

# MAKHADO LOCAL MUNICIPALITY

## OFFICE OF THE DIRECTOR CORPORATE SUPPORT AND SHARED SERVICES

MINUTES OF THE EIGHTIETH (80<sup>TH</sup>) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD ON FRIDAY, 24 AUGUST 2012 IN THE COUNCIL CHAMBER, CIVIC CENTRE, KROGH STREET, MAKHADO AT 14:00.

### PRESENT

#### Councillors

BALIBALI, N P  
BALOYI, S R  
CHILILO, N F  
DAVHANA, N D  
GABARA, M J  
HLABIOA, M M  
HLONGWANE, B F  
HLUNGWANI K A  
JOOMA, Z  
KUTAMA, N  
LERULE, M M  
LUDERE E H  
LUDERE R  
LUDUVHUNGU, V S  
MACHETHE, M S  
MADZHIGA, F N  
MADZHIVHANDILA, M R  
MAGADA M R  
MAHANI, M G  
MATHLADISA, S V  
MAKHUBELE, R T  
MAKHUVHA, V S  
MALANGE, R  
MALANGE, T M  
MALIMA M E  
MAMAFHA T C  
MAMAFHA, T J  
MAMATSIARI, M S  
MAMROBELA, T P  
MAPHAHLA, A Z  
MAPHALA, O S  
MASHIMBYE, P F

MASUKA S  
MATHALISE, L M  
MATHAVHA, H F  
MATODZI, A M  
MATUMBA, M T  
MATUMBA, N J  
MBADI T A  
MOGALE, L B  
MTHOMBENI S Z  
MUKHARI M F  
MULOVHEDZI, M D  
MUNYAI N S  
MUTAVHATSINDI F D  
MUTELE, T M  
NDWAMMBI, M T  
NDZOVELA N G  
NELUVHOLA, A T  
NEMAFHOHONI, M G  
NETSHIVHULANA, T P  
NKANYANE R G  
RASIMPHI, M P  
RATSHIKUNI, D T  
RATSHIVHOMBELA, M Q  
REKHOTSO, S M  
RIKHOTSO, F J  
SAKHWARI, I  
SELEPE, M R  
SHANDUKANI, M J  
SINYOSI, S M  
TSHAVHUYO, T G  
TSHILAMBYANA, M S  
UNDERWOOD, J P

#### Traditional Leaders

KHOSI T P NESENGANI  
KHOSI T R V MASHAU

KHOSI M W NETSIANDA  
KHOSI R H SINTHUMULE

#### Officials

E L MUGARI (ACTING MUNICIPAL MANAGER & DIRECTOR COMMUNITY SERVICES)  
T S NDOU (DIRECTOR CORPORATE SUPPORT & SHARED SERVICES)  
P G MAPHETO (ACTING CHIEF FINANCIAL OFFICER)  
S A MATHONSI (ACTING DIRECTOR DEVELOPMENT & PLANNING)  
T E RALULIMI (DIRECTOR TECHNICAL SERVICES)  
H J LUKHELI (ASSISTANT MANAGER: COUNCILLORS AFFAIRS)  
T E SHIRINGANI (ASSISTANT MANAGER: COMMITTEES & AUXILIARY SERVICES)  
M D MUNYAI (ADMINISTRATIVE OFFICER: COMMITTEES)

**1. OPENING**

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

**2. APPLICATION FOR LEAVE OF ABSENCE**

RESOLVED –

THAT leave of absence be granted in terms of the provisions of Rule 5 of the Council's Rules and Orders published under Provincial Gazette Notice no. 1391 dated 31 August 2007 in respect of the Special Council meeting held on 24 August 2012 to Cllrs A du Plooy, M R Thandavhathu, S D Ramudzuli, N F Ngobeni, F F Madavhu and A J Mukhaha.

**REMARK:**

The following Councillors and Traditional Leaders were not present at the meeting: M O Ahmed, N Davhana, A Kennealy, M P Mazibuko, M D Mboyi as well as Khosi Mashamba N T L, Hosi Bungeni M S, Hosi Mukhari S T, Hosi Baloyi J, Khosi Masakona M C, Khosi Ramabulana V C, Hosi Majosi H M and Khosi Mulima S A.

**3. OFFICIAL ANNOUNCEMENTS**

The Speaker, Cllr L B Mogale expressed words of appreciation and thanks to the Ambassador of Goodwill and Peace, Mr A A Chaya for donating blankets and food to the vulnerable old aged and disabled of Makonde Drop-in-Centre.

