

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE SIXTY EIGHTH (68TH) MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD ON TUESDAY, 6 AUGUST 2013 AT 14:00 IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, KROGH STREET, MAKHADO.

PRESENT

Councillors

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

MATODZI, A M
MATUMBA, M T
MBOYI, M D
MMBADI, T A
MOGALE, L B
MTHOMBENI, S Z
MUDAU, T S
MUKHAHA, A J
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
NGOBENI, N E
NKANYANE, R G
RAMUDZULI, S D
RASIMPHI, M P
RATSHIVHOMBELA, M
REKHOTSO, S M
RIKHOTSO, F J
SAKHWARI, I
SELEPE, M R
SHANDUKANI, M J
THANDAVHATHU, R
TSHAVHUYO, T G
TSHILAMBYANA, M S
UNDERWOOD, J P

Traditional Leaders

KHOSI M A MADZIVHANDILA

Officials

I P MUTSHINYALI	(MUNICIPAL MANAGER)
T S NDOU	(DIRECTOR CORPORATE SERVICES)
M P MAKHUBELA	(CHIEF FINANCIAL OFFICER)
M P SIDIMELA	(ACTING DIRECTOR DEVELOPMENT PLANNING)
L N RAGIMANA	(ACTING DIRECTOR TECHNICAL 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 6 August 2013 to Cllrs N P Balibali and N S Makhuvha.

2. THAT it be noted that the following councillors were absent from the meeting without leave of absence in accordance with the provisions of clause 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 6 August 2013:

Cllrs F B Hlongwane, A Kennealy, F F Madavhu, M R Madzivhandila, N J Matumba, M P Mazibuko, L M Mathalise, D T Ratshikuni, S M Sinyosi 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, Hosi T J Mukhari, Khosi M W Netsianda, Khosi N T L Mashamba, Khosi T P Nesengani, Khosi R H Sinthumule, Khosi T R V Mashau and Khosi V C Ramabulana.

3. OFFICIAL ANNOUNCEMENTS

3.1 The Speaker, Cllr L B Mogale officially announced that Mr K M Molokomme, Magistrate from Makhado, was present to officiate the ceremony of the newly elected Proportional Councillor, Cllr N B Baloyi, representative of the DA.

The ceremony of the Declaration for the Oath or Solemn Affirmation of Newly Elected Councillors was conducted and the following councillor duly participated in the process:

Cllr N B Baloyi

3.2 The Mayor, Cllr F D Mutavhatsindi officially announced that the President of the country, Mr Jacob Zuma, would visit Vha-Venda Kingdom, King Tony Mphephu-Ramabulana on Thursday, 8 August 2013 at University of Venda Stadium at 11:00. All councillors were invited to attend the event.

3.3 The Mayor, Cllr F D Mutavhatsindi officially announced that the Premier of Limpopo, Mr Stanley Mathabatha, would visit Makhado Municipality (Ha-Masia) at Ramauba Sports Ground, Ward 11 on Friday, 9 August 2013 for Women's day celebrations at 10:00. All councillors were invited to attend the event.

3.4 Cllr R S Baloyi officially announced that the Zion's Christian Church (ZCC) invited all councillors to accompany them as the whole church would visit Musina Municipality from 8 to 9 August 2013.

3.5 The Speaker, Cllr L B Mogale officially announced that the MEC of International Relations, Nkoana Maite Mashabane, would visit Ha-Rabali Stadium on Thursday, 29 August 2013 at 10:00.

3.6 Quarterly Report about activities of the VDM by Cllr N S Munyai

“Madam Speaker, his worship the Mayor, Chief Whip, Councillors, Municipal Manager, Directors, Mahosi, Tihosi 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 Vhembe District Municipality.

Madam Speaker, this report covers all our activities undertaken since our previous quarterly report presented on the 25th April 2013 to today, the 6th August 2013 as Municipal Council representatives in the Vhembe District Municipality.

Madam Speaker, we have since then held one council meeting on the 30th May 2013 at VDM Council Chamber where we resolved among others to adopt the 2013/16 final Budget and 2013/14 final IDP after went for public consumption during April 2013. Operating budget has been allocated R746436 752,35 which is 56% of the total budget while capital budget has been allocated R582 869 547,74 which is 44% of the total budget, making a grand total budget of R1 264 306 300,00 for 2013/14 financial year.

Madam Speaker, water provision is the core function of the District and has been allocated R521 199 547,74 which is 90% of the total budget to make sure that water supply challenges in our Municipality and the District in general become a history. Further than that Madam Speaker, in an endeavour to deal with water supply challenges around Makhado Town, the District Municipality has signed a Memorandum of Understanding with the Department of Water Affairs for a construction of a bulk water pipeline from Valdezia to Mowkop estimated at a total cost of R482 000 000,00.

Madam Speaker, after the heavy rains experienced in January and February 2013, Vhembe District has been declared a disaster area and subsequently given an emergency relief funds by the Department of Cooperative Governance to the tune of R41 501 200,00 to deal with disaster related challenges.

Madam Speaker, a successful State of the District Address was held on the 6th June 2013 at Vuwani Town Hall and a District Mayoral Imbizo was successfully held at Khakhu Sports Ground on the 7th June 2013. A no fire season district campaign together with Komati Land was recently held at Makuya Sports Ground. In response to the clarion call made by our honourable State President, Jacob Zuma to make prayers for our ailing struggle icon and former State President Tata, Madiba, Nelson Rolihlahla Mandela, we held a District Prayer Meeting on the 8th July 2013 at VDM Council Chamber and we further spend 67 minutes on his birthday declared international day at Tshipise Primary School appreciating the role and years that Mandela spent in active politics and liberating the country.

Lastly Madam Speaker, an IDP Rep Forum Meeting will be held on the 7th August 2013 starting from 08:30 at VDM Council Chamber and those who are supposed to attend should do so. I thank you.

Compiled and reported by Cllr N S Munyai at Council Meeting held on the 6th of August 2013.”

4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER

The Speaker, Cllr L B Mogale proposed congratulations to the following councillors who celebrated their birthdays since the last ordinary Council meeting held on 25 April 2013:

Cllr T S Mudau	-	4 May 2013
Cllr M M Lerule-Ramakhanya	-	6 May 2013
Cllr F J Rikhotso	-	7 May 2013
Cllr F F Madavhu	-	9 May 2013
Cllr N B Baloyi	-	10 May 2013
Cllr M T Nndwambi	-	24 May 2013
Cllr M J Shandukani	-	26 May 2013
Cllr S M Rekhotso	-	1 June 2013
Cllr N P Balibali	-	6 June 2013
Cllr R Ludere	-	6 June 2013
Cllr S D Ramudzuli	-	6 June 2013
Cllr M R Selepe	-	7 June 2013
Cllr A N Matodzi	-	12 June 2013
Cllr R S Baloyi	-	13 June 2013
Cllr O S Maphala	-	19 June 2013
Cllr M S Mamatsiari	-	25 June 2013
Cllr M J Gabara	-	30 June 2013
Cllr R Makhubela	-	9 July 2013
Cllr M F Mukhari	-	11 July 2013
Cllr N F Mathavha	-	12 July 2013
Cllr M R Madzivhandila	-	13 July 2013
Cllr S M Sinyosi	-	13 July 2013
Cllr V S Makhuvha	-	14 July 2013
Cllr T A Neluvhola	-	21 July 2013
Cllr N G Ndzovela	-	6 August 2013
Cllr A Z Maphahla	-	8 August 2013
Cllr R G Nkanyane	-	11 August 2013
Cllr M M Hlabioa	-	13 August 2013
Cllr F D Mutavhatsindi	-	15 August 2013
Cllr S V Mahladisa	-	19 August 2013
Cllr L B Mogale	-	31 August 2013

5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY COUNCILLORS

- 5.1 Cllr T P Mamorobela proposed condolences to the bereaved family of Pastor L E M Munyai who passed away. She was a member of Makhado Municipality's Oversight Committee and she further proposed condolences to the bereaved family of Mr Pius Langa, a legal expert who played a vital role in South African Judiciary Service. She proposed congratulations to the State of Address of Makhado Municipality which was held at Vuwani Town Hall on Saturday, 29 June 2013.
- 5.2 Cllr R S Baloyi proposed congratulations to the Portfolio Head Planning, Economic Development and Infrastructure for having a successful Makhado Annual Show that took place from 1 to 4 August 2013.
- 5.3 Cllr R T Makhubela proposed congratulations to the Mayor of Makhado Municipality for visiting ZCC Church at Ward 13.
- 5.4 Cllr Q Ratshivhombela proposed congratulations to Honorable Stanley Mathabatha who has been appointed as Premier of Limpopo.
- 5.5 Cllr N S Munyai proposed condolences to the bereaved Matenzhe family who lost their son, and further proposed condolences to the bereaved family of Worker of EPWP at Tshakhuma who passed away on Saturday, 3 August 2013.

- 5.6 Cllr N F Chililo proposed congratulations to Zanu PF of Zimbabwe and President Robert Mugabe for winning the 2013 elections.
- 5.7 Cllr S Masuka proposed condolences to the opposition party who lost a fair election in Zimbabwe MDC led by Mr Morgan Tzangarai.

6. CONFIRMATION OF MINUTES

6.1 REMARK:

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

RESOLVED -

THAT the minutes of the 67th meeting of the Council held on 25 April 2013, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

6.2 REMARK:

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

RESOLVED -

THAT the minutes of the 85th Special meeting of the Council held on 30 May 2013, 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

7.1 QUESTION RECEIVED FROM CLLR A DU PLOOY ON 3 JUNE 2013

The questions that were received were dealt with under the provisions of clause 35 of the Council's Rules and Orders published in Provincial Gazette No. 1391 dated 31 August 2007. The Speaker put item 7.1 and ruled that the Chairperson of the Executive Committee reply to the questions. The Chairperson of the Executive Committee proceeded accordingly and the replies were recorded below:

Question 1:

How many listings do we currently have on the valuation roll?

Reply:

The General Valuation Roll 2008-2012 and its supplementary valuation roll for each financial year up to and including 2012/2013 has altogether 139 997 listings.

Question 2:

How many monthly accounts are being sent out on a monthly basis?

Reply:

The municipal service accounts that are mailed monthly are on average 26 000 – it varies depending on the closing and opening of accounts by registered consumers.

Question 3:

What is the amount outstanding for services in arrears not paid for in all the R293 Towns in the Makhado Municipality?

Reply:

An amount of R1,356,599 for municipal rates and charges is outstanding in respect of the R293 Towns of Dzanani, Vuwani, Waterval and Vleyfontein.

Question 4:

What is the amount outstanding on accounts for all farms in the Municipality?

Reply:

An amount of R2,424,177 for municipal rates and charges is outstanding in respect of privately owned and state farms in the municipal jurisdiction.

Question 5:

What is the amount outstanding in Town for Services?

Reply:

An amount of R176,052,671 for municipal rates and charges is outstanding in respect of the towns Makhado, Elti Villas and Tshikota and its extensions.

Question 6:

How many consumers are being billed on a monthly basis for municipal services?

Reply:

A total of 166,714 consumers are billed in the billing system but only 26 000 accounts per month on average are being mailed to consumers.

Question 7:

The consumers that have not been billed for property rates and taxes for the last six years, how does that affect the income of the budget?

Reply:

The 2008-2012 General Valuation Roll compiled in terms of the Local Government: Property Rates Act, 2006 commenced on 1 July 2008.

All listings in the General Valuation Roll and its supplementary rolls have been billed monthly since 1 July 2008 but accounts were not mailed to all of the listings in the roll.

