

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE VIRTUAL NINETY FOURTH (94th) COUNCIL MEETING OF THE MAKHADO MUNICIPALITY, WHICH WAS SCHEDULED FOR 30 JULY 2020, THEN POSTPONED TO 7 AUGUST 2020, BUT NOT HELD AND AGAIN POSTPONED AND HELD ON 12 AUGUST 2020 AT 14:00.

PRESENT

Councillors

BABADU, T M	MOGALE, L B
BALIBALI, T	MOKGOADI M R
CHILILO, N F	MOHLABA, T J
DU PLOOY, A	MPASHE, M J
DAVHANA, N D	MUKHARI, M F
FURUMELA, M G	MUKWEVHO G T
GABARA, M J	MUKWEVHO, T D
JONES, B K	MUNYAI, N
KHODOGA, J	MUNYAI, N S
KUTAMA, T	MUSANDIWA, P N
LUDUVHUNGU, V S	NDOU, M N
LUKHELI, J	NEMATANDANI, M C
MACHETE, M S	NEMUDZIVHADI, N S
MADULA, S	NETHULWE, M F
MADUWA, E	NYELISANI, S S
MADUWA, L G	PHOSHOKO, M G
MADZHIGA M F	RALIPHADA, R
MAGADA, M R	RAMAVHOYA, K S
MAINGO, R T	RASHAMUSE, A G
MALANGE, T M	RATSHIKUNI, D
MALIMA, M E	SELAPYANA, M A
MALIVHA, N V	SESHOKI, T
MALULEKE, K M	SIMANGWE, N J
MAMAFHA, T C	SINYOSI S M
MAPHUBU, K	SITHI, E T
MASENGANA, M L	TAMBANI, T E,
MASUKA, S	TSHIAMBWA L R
MASUTHA, L G	TSHIBVUMO, G
MATHALISE, L M	TSHIFURA, SS
MATUMBA, A	TSHILAMBYANA, M S
MBOYI, M D	

Traditional Leaders

None

Officials

N F TSHIVHENGWA	(MUNICIPAL MANAGER)
K M NEMANAME	(CHIEF FINANCIAL OFFICER)
R V PHALANNDWA	(ACTING DIRECTOR DEVELOPMENT PLANNING)
M G RALISHUKU	(ACTING DIRECTOR TECHNICAL SERVICES)
S M CAROTO	(ACTING DIRECTOR CORPORATE SERVICES)
H J LUKHELI	(ACTING DIRECTOR COMMUNITY SERVICES)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

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1. OPENING AND NOTICE OF THE MEETING

REMARK:

The meeting commenced at 14h27 due to the process of remote digital connection by all Councillors.

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 and welcomed everyone present.

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

Vision: "A dynamic hub for socio-economic development by 2050"

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

She further confirmed that all members had received notice of the meeting, i.e. by sms and by e-mail.

2. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLVED –

THAT leave of absence be granted in accordance with the provisions of rule 21 of the Council's Standing Rules of Order, 2016 published under Provincial Gazette Notice no. 2736 dated 29 July 2016 in respect of the Council meeting held on 12 August 2020 to Cllrs T A Maraga and T J Mamafha.

REMARK:

- (i) The following councillors were absent from the Council meeting held on 12 August 2020: Cllrs R S Baloyi, S I Bulala, F B Hlongwane, N B Jones, N Kutama, S Z Muthombeni, M E Mulefu, M D Ndou, R Raliphada, T P Mamorobela, M A Mashamba and G M Ramushavha.
- (ii) The following traditional leaders were absent from the Council meeting held on 12 August 2020: Khosi R H Sinthumule, Khosi P Netsianda, Khosi F Molema, Khosi T G Muila, Hosi H S Mukhari, Hosi S T Mukhari, Khosi V C Ramabulana, Khosi P V Kutama, Khosi N T L Mashamba and Khosi M M Mphephu.