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

None

**5. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY OTHER COUNCILLORS**

- 5.1 The Mayor, Cllr F D Mutavhatsindi proposed congratulations to Corporate Support and Shared Services Department and its Portfolio Head for arranging a successful workshop for councillors at Bhuba Game Lodge on Thursday, 23 August 2012.
- 5.2 Cllr R Ludere proposed condolences to the bereaved families of those who died at Marikana Lonmine, may their souls rest in peace (all councillors and officials stood up and observed a moment of silence.)
- 5.3 Cllr S Masuka proposed congratulations to the President of African National Congress, Mr Jacob Zuma, for providing leadership by appointing a Commission of Enquiry for the Lonmine incident in Marikana.
- 5.4 Cllr N D Davhana proposed congratulations to his worship Mayor, Cllr F D Mutavhatsindi with the celebration of his birthday on 15 August 2012.

**6. MATTERS CONSIDERED:**

**6.1 Resolutions of the Council in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): 80<sup>th</sup> Special Council Meeting: 24 August 2012**

**ITEM A.113.24.08.12 (originally A.113.25.10.12)**

**LEGISLATION: FINAL PUBLIC HEALTH: ANIMAL BY-LAWS  
(1/3/1)**

**REMARK:**

This item was referred as item B.24.22.08.12.

**ITEM A.114.24.08.12 (originally A.114.25.10.12)**

**LEGISLATION: FINAL HERITAGE RESOURCES AND CULTURAL INSTITUTIONS BY-LAWS  
(1/3/1)**

RESOLVED A.114.24.08.12 –

THAT the Makhado Municipality Heritage Resources and Cultural Institutions By-laws be approved and the date of commencement of the By-laws be the date on which the By-law is promulgated in the Limpopo Provincial Gazette. (DCSS)

HeritageResourcesByLaw\_itm

**ITEM A.115.24.08.12 (originally A.115.25.10.12)**

**LEGISLATION: FINAL WASTE MANAGEMENT (NON-HAZARDOUS, SOLID WASTE) BY-LAWS  
(1/3/1)**

RESOLVED A.115.24.08.12 –

THAT the Makhado Municipality Waste Management (Non-hazardous, Solid Waste) By-laws be approved and the date of commencement of the By-laws be the date on which the By-law is promulgated in the Limpopo Provincial Gazette. (DCSS)

WasteManagementByLaw\_itm

**ITEM A.116.24.08.12 (originally A.116.25.10.12)**

**LEGISLATION: FINAL LAND AND BUILDINGS (LAND): AERODROME BY-LAWS  
(1/3/1)**

RESOLVED A.116.24.08.12 –

THAT the Makhado Municipality Land and Buildings (Land): Aerodrome By-laws be approved and the date of commencement of the By-laws be the date on which the By-law is promulgated in the Limpopo Provincial Gazette. (DCSS)

AerodromeByLaw\_itm

**ITEM A.117.24.08.12 (originally A.117.25.10.08)****LEGISLATION: FINAL AERIAL SYSTEMS BY-LAWS  
(1/3/1)**

RESOLVED A.117.24.08.12 –

THAT the Makhado Municipality Aerial Systems By-laws be approved and the date of commencement of the By-laws be the date on which the By-law is promulgated in the Limpopo Provincial Gazette.

AerialSystemsByLaw\_itm

(DCSS)

**ITEM A.118.24.08.12 (originally A.118.25.10.12)****LEGISLATION: FINAL ROADS, TRAFFIC AND SAFETY BY-LAWS  
(1/3/1)**

RESOLVED A.118.24.08.12 –

THAT the Makhado Municipality Roads, Traffic and Safety By-laws be approved and the date of commencement of the By-laws be the date on which the By-law is promulgated in the Limpopo Provincial Gazette.

RoadsTraffic&amp;SafetyByLaw\_itm

(DCSS)

**ITEM A.119.24.08.12 (originally A.119.25.10.12)****LEGISLATION: FINAL ELECTRICITY SUPPLY BY-LAWS  
(1/3/1)**

RESOLVED A.119.24.08.12 –

THAT the Makhado Municipality Electricity Supply By-laws be approved and the date of commencement of the By-laws be the date on which the By-law is promulgated in the Limpopo Provincial Gazette.

ElectricitySupplyByLaw\_itm

(DCSS)

**ITEM A.120.24.08.12 (originally A.120.25.10.12)****LEGISLATION: FINAL COMMONAGE BY-LAWS  
(1/3/1)**

RESOLVED A.120.24.08.12 –

THAT the Makhado Municipality Commonage By-laws be approved and the date of commencement of the By-laws be the date on which the By-law is promulgated in the Limpopo Provincial Gazette.

CommonageByLaw\_itm

(DCSS)

**ITEM A.121.24.08.12 (originally A.121.25.10.12)****LEGISLATION: FINAL FENCES AND FENCING BY-LAWS  
(1/3/1)**

RESOLVED A.121.24.08.12 –

THAT the Makhado Municipality Fences and Fencing By-laws be considered together with the comments received from Geoland Surveys and the date of commencement of the By-laws be the date on which the By-law is promulgated in the Limpopo Provincial Gazette. (DCSS)

Fencing&amp;FencesByLaw\_itm

**ITEM A.122.24.08.12 (originally A.122.25.10.12)****DOMESTIC SERVICES: COMPUTER SERVICES: INFORMATION COMMUNICATION TECHNOLOGY – DRAFT GOVERNANCE FRAMEWORK  
(8/2/3)****REMARK:**

When this matter was considered, Cllr F N Madzhiga proposed, duly seconded by cllr M T Matumba that the matter be referred back for reconsideration by the Portfolio Committee Corporate Support and Shared Services. The proposal was accepted in general and recorded as Council Resolution.