The projected income of R21,779,619 annually can be accounted to listings in the Valuation Roll that are being billed for property rates but due to a number of reasons do not receive monthly accounts for payment.

Question 8:

All these outstanding arrears in the different areas, how does that affect the outstanding arrears of the Municipality?

Reply:

The debtors book of outstanding payments totals R218,148,927.42 on 30 June 2013.

The amount is made up of registered consumers and landowners resident in –

Proclaimed towns; Privately owned farms; State owned farms.

It is not possible to proportion the outstanding debt to the different categories for the purpose of this reply, as the outstanding amount includes all elements of municipal services, i.e. outstanding monies for electricity supply, basic charges, property rates and refuse removal and also water and sewer charges pre December 2012.

7.2 QUESTION RECEIVED FROM CLLR M E MALIMA ON 4 JULY 2013

The questions that were received were dealt with under the provisions of clause 35 of the Council's Rules and Orders published in Provincial Gazette No. 1391 dated 31 August 2007. The Speaker put item 7.1 and ruled that the Chairperson of the Executive Committee reply to the questions. The Chairperson of the Executive Committee proceeded accordingly and the replies were recorded below:

1. Is the Municipality complying with the Treasury Regulations on Minimum competency level?

Reply:

Yes

OR

How far is the Municipality with the implementation of such Treasury regulations?

Reply:

The Municipality is implementing the regulations and employees have completed or are still in progress with the training of the various programs.

2. Provide a breakdown of all affected officials i.e. their qualifications and current competency levels

Reply:

NAME	DESIGNATION	QUALIFICATION	COMPETENCY
Mr IP Mutshinyali	Municipal Manager	Masters In Development	CPMD
Mrs TS Ndou	Director Corporate Services	B.Public Administration	MFMP (In Progress)
Mrs Sinthumule MD	Director Development Planning	B.of Urban and Regional Planning	MFMP (In Progress)
Ms Makhubele MP	Chief Financial Officer	B of Commerce in Accounting	MFMP (In Progress)

7.3 QUESTION RECEIVED FROM CLLR M E MALIMA ON 18 JULY 2013

The questions that were received were dealt with under the provisions of clause 35 of the Council's Rules and Orders published in Provincial Gazette No. 1391 dated 31 August 2007. The Speaker put item 7.1 and ruled that the Chairperson of the Executive Committee reply to the questions. The Chairperson of the Executive Committee proceeded accordingly and the replies were recorded below:

"How far is the municipality with the implementation of the Municipal Property Rates Act No. 6 of 2004 i.e. valuation roll?"

Reply:

1. **The service provider has been appointed.**
2. **Valuation roll inception meetings are scheduled for the 13th to the 16th of August 2013. It was published in the Mirror on 19 July 2013.**

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

None

9. REPORT OF THE EXECUTIVE COMMITTEE: JUNE TO AUGUST 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 June 2013 to August 2013

The report of the 329th Executive Committee meeting held on 20 June 2013.
 The report of the 330th Executive Committee meeting held on 4 July 2013.
 The report of the 331st Executive Committee meeting held on 23 July 2013.
 The report of the 332nd Executive Committee meeting held on 1 August 2013.

ITEM A.56.06.08.13 (originally A.56.25.07.13)

ELECTIONS: RESIGNATION BY ONE (1) COUNCILLOR AND FILLING OF VACANCY, 2013
(3/2/5; 3/2/6)

REMARK:

Upon ruling by the Executive Committee this item was referred as item B.60.20.06.13.

ITEM A.57.06.08.13 (originally A.57.25.07.13)

RISK MANAGEMENT: FRAUD RESPONSE PLAN, 2012/2013; WHISTLE-BLOWING POLICY, 2012/2013 AND RISK MANAGEMENT STRATEGY AND FRAMEWORK, 2012/2013
(4/32 & 2/5)

RESOLVED A.57.06.08.13 –

THAT the Fraud Response Plan 2012/2013, Risk Whistle-Blowing Policy 2012/2013 and Risk Management Strategy and Framework 2012/2013 be noted. (MM)

RiskManagement2012-2013_itm

ITEM A.58.06.08.13 (originally A.58.25.07.13)

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

RESOLVED A.58.06.08.13 -

1. THAT Council adopts and approves the Final Policy on Immovable Municipal Property (Land) Disposal attached to the report in this regard as Annexure A. (DDP)
2. THAT the Department Development Planning implements the new proposed policy after final approval thereof by Council. (DDP)

LandSalePolicy_itm(2)

ITEM A.59.06.08.13 (originally A.59.25.07.13)**COUNCIL LAND: PROPOSED SALE OF ERF 235, ELTI VILLAS EXTENSION 1 TOWNSHIP (EE.235)****REMARK:**

This matter was referred as item B.72.04.07.13.

ITEM A.60.06.08.13 (originally A.60.25.07.13)**TOWN PLANNING AND CONTROL: PROPOSED DEVELOPMENT AT MAANGANI VILLAGE: REMAINDER OF FARM MSEKWA 194 MT (7/4/1/3)**

RESOLVED A.60.06.08.13 –

1. THAT the application submitted by Rialosha Country Lodge and Events Centre for the proposed development on the remainder of the farm Msekwa 194 MT be supported in principle subject that the applicant submits a formal application for land use change. (DDP)
2. THAT a community resolution with the assistance of Department of Rural Development and Land Reform must be conducted. (DDP)
3. THAT the supply of municipal services is further subject to the following conditions:
 - 3.1. **Electricity:** This proposed development in Maangani has no electrical supply. Only a 100kVA capacity can be made available, subject to-
 - (a) Overall availability of capacity at the Municipality's electricity supply intake point from Eskom at Tshithuni. This capacity is at the moment almost on full load. Maximum demand penalties will be imposed shortly. It is therefore not advised that this development continue unless the demand from Eskom has been increased.
 - (b) A fully motivated written application by the client's electrical engineer will have to be submitted to Senior Management for their consideration taking into account (a) above.
The client is further obliged to comply with the following conditions:
 - (c) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work
 - (d) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993
 - (e) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality
 - (f) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront.
 - (g) The developer will design, install, commission and handover all actual infrastructure up to the point of supply to the municipality's specification, standards, procedures and practices.

3.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.

3.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

DevelopmentMaanganiVillage_itm

(DDP)

ITEM A.61.06.08.13 (originally A.61.25.07.13)

**COUNCIL LAND: PROPOSED SALE OF SEVENTY SIX RESIDENTIAL ERVEN: VUWANI TOWNSHIP
(7/3/2/1; 15/5/18; 7/4/1/3)**

REMARK:

This item was referred as item B.73.04.07.13

ITEM A.62.06.08.13 (originally A.62.25.07.13)

**FINANCES: FREEZING OF PAYMENT OF DEBTS
(6/1/1(13/14))**

REMARK:

1. This item was initially referred as item B.74.04.07.13 at the Executive Committee meeting of 4 July 2013.
2. During the Council meeting of 6 August 2013 it was agreed that the matter revert to its original A-item status.
3. Cllr N F Chililo proposed, duly seconded by Cllr N D Davhana
 - i. that Hammann-Moosa Attorney Services be suspended for a period of two months and that they stop billing consumers for this period
 - ii. that a service provider be appointed to compile a profile of consumers regarding service charges
 - iii. that consumers must however continue to pay for services.
 No further proposals were received.

The proposal was adopted in general and recorded accordingly as Council Resolution.

RESOLVED A.62.06.08.13 –

1. THAT Hammann-Moosa Attorney Services be suspended for a period of two (2) months and that they stop billing consumers for this period. (DCS/CFO)
2. THAT a service provider be appointed to compile a profile of consumers regarding service charges. (CFO)
3. THAT consumers must however continue to pay for services. (CFO)

ITEM A.63.06.08.13 (originally A.63.25.07.13)**LEGISLATION: DRAFT REVIEWED MILK BY-LAWS
(1/3/1)**

RESOLVED A.63.06.08.13 –

1. THAT the Executive Committee submits this report as its proposal to introduce a draft By-law on Milk to Council in terms of Schedule 3 of the Council's Rules and Orders. (DCS)
2. THAT Council provisionally adopts the draft Makhado Municipality: Milk By-laws, 2014 and it be advertised for at least 30 calendar days for public comments. (DCS)
3. THAT the Municipal Manager as soon as possible after the closing date for public comments submit a report to the Executive Committee in accordance with Rule 6 of the Council's Rules and Orders, and the Executive Committee make a recommendation to Council. (DCS)

DraftMilkBylaws_itm

ITEM A.64.06.08.13 (originally A.64.25.07.13)**LEGISLATION: 2ND DRAFT REVIEWED MUNICIPAL FACILITIES: CEMETERIES BY-LAWS
(1/3/1)**

RESOLVED A.64.06.08.13 –

1. THAT the Executive Committee submits this report as its proposal to introduce a 2nd draft By-law on Municipal Facilities: Cemeteries to Council in terms of Schedule 3 of the Council's Rules and Orders. (DCS)
2. THAT Council provisionally adopts the draft Makhado Municipality: Municipal Facilities: Cemeteries By-laws, 2014 and it be advertised for at least 30 calendar days for public comments. (DCS)
3. THAT the Municipal Manager as soon as possible after the closing date for public comments submit a report to the Executive Committee in accordance with Rule 6 of the Council's Rules and Orders, and the Executive Committee make a recommendation to Council. (DCS)

DraftCemeteriesBylaws_itm

ITEM A.65.06.08.13 (originally A.65.25.07.13)**LEGISLATION: DRAFT BY-LAWS RELATING TO THE REGULATION OF TAXI – BUS RANKS AND STOPS
(1/3/1)**

RESOLVED A.65.06.08.13 –

1. THAT the Executive Committee submits this report as its proposal to introduce a draft By-law on Taxi – Bus Ranks and Stops to Council in terms of Schedule 3 of the Council’s Rules and Orders. (DCS)
2. THAT Council provisionally adopts the draft Makhado Municipality: Taxi – Bus Ranks and Stops By-laws, 2014 and it be advertised for at least 30 calendar days for public comments. (DCS)
3. THAT the Municipal Manager as soon as possible after the closing date for public comments submit a report to the Executive Committee in accordance with Rule 6 of the Council’s Rules and Orders, and the Executive Committee make a recommendation to Council. (DCS)

DraftTaxiBusRanksBylaws_itm

ITEM A.66.06.08.13 (originally A.66.25.07.13)**LEGISLATION: REPEAL OF THE BRICK-MAKING BY-LAW
(1/3/1)**

RESOLVED A.66.06.08.13 –

1. THAT the Brickmaking By-law approved by the Louis Trichardt Local Authority be revoked and repealed on the date of publication of notice by the Municipality in the Government Gazette. (DCS)
2. THAT the Municipality establishes an Economic Forum for Formal and Informal Brick-makers with a view of registering them as legal entities which should be given recognition by the Department of Minerals and Energy; provided they comply with the Municipality’s policies and attached legislation. (DCS)
3. THAT the Municipality enforces the provisions of its Open Spaces By-law to protect the environment from damage caused through mining of the soil during the process of brick making and other building and construction activities. (DCS)

DraftRepealBrickmakingBylaws_itm

ITEM A.67.06.08.13 (originally A.67.25.07.13)**LEGISLATION: DRAFT REVIEW OF THE STORM WATER MANAGEMENT BY-LAW (1/3/1)**

RESOLVED A.67.06.08.13 –

1. THAT the Executive Committee submits this report as its proposal to introduce a draft By-law on Storm Water Management to Council in terms of Schedule 3 of the Council's Rules and Orders. (DCS)
2. THAT Council provisionally adopts the draft Makhado Municipality: Storm Water Management By-laws, 2014 and it be advertised for at least 30 calendar days for public comments. (DCS)
3. THAT the Municipal Manager as soon as possible after the closing date for public comments submit a report to the Executive Committee in accordance with Rule 6 of the Council's Rules and Orders, and the Executive Committee make a recommendation to Council. (DCS)

