50 kVA 3 phase electricity supply can be made available for the consolidated property and development. If the total connection capacity exceeds 50 kVA, additional electrical engineering contributions will be payable.
10. The developer must appoint a professional electrical engineer to apply for the connection, do designs and supervise the installation work.
11. An electrical engineer must be appointed by the developer and only an electrical contractor (registered 3 phase installation electrician) shall be allowed to install, test and certify the installation work. And all actual and engineering costs will be for the developer account.
12. 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.
13. 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.
14. 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.
15. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
16. The Municipality may through its authorized officials, enter the property at all reasonable times to conduct any inspection which may be considered necessary or desirable.
17. The applicable contents of Council Resolution A.78.24.07.08 will apply without failure and Council cannot be held liable for any losses suffered for whatever reason in this regard.

**ITEM B.4.29.01.13 (originally B.4.24.01.13)****TOWN-PLANNING AND CONTROL: EXTENSION OF SPECIAL CONSENT: LIMITED OVERNIGHT ACCOMMODATION: ERF 387, LOUIS TRICHARDT TOWNSHIP (E.387 & 15/3/8)**

RESOLVED B.4.29.01.13 -

THAT the application of Mr H Avis for extension of special consent to utilise erf 387, Louis Trichardt township for the purpose of Limited Overnight Accommodation be granted, subject to the following 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 existing supply capacity is 50 kVA three phase. A maximum of 100KVA 3 phase electrical supply may be made available on a formal application and design by the developer's professional electrical engineer. The electrical engineer and electrical contractor **shall** comply with the amended Electrical Installations Regulations. Engineering contribution as well as actual costs will be payable should the existing supply capacity **be not enough** for the development. Engineering and actual costs will only be calculated when the application is received from the developer's engineer.
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. A maximum of six (6) 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.
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. The special consent shall be for a period of twenty four (24) months, calculated from the date of approval letter of the application, and the property must be rezoned within twenty four (24) months and no extension for special consent will be granted thereafter.
11. All health regulations and by-laws that may be applicable and enforceable by the Director Community Services and Council be adhered to.
12. Food may only be served to persons making use of the overnight facility.
13. This consent can at anytime be withdrawn if it causes noise pollution or any nuisance to the immediate vicinity.

(DDP)



**ITEM B.5.29.01.13 (originally B.5.24.01.13)****TOWN-PLANNING AND CONTROL: EXTENSION OF SPECIAL CONSENT: SERVICE INDUSTRY (HAIR SALON): ERF 1772, LOUIS TRICHARDT EXTENSION 2 TOWNSHIP (E1772 & 15/4/14)**

RESOLVED B.5.29.01.13 -

THAT the application received from Mr N Walkenshaw for extension of the special consent to utilise erf 1772, Louis Trichardt Extension 2 township for the purpose of Service Industry (Hair Salon) be granted, subject to the following 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 six (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 are 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 special consent shall be for a period of twenty four (24) months, calculated from the date of approval letter of the application.
12. All restrictions regarding coverage, floor area ratio and parking as dictated by the Louis Trichardt Town-planning Scheme, 2000 must be adhered to.
13. Only one 60A single phase connection will be available on the stand. Should this capacity not be enough, the applicant will have to apply for additional capacity (enlargement of the existing connection) No additional electrical connection will be provided on the property and the hair salon must use the existing dwelling's supply.

- 14. If there will be any alteration on the electrical installation only a qualified electrical contractor (registered with the Contractors Board as an 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. (DDP)

SpecialConsentErf1772\_itm

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10. PETITIONS

None

11. NEW MOTIONS

None

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The meeting was closed and adjourned at 15:25.

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 28 February 2013.

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CHAIRPERSON