RESOLVED A.122.24.08.12 -

THAT the matter be referred back to the Portfolio Committee: Corporate Support and Shared Services for reconsideration.

ICTGovernanceFramework\_itm

(DCSS)

**ITEM A.123.24.08.12 (originally A.123.25.10.12)****DOMESTIC SERVICES: DRAFT POLICY FOR ICT EQUIPMENT USAGE  
(8/2/3)****REMARK:**

This item was referred as item B.25.22.08.12.

**ITEM A.124.24.08.12 (originally A.124.25.10.12)****COUNCIL COMMITTEES: RETURN OF ATTENDANCE OF MEETINGS OF COUNCIL AND ITS COMMITTEES – JANUARY 2012 TO JUNE 2012 – QUARTER 3 AND 4, 2011/2012 FINANCIAL YEAR  
(4/1/B)****REMARK:**

When this matter was considered, Cllr F Chililo proposed, duly seconded by Cllr M T Matumba that the matter be referred back for reconsideration by the Portfolio Committee: Rules and Ethics.

RESOLVED A.124.24.08.12 -

THAT the matter be referred back and for reconsideration by the Portfolio Committee: Rules and Ethics. (DCSS)

Return of Attendance Jan 2012 to June 2012

**ITEM A.125.24.08.12 (originally A.125.25.10.12)****FINANCES: 2012/ 2013 TO 2014/2015 IDP AND BUDGET TIME SCHEDULE  
(6/1/1 2012/2013 & 15/7/1)**

RESOLVED A.125.24.08.12 –

1. THAT Council approves the 2012/2013 to 2014/2015 IDP and Budget time schedule as proposed in Annexure A attached to the report in this regard that has been compiled in accordance with the Guidelines of National Treasury and that the administrative component, as well as the political component comply fully with the requirement to adhere to the time schedule. (CFO)
2. THAT the time frame of the Budget Schedule be further adjusted in line with forward planning, targets and implementation of the IDP for the next financial year. (CFO)

Budget&amp;IDPTimetable\_itm

**ITEM A.126.25.10.12 (originally A.126.25.10.12)****COUNCIL POLICIES: PROPOSED DISASTER MANAGEMENT POLICY FRAMEWORK  
(12/3/3/50)****REMARK:**

This item is referred as item B.26.22.08.12.

**ITEM A.127.24.08.12 (originally A.127.25.10.12)****TOWN PLANNING AND CONTROL: ADOPTION OF THE MAKHADO MUNICIPALITY  
COMPACTION AND DENSIFICATION POLICY 2012  
(15/3/15)**

RESOLVED A.127.24.08.12 –

1. THAT Council adopts the Makhado Compaction and Densification Policy, 2012 attached to the report in this regard as Annexure B, and it be implemented from the date of the Resolution. (DDP)
2. THAT the Director Development Planning be given the responsibility for implementation and monitoring of the Policy referred to in paragraph 1 above. (DDP)
3. THAT the stands with sizes between 2500m<sup>2</sup> and 2700m<sup>2</sup> in Louis Trichardt Extension 1, Louis Trichardt Extension 2 and Louis Trichardt Extension 4 be also earmarked as an area where rezoning to “Residential 2” only can be considered. (DDP)
4. THAT given the need and demand, the Policy in paragraph 1 above could only be reviewed after five years calculated from the 2012/2013 financial year. (DDP)

5. THAT applications for duet development will only be considered in terms of the provisions of Clause 22 of the Makhado Land Use Scheme, 2009 and that only on land not less than 1000m<sup>2</sup> in extent. (DDP)
  6. THAT no subdivision applications with a duet proposal will be considered, but that specific conditions for duet development will be set when the application for duet development is received in terms of the provisions of Clause 22 of the Makhado Land Use Scheme, 2009. (DDP)
- CompactionDensificationPolicy\_itm

**ITEM A.128.24.08.12 (originally A.128.25.10.12)**

**TOWN PLANNING AND CONTROL: PRINCIPLE APPROVAL: PROPOSAL TO INCREASE FEES AND ESTABLISHMENT OF NEW FEES IN TERMS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), LOCAL GOVERNMENT ORDINANCE, 1939; (ORDINANCE 17 OF 1939) AND LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT 32 OF 2000) (7/3/2/1)**