DraftStormWaterBylaws_itm

ITEM A.68.06.08.13 (originally A.68.25.07.13)**PERSONNEL: PUBLIC ADMINISTRATION BILL, 2013: DRAFT SALGA COMMENTS (5/2/1/2; 12/2/2/54)**

RESOLVED A.68.06.08.13 -

1. THAT the draft comments of SALGA on the Public Administration Bill, 2013 be endorsed. (DCS)
2. THAT the action by administration to submit to SALGA interim comments as recorded in a letter dated 1 July 2013 be condoned. (DCS)

SalgaPubAdminBill_itm

ITEM A.69.06.08.13 (originally A.69.25.07.13)**ELECTIONS: COUNCILLORS: FILLING OF ONE VACANCY, 2013 (3/2/5; 3/2/6)**

RESOLVED A.69.06.08.13 -

THAT note be taken that the IEC Makhado in its letter dated 10 June 2013 informed the Municipal Manager that **Nyane Bessy Baloyi** of ID No 740510 0298 086 is the proportional representative councillor of the Democratic Alliances who replaces the former cllr Mrs ZA Jooma, with effect of 10 June 2013, as more fully set out in the letter attached to the report in this regard. (DCS/DCOMS)

FillingVacancyCouncillor_itm

ITEM A.70.06.08.13 (originally A.70.25.07.13)

FINANCES: PROCUREMENT OF CURRENT SERVICE PROVIDER: DEBT BOOK ANALYSIS TO WRITE OFF BAD DEBTS ON THE BILLING SYSTEM (8/3/2/1)

REMARK:

This matter was withdrawn from the agenda.

ITEM A.71.06.08.13 (originally A.72.25.07.13)

FINANCES: APPOINTMENT OF CONSULTANT:

1. REVIEW OF FINANCIAL STATEMENTS
2. UPDATING OF FINANCIAL SYSTEM WITH GRAP ACCOUNTING STANDARDS: 2013/2014 FINANCIAL YEAR

(8/3/2/1)

REMARK:

This matter was withdrawn from the agenda.

ITEM A.72.06.08.13 (originally A.72.25.07.13)

FINANCES: EXTENSION OF SCOPE OF WORK: GRAP COMPLIANCE ASSET REGISTER SERVICES (8/1/1)

REMARK:

This matter was withdrawn from the agenda.

ITEM A.73.06.08.13 (originally A.73.25.07.13)

FINANCES: REQUEST TO WRITE OFF WATER RELATED TRANSACTIONS (6/15/3)

RESOLVED A.73.06.08.13 -

1. THAT Council approves the write off of water related transactions as well as VAT transactions categorized as follows in the financial statements for the period ending 30 June 2012:

Note 5 to the financial statements **R**

<i>Receivables from exchange transactions</i>	
Vhembe District Municipality: Water Transactions	52,775,742

Note 13 to the financial statements

<i>Payables from exchange transactions</i>	
Vhembe District Municipality (Water Collections)	68,805,598

The R4 106 93.71 of R72 912530 and R20 156 118 disclosed as water transactions suspense account were debited in processing the journal in transferring water debtors to the Vhembe financial system as a result of splitting of water transactions performed. Copy attached as Annexure D.

(CFO)

2. THAT note be taken that with effect from **December 2012** a separate Vhembe District Municipality financial system has been created to process water transactions and monies received are directly deposited in Vhembe District Municipality bank account. (CFO)
3. THAT after the write off the District Municipality and Makhado Local Municipality will process the impact of the write off in their books and that no claims can be made with regard to the transactions written off. (CFO)

WaterTransactionsWriteOff_itm

ITEM A.74.06.08.13 (originally A.74.25.07.13)

**COUNCIL LAND: PROPOSED SALE OF SEVENTY SIX RESIDENTIAL ERVEN: VUWANI TOWNSHIP
(7/3/2/1; 15/5/18; 7/4/1/3)**

REMARK:

When this matter was considered, Cllr H F Mathavha proposed, duly seconded by Cllr R Ludere that the restricting condition in recommendation 2 has to be deleted. No further proposal was received and the restricting condition about financing was deleted and the paragraph renumbered herein below.

RESOLVED A.74.06.08.13 -

1. THAT the plan for the proposed sale of seventy six (76) "Residential 1" zoned erven in Vuwani Township be approved. (DDP)
2. THAT all "Residential 1" zoned properties be disposed through first-come-first-serve basis, subject to the following conditions:
 - a. Only one (1) erf per family is permitted;
 - b. The size of buildings that will be developed on the erf may not be less than 90m², outbuildings excluded. (DDP)
3. THAT erf 488 be disposed through open public auction method because the zoning is institutional and the method of disposal is recommended for approval by Council to ensure competitiveness. (DDP)
4. THAT erf 479 be disposed through open public auction method, because the zoning is educational and the method of disposal is recommended for approval by Council to ensure competitiveness. (DDP)
5. THAT the sites get sold on cash basis to avoid contravention with section 164(1)(c) of the Local Government Municipal Finance Management Act, Act 56 of 2003, read together with the National Treasury MFMA Circular No. 8 of 2004, clause 5.7. (DDP)
6. THAT the funds generated be ring fenced and must assist for infrastructure development in that township. (CFO)

7. THAT a market related valuation of all sites/stands/erven must be acquired from a registered Professional Valuer and this will serve as the reserve price. (DDP)
8. THAT the intention to sell Municipal land be advertised in a local newspaper for comments and objections, if any. (DDP)
9. THAT the Municipality will not accept liability for any loss and/or damage that may be incurred as a result and/or consequences of the proposed transaction. (DDP)

VuwaniTownshipSales_itm

ITEM A.75.06.08.13 (originally A.75.25.07.13)

COUNCIL LAND: PROPOSED SALE OF ERF 235, ELTI VILLAS EXTENSION 1 TOWNSHIP (EE.235)

RESOLVED A.75.06.08.13 –

1. THAT it be approved that erf 235, Elti Villas Extension 1 Township be disposed of by means of **public tender process** in terms of the provisions of section 79(18) of the Local Government Ordinance, No 17 of 1939 in order to establish a mixed use development, subject to the following conditions:
 - 1.1 A market related valuation of erf 235, Elti Villas Extension 1 Township must be acquired from a registered Professional Valuer and this will serve as the upset/reserve price for the tender.
 - 1.2 The intention to sell municipal land be advertised in a local newspaper for comments and objections, if any;
 - 1.3 The municipality will not accept liability for any loss and/or damage that may be incurred as a result and/or consequence of the proposed sale transaction.
 - 1.4 The supply of municipal services is further subject to the following conditions:
 - 1.4.1 Electricity:** Erf 235 has an existing electricity supply capacity of 50 kVA. Should this capacity be insufficient, any additional supply would be subject to-
 - (a) Overall availability of capacity in the Municipality's electricity supply scheme
 - (b) A fully motivated written application by the client which will be submitted to Senior Management for their consideration
 - (c) Only a maximum of 100 kVA may in any way be considered according to present status of the electricity supply scheme
 The client is further obliged to comply with the following conditions:
 - (d) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work
 - (e) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993

- (f) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality
- (g) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront
- (h) If the developer wants to erect more than 4 dwelling units the electrical design must be done by an professional electrical engineer, who shall supervise all installation work.

1.4.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.

1.4.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

1.5 The Municipality is not liable for any losses, direct or indirect, which may be suffered by any party as a result of the proposed sale of land by means of public tender.

1.6 That the applicant in the matter be informed of the above resolution. (DDP)

2. THAT the Portfolio Committee: Planning, Economic Development and Tourism recommend **that the site be disposed by means of public auction.** (DDP)

PurchaseErf235EltiVillas_itm(2)

ITEM A.76.06.08.13 (originally A.76.25.07.13)

COUNCIL LAND: APPLICATION TO PURCHASE A PORTION OF ERF 427, VUWANI TOWNSHIP: RAMNET HOLDINGS (PTY) LTD (7/4/1/3 & 7/3/2/1)

REMARK:

This item was substituted for item A.91.06.08.13.

ITEM A.77.06.08.13 (originally A.77.25.07.13)

FINANCES: 2014/2015 TO 2016/2017 FINANCIAL YEARS: IDP AND BUDGET TIME SCHEDULE (6/1/1 2014/2015 & 15/7/1)

RESOLVED A.77.06.08.13 -

THAT Council approve the 2014/2015 to 2016/2017 Financial Years' IDP and Budget time schedule as proposed in the Annexure A attached to the report in this regard that has been compiled in accordance with the guidelines of National Treasury and that Administrative Management as well as Political Component comply fully with the requirement to adhere to the time schedule.

BudgetTimeTable_itm

(DDP/CFO)

ITEM A.78.06.08.13 (originally A.78.25.07.13)**FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING 30 JUNE 2013
(4TH QUARTER)
(6/1/1(2012/2013))**

RESOLVED A.78.06.08.13 -

THAT the in-year monitoring financial report for the month of June 2013 (4th Quarter 2012/13) be noted. (CFO)

MonitoringQ4_itm

ITEM A.79.06.08.13 (originally A.79.25.07.13)**FINANCES: ASSET MANAGEMENT: PROPOSED AMENDMENT OF THE ASSETS
MANAGEMENT POLICY
(8/1/1)**

RESOLVED A.79.06.08.13 -

THAT Council approves the amended Asset Management Policy, 2013 to comply with the new effective GRAP standards, as more fully set out in Annexure B attached to the report in this regard.

AmendmentAssetsPolicy_itm

(CFO)

ITEM A.80.06.08.13 (originally A.80.25.07.13)**FINANCES: PROPOSED AMENDMENT: SUPPLY CHAIN MANAGEMENT POLICY
(1/3/54/1)**

RESOLVED A.80.06.08.13 -

THAT in terms of clause 3 of the Municipal Supply Chain Regulations, 2005 promulgated under the Local Government: Municipal Finance Management Act, 2003, and Makhado Supply Chain Management Policy adopted by Council Resolution A.43.30.05.13, Council approves the amendments to the Supply Chain Management Policy as more fully set out in Annexure A attached to the report in this regard, and that it accordingly becomes the Supply Chain Management Policy, 2013.