3. OFFICIAL ANNOUNCEMENTS

- 3.1 The Speaker, Cllr L B Mogale announced that the matter of alleged breach of Code of the Conduct for Councilors by Cllr A Matumba was still receiving attention and that Council would be briefed about the findings in due course.
- 3.2 The Speaker, Cllr L B Mogale welcomed the newly appointed Democratic Alliance member, Cllr Jerry Khodoga who was sworn in on 10 July 2020 by Magistrate Molokomme at Makhado Magistrate's Office.

4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER

4.1 The Speaker, Cllr L B Mogale proposed condolences to the bereaved family of the deceased Mr Sello Aubrey Mathonsi, Manager in the Office of Mayor, who passed away on Tuesday, 11 August 2020.

4.2 **Congratulations**

The Speaker, Cllr L B Mogale proposed congratulations to the following councillors who celebrated their birthdays since the last ordinary Council meeting held on 30 January 2020:

Cllr V S Luduvhungu	2 February 2020
Cllr N V Malivha	2 February 2020
Cllr S S Nyelisani	2 February 2020
Cllr N S Munyai	2 February 2020
Cllr T M Babadu	5 February 2020
Cllr D Ratshikuni	15 February 2020
Cllr M C Masengana	15 February 2020
Cllr M E Malima	28 February 2020
Cllr M A Selapyana	28 February 2020
Cllr M N Ndou	28 February 2020
Cllr L M Mathalise	2 March 2020
Cllr T J Mamafha	3 March 2020
Cllr R Raliphada	6 March 2020
Cllr E Maduwa	15 March 2020
Cllr M D Ndou	22 March 2020
Cllr G T Mukwevho	24 March 2020
Cllr S S Tshifura	25 March 2020
Cllr B F Hlongwane	1 April 2020
Cllr L G Maduwa	4 April 2020
Cllr T P Mamorobela	12 April 2020
Cllr S Masuka	15 April 2020
Cllr T D Mukwevho	16 April 2020
Cllr B K Jones	1 May 2020
Cllr S Madula	2 May 2020
Cllr M G Phoshoko	4 May 2020
Cllr S I Bulala	4 May 2020
Cllr M E Mulefu	6 May 2020
Cllr N S Nemudzivhadi	10 May 2020
Cllr N B Jones	10 May 2020
Cllr N Munyai	24 May 2020
Cllr T E Dzivhani	10 June 2020
Cllr R S Baloyi	13 June 2020
Cllr I Balibali	20 June 2020
Cllr M C Nematandani	25 June 2020
Cllr T E Tambani	26 June 2020
Cllr A G Rashamuse	26 June 2020
Cllr T A Maraga	28 June 2020
Cllr M J Gabara	30 June 2020
Cllr R T Maingo	9 July 2020
Cllr M F Mukhari	11 July 2020
Cllr S M Sinyosi	13 July 2020

5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY PARTY SPOKESPERSON

5.1. Cllr M G Furumela on behalf of the Democratic Alliance Party congratulated the newly elected Councilor of Democratic Alliance Party, Cllr J Khodoga who was sworn in on 10 July 2020 by Magistrate Molokomme at Makhado Magistrate office, and was attending his 1st Council meeting on 12 August 2020.

5.2. Cllr M D Mboyi on behalf of the African National Congress Party proposed condolences to all bereaved families who had lost loved ones due to the Covid-19 pandemic.

She further proposed condolences to the bereaved family of the deceased Mr S A Mathonsi, Manager in the Office of the Mayor, who passed away on Tuesday, 11 August 2020.

She also proposed condolences to the bereaved family of the late radio broadcasting legend, Mr Bob Mabena who died on Monday, 10 August 2020 at the age of 51.

She then proposed congratulations to all frontline workers in the health sector for the sterling work they were doing during the Covid-19 pandemic period.