RESOLVED A.128.24.08.12 -

1. THAT the proposal to increase town-planning related fees and introduce new fees for services, as submitted by the Department of Development Planning be approved in principle, subject to paragraph 7 below. (DDP)
2. THAT a notice of the proposed increase in town-planning related fees must be published in the local newspaper and Provincial Gazette for public comments. (DDP)
3. THAT all the properties encroaching on Municipal land be identified and the owners be informed of such encroachment, and a rental for such encroachment be collected. (DDP)
4. THAT the proposed tariff increase in town-planning related fees be submitted to Council after the public notification referred to in paragraph 2, for adoption and implementation during 2012/2013 financial year. (DDP)
5. THAT the fees promulgated in the Provincial Gazette increase annually along with all other municipal services tariff increases when the annual budget is considered. (DDP)
6. THAT the Director Development Planning arrange with the Chief Financial Officer for creation of income vote numbers that must be allocated to each category of service/function. (DDP)
7. THAT the proposed tariff of R200 per PTO application be referred back for further investigation. (DDP)

FeesProposals\_itm

**ITEM A.129.24.08.12 (originally A.129.25.10.12)****TOWNPLANNING AND CONTROL: PROPOSED PARK CLOSURE FOR PURPOSE OF ERECTING FIRE STATION: ERF 2929, DZANANI TOWNSHIP (15/3/8, 15/3/15 & 7/4/1/4)**

RESOLVED A.129.24.08.12 -

1. THAT the Council in terms of clause 68 read together with clause 67(1) of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) approves thereof that necessary steps be taken and followed for the permanent closing of a portion of 5ha of the Park erf 2929, Makhado A Extension 4 (Dzanani) Township. (DDP)
  2. THAT Pieterse, Du Toit and Associates without any claim to the Municipality continue with process of public notification on behalf of the Makhado Municipality in terms of Clause 67(3) of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) to inform the community of Makhado A township of the intension of the Makhado Local Municipality to close a portion of 5ha of Park erf 2929. (DDP)
  3. THAT Pieterse, Du Toit and Associates proceeds, without claim to the Municipality, to subdivide and rezone a portion of 5ha of Erf 2929, on behalf of the Makhado Municipality as owner, from “Public Open Space” to “Municipal” in terms of the relevant legislation. (DDP)
- ParkClosureErf2929

**ITEM A.130.24.08.12 (originally A.130.25.10.12)****COUNCIL LAND: PROPOSED SALE OF ERF 1917, WATERVAL TOWNSHIP (7/4/1/3 & 7/3/2/1)**

RESOLVED A.130.24.08.12 -

THAT the application received from Mr M. E. Mbatsani to purchase business zoned erf 1917, Waterval Township for purpose of developing an Eating House Restaurant and related activities that was received on 23 February 2011 be approved in principle in terms of the provisions of **Council Resolution A.108.14.12.09** i.e. policy on sale of council land in the R293 towns (Business), subject to the following conditions:

1. The intention to sell the land be advertised in a local newspaper for any objections
2. The property be developed within three (3) years from the date of signing the Deed of Sale, provided that Council may allow an extension of a further (2) years
3. In the event that the developer failed to complete the development as required under paragraph 2 above, the property revert back to Council without compensation by the Municipality to the developer for any improvements on the property.
4. The property be sold at a market related purchase price determined by a valuator which Municipality will appoint for this purpose.



5. The developer submits a development proposal for consideration by the Executive Committee before any building plans may be approved
6. The municipality shall not be liable for any claim of damage or loss suffered as a result directly or indirectly of the transaction herein.
7. Any development must comply with the provisions of the Makhado Land Use Scheme, 2009.

SaleOfErf1917\_itm

(DDP)

**ITEM A.131.24.08.12 (originally A.131.25.10.12)**

**COUNCIL LAND: PROPOSED DONATION OF ERF 18, 19, 20 AND REVERSAL AND ANTICIPATED PURCHASE OF ERF 27, TSHIKOTA TOWNSHIP (TE18, TE19, TE20, TE25, TE26, TE27 & 7/3/2/1)**

**REMARK:**

When this matter was considered, Cllr F Chililo proposed, duly seconded by Cllr M T Matumba that the matter be referred back to the Portfolio Committee Development Planning for further investigation. The proposal was accepted in general and recorded as Council's Resolution.

RESOLVED A.131.24.08.12 -

THAT the matter be referred back to the Portfolio Committee Development Planning for further investigation.