AmendmentSCMPolicy_itm

(CFO)

CONFIDENTIAL**ITEM CA.81.06.08.13 (originally CA.81.25.07.13)****APPLICATION TO REVIEW THE OUTCOME OF THE APPEAL DISCIPLINARY
HEARING: M T TSHISA, MANAGER CIVIL ENGINEERING SERVICES
(SP 5/34)**

RESOLVED CA.81.06.08.13 -

1. THAT Council ratify the decision of the Municipal Manager in consultation with the Mayor to review and set aside the ruling of the Chairperson of the Appeal Hearing of Ms M T Tshisa (employee). (DCS)

2. THAT the suspension of the employee on 24 February 2013 be operative pending the review ruling by the Labour Court. (DCS)

ReviewDisciplinaryOutcome_itm

CONFIDENTIAL

ITEM CA.82.06.08.13 (originally CA.82.25.07.13)

LITIGATION: NOTICE OF MOTION BETWEEN MASIA TRADITIONAL COUNCIL (APPLICANT)/MATAMELA NELSON RAMATHITHI (1ST RESPONDENT) AND FIVE OTHERS

(7/4/1/3 & 13/1/3/2/1)

RESOLVED CA.82.06.08.13 -

1. THAT the Municipality in principle do not oppose the application of Masia Traditional Council in this regard. (DCS)
2. THAT the Municipality file a supplementary affidavit in which the Municipality explain its position in as far as the ownership of Schuinshoogte 29 LT in which Vuwani Township is situated. (DCS)
3. THAT the Provincial Government be notified that the delay in transferring ownership of land due to Makhado Local Municipality, was impacting negatively on the operations of municipality and its community, and that steps must be taken by Provincial Government to expedite the formalities in transferring ownership of land due to the Municipality. (DCS)
4. THAT the status about enforcement of the previous interdict related to the same matter as in paragraph 1 above be reported at a next meeting. (DCS)

NoticeOfMotionSchuinshoogte_itm

CONFIDENTIAL

ITEM CA.83.06.08.13 (originally CA.83.25.07.13)

LITIGATION: AGAINST ILLEGAL LAND INVASION AND OCCUPATION OF DZANANI 380 MT

(7/4/1/4)

RESOLVED CA.83.06.08.13 -

THAT in view thereof that Municipality is not the registered land owner of the property in question, the Senior Political Offices of the Municipality engage with Senior Political Offices of the Provincial Government in order to resolve on the matter of land invasion on an urgent basis, amongst others by engaging all stakeholders; and that the outcome be reported at a next Council meeting. (DDP/MM)

InvasionDzanani_itm

CONFIDENTIAL**ITEM CA.84.06.08.13 (originally CA.84.25.07.13)****LITIGATION: AGAINST ILLEGAL LAND INVASION AND OCCUPATION OF
REMAINDER OF PORTION 7 OF SCHUINSHOOGTE 29 LT
(7/4/13)**

RESOLVED CA.84.06.08.13 -

1. THAT in view thereof that Municipality is not the registered land owner of the property in question, the Senior Political Offices of the Municipality engage with Senior Political Offices of the Provincial Government in order to resolve on the matter of land invasion on an urgent basis, amongst others by engaging all stakeholders; and that the outcome be reported at a next Council meeting. (DDP/MM)
2. THAT it be recommended to the Provincial Government that as part of the solution, the already demarcated 525 residential sites on the Remainder of Portion 7 of the farm Schuinshoogte 29LT, be marketed to interested parties by means of an approved sales method of first-come-first-serve basis. (DDP)

InvasionSchuinshoogte_itm

REMARK: Items A.85.06.08.13 to A.89.06.08.13 is reflected under paragraph 10 (MPAC reports) of this minutes.

ITEM A.90.06.08.13**COUNCIL COMMITTEES: MUNICIPAL PUBLIC ACCOUNT COMMITTEE: STATUS OF
CHAIRPERSON
(4/33; 6/11/14)****REMARK:**

When this matter was considered, Cllr M T Matumba proposed, duly seconded by Cllr R Ludere that Cllr F N Madzhiga and Cllr S V Mathladisa must not be paid as Section 79 Chairpersons, and investigation must be conducted and the person who paid the above two councillors, be responsible of refunding the amount. No further proposals were received. The proposal was generally accepted and became Council's Resolution.

RESOLVED A.90.06.08.13 -

1. THAT note be taken that the status of the Chairperson of MPAC as recorded in Council Resolution A.80.04.07.12 was on 28 February 2013 amended to become that of full-time councilor in terms of the provisions of Notice No 178 of 2012 promulgated in Provincial Gazette Extraordinary No 2079 dated 7 May 2012, but due to administrative omission not recorded as such in the Council Minutes of its 83rd meeting held on 28 February 2013. (DCS/CFO)

2. THAT the remuneration of the Chairperson of MPAC be amended with retrospective effect of 28 February 2013, i.e. the date of the 83rd Special Council Meeting where the status of the Chairperson of MPAC was amended to become full-time capacity, to align with the provisions of Notice No 1032 dated 7 December 2012 in Government Gazette No 35962 of 7 December 2012. (CFO)

3. THAT Cllr F N Madzhiga and Cllr S V Mathladisa must not be paid as Section 79 Chairpersons, and investigation must be conducted and the person who paid the above two councillors, be responsible of refunding the amount. (MM/CFO)

MPACChairpersonCapacity_itm

ITEM A.91.06.08.13

COUNCIL LAND: APPLICATION TO PURCHASE A PORTION OF ERF 427, VUWANI TOWNSHIP: RAMNET HOLDINGS (PTY) LTD (7/4/1/3 & 7/3/2/1)

REMARK:

This item replaces item A.76.06.08.13 earlier in this Agenda.

RESOLVED A.91.06.08.13 -

1. THAT Council takes note that an approval in principle was granted to Pastor Mawelewele of Abundant Christian Centre to purchase a portion of erf 427 Vuwani Township comprising of 2 hectares in extent for the purpose of a church. (DDP)
2. THAT Council further takes note that an approval in principle was granted to Mrs Tshidada of Vuwani Reading Community Based Organisation to purchase a portion of erf 427 Vuwani Township comprising of 4 000 square metres in extent for the purpose of a library. (DDP)
3. THAT taking into account Paragraph 1 and 2 above, Council approves the purchase of the remainder of erf 247 Vuwani Township estimated at 11,5 hectares in extent by Ramnet Holdings (Pty) LTD for the development of a Shopping mall, Office park, Housing development, Community library and other related developments as more fully set out in the development proposal and subject to the following conditions :
 - 3.1. Before any construction takes place the municipality approves both the building plans and the site development plans.
 - 3.2. The developer must be informed to submit a draft layout plan which includes the proposed structures and where it will be located.
 - 3.3. The developer conclude a Services Agreement with Makhado Local Municipality and Vhembe District Municipality pertaining to the Municipal Services rendered by each respective municipality and be liable for all direct costs and engineering services contributions as may be applicable at the time.

- 3.4. The developer seeks approval from Eskom regarding the energy capacity since the property is situated in an Eskom Licence Distribution Area.
- 3.5. The purchase price be the market related valuation determined by Council's professional valuer.
- 3.6. The community be made aware of the intended development on erf 427 as proposed by the Developer.
- 3.7. The developer obtains a development authorization or exemption from the Department Economic Development, Environment and Tourism.
- 3.8. The development be approved by the Provincial Development Tribunal.
- 3.9. The property be fully developed within three years from the date of the Council Resolution, subject to Council approval of an extension not exceeding two years, which may not be unreasonably denied. This condition must be embodied in the title deed of the property.
- 3.10. The cost of subdivision will be borne by Council and the Director Development Planning is authorized to proceed to appoint a registered surveyor to do the subdivision on Council's behalf.
- 3.11. All other standard conditions for the sale of municipal land will apply.
- 3.12. Council will not be liable for any claims of damage due to any possible losses suffered directly or indirectly as a result of the transaction.
- 3.13. If rezoning is required in terms of the Makhado Town Planning Scheme, 2010 to accommodate the specific development, the cost will be for the account of the developer.

(DDP)

4. THAT a final extension of time for development be granted and the land must be developed within a period of two (2) years from date of this Resolution, and if it is not developed it shall be forfeited.

(DDP)

5. THAT the Department Development Planning points out the following contradiction in item 4 under conclusion and respectively item 3 under recommendation (Administrative Management) in the report; the contradiction reads "Estimated at 11,5 hectares to Ramnet Holdings (Pty) Ltd" hence it should read "The actual remainder of erf 427, Vuwani Township is 13,0957 hectares to Ramnet Holdings (Pty) Ltd". This Department further submits its comments on the proposed remaining extent of 13.0957 ha as initially requested by Ramnet Holdings (Pty) Ltd, namely the proposed remaining extent of 13.0957 ha less 11.5ha, subject to verification by a professional Land Surveyor, be sold at a market related valuation determined by a professional valuer which will serve as the purchase price and will be included in the Deed of Sale.

(DDP)

(REMARK: Item A.92.31.10.13 to item A.97.31.10.13 is contained in the Agenda of the 333rd Executive Committee meeting scheduled for 22 August 2013 and will be reflected in the minutes of the said meeting.)

ITEM A.98.06.08.13

DOMESTIC SERVICES: OFFICIAL VEHICLES – OFFICE OF THE MAYOR AND OFFICE OF THE SPEAKER – TEMPORARY ARRANGEMENTS FOR TRANSPORT (8/1/2/3/1)

REMARK:

This item was referred as item B.84.06.08.13.

* * * * *

9.2 Report of the Executive Committee in terms of section 59(1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) for the months of February 2013 to April 2013

**The report of the 329th Executive Committee meeting held on 20 June 2013.
 The report of the 330th Executive Committee meeting held on 4 July 2013.
 The report of the 331st Executive Committee meeting held on 23 July 2013.
 The report of the 332nd Executive Committee meeting held on 1 August 2013.**

ITEM B.57.20.06.13

TOWN-PLANNING: PROPOSED WRITTEN CONSENT USE: ERF 159, VUWANI TOWNSHIP (7/4/1/3 & 15/3/8)

RESOLVED B.57.20.06.13 -

THAT the application submitted by Mr Tshigomana Rudzani Bethuel for special consent for the purpose to operate a Spaza on erf 159, Vuwani Township be approved in terms of Clause 22 of the Makhado Land-use Scheme, 2009 subject to the following terms and conditions:

1. The use must comply with the Makhado Land Use Scheme, 2009.
2. All costs that may arise as a result of this approval are for the account of the applicant.
3. The consent granted must 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. The Municipality may through its authorised officials, enter the property at all reasonable times to conduct any inspection which may be considered necessary or desirable for the application of the Makhado Land Use Scheme, 2009.
6. No alcoholic refreshments may be sold on the property and the residential use remains the main use of the property.
7. The aesthetic character of the buildings must maintain that of Residential 1 and the appearance complementary to the environment.
8. The total floor area of the spaza shall not exceed 30m².
9. The approval is further subject to the following conditions regarding services -
 - 9.1 **Electricity:** Eskom is the supplier of electricity in the area.
 - 9.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.
 - 9.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

ITEM B.58.20.06.13**TOWN-PLANNING: PROPOSED WRITTEN CONSENT USE: ERF 1657, LOUIS TRICHARDT EXTENSION 2 TOWNSHIP: ADDITIONAL DWELLING UNIT (E 1657 & 15/3/8)**

RESOLVED B.58.20.06.13 –

THAT the application submitted by Mrs Mphaphuli Takalani Annah to erect an additional dwelling unit on Erf 1657, Louis Trichardt Extension 2 be approved in terms of Clause 22 of the Makhado Land-use Scheme, 2009 subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. Site Development Plan must be submitted for consideration prior to the submission of building plans.
3. The use must comply with the Makhado Land Use Scheme, 2009.
4. All costs that may arise as a result of this approval are for the account of the applicant.
5. The consent granted must be implemented within twelve (12) months of the date of the resolution, failure which the approval will automatically be withdrawn without any notice.
6. If a building for which the consent has been granted is demolished, falls into disuse or becomes unsuitable for the purpose for which such consent was given, the approval will automatically be withdrawn without any notice.
7. The operation must comply with municipal By-laws and the National Building Regulations.
8. The Municipality may through its authorised officials, enter the property at all reasonable times to conduct any inspection which may be considered necessary or desirable for the application of the Makhado Land Use Scheme, 2009
9. No additional municipal services will be provided on the property and connections must be made from the existing dwelling.
10. The approval is further subject to the following conditions regarding services -
 - 10.1 Electricity: Erf 1657 has an existing electricity supply capacity of 16 kVA single phase. Should this capacity be insufficient, any additional supply would be subject to-
 - (a) Overall availability of capacity in the Municipality's electricity supply scheme
 - (b) A fully motivated written application by the client which will be submitted to Senior Management for their consideration
 - (c) Only a maximum of 100 kVA may in any way be considered according to present status of the electricity supply scheme

The client is further obliged to comply with the following conditions:

- (a) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work
- (b) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993
- (c) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality

(d) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront

10.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.