6. CONFIRMATION OF MINUTES

6.1 REMARK:

Upon proposal by Cllr N D Davhana, duly seconded by Cllr M R Mokgoadi, it was ----

RESOLVED -

THAT the minutes of the 93rd Council meeting held on 30 January 2020 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 D Ratshikuni, duly seconded by Cllr K R Ramavhoya, it was -

RESOLVED -

THAT the minutes of the 149th Special Council meeting held on 26 February 2020 be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

6.3 REMARK:

Upon proposal by Cllr S Masuka, duly seconded by Cllr M S Tshilambyana, it was -

RESOLVED -

THAT the minutes of the 150th Special Council meeting held on 26 March 2020 be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson, with the following corrections:

Page 2, Paragraph 3. OFFICIAL ANNOUNCEMENTS

The following paragraph must be inserted after paragraph 3.2

“3.3 Ruling by the Speaker

The Speaker ruled that no member who deliberated in a matter during discussions at an Executive Committee meeting, would be permitted to also speak on that matter during a Council meeting.”

6.4 REMARK:

Upon proposal by Cllr M J Gabara, duly seconded by Cllr N S Nemudzivhadi, it was -

RESOLVED -

THAT the minutes of the 151st Special Council meeting held on 15 May 2020 be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

6.5 REMARK:

Upon proposal by Cllr N Munyai, duly seconded by Cllr M R Mokgoadi, it was -

RESOLVED -

THAT the minutes of the 152nd Special Council meeting held on 8 June 2020 be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

6.6 REMARK:

Upon proposal by Cllr K M Maluleke , duly seconded by Cllr T C Mamafha, it was -

RESOLVED -

THAT the minutes of the 153rd Special Council meeting held on 26 June 2020 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

None

8. MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETING

None

9. REPORT OF COUNCIL COMMITTEES: JULY 2020

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 month of July 2020

516th Executive Committee Meeting: 24 July 2020

517th Executive Committee Meeting: 30 July 2020 (postponed and then held on 7 August 2020)

9.2 Report of the respective Section 79 Oversight Committees in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): July 2020

72nd Section 79 Oversight Committee: Corporate Services meeting: 28 July 2020 (postponed and then held on 5 August 2020)

49th Section 79 Oversight Committee: Finance meeting: 27 July 2020 (postponed and then held on 5 August 2020)

42nd Section 79 Oversight Committee: Development Planning meeting: 28 July 2020 (postponed and then held on 5 August 2020)

(REMARK: Items A.17.26.02.20 to A.21.26.02.20 were considered at the 149th Special Council meeting held on 26 February 2020)

(REMARK: Items A.22, A.27, A.30, A.33, and A.34.26.03.20 were considered at the 150th Special Council meeting held on 26 March 2020)

(REMARK: Items A.35.15.05.20 to A.40.15.05.20 were considered at the 151st Special Council meeting held on 15 May 2020)

(REMARK: Items A.23.26.03.20 to A.27.26.03.20, A.28.26.03.20 to A.29.26.03.20, A.31.26.02.20 to A.32.26.03.20, A.42.08.06.20 to A.44.08.06.20, A.46.08.06.20 to A.56.08.06.20 were considered at the 152nd Special Council meeting held on 8 June 2020)

(REMARK: Items A.41.26.06.20, A.45.26.06.20 and A.57.26.06.20 to A.78.26.06.20 were considered at the 153rd Special Council meeting held on 26 June 2020)

ITEM A.79.12.08.20 (originally A.79.30.07.20)

REPORT: AUDIT AND PERFORMANCE AUDIT COMMITTEE CHARTER AND INTERNAL AUDIT CHARTER FOR 2020/21 FINANCIAL YEAR (6/13/1/2/1 & 6/13/1/2/2)

RESOLVED A.79.12.08.20 (COUNCIL)

THAT Council approves the Audit and Performance Audit Committee Charter and note the Internal Audit Charter for 2020/21 financial year as more fully set out in the annexure attached to the report in this regard. (MM)