DonationErven18-20\_itm

(DDP)

**ITEM A.132.24.08.12 (originally A.132.25.10.12)**

**COUNCIL LAND: PROPOSED PURCHASE, SUBDIVISION, REZONING OF PORTION OF PORTION 1310, FARM HA-TSHIKOTA (VLEYFONTEIN 316 LS) TOWNSHIP (7/4/1/3 & 15/3/8)**

RESOLVED A.132.24.08.12 –

THAT subject to consideration of the Department Development and Planning comments attached as Annexure C hereto, the application for the purchase, subdivision and rezoning of portion of portion 1310, Farm Ha-Tshikota (Vleyfontein 316 LS) Township by Pastor Ndou, Messrs Mulaudzi and Ndou on behalf of "The Living Gospel World Mission Church" per private contract be approved in principle, subject to the following conditions: -

1. The intention to purchase, subdivision and rezoning of portion of portion 1310, Farm Ha-Tshikota (Vleyfontein 316 LS) Township be advertised in a local newspaper for comments and objections.
2. The property be sold at a market related purchase price determined by a valuator.
3. The developer submit a development proposal for consideration by the Executive Committee.
4. The property be developed within 3 (three) years from the date of signing the Deed of Sale, provided that Council may allow an extension of a further 2 (two) years.
5. In the event that the developer failed to complete the development as required under paragraph 4 above, the property shall revert back to Council without compensation by the Municipality to the developer for any improvements on the property.
6. The standard conditions for sale of Municipal land will further apply.

7. The purchaser will be responsible for the rezoning of the property to suit the intended land use and will carry all costs in this regard.
8. The landowner must appoint a surveyor for the subdivision and the costs will be embodied in the purchase price.
9. The Municipality cannot guarantee water, sewer and electricity services to the site as it is not the licensed service provider thereof. (DDP)

PurchasePortion1310Tshikota\_itm

**ITEM A.133.24.08.12 (originally A.133.25.10.12)**

**TOWN PLANNING AND CONTROL: PROPOSED REZONING OF PART OF PORTION 10 OF THE FARM RONDEBOSCH 287-LS (15/3/15 & 15/4/2/2/1/251)**

RESOLVED A.133.24.08.12 -

THAT the Council in terms of section 56 1(b) (i) of the Town Planning and Townships Ordinance (Ordinance 15 of 1986) approve in principle, pending further investigation to take place, the application received from Developlan on behalf of their clients Matodzi Watson Phungo and Tshikhathi Esther Phungo to rezone part of Portion 10 of the farm Rondebosch 287 LS from “Agriculture” to “Special” with an annexure for the purpose of erecting twenty (20) overnight accommodation units, a restaurant (for patrons) and conference facility simultaneously the subdivision of the said portion into two portions in terms of the Division of Land Ordinance, 1986 (Ordinance 20 of 1986) and Advertising on Roads and Ribbon Development Act, 1940 (Act 21 of 1940) 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 the consideration of building plans.
3. The maximum height of the buildings shall not exceed two storeys.
4. The development shall comply with the Makhado Land Use Scheme, 2009 with “Special” for overnight accommodation (20 overnight units, approximately 50m<sup>2</sup> each), a restaurant for patrons (700m<sup>2</sup>) and conference facility (3000m<sup>2</sup>) as the use zone.
5. Agricultural practice should remain being practiced on the Northern part of the property and no change of land use would be permitted without consent from relevant authority.
6. Accessible parking space must be provided inside the property.
7. One (1) dust free parking for overnight accommodation units and eight (8) dust free parking per 100m<sup>2</sup> Gross Leasable Floor Area for Restaurant and Conference facility respectively shall be provided.
8. 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.
9. The internal driveways or paths on the property shall be constructed and maintained by the owners as required by the Municipality.
10. Loading and off loading shall be within the property boundaries.
11. The Director Finance will collect charges and tariffs in accordance with a business tariff.

12. The Municipality's By-laws and relevant legislations relating to health and safety standards must be adhered to.
13. Engineering services contributions will be payable and will be calculated in accordance with Council's formula for such services.
14. 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.
15. The Municipality may through its authorized officials, enter the property at all reasonable times to conduct any inspection which may be considered necessary or desirable.
16. The proposed subdivision must be registered in the Deeds Office within two years from date of approval of the application.
17. Comments from the Department of Agriculture, Forestry and Fisheries, Department of Health and Welfare, Department of Economic Development, Environment and Tourism, Department of Rural Development and Land Reform (Land Claim Commissioner) and Roads Agency Limpopo specifically looking at the proposed development must be obtained and submitted to the Municipality before the implementation thereof.
18. The Department of Co-operative Governance, Human Settlements and Traditional Affairs must give consent to the subdivision.

RezoningPortion10FarmRondebosch\_itm

(DDP)

**ITEM A.134.24.08.12 (originally A.134.25.10.12)**

**TOWN PLANNING AND CONTROL: PROPOSED REZONING OF PORTION 1 OF ERF 483, LOUIS TRICHARDT TOWNSHIP FROM "RESIDENTIAL 1" TO "RESIDENTIAL 3" (E 483/1 & 15/4/2/2/1/260)**

RESOLVED A.134.24.08.12 –

THAT the Council in terms of section 56 1(b) (i) of the Town Planning and Townships Ordinance (Ordinance 15 of 1986) approve the application received from Developlan on behalf of their clients Essa Faruk Omarjee, Patel Iqbal Hashan Suba and Patel Afroja Ibrahim to rezone Portion 1 of erf 483, Louis Trichardt Township from "Residential 1" to "Residential 3" subject to the following conditions:

1. No building operations may commence without approved building plans.
2. Site development plan must be submitted for consideration before the submission of building plans.
3. The development must comply with the Makhado Land Use Scheme, 2009 with "Residential 3" as the use zone.
4. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
5. The measurement of the perpendicular or angled parking must not less than 5,5m x 2,7m and 6,0m x 2,7m for parallel parking.
6. Engineering services contributions will be payable and will be calculated in accordance with Council's formula for such services.