10.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

WrittenConsentErf 1657_itm

(DDP)

ITEM B.59.20.06.13

TOWN-PLANNING AND CONTROL: SUBDIVISION OF PORTION 7 OF THE FARM KLEIN AUSTRALIE 13 LT (15/3/8 & 15/3/15)

RESOLVED B.59.20.06.12 -

THAT the application of Jacques Du Toit and Associates Town and Regional Planners on behalf of their clients Rep Props 1046 CC to subdivide Portion 7 of the Farm Klein Australie 13LT into two (2) portions be approved subject to the following conditions:

1. Each portion must have its own water and sewer connections for which the installation cost and normal standard connection fees will be payable.
2. Applicant must submit satisfactory proof that each proposed portion has its own sustainable potable water supply source that will provide sufficiently for the intended land use. This condition must be a condition of sale and in the deed of transfer of ownership of each property.
3. Development on the proposed portions must comply with the Makhado Land Use Scheme, 2009 and may only be used accordance with its approved land use zone as determined by the Land Use Scheme.
4. In the event that new land rights except that of “agricultural” is proposed, proper Legislations must be followed and the application be submitted to relevant institution for comments.
5. The comments from Department of Roads and Transport must be obtained.
6. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
7. The proposed subdivision must be registered in the Deeds Office within two years from date of approval of the application.
8. The Department of Co-operative Governance, Human Settlements and Traditional Affairs must consent to this subdivision.
9. The approval is further subject to the following conditions regarding services -
 - 9.1 **Electricity:** Portion 7 of the farm Klein Australië has an existing electricity supply capacity of 100 kVA. After the subdivision, only a maximum of 100 kVA will be available on each portion. Should this capacity be insufficient, any additional supply would be subject to-
 - (a) Overall availability of capacity in the Municipality’s electricity supply scheme

- (b) A fully motivated written application by the client which will be submitted to Senior Management for their consideration

The client is further obliged to comply with the following conditions:

- (a) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work
- (b) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993
- (c) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality
- (d) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront.

9.2 Water and Sewer services are the power and function of Vhembe District Municipality and the Municipality cannot pose any conditions in this regard.

SubdivisionPortion7KleinAustralie13LT_itm

(DDP)

ITEM B.60.20.06.13

ELECTIONS: RESIGNATION BY ONE (1) COUNCILLOR AND FILLING OF VACANCY, 2013

(3/2/5; 3/2/6)

REMARK:

This item was referred from item A.56.25.07.13.

RESOLVED B.60.20.06.13 -

THAT note be taken of the written resignation dated 20 May 2013 received in this office on 29 May 2013 from Mrs Z A Jooma, proportional representative councillor of the Democratic Alliance and that the I E C Makhado was notified of the resignation in a letter dated 3 June 2013, and that a further report be submitted to Council as soon as the response of the I E C is received.

ResignationCllrJooma_itm

(DCOMS/DCSS)

ITEM B.61.04.07.13

PERFORMANCE MANAGEMENT: SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLANS: ALL MUNICIPAL DEPARTMENTS: PROGRESS REPORTS: 2012/13 FINANCIAL YEAR (10/1/4/1; 10/1/2)

RESOLVED B.61.04.07.13 -

THAT Council takes note of the final service delivery progress reports in relation to the approved SDBIPs for the 2012/13 financial year as submitted by each Head of Department and attached to the report in this regard as Annexure A to Annexure F.

(ALL DIRECTORS)

ProgressSDBIP2012-13_itm

ITEM B.62.04.07.13**TOWN-PLANNING: PROPOSED WRITTEN CONSENT USE: ADDITIONAL DWELLING UNIT: ERF 300, ELTIVILLAS EXTENSION 1 (EE 300 & 15/3/8)**

RESOLVED B.62.04.07.13 –

THAT the application submitted by Mutshinyali Isaac Pandelani to erect an additional dwelling unit on Erf 300, Elti Villas Extension 1 be approved in terms of Clause 22 of the Makhado Land-use Scheme, 2009 subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. Site Development Plan must be submitted for consideration prior to the submission of building plans.
3. The use must comply with the Makhado Land Use Scheme, 2009.
4. All costs that may arise as a result of this approval are for the account of the applicant.
5. The consent granted must be implemented within twelve (12) months of the date of the resolution, failure which the approval will automatically be withdrawn without any notice.
6. If a building for which the consent has been granted is demolished, falls into disuse or becomes unsuitable for the purpose for which such consent was given, the approval will automatically be withdrawn without any notice.
7. The operation must comply with municipal by-laws and the National Building regulations.
8. The Municipality may through its authorised officials, enter the property at all reasonable times to conduct any inspection which may considered necessary or desirable for the application of the Makhado Land Use Scheme, 2009
9. No additional municipal services will be provided on the property and connections must be made from the existing dwelling.
10. The approval is further subject to the following conditions:
 - 10.1 **Electricity:** Erf 300, Elti Villas has an existing electricity supply capacity of 16kVA which both dwellings will share. Should this capacity be insufficient, any additional supply would be subject to-
 - (a) Overall availability of capacity in the Municipality's electricity supply scheme
 - (b) A fully motivated written application by the client which will be submitted to Senior Management for their consideration
 - (c) Only a maximum of 100kVA may in any way be considered according to present status of the electricity supply scheme

The client is further obliged to comply with the following conditions:

 - (d) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work
 - (e) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993

- (a) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality. The contractor will have to register at the municipality BEFORE the work commence.
- (f) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront

10.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.

10.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

WrittenConsentErf300_itm

(DDP)

ITEM B.63.04.07.13

TOWN-PLANNING: PROPOSED WRITTEN CONSENT USE: ADDITIONAL DWELLING UNIT: ERF 388, LOUIS TRICHARDT TOWNSHIP (E388 & 15/3/8)

RESOLVED B.63.04.07.13 –

THAT the application submitted by Roger De Troch to erect an additional dwelling unit on Erf 388, Louis Trichardt Township be approved in terms of Clause 22 of the Makhado Land-use Scheme, 2009 subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. Site Development Plan must be submitted for consideration prior to the submission of building plans.
3. The use must comply with the Makhado Land Use Scheme, 2009.
4. All costs that may arise as a result of this approval are for the account of the applicant.
5. The consent granted must be implemented within twelve (12) months of the date of the resolution, failure which the approval will automatically be withdrawn without any notice.
6. If a building for which the consent has been granted is demolished, falls into disuse or becomes unsuitable for the purpose for which such consent was given, the approval will automatically be withdrawn without any notice.
7. The operation must comply with municipal by-laws and the National Building regulations.
8. The Municipality may through its authorised officials, enter the property at all reasonable times to conduct any inspection which may considered necessary or desirable for the application of the Makhado Land Use Scheme, 2009
9. No additional municipal services will be provided on the property and connections must be made from the existing dwelling.
10. The approval is further subject to the following conditions:
 - 10.1 **Electricity:** Erf 388 has an existing electricity supply capacity of 50kVA. Should this capacity be insufficient, any additional supply would be subject to-
 - (a) Overall availability of capacity in the Municipality's electricity supply scheme

- (b) A fully motivated written application by the client which will be submitted to Senior Management for their consideration
- (c) Only a maximum of 100kVA may in any way be considered according to present status of the electricity supply scheme

The client is further obliged to comply with the following conditions:

- (d) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work
- (e) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993
- (f) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality
- (g) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront

10.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.

10.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

WrittenConsentErf388_itm

(DDP)

ITEM B.64.04.07.13

TOWN-PLANNING: PROPOSED WRITTEN CONSENT USE: SPAZA: ERF 862, HA-TSHIKOTA TOWNSHIP (7/4/1/3 & 15/3/8)

RESOLVED B.64.04.07.13 –

THAT the application submitted by Mathavha Tshinyadzo Eddie for the purpose of a Spaza on Erf 862, Ha-Tshikota Township be approved in terms of Clause 22 of the Makhado Land-use Scheme, 2009 subject to the following terms and conditions:

1. The use must comply with the Makhado Land Use Scheme, 2009.
2. All costs that may arise as a result of this approval are for the account of the applicant.
3. The consent granted must 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 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. If a building for which the consent has been granted is demolished, falls into disuse or becomes unsuitable for the purpose for which such consent was given, the approval will automatically be withdrawn without any notice.

6. The Municipality may through its authorised officials, enter the property at all reasonable times to conduct any inspection which may considered necessary or desirable for the application of the Makhado Land Use Scheme, 2009.
7. Alcohol refreshments must not be sold and the residential use remains the main use of the property.
8. The elevation treatment of the buildings should maintain a Residential 1 character and appearance complementary to the environment.
9. The total floor area of the spaza shall not exceed 30m²
10. The approval is further subject to the following conditions:
 - 10.1 **Electricity:** Erf 862 Ha-Tshikota falls in the ESKOM area of distribution.
 - 10.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.
 - 10.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

WrittenConsentErf862_itm

(DDP)

ITEM B.65.04.07.13

TOWN-PLANNING: PROPOSED WRITTEN CONSENT USE: ADDITIONAL DWELLING UNIT: ERF 1581, LOUIS TRICHARDT EXTENSION 1 TOWNSHIP (E1581 & 15/3/8)

RESOLVED B.65.04.07.13 –

THAT the application submitted by Tractor Field Services to erect an additional dwelling unit on Erf 1581, Louis Trichardt Township, Extension 1 be approved in terms of Clause 22 of the Makhado Land-use Scheme, 2009 subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. Site Development Plan must be submitted for consideration prior to the submission of building plans.
3. The use must comply with the Makhado Land Use Scheme, 2009.
4. All costs that may arise as a result of this approval are for the account of the applicant.
5. The consent granted must be implemented within twelve (12) months of the date of the resolution, failure which the approval will automatically be withdrawn without any notice.
6. If a building for which the consent has been granted is demolished, falls into disuse or becomes unsuitable for the purpose for which such consent was given, the approval will automatically be withdrawn without any notice.
7. The operation must comply with municipal by-laws and the National Building regulations.
8. The Municipality may through its authorised officials, enter the property at all reasonable times to conduct any inspection which may considered necessary or desirable for the application of the Makhado Land Use Scheme, 2009

9. No additional municipal services will be provided on the property and connections must be made from the existing dwelling.
10. The approval is further subject to the following conditions:
- 10.1 **Electricity:** Erf 1581 has an existing electricity supply capacity of 50kVA. Should this capacity be insufficient, any additional supply would be subject to-
- (a) Overall availability of capacity in the Municipality's electricity supply scheme
 - (b) A fully motivated written application by the client which will be submitted to Senior Management for their consideration
 - (c) Only a maximum of 100kVA may in any way be considered according to present status of the electricity supply scheme

The client is further obliged to comply with the following conditions:

- (d) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work
- (e) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993
- (f) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality. The contractor will have to register at the municipality BEFORE any work commence.
- (g) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront.
- (h) There will be only one electrical connection for both dwellings.

10.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.