APAC&InternalAuditCharters_itm

ITEM A.80.12.08.20 (originally A.80.30.07.20)**COUNCIL COMMITTEES: REPORT OF ATTENDANCE OF MEETINGS OF COUNCIL AND ITS COMMITTEES – JANUARY 2020 TO MARCH 2020 – QUARTER 3, 2019/2020 FINANCIAL YEAR
(4/1/B & 10/1/5/1)****RESOLVED A.80.12.08.20 (COUNCIL)**

1. THAT note be taken of the number of meetings held by Council and its Committees for the period 1 January 2020 to 31 March 2020 as follows:

SUMMARY OF MEETINGS HELD – QUARTER 3 OF 2019/20

DATE 2020	NUMBER OF SECTION 79 COMMITTEES' MEETINGS	NUMBER OF EXECUTIVE COMMITTEE MEETINGS	NUMBER OF COUNCIL MEETINGS
January	7	2	1
February	5	2	1
March	6	2	1
TOTAL	18	6	3

NB. Excluding LLF meetings of which 1 were held

(DCS)

2. THAT note be taken of the *Report of Attendance of meetings by councilors* for the period 1 January 2020 to 31 March 2020 as more fully recorded in the report in this regard. (DCS)
3. THAT all councilors who were absent from three (3) or more consecutive meetings of Council and its committees be notified to appear before the Section 79 Ethics Committee to give reasons why they do not attend such meetings. (DCS)
4. THAT a report of the composition of Section 79 Oversight Committees and Section 80 Committees must be submitted in the next Executive Committee meeting. (DCS)

Return of Attendance Q2 of 2019-2020

ITEM A.81.12.08.20 (originally A.81.30.07.20)**COUNCIL COMMITTEES: REPORT OF ATTENDANCE OF MEETINGS OF COUNCIL AND ITS COMMITTEES – APRIL 2020 TO JUNE 2020 – QUARTER 4, 2019/2020 FINANCIAL YEAR
(4/1/B & 10/1/5/1)****RESOLVED A.81.12.08.20 (COUNCIL)**

1. THAT note be taken of the number of meetings held by Council and its Committees for the period 1 April 2020 to 30 June 2020 as follows:

SUMMARY OF MEETINGS HELD – QUARTER 4 OF 2019/20

DATE 2020	NUMBER OF SECTION 79 COMMITTEES' MEETINGS	NUMBER OF EXECUTIVE COMMITTEE MEETINGS	NUMBER OF COUNCIL MEETINGS
April	0	0	0
May	2	2	1
June	10	4	2
TOTAL	12	6	3

NB. Excluding LLF meetings of which 1 were held

(DCS)

2. THAT note be taken of the *Report of Attendance of meetings by councilors* for the period 1 April 2020 to 30 June 2020 as more fully recorded in the report in this regard, with the correction of Table 5 in the report to indicate that Cllrs N F Madzhiga and Cllr N F Chililo were present at the meeting of the Local Labour Forum. (DCS)
3. THAT all councilors who were absent from three (3) or more consecutive meetings of Council and its committees be notified to appear before the Section 79 Ethics Committee to give reasons why they do not attend such meetings. (DCS)
4. THAT a report of the composition of Section 79 Oversight Committees and Section 80 Committees must be submitted in the next Executive Committee meeting. (DCS)

Return of Attendance Q4 of 2019-2020

ITEM A.82.12.08.20 (originally A.82.30.07.20)

**PERSONNEL: APPOINTMENT OF ACTING DIRECTOR TECHNICAL SERVICES
(5/3/4/5/23; 5/6/4)**

REMARK:

1. When this matter was considered all Acting Directors recused themselves from the meeting, and returned again upon conclusion of the matter.
2. When this matter was considered Cllr K M Maluleke proposed, duly seconded by Cllr N V Malivha that the recommendation of the Section 79 Oversight Committee Corporate Services be approved by Council. The proposal was accepted in general and recorded as Council Resolution herein below.
3. Cllr G Tshibvumo remarked that the filling of the vacancies in the posts of directors must be expedited to ensure objectivity and accountability.