7. Only a maximum of a 100KVA 3phase electricity supply can be made available.
8. The developer must appoint a professional electrical engineer to apply for the connection, to submit designs and to 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 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.

RezoningPortion1Erf483\_ITM

(DDP)

**ITEM A.135.24.08.12 (originally A.135.25.10.12)**

**TOWN PLANNING AND CONTROL: REZONING OF PORTION 1 OF ERF 564, LOUIS TRICHARDT TOWNSHIP: “RESIDENTIAL 1” TO “RESIDENTIAL 3” (E 564/1 & 15/4/2/2/1/254)**

RESOLVED A.135.24.08.12 –

THAT the Council in terms of section 56 1(b) (i) of the Town Planning and Townships Ordinance (Ordinance 15 of 1986) approve the application received from Developlan on behalf of their client Madumelani Maria Chauke to rezone Portion 1 of erf 564, Louis Trichardt Township from “Residential 1” to “Residential 3” subject to the following conditions:

1. No building operations may commence without approved building plans.
2. Site development plan must be submitted for consideration before the submission of building plans.
3. The development must comply with the Makhado Land Use Scheme, 2009 with “Residential 3” as the use zone.
4. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
5. The measurement of the perpendicular or angled parking must not less than 5,5m x 2,7m and 6,0m x 2,7m for parallel parking.

6. Engineering services contributions will be payable and will be calculated in accordance with Council's formula for such services.
7. Only a maximum of a 100KVA 3phase electricity supply can be made available.
8. The developer must appoint a professional electrical engineer to apply for the connection, to submit designs and to 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 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.

RezoningPortion1Erf564\_itm

(DDP)

**ITEM A.136.24.08.12 (originally A.136.25.10.12)**

**TOWN-PLANNING AND CONTROL: APPLICATION FOR CONSOLIDATION ERVEN 1339 AND 1340, HA-TSHIKOTA A EXTENSION 1 TOWNSHIP (VLEIFONTEIN)  
(7/4/1/3 & 15/3/6)**

RESOLVED A.136.24.08.12 -

THAT the application received from KTH Town and Regional Planners for the consolidation of erven 1339 and 1340, Ha-Tshikota A extension 1 township be approved; subject to the following:

1. The consolidation must be registered in the Deeds Office within two years.
2. Development must comply with the Makhado Land Use Scheme, 2009.
3. 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.
4. 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.

5. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
6. The Department of Co-operative Governance, Human Settlements and Traditional Affairs be informed of the recommendation. (DDP)

ConsolidationErf1339&1340Ha-TshikotaA

**ITEM A.137.25.10.12 (originally A.137.25.10.12)**

**LOCAL ECONOMIC DEVELOPMENT: PARTICIPATION IN THE SANGANAI TOURISM SHOW: ZIMBABWE (HARARE) - ANNUAL TOURISM EXHIBITION (12/3/2/2)**

**REMARK:**

This item was referred as item B.27.22.08.12.

**ITEM A.138.24.08.12**

**FINANCES: REQUEST FOR APPROVAL TO WITHDRAW THE CHARGE OF BASIC ELECTRICITY ON PRE-PAID METERS (16/2/1)**

RESOLVED A.138.24.08.12 -

1. THAT considering the socio-economic status of the members of the community and the recommendation by Nersa the **Electricity Basic Charge on Pre-paid Meters** be discontinued with retrospective effect from 1 September 2012. (CFO)
2. THAT no reversals will be made with regard to charges prior to 1 September 2012, with regard to paragraph 1 above. (CFO)
3. THAT with regard to the revenue forgone, the administrative management must adjust the operational and capital activities in the approved annual budget for 2012/2013 financial year in order to accommodate the deficit. (MM/ALL DIRS)
4. THAT the report of the adjustment of the operational and capital estimates to accommodate the revenue forgone be submitted to Council for approval in terms of section 28 of the Local Government: Municipal Finance Management Act, No. 56 of 2003. (CFO)
5. THAT pre-paid system customers charged the basic electricity charge in the period after 1 September 2012 be credited accordingly. (CFO)

BasicElectricityChargeDiscontinued\_itm

**ITEM A.139.24.08.12****COUNCIL LAND: PROPOSED ACQUISITION OF ERVEN 2526 AND 2722, MAKHADO EXTENSION 5 TOWNSHIP (E2526 & E2722)**