10.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

WrittenConsentErf1581_itm

(DDP)

ITEM B.66.04.07.13

TOWN-PLANNING: PROPOSED WRITTEN CONSENT USE: ADDITIONAL DWELLING UNIT: ERF 3000, LOUIS TRICHARDT EXTENSION 9 TOWNSHIP (E3000 & 15/3/8)

RESOLVED B.66.04.07.13

THAT the application submitted by Mulaudzi Thivhileli Aubrey to erect an additional dwelling unit on Erf 3000, Louis Trichardt Extension 9 be approved in terms of Clause 22 of the Makhado Land-use Scheme, 2009 subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. Site Development Plan must be submitted for consideration prior to the submission of building plans.

3. The use must comply with the Makhado Land Use Scheme, 2009.
4. All costs that may arise as a result of this approval are for the account of the applicant.
5. The consent granted must be implemented within twelve (12) months of the date of the resolution, failure which the approval will automatically be withdrawn without any notice.
6. If a building for which the consent has been granted is demolished, falls into disuse or becomes unsuitable for the purpose for which such consent was given, the approval will automatically be withdrawn without any notice.
7. The operation must comply with municipal by-laws and the National Building regulations.
8. The Municipality may through its authorised officials, enter the property at all reasonable times to conduct any inspection which may considered necessary or desirable for the application of the Makhado Land Use Scheme, 2009
9. No additional municipal services will be provided on the property and connections must be made from the existing dwelling.
10. The approval is further subject to the following conditions:
 - 10.1 **Electricity:** Erf 3000 has an existing electricity supply capacity of 16 kVA single phase. Should this capacity be insufficient, any additional supply would be subject to-
 - (a) Overall availability of capacity in the Municipality's electricity supply scheme.
 - (b) A fully motivated written application by the client which will be submitted to Senior Management for their consideration.
 - (c) Only a maximum of 100 kVA may in any way be considered according to present status of the electricity supply scheme.

The client is further obliged to comply with the following conditions:

- (d) If the application for additional electricity supply is 100 kVA it must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work.
 - (e) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993.
 - (f) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality.
 - (g) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront
- 10.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.
- 10.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

ITEM B.67.04.07.13**TOWN-PLANNING AND CONTROL: CONSOLIDATION OF ERVEN 5, 7 AND 14, ELIM-MPHENI CENTRAL BUSINESS DISTRICT
(7/4/1/3 & 15/3/15)**

RESOLVED B.67.04.07.13 -

THAT the application submitted by Developlan on behalf of their client Twin City Ribola PTY LTD to consolidate Erven 5, 7, and 14 Elim-Mpheni CBD be approved in terms of section 92 (2)(a) of the Town Planning and Township Ordinance, 1986 (Ordinance 15 of 1986), subject to the following conditions:

1. 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.
2. 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.
3. Development on the proposed Erven must comply with the Makhado Land Use Scheme, 2009 and as per current use zone.
4. 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.
5. 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.
6. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
7. 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.
8. The proposed consolidation must be registered in the Deeds Office within two years from date of approval of the application.
9. After approval of the application, the service accounts must be consolidated.
10. The approval is further subject to the following conditions:
 - 10.1 **Electricity**: Erven 5, 7 and 14 Elim/Mpheni falls in the ESKOM area of distribution.
 - 10.2 **Water**: The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.
 - 10.3 **Sewer**: The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

(DDP)

ITEM B.68.04.07.13**TOWN-PLANNING AND CONTROL: SUBDIVISION OF THE REMAINDER OF ERF 3420, LOUIS TRICHARDT EXTENSION 7 TOWNSHIP (15/3/8; E 3420)**

RESOLVED B.68.04.07.13 -

THAT the application submitted by Geoland Surveys on behalf of their client Mr Johan Leon Jansen van Nieuwenhuizen to subdivide the Remainder of Erf 4320 Louis Trichardt Extension 7 Township into two (2) portions be approved in terms of Section 92 (2) (a) of the Town-Planning and Township Ordinance, 15 of 1986 subject to the following conditions:

1. Each portion must have its own water and sewer connections for which the installation cost and normal standard connection fees will be payable.
2. Each property must have its own electricity connection for which standard fees will be payable.
3. 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 in accordance with its approved land use zone as determined by the Land Use Scheme.
5. 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.
6. 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.
7. The applicant is liable to pay engineering services contributions which are based on the 2012/13 tariff plus % increase. The applicant will have to pay an amount of R 6 415, 22 engineering services contributions for water and R 5 299.45 for sewer if paid before 01 July 2013 thereafter the contributions will increase based on the annual increase percentage.
8. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
9. 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.
10. The proposed subdivision must be registered in the Deeds Office within two years from date of approval of the application.
11. The applicable contents of Council Resolution 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.
12. The approval is further subject to the following conditions:
 - 12.1 **Electricity:** Erf 3420 has an existing electricity supply capacity of 25 kVA 40 amp three phase.

Capacity of 25 kVA 40 amp three phase will be available for each portions. Should this capacity be insufficient, any additional supply would be subject to-

- (a) Overall availability of capacity in the Municipality's electricity supply scheme
- (b) A fully motivated written application by the client which will be submitted to Senior Management for their consideration
- (c) Only a maximum of 100 kVA may in any way be considered according to present status of the electricity supply scheme.

The client is further obliged to comply with the following conditions:

- (d) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work
- (e) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993
- (f) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality.
- (g) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront.

12.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.

12.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

SubdivisionErf3420_itm

(DDP)

ITEM B.69.04.07.13

TOWN-PLANNING AND CONTROL: SUBDIVISION OF ERF 1, BERGVIEW ESTATE (15/3/8; E 1)

RESOLVED B.69.04.07.13 –

THAT the application submitted by Geoland Surveys on behalf of their client Moody Blue Trade and Investment 11 (Pty) Ltd to subdivide Erf 1, Bergview Estate into two (2) portions be approved in terms of Section 92 (2) (a) of the Town-Planning and Township Ordinance, 15 of 1986 subject to the following conditions:

1. Each portion must have its own water and sewer connections for which the installation cost and normal standard connection fees will be payable.
2. Each property must have its own electricity connection for which standard fees will be payable.
3. 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 in accordance with its approved land use zone as determined by the Land Use Scheme.
5. 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.
6. 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.
7. The applicant is liable to pay engineering services contributions which are based on the 2012/13 tariff plus % increase. The applicant will have to pay an amount of R 6 415, 22 engineering services contributions for water and R 5 299.45 for sewer if paid before 01 July 2013 thereafter the contributions will increase based on the annual increase percentage.
8. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
9. 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.
10. The proposed subdivision must be registered in the Deeds Office within two years from date of approval of the application.
11. The applicable contents of Council Resolution 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.
12. The approval is further subject to the following conditions:
 - 12.1 **Electricity**: Erf 1 Bergview has an existing electricity supply capacity of 750kVA. Should this capacity be insufficient, any additional supply would be subject to-
 - (a) Overall availability of capacity in the Municipality's electricity supply scheme
 - (b) A fully motivated written application by the client which will be submitted to Senior Management for their consideration
 - (c) Only a maximum of an additional 100kVA may in any way be considered for existing or new according to present status of the electricity supply scheme

The client is further obliged to comply with the following conditions:

- (a) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work
- (b) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993
- (c) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality
- (d) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront

12.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.

12.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

SubdivisionErf1BergviewEstate_itm

(DDP)

ITEM B.70.04.07.13

TOWN-PLANNING AND CONTROL: SUBDIVISION OF THE REMAINDER OF PORTION 19, FARM RONDEBOSCH NO. 287-LS (15/3/8 & 15/3/15)

RESOLVED B.70.04.07.13 –

THAT the Municipality does not have objection for the application submitted in terms of the Advertising on Roads and Ribbon Development Act, 1940 (Act 21 of 1940, Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) and also in terms of Transport (Coordination) Act, 1948 (44 of 1948) replaced by SA National Road Agency Limited and National Road Act, 1998 (Act 7 of 1998) by Developplan Town and Regional Planners on behalf of their client Mulaudzi Family Trust to Subdivide Portion 19 of the farm Rondebosch No 287-LS, subject to the following conditions:

1. Each portion must have its own water and sewer connections for which the installation cost and normal standard connection fees will be payable.
2. Applicant must submit satisfactory proof that each proposed portion has its own sustainable potable water supply source that will provide sufficiently for the intended land use. This condition must be a condition of sale and in the deed of transfer of ownership of each property.
3. A standard electrical connection can be made available for the subdivided portion. The portion shall therefore have its own connection, meter point and electricity account with the new owner's name. The applicable tariff shall apply.
4. The approval is further subject to the following conditions:
 - 4.1 **Electricity:** Remainder of Portion 19, Farm Rondebosch No 287-LS has an existing electricity supply capacity of 25 kVA. Should this capacity be insufficient, any additional supply would be subject to-
 - (a) Overall availability of capacity in the Municipality's electricity supply scheme
 - (b) A fully motivated written application by the client which will be submitted to Senior Management for their consideration
 - (c) Only a maximum of 100kVA may in any way be considered according to present status of the electricity supply scheme

The client is further obliged to comply with the following conditions:

- (d) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work

- (e) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993
- (f) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality
- (g) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront
- (h) Each portion must have its own electrical connection.

4.2 Water: Water will be obtained from a borehole on the site. The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.

4.3 Sewer: There is no sewer system in place on the farms other than septic tanks/French drains. The volume of effluent, however, is so low that, in terms of the environmental regulations, no risk to the environment is anticipated or any authorization required. The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

5. Development on the proposed portions must comply with the Makhado Land Use Scheme, 2009 and may only be used accordance with its approved land use zone as determined by the Land Use Scheme.
6. In the event that new land rights except that of “agricultural” is proposed, proper Legislations must be followed and the application be submitted to relevant institution for comments.
7. The comments from Department of Roads and Transport must be obtained.
8. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
9. The proposed subdivision must be registered in the Deeds Office within two years from date of approval of the application.
10. The Department of Co-operative Governance, Human Settlements and Traditional Affairs must consent to this subdivision. (DDP)

SubdivisionPortion19Rondebosch_itm

ITEM B.71.04.07.13

TOWN-PLANNING AND CONTROL: REZONING: PART OF ERF 1502, HA-TSHIKOTA (VLEIFONTEIN) TOWNSHIP FROM “PUBLIC STREET” TO “BUSINESS 2”: MAKHADO AMENDMENT SCHEME NO. 56 (E 1502, 7/4/1/3 & 15/4/2/2/1/288)

RESOLVED B.71.04.07.13 –

THAT the application submitted by Developlan Town and Regional Planners on behalf of their client Mr. Tshamano Mackenzie Mulaudzi to rezone a part of Erf 1502, Ha-Tshikota (Vleifontein) from “Public Street” to “Business 2” be approved in terms of section 56 (9) (a) of the Town Planning and Townships Ordinance (Ord. 15 of 1986) 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 2” as the use zone.
4. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
5. The measurement of the perpendicular or angled parking must not less than 5,5m x 2,7m and 6,0m x 2,7m for parallel parking.
6. Engineering services contributions will be payable and will be calculated in accordance with Council’s formula for such services.
7. The applicant will be liable for payment of actual cost for service provisions in the event that larger capacities than what is available under the present zoning may be required.
8. 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.
9. 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.
10. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
11. 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.
12. The applicant is expected to do the Promulgation Process and submit proof of notices within a period of three weeks after approval.
13. The approval is further subject to the following conditions:
 - 13.1 **Electricity:** **ESKOM** is the electricity supplier in the area.
 - 13.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.
 - 13.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

RezoningErf1502Ha-Tshikota(Vleifontein)_itm

(DDP)

ITEM B.72.04.07.13

COUNCIL LAND: PROPOSED SALE OF ERF 235, ELTI VILLAS EXTENSION 1 TOWNSHIP (EE.235)

REMARK:

This matter was referred from item A.59.06.08.13 (originally A.59.25.07.13).