RESOLVED A.82.12.08.20 (COUNCIL)

1. THAT it be approved that the Manager Civil Engineering, Mr M G Ralishuku be designated to act for a further period of three (3) months in the capacity as Director Technical Services, commencing with effect of 1 September 2020 until 30 November 2020, or such earlier date which precedes the date on which a successful candidate commences duty as Director, whichever may be the earliest date.

2. THAT application for extending the acting capacity in the vacant post of Director Technical Services as set out in paragraph 1 above be submitted to the MEC for Cooperative Governance, Human Settlement and Traditional Affairs for approval in terms of section 56(1) (b) of Local Government: Municipal Systems Act, 2003.
3. THAT it be approved as policy in regard to persons designated to act in section 56 posts, that when the acting periods are extended for whatever reason, a written **performance report** of the preceding acting period must accompany the report to Council whereby the extending of such acting period is proposed.

ActingDTS_itm July 2020

ITEM A.83.12.08.20 (originally A.83.30.07.20)

PERSONNEL: APPOINTMENT OF ACTING DIRECTOR DEVELOPMENT PLANNING (5/1/2/10; 5/6/4)

REMARK:

1. When this matter was considered all Acting Directors recused themselves from the meeting, and returned again upon conclusion of the matter.
2. When this matter was considered Cllr K M Maluleke proposed, duly seconded by Cllr N V Malivha that the recommendation of the Section 79 Oversight Committee Corporate Services be approved by Council. The proposal was accepted in general and recorded as Council Resolution herein below.
3. Cllr G Tshibvumo remarked that the filling of the vacancies in the posts of directors must be expedited to ensure objectivity and accountability.

RESOLVED A.83.12.08.20 (COUNCIL)

1. THAT it be approved that the Manager Local Economic Development, Mr R V Phalanndwa be designated to act for a further period of three months as Director Development Planning, with retrospective effect of 1 August 2020 until 31 October 2020 or such earlier date being the date preceding the date on which an incumbent may commence duty in the vacant post, whichever may be the earliest date.
2. THAT application for extending the acting capacity in the vacant post of Director Development Planning as set out in paragraph 2 above be submitted to the MEC for Cooperative Governance, Human Settlement and Traditional Affairs for approval in terms of section 56(1) (b) of Local Government: Municipal Systems Act, 2003.
3. THAT it be approved as policy in regard to persons designated to act in section 56 posts, that when the acting periods are extended for whatever reason, a written **performance report** of the preceding acting period must accompany the report to Council whereby the extending of such acting period is proposed.

ActingDDP_itm July2020

ITEM A.84.12.08.20 (originally A.84.30.07.20)**PERSONNEL: EXTENSION OF ACTING PERIOD: DIRECTOR COMMUNITY SERVICES (5/1/2/10; 5/6/4)****REMARK:**

1. When this matter was considered all Acting Directors recused themselves from the meeting. They returned again upon conclusion of the matter.
2. When this matter was considered Cllr K M Maluleke proposed, duly seconded by Cllr N V Malivha that the recommendation of Section 79 Portfolio Committee Corporate Services be approved by Council. The proposal was accepted in general and recorded as Council's Resolution herein below.
3. Cllr G Tshibvumo remarked that the filling of the vacancies in the posts of directors must be expedited to ensure objectivity and accountability.

RESOLVED A.84.12.08.20 (COUNCIL)

1. THAT subject to approval by the MEC for Cooperative Governance, Human Settlement and Traditional Affairs, Limpopo the Manager Community Services, Mr H J Lukheli be designated to act for a further period in the capacity as Director Community Services, commencing with retrospective effect of 16 July 2020 to 15 October 2020, or such earlier date which precedes the date on which a successful candidate commences duty as Director, whichever may be the earliest date.
2. THAT application for extending the acting capacity in the vacant post of Director Community Services as set out in paragraph 1 above be submitted to the MEC for Cooperative Government, Human Settlement and Traditional Affairs for approval in terms of section 56(1) (b) of Local Government: Municipal Systems Act, 2003.
3. THAT it be approved as policy in regard to persons designated to act in section 56 posts, that when the acting periods are extended for whatever reason, a written **performance report** of the preceding acting period must accompany the report to Council whereby the extending of such acting period is proposed.