RESOLVED A.139.24.08.12 -

1. THAT Council recommends to the Department of Public Works that both erven 2526 and 2722, Louis Trichardt Extension 5 township be disposed of by means of private sale in terms of an agreement between the said Department and the applicant. (DDP)
2. THAT Mr S Dosa should be offered first preference to acquire erven 2526 and 2722, Louis Trichardt Extension 5 township, also with reference to the letters dated 15 December 2011 and 20 August 2012 attached to the report in this regard. (DDP)

ShansonsErf2526-itm

**ITEM A.140.24.08.12****PERSONNEL: APPOINTMENT: MUNICIPAL MANAGER (5/3/B; SP1/1/1)****REMARK:**

When this matter was considered, Cllr N F Chililo proposed, duly seconded by Cllr M R Selepe that Mr I P Mutshinyali be appointed as Municipal Manager of Makhado Local Municipality with effect from 1 September 2012. The proposal is recorded herein below as Council Resolution.

RESOLVED A.140.24.08.12 -

1. THAT the appointment of Mr I P Mutshinyali as the Municipal Manager of Makhado Local Municipality with effect of 1 September 2012 be approved, as more fully set out in the report in this regard. (DCSS)
2. THAT the Employment Contract between the Municipal Manager and Municipality of Makhado and the Performance Agreement be approved as set out in Annexure A attached to the report in this regard. (DCSS)
3. THAT the Mayor, Cllr F D Mutavhatsindi be vested with the power to negotiate the all inclusive remuneration package on a cost-to-council basis with the Municipal Manager referred to in paragraph 1 above and that the Vhembe District Municipality remuneration packages as well as the term of the Employment Contract, serve as bench mark for this purpose. (DCSS)
4. THAT it be noted that the Mayor will sign the Employment Contract and Performance Agreement of the Municipal Manager on behalf of Makhado Municipality as dictated by legislation. (DCSS)

**ITEM A.141.24.08.12****PERSONNEL: APPOINTMENT: CHIEF FINANCIAL OFFICER  
(5/3/B; SP 3/1)****REMARK:**

When this matter was considered, Cllr T A Mbadi proposed, duly seconded by general Council that Ms M Makhubele be appointed as Chief Financial Officer of Makhado Local Municipality with effect of 1 September 2012 or 1 October 2012. The proposal is recorded herein below as Council Resolution.

RESOLVED A.141.24.08.12 -

1. THAT the appointment of Ms M Makhubele as Chief Financial Officer of Makhado Local Municipality with effect of 1 September 2012 be approved, as more fully set out in the report in this regard. (DCSS)
2. THAT the Employment Contract between the Chief Financial Officer and Municipality of Makhado and the Performance Agreement be approved as set out in Annexure B attached to the report in this regard. (DCSS)
3. THAT the Municipal Manager be vested with the power to negotiate the all inclusive remuneration package on a cost-to-council basis with the Chief Financial Officer referred to in paragraph 1 above and that the Vhembe District Municipality remuneration packages as well as the term of the Employment Contract, serve as bench mark for this purpose. (DCSS)
4. THAT it be noted that the Municipal Manager will sign the Employment Contract and Performance Agreement of the Chief Financial Officer on behalf of Makhado Municipality as dictated by legislation. (DCSS)

**ITEM A.142.24.08.12****TOWN-PLANNING AND CONTROL: MASAGANI LAND CLAIM: FARM BERGVLIET 288  
LS  
(15/3/23)**

RESOLVED A.142.24.08.12 -

THAT the Municipal Manager be delegated with the responsibility to compile and complete a Memorandum of Understanding with the Regional Land Claims Commission with regard to the issues of the Masagani land claim, to clarify roles and responsibilities of the Municipality, the RLCC and the Masagani CPA. (DDP)

MasaganiLandClaim\_itm



**ITEM A.143.24.08.12****LOCAL ECONOMIC DEVELOPMENT: PARTICIPATION IN THE SANGANAI TOURISM SHOW: ZIMBABWE (HARARE) - ANNUAL TOURISM EXHIBITION (12/3/2/2)****REMARK:**

When this matter was considered, the Mayor, Cllr F D Mutavhatsindi proposed that the amount of the whole trip must not exceed R100 000,00. The proposal was accepted in general and recorded herein below as Council's Resolution.