RESOLVED B.72.04.07.13 -

THAT the report be referred back with the request that the Council Policy related to disposal by means of tender process be submitted together with the report to the Executive Committee at its next meeting.

PurchaseErf235EltiVillas_itm

(DDP)

ITEM B.73.04.07.13

COUNCIL LAND: PROPOSED SALE OF SEVENTY SIX RESIDENTIAL ERVEN: VUWANI TOWNSHIP

(7/3/2/1; 15/5/18; 7/4/1/3)

REMARK:

This item was referred from item A.61.06.08.13 (originally A.61.25.07.13).

RESOLVED B.73.04.07.13 -

THAT the report be referred back with the request that the 76 sites at Vuwani Township not be disposed by means of public auction, but on a first-come-first-serve basis, and a further report be submitted to the Executive Committee at its next meeting.

(DDP)

VuwaniTownshipSales_itm

ITEM B.74.04.07.13

FINANCES: FREEZING OF PAYMENT OF DEBTS

(6/1/1(13/14))

REMARK:

1. This item was referred from item A.62.06.08.13 (originally A.62.25.07.13)
2. At the Council meeting held on 6 August 2013, the matter reverted to its original A-item status. The further recording of the matter can be found under item A.62.06.08.13 (originally A.62.25.07.13).

RESOLVED B.74.04.07.13 –

THAT the report be referred back for investigation of the consumers in R293 township and the matter be submitted to the Executive Committee at its next meeting.

(CFO)

FreezingDebts_itm

ITEM B.75.23.07.13 (originally B.75.18.07.13)**FINANCES: PROCUREMENT: CLAUSE 36: QUOTATION DEVIATIONS FOR 4th QUARTER (APRIL – JUNE 2013)
(8/3/2/1)**

RESOLVED B.75.23.07.13 -

THAT in terms of clause 36 of the Municipal Supply Chain Regulations, 2005 promulgated under the Local Government: Municipal Finance Management Act, 2003, in procurement by means of quotations during the fourth quarter of the financial year in the amount of R1 192 690.81 and which each was duly approved by the Accounting Officer before it was procured, be condoned by Council.

QuotationDeviationsQ4_itm

(CFO)

ITEM B.76.23.07.13 (originally B.76.18.07.13)**FINANCES: TENDERS AWARDED DURING FOURTH QUARTER (ENDING JUNE 2013) OF THE 2012/2013 FINANCIAL YEAR
(8/3/2/1)**

RESOLVED B.76.23.07.13 -

THAT note be taken of the one (1) tender awarded through the Bidding Committee procedure for the term April 2013 to June 2013, i.e. the 4th Quarter of the 2012/2013 financial year. (CFO)

BidOutcomesQ4_itm

ITEM B.77.23.07.13 (originally B.77.18.07.13)**TOWN-PLANNING: PROPOSED WRITTEN CONSENT USE: ADDITIONAL DWELLING UNIT: ERF 230, ELTIVILLAS TOWNSHIP
(EE230 & 15/3/8)**

RESOLVED B.77.23.07.13 -

THAT the application submitted by Manavhela Khathutshelo Doreen to erect an additional dwelling unit on Erf 230, Eltivillas Township be approved in terms of Clause 22 of the Makhado Land-use Scheme, 2009 subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. Site Development Plan must be submitted for consideration prior to the submission of building plans.
3. The use must comply with the Makhado Land Use Scheme, 2009.
4. All costs that may arise as a result of this approval are for the account of the applicant.
5. The consent granted must be implemented within twelve (12) months of the date of the resolution, failure which the approval will automatically be withdrawn without any notice.
6. If a building for which the consent has been granted is demolished, falls into disuse or becomes unsuitable for the purpose for which such consent was given, the approval will automatically be withdrawn without any notice.

7. The operation must comply with municipal by-laws and the National Building regulations.
8. The Municipality may through its authorised officials, enter the property at all reasonable times to conduct any inspection which may be considered necessary or desirable for the application of the Makhado Land Use Scheme, 2009
9. No additional municipal services will be provided on the property and connections must be made from the existing dwelling.
10. The approval is further subject to the following conditions:
 - 10.1 **Electricity:** Erf 230 has an existing electricity supply capacity of 16 kVA single phase. Should this capacity be insufficient, any additional supply would be subject to-
 - (a) Overall availability of capacity in the Municipality's electricity supply scheme
 - (b) A fully motivated written application by the client which will be submitted to Senior Management for their consideration
 - (c) Only a maximum of 100 kVA may in any way be considered according to present status of the electricity supply scheme.

The client is further obliged to comply with the following conditions:

- (d) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work
 - (e) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993
 - (f) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality
 - (g) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront.
 - (h) Only one connection will be available on the stand.
- 10.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.
- 10.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

WrittenConsentErf230_itm

(DDP)

ITEM B.78.23.07.13 (originally B.78.18.07.13)

TOWN-PLANNING: PROPOSED WRITTEN CONSENT USE: SPAZA, ERF 378, WATERVAL-A TOWNSHIP (7/4/1/3 & 15/3/8)

RESOLVED B.78.23.07.13 -

THAT the application submitted by Mabasa Ndaheni Noria for the purpose of a Spaza on Erf 378, Waterval-A Township be approved in terms of Clause 22 of the Makhado Land-use Scheme, 2009 subject to the following terms and conditions:

1. The use must comply with the Makhado Land Use Scheme, 2009.

2. All costs that may arise as a result of this approval are for the account of the applicant.
3. The consent granted must 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 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. If a building for which the consent has been granted is demolished, falls into disuse or becomes unsuitable for the purpose for which such consent was given, the approval will automatically be withdrawn without any notice.
6. The Municipality may through its authorised officials, enter the property at all reasonable times to conduct any inspection which may considered necessary or desirable for the application of the Makhado Land Use Scheme, 2009.
7. Alcohol refreshments must not be sold and the residential use remains the main use of the property.
8. The elevation treatment of the buildings should maintain a Residential 1 character and appearance complementary to the environment.
9. The total floor area of the spaza shall not exceed 30m².
10. The approval is further subject to the following conditions:
 - 10.1 **Electricity:** Erf 378, Waterval-A Township falls in the ESKOM area of electricity distribution.
 - 10.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.
 - 10.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

WrittenConsentErf378_itm

(DDP)

ITEM B.79.23.07.13 (originally B.79.18.07.13)

TOWN-PLANNING: PROPOSED WRITTEN CONSENT USE: ERF 1718, TSHIKOTA EXTENSION 1 TOWNSHIP (7/4/1/3 & 15/3/8)

RESOLVED B.79.23.07.13 -

THAT the application submitted by Thekhwe Phumudzo Julia for the purpose of a Spaza on Erf 1718, Tshikota Extension 1 Township be approved in terms of Clause 22 of the Makhado Land-use Scheme, 2009 subject to the following terms and conditions:

1. The use must comply with the Makhado Land Use Scheme, 2009.
2. All costs that may arise as a result of this approval are for the account of the applicant.
3. The consent granted must 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 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. If a building for which the consent has been granted is demolished, falls into disuse or becomes unsuitable for the purpose for which such consent was given, the approval will automatically be withdrawn without any notice.
6. The Municipality may through its authorised officials, enter the property at all reasonable times to conduct any inspection which may considered necessary or desirable for the application of the Makhado Land Use Scheme, 2009.
7. Alcohol refreshments must not be sold and the residential use remains the main use of the property.
8. The elevation treatment of the buildings should maintain a Residential 1 character and appearance complementary to the environment.
9. The total floor area of the spaza shall not exceed 30m².
10. The approval is further subject to the following conditions:
 - 10.1 **Electricity:** Erf 1718, Tshikota Township has an existing electricity supply capacity of 16 kVA single phase. This is however a domestic connection. The client **MUST APPLY** for a business connection.
Should this capacity be insufficient, any additional supply would be subject to-
 - (a) Overall availability of capacity in the Municipality's electricity supply scheme
 - (b) A fully motivated written application by the client which will be submitted to Senior Management for their consideration
 - (c) Only a maximum of 100 kVA may in any way be considered according to present status of the electricity supply scheme
 The client is further obliged to comply with the following conditions:
 - (a) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work
 - (b) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993
 - (c) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality
 - (d) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront
 - 10.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.
 - 10.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

ITEM B.80.23.07.13 (originally B.80.18.07.13)**TOWN-PLANNING AND CONTROL: REZONING OF ERF 7, ELIM-MPHENI CBD FROM “AGRICULTURAL” TO “BUSINESS 2”: MAKHADO AMENDMENT SCHEME NO. 63 (7/4/1/3 & 15/4/2/2/1/295)**

RESOLVED B.80.23.07.13 -

THAT the application submitted by Developlan on behalf of their client Ribola Property Development (Pty) Ltd to rezone Erf 7 Elim-Mpheni CBD from “Agricultural” to “Business 2” be approved in terms of section 56 (9) (a) of the Town Planning and Townships Ordinance (Ord. 15 of 1986) 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 2” 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. 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.
8. 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.
9. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
10. 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.
11. The applicant is expected to do the Promulgation Process and submit proof of notices within a period of three weeks after approval.
12. The approval is further subject to the following conditions:
 - 12.1 **Electricity:** Erf 7 Elim-Mpheni falls in the ESKOM area of electricity distribution.
 - 12.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity
 - 12.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity. (DDP)

ITEM B.81.23.07.13 (originally B.81.18.07.13)**TOWN-PLANNING AND CONTROL:**

- 1. REZONING OF PORTION 1 OF ERF 529, LOUIS TRICHARDT TOWNSHIP FROM ‘RESIDENTIAL 1’ TO “BUSINESS 1”: MAKHADO AMENDMENT SCHEME NO. 65**
- 2. CONSOLIDATION OF THE REZONED ERF WITH ERF 527, LOUIS TRICHARDT TOWNSHIP**
- 3. SPECIAL CONSENT FOR CONSOLIDATED ERVEN FOR COMMERCIAL PURPOSES**
(E 529/1; E527 & 15/4/2/2/1/297)

RESOLVED B.81.23.07.13 -

THAT the application received from Pieterse Du Toit and Associates CC. on behalf of their client Opus Beleggings Trust to rezone portion 1 of erf 529, Louis Trichardt Township from ‘Residential 1’ to “Business 1” simultaneously with consolidation of the rezoned erf with Erf 527 Louis Trichardt Township and a special consent for the consolidated erven for commercial purposes, be approved in terms of section 56 (9) (a) and section 92 (2)(a) of the Town-Planning and Townships Ordinance (Ordinance 15 of 1986) subject to the following conditions:

1. No building or alteration operations may commence without approved building plans.
2. Site development plan must be submitted before any building plans can be approved.
3. The development must comply with the Makhado Land Use Scheme, 2009 with “Business 1” as the use zone.
4. Accessible parking space must be provided inside the property and Municipal side walk should not be utilized as parking space.
5. The measurement of the perpendicular or angled parking must not less than 5,5m x 2,7m and 6,0m x 2,7m for parallel parking.
6. Engineering services contributions will be payable and will be calculated in accordance with Council’s formula for such services.
7. The applicant will be liable for payment of actual cost for service provisions in the event that larger capacities than what is available under the present zoning may be required.
8. 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.
9. 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.
10. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
11. 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.
12. The applicant is expected to do the Promulgation Process and submit proof of notices within a period of three weeks after approval.

13. The proposed consolidation must be registered in the Deeds Office within two years from date of approval of the application.