ActingDCOMS_itm(6)

ITEM A.85.12.08.20 (originally A.85.30.07.20)**PERSONNEL: APPOINTMENT OF ACTING DIRECTOR CORPORATE SERVICES (5/1/2/10; 5/6/4)****REMARK:**

1. When this matter was considered all Acting Directors recused themselves from the meeting. They returned again upon conclusion of the matter.

2. When this matter was considered Cllr K M Maluleke proposed, duly seconded by Cllr N V Malivha that the recommendation of the Executive Committee be approved by Council. The proposal was accepted in general and recorded as Council Resolution herein below.
3. Cllr G Tshibvumo remarked that the filling of the vacancies in the posts of directors must be expedited to ensure objectivity and accountability.

RESOLVED A.85.12.08.20 (COUNCIL)

1. THAT subject to the approval of the MEC for Cooperative Governance, Human Settlement and Traditional Affairs, Limpopo the Manager: Office of the Speaker, Mr S G Maguga be designated to act for a period in the capacity as Director Corporate Services, commencing 1 August 2020 to 31 October 2020, or such earlier date being the date which precedes the date on which a successful candidate commences duty as Director, whichever may be the earliest date.
(DCS)
2. THAT application for appointing the acting capacity in the vacant post of Director Corporate Services as set out in paragraph 1 above be submitted to the MEC for Cooperative Government, Human Settlement and Traditional Affairs for approval in terms of section 56(1) (b) of Local Government: Municipal Systems Act, 2003. (DCS)

ActingDCS_itm July2020

ITEM A.86.12.08.20 (originally A.86.30.07.20)

ELECTIONS: COUNCILOR - FILLING OF VACANCY OF PROPORTIONAL REPRESENTATIVE OF THE D A PARTY, 2020
(3/2/5; 3/2/6)

RESOLVED A.86.12.08.20 (COUNCIL)

THAT it be noted that **Mr Jerry Khodoga**, Identity number **6309025165082**, has been declared duly elected as Councilor of Makhado Municipality in terms of Clause 18, Schedule 1 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), by the Chief Electoral Officer **with effect of 2 July 2020** to fill the vacancy that came about due to the passing of the late former Cllr N A Mafhala. (DCS)

CouncillorReplaceSept2020,itm

ITEM A.87.12.08.20 (originally A.87.30.07.20)

FINANCE: PROCUREMENT: CLAUSE 36: DEVIATIONS FOR THE FOURTH QUARTER (APRIL 2020-JUNE 2020), 2019/20 FINANCIAL YEAR
(10/1/5/2)

RESOLVED A.87.12.08.20 (COUNCIL)

THAT clause 36 procurements in respect of Quarter 4 of the 2019/20 financial year to the amount of R222 396.24 be noted as more fully set out in Annexure A attached to the report in this regard.

(CFO)

DeviationsQuarter4 2019-2020_itm

ITEM A.88.12.08.20 (originally A.88.30.07.20)**FINANCES: PROCUREMENT: SUPPLY CHAIN MANAGEMENT IMPLEMENTATION:
2019/20 FINANCIAL YEAR
(5/3/54/1)****RESOLVED A.88.12.08.20 (COUNCIL)**

THAT Council takes note of the procurement implemented through Supply Chain Management Division in the 2019/20 financial year. (CFO)

ImplementationSCMPolicyAnnualReport-2019-2020_itm

ITEM A.89.12.08.20 (originally A.89.30.07.20)**COUNCIL LAND: PROPOSED PURCHASE OF PORTION OF LAND FOR THE
PROPOSED CONSTRUCTION OF GOVERNMENT PRECINCT ON ERF 1507, LOUIS
TRICHARDT TOWNSHIP
(E 1507)****RESOLVED A.89.12.08.20 (COUNCIL)**