**RESOLVED A.143.24.08.12**

THAT the invitation from Zimbabwe Tourism Authority attached as Annexure A to the report in this regard be noted, and that it be approved, subject to the following conditions:

1. Permission be granted for the Mayor, Portfolio Head Development Planning, Director Development Planning, LED Manager and the Tourism and Marketing Officer (including the driver of the Municipal minibus, Mr Muthambi) to attend the Trade Fair in Zimbabwe from the 18 to 21 October 2012, excluding travelling days and an extra 2 days for a meeting with the Gwanda Municipality as part of implementing activities in the 2012/2013 SDBIP of the Department of Development Planning and the Municipality as a whole. (DDP/DCOMS)
2. Permission be granted that the delegation visit Gwanda Municipality on 23 October 2012 and resuscitate the 2000 Memorandum of Understanding that was signed between the two Municipalities in the interest of improved and enhanced local governance between the two towns and its people. (DDP/DCOMS)
3. Travel and accommodation for all the delegates be paid, including the driver of the municipal minibus, but excluding seven (7) exhibitors for whom SEDA will be responsible for their accommodation. An advance payment to cover for travelling and auxiliary costs will be done. (CFO)
4. Permission be granted to assist with transport (the municipal micro-bus) for the seven (7) exhibitors from within Makhado Municipality who will be attending the show as part of the delegates coordinated by Vhembe District Municipality: Provided such exhibitors arrange for their own insurance coverage for loss or damage suffered in the case of any incident related direct or indirectly to the use of Municipality's transport: Provided further that Council be indemnified against any claims for whatever reason that may be received from such exhibitors: Provided further that only an authorised Municipal Officer may drive the Municipal vehicle. (DDP)
5. The Municipal Manager in Office accompany the delegation to Sanganai Tourism Show in Zimbabwe. (MM)

6. The approval hereby granted must be submitted to the Office of the Premier, Republic of South Africa Embassy in Zimbabwe, Department of International Relations and the MEC for Co-operative Governance, Human Settlements and Traditional Affairs for their confirmation before it can be implemented. (DDP)

7. The total all-inclusive cost of the trip to Zimbabwe must not exceed R100 000. (CFO)  
TourismShowZimbabwe\_itm(2)

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**7.2 Resolutions of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): 308<sup>th</sup> Executive Committee Meeting: 22 August 2012**

**ITEM B.22.22.08.12**

**PERFORMANCE MANAGEMENT: SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLANS: DEPARTMENT TECHNICAL SERVICES – 2012/13 FINANCIAL YEAR (6/1/1(11/12); 10/1/4/2)**

RESOLVED B.22.22.08.12 -

THAT the SDBIP for the 2012/2013 financial year of the Department Technical Services as more fully set out in the Annexure attached to the report in this regard be considered by the Council's Portfolio Committee and Executive Committee. (DTS)

Draft SDBIP dts 12-13

**ITEM B.23.22.08.12**

**IDP PROCESS PLAN 2012/13 (6/1/1(12/13) & 15/7/1)**

RESOLVED B.23.22.08.12 –

THAT the 2012/13 IDP Process Plan to guide the planning, drafting, adoption and review of the 2012/13-2016/17 IDP be approved. (DDP)

DraftProcessPlanIDP12-13

**ITEM B.24.22.08.12****LEGISLATION: FINAL PUBLIC HEALTH: ANIMAL BY-LAWS  
(1/3/1)****REMARK:**

This item was referred from item A.113.24.08.12.

RESOLVED B.24.22.08.12 –

THAT the matter be referred back pending further investigation and research on charges paid per animal and a further report be resubmitted to the Executive Committee for consideration. (DCSS)

PublicHealthAnimalsByLaw\_itm

**ITEM B.25.22.08.12****DOMESTIC SERVICES: DRAFT POLICY FOR ICT EQUIPMENT USAGE  
(8/2/3)****REMARK:**

This item was referred from item A.123.25.08.12.

RESOLVED B.25.22.08.12 -

THAT the matter be referred back to the Portfolio Committee Corporate Support and Shared Services.

ICTEquipmentUsePolicy\_itm

(DCSS)

**ITEM B.26.22.08.12****COUNCIL POLICIES: PROPOSED DISASTER MANAGEMENT POLICY FRAMEWORK  
(12/3/3/50)****REMARK:**

This item was referred from item A.126.25.10.12.

RESOLVED B.26.22.08.12 -

THAT the matter be referred back to the Portfolio Committee: Disaster, Moral Regeneration and Pastors Forum and their recommendation be submitted to the Executive Committee at a next meeting.

DisasterPolicy\_itm

(DCOMS/DCSS)

**ITEM B.27.22.08.12****LOCAL ECONOMIC DEVELOPMENT: PARTICIPATION IN THE SANGANAI TOURISM SHOW: ZIMBABWE (HARARE) - ANNUAL TOURISM EXHIBITION (12/3/2/2)****REMARK:**

This item was referred from item A.137.25.08.12.

RESOLVED B.27.22.08.12 –

THAT the matter be referred back pending clarity on financial implication and be submitted to the Executive Committee at its first following meeting. (DDP)

TourismShowZimbabwe\_itm

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The meeting was closed and adjourned at 15:04.

Approved and confirmed in terms of the provisions of Clause 34 of the Rules and Orders, 2007 promulgated in Provincial Gazette No. 1391 of 31 August 2007 under Local Authority Notice 228, by a resolution of the Council passed at the meeting held on 8 November 2012.

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**CHAIRPERSON**

MDM/lh/SpecialCouncilMinutes\_80