14. The approval is further subject to the following conditions:

14.1 **Electricity:** Erf 529/1 has an existing electricity supply capacity of 16 kVA single phase and Erf 527 has an existing electricity supply capacity of 50kVA three phase. Should this capacity be insufficient, any additional supply would be subject to-

- (a) Overall availability of capacity in the Municipality's electricity supply scheme
- (b) A fully motivated written application by the client which will be submitted to Senior Management for their consideration
- (c) Only a maximum of 100 kVA may in any way be considered according to present status of the electricity supply scheme

The client is further obliged to comply with the following conditions:

- (a) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work
- (b) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993
- (c) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality
- (d) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront

14.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.

14.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

RezoningErf529&Portion1Erf527_itm

(DDP)

ITEM B.82.23.07.13 (originally B.82.18.07.13)

TOWN-PLANNING AND CONTROL: SUBDIVISION OF THE FARM COEN BRITZ 646 MS AND REMAINDER OF FARM JULIANA 647 MS AND CONSOLIDATION OF TWO (2) NEW PORTIONS (15/3/8 & 15/3/15)

RESOLVED B.82.23.07.13 -

THAT the Municipality does not have objection for the application submitted in terms of the subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) by Du Toit and Associates Town and Regional Planners on behalf of their client Manupont 124 Pty Ltd to subdivide farm Coen Britz 646 MS and Remainder of farm Juliana 647 MS and consolidation of two (2) new Portions subject to the following conditions:

1. Each portion must have its own water and sewer connections for which the installation cost and normal standard connection fees will be payable.

2. Applicant must submit satisfactory proof that each proposed portion has its own sustainable potable water supply source that will provide sufficiently for the intended land use. This condition must be a condition of sale and in the deed of transfer of ownership of each property.
3. Farm Coen Britz 646 MS as well as Farm Juliana 647 MS falls in the ESKOM area of electricity distribution.
4. A standard electrical connection can be made available for the subdivided portion. The portion shall therefore have its own connection, meter point and electricity account with the new owner's name. A registered electrical contractor (registered 3 phase installation electrician) shall be appointed by the new owner to install test and certify the installation in terms with the OHS Act. The applicable tariff shall apply
5. Development on the proposed portions must comply with the Makhado Land Use Scheme, 2009 and may only be used accordance with its approved land use zone as determined by the Land Use Scheme.
6. In the event that new land rights except that of "agricultural" is proposed, proper Legislations must be followed and the application be submitted to relevant institution for comments.
7. The comments from Department of Roads and Transport must be obtained.
8. The Municipality shall be entitled to reasonable access to the land adjoining the servitude area for the construction, maintenance or removal of such services.
9. The proposed subdivision and consolidation must be registered in the Deeds Office within two years from date of approval of the application.
10. The Department of Co-operative Governance, Human Settlements and Traditional Affairs must consent to this subdivision. (DDP)

SubdivisionFarm646and647_itm

ITEM B.83.23.07.13

REPORTING: VARIATION IN THE APPOINTMENT OF SERVICE PROVIDERS (7/2/5)

RESOLVED B.83.23.07.13 -

THAT report is submitted to Council for noting in terms of Supply Chain Management Policy.
VariationSecurityServices_itm (CFO)

ITEM B.84.06.08.13

DOMESTIC SERVICES: OFFICIAL VEHICLES – OFFICE OF THE MAYOR AND OFFICE OF THE SPEAKER – TEMPORARY ARRANGEMENTS FOR TRANSPORT (8/1/2/3/1)

REMARK:

This item was referred from item A.98.06.08.13.

RESOLVED B.84.06.08.13 –

THAT Council takes note of the contents of the report. (MM)

* * * * *

10. REPORTS OF MUNICIPAL PUBLIC ACCOUNT COMMITTEE

Report of the Municipal Public Accounts Committee in terms of section 79 of the Local Government: Municipal Structures Act, 1998 (No. 117 of 1998): 3 June 2013**ITEM A.85.06.08.13****COUNCIL COMMITTEES: MUNICIPAL PUBLIC ACCOUNT COMMITTEE: ANNUAL WORK PROGRAMME – 2013/14 FINANCIAL YEAR (4/33; 10/1/2)**

RESOLVED A.85.06.08.13 -

THAT the 2013/2014 MPAC Work Programme, compiled in terms of Clause 6 of the Guidelines for MPACs adopted by Council under Resolution A.121.01.12.11, attached as Annexure A to the report in this regard be approved. (MM)

MPACWorkProgramme2013-14

ITEM A.86.06.08.13**COUNCIL COMMITTEES: MUNICIPAL PUBLIC ACCOUNT COMMITTEE: QUESTIONS ON REPORTS SUBMITTED (4/33; 10/1/2)**

RESOLVED A.86.06.08.13 –

THAT Council take note of the list of questions on reports directed to the Accounting Officer and to which he replied, as submitted at the MPAC meeting held on 3 June 2013, as more fully recorded in Annexure A attached to the report. (MM)

QuestionsMPAC_itm

ITEM A.87.06.08.13**COUNCIL COMMITTEES: MUNICIPAL PUBLIC ACCOUNT COMMITTEE: FINANCES: SECTION 71 REPORT: APRIL 2013 (10/1/2)**

RESOLVED A.87.06.08.13 -

1. CAPITAL EXPENDITURE REPORT AS AT 30 APRIL 2013

- MPAC members visited the following projects: Eltivillas Extension 1, Tarring of Streets; Tshikota Upgrading of Streets, Waterval Streets Rehabilitation; Rehabilitation of Streets Elti Villas business area; Waterval Community Hall, Dzanani Community Hall; Mphaila Access Road and Bridge; Piesanghoek to Khunda Road; Sereni Themba to Mashamba Post Office; Tshivhulana to Tshilaphele Road and Tshakhuma Landscaping and Street Lights.

Findings

- Tshikota roads have been completed in less than 5 months and are of good quality.
- Tshivhulana to Tshilaphele road – project is very slow than of expenditure – means that less work is done. There is no progress in that project. The Engineer and the contractor are not in good terms.
- Elti Villas Projects are still behind, the progress is very slow, it has a negative impact to all businesses in that area.

- If the projects are completed or about to be completed, generally the difference between budgeted and variance figures will be favourable and that is good for the Municipality.
- Under summary as per Department: The expenditure on community service is 10% and it is not enough for the service delivery.
- Variance is favourable unless if more still needs to be done.

RECOMMENDATION –

1. THAT the Council note that tenders to be awarded to the contractors who are committed.
2. THAT the Municipality should not pay the contractors if they do not finish the projects.
3. THAT Tshivhulala to Tshilaphala projects contractor should be afforded some extra conditions to work.
4. THAT the Municipality should continue paying contractors checking on their progress.

2. **TECHNICAL SERVICES**

Findings

There are projects budgeted for that were not done e.g. new offices and ablution at the elect work, upgrading of mountain line, etc.

RECOMMENDATION –

THAT they should be given first preference since the funds for the projects are already on the budget.

3. **COMMUNITY SERVICES**

Findings

Nothing was done at Dzanani Traffic and Testing Station as budgeted.

4. **PLANNING AND DEVELOPMENT**

RECOMMENDATION

1. THAT budgeted money must be used for its purpose unless if there is not enough funds.
2. THAT budget to be drawn after checking thoroughly expected income.

5. **BUDGET AND TREASURY**

Fleet Management

Finding

The Municipality budget tallies with the expenditure which is favourable.

6. **STATEMENT OF FINANCIAL POSITION**

Findings

- Property presented according to GAAP
- There was an increase in property, plant and equipment although investment property decreases.
- There was a decrease in borrowings and finance lease liability, which is good.

7. **STATEMENT OF FINANCIAL PERFORMANCE**

Findings

- GAAP was followed when drawing financial statements.
- Interest from external investment decreased from R2,888,388 to R1,035,379.
- Other income – there was a decrease from R54,463,747 to R36,972,374. This means that people are not paying.
- Amongst other positive items, there is provision for bad debts that decreased from R108,530,043 to R46,400,702.

- There was an increase of general expenses from R105,677,374 to R180,868,981. The increase is R75m and it is too much.
- The deficit for the year 2012 increased by R100m.

8. CASH FLOW STATEMENT

Findings

- Net cash flows from operating activities balances are favourable.
- There is an increase from R146,828,316 to R254,955,027.
- Negative balance on investing activities is good since the money was spend on tangible assets (capital goods).
- Increased in repayment of borrowings is good idea since debts will be reduced.
- None itemised cash flow items (other cash flow items) – The increase from R10,324,396 to R198,617,080 is too much.

MPACSection71ReportApril2013_itm

(MM)

ITEM A.88.06.08.13

COUNCIL COMMITTEES: MPAC: FINANCES: AUDITED FINANCIAL STATEMENTS: 30 JUNE 2012 (6/13/1/1/1)

RESOLVED A.88.06.08.13 –

THAT Council takes note of the following finding by MPAC:

1. Page 87, Audited Financial Statements

- Provision for doubtful debts is an expense to the business
- Page 6, statement of financial performance has different amounts with page 23 figures that shows notes.

2. Page 105 Authorized Capital Expenditure

There is an increase in capital expenditure which is good for societal development. (MM)

MPACAuditedStatements30June2012_itm

ITEM A.89.06.08.13

COUNCIL COMMITTEES: MUNICIPAL PUBLIC ACCOUNT COMMITTEE: FINANCES: SUPPLY CHAIN MANAGEMENT DEVIATION REPORT QUARTER 3: 2013/14 FINANCIAL YEAR (1/3/54/1 & 6/1/1(2013-2014))

REMARK:

Cllr F D Mutavhatsindi proposed, duly seconded by Cllr H F Mathavha that emergency could not be only reason for deviation. The proposal was generally accepted and replaces the original paragraph 2, as recorded below.

RESOLVED A.89.06.08.13 -

1. THAT quotations from other suppliers to be taken although the local one will be recommended.

(MM)

2. THAT emergency could not be only reason for deviation.

(MM)

MPACSCMDeviationQ3_itm

11. PETITIONS

None

12. NEW MOTIONS

12.1 MOTION NO. 222: RECEIVED ON 12 JUNE 2013

A motion dated 12 June 2013 was received on 12 June 2013. 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 clause 40 of the Rules and Orders of Council as promulgated under Local Authority Notice 228 dated 31 August 2007 in Provincial Gazette No. 1391 of 31 August 2007 and further

In accordance with the provisions of the Local Government Municipal Structures Act, 1998 (Act no. 17 of 1998) and the Local Government Municipal Systems Act, 2000 (Act no. 32 of 2000)

That Council adopts the following motion as its resolution –

- 1. Council hereby requests that it be furnished with a full written report of reconciliation of all bad debts in the debtor system of Makhado Municipality.*
- 2. Council hereby requests that a written report of proposed writing off of irrecoverable bad debts be submitted to it in Quarter 1 of 2013/2014 financial year.*
- 3. Council hereby requests that all accumulative and irrecoverable bad debts be properly analysed to be written off once and for all to get a proper amount of the genuine amount outstanding on the bad debts of Makhado Municipality, And moreover, that the actual writing off must comply with the policy of principles in writing off bad debt, which Council adopted on 30 May 2013, and only after a full report about it is first submitted to Council for approval.*

SIGNED:

Proposer: Cllr B du Plooy

Seconded: Cllr A Keneally"

The Speaker put Motion 222 to the Meeting. Hereupon Cllr F D Mutavhatsindi proposed, duly seconded by Cllr S Masuka, that the Motion be deferred to the next ordinary Council meeting.
(D Munyai)

* * * * *

The meeting was closed and adjourned at 14:47.

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 31 October 2013.

CHAIRPERSON