THAT the application to purchase a portion of erf 1507, Louis Trichardt Township received from the Department of Public Works (currently the Department of Public Works and Infrastructure) for the construction of Government Precinct (Offices) is approved, subject to the following conditions:

1. In terms of the provisions of section 79(18) of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) as amended the intention to sell be advertised in one (1) of the local newspapers for objections, if any.
2. The Department must submit the application for the subdivision of portion earmarked and suitable for development.
3. A market related price for the sale of portion earmarked for the development must be determined by a Professional valuer.
4. The Department shall make a payment within a period of 90 days after the communicate indicating the amount to be paid, and failure which the Municipal Manager shall cancel the sale without further notice.
5. The application for rezoning including the comments from the Department of Limpopo Economic Development, Environment and Tourism must be submitted to the Municipality for the consideration by the Authorised Official.
6. The property must be developed within twenty four months (24) from the date of signing the Deed of Sale.
7. In the event that the Department fails to complete the development as required above, the property shall revert back to Council without compensation by the Municipality to the Department for any improvements on the property.
8. The standard conditions for the sale of Municipal land will further apply.
9. A memorandum of agreement (Deed of Sale) made and entered into by and between Makhado Local Municipality and the National Department of Public Works and Infrastructure.

10. The expense the Municipality paid in relation to the advertisements and valuation must be paid together with the purchase price by the Department.
11. The approval is further subject to the following conditions:
- 11.1 **Electricity:** Erf 1507 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 applicant which will be submitted to Senior Management for their consideration.
 - (c) Only a maximum of 50kVA may in any way be considered according to present status of the electricity supply scheme.

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

- (i) 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.
 - (ii) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993.
 - (iii) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality.
 - (iv) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the applicant upfront.
- 11.2 **Water:** Water services must be confirmed by the applicant with Vhembe District Municipality as the Water Services Authority.
- 11.3 **Sewer:** Sewer services must be confirmed by the applicant with Vhembe District Municipality as the Water Services Authority.
- 11.4 **Property Rates:** The Department will be liable to pay all property rates due to the Municipality with retrospective effect of the date on which the Deed of Sale is signed.

(DDP)

GovernmentOffices_itm

ITEM A.90.12.08.20 (originally A.90.30.07.20)

COUNCIL LAND: APPLICATION TO LEASE MUNICIPAL LAND: NEW FORD FREESTANDING LOCALITY BOUND LOLLIPOP SIGN, CORNER RISSIK STREET AND N1, LOUIS TRICHARDT TOWNSHIP (15 / 3 / 9) & (7 / 3 / 2 / 9)

RESOLVED A.90.12.08.20 (COUNCIL)

THAT the application for a new Ford freestanding locality bound lollipop sign at corner Rissik Street and N1, Louis Trichardt Township that was received from Mr Jacques Booysen for PSA Romano be approved subject to the following terms and conditions read with the provisions of Chapter 4 and Chapter 5 of the Makhado Municipality Outdoor Signs By-Laws:

1. In terms of the provisions of section 79(18) of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) as amended the intention to lease the under-mentioned municipal land be advertised in one (1) of the local newspapers for any objections:

SITE	EXTENT	OVAL LOGO SIZE	LOCALITY
Corner Rissik & N1	7500mm x 3000mm	1220mm x 3000mm	Louis Trichardt

2. A market related rental for the lease of municipal land determined by a Professional Valuator in the course of that be collected by the Department of Finance.
3. The term of lease be for a period of five (5) years, with an annual option to renew.
4. The standard lease agreement be drawn by the Legal Division for the Department of Corporate Services.
5. A standard lease agreement be made and entered into by and between Makhado Local Municipality and Mr Jacques Booysen for the PSA Romano.
6. The applicant be informed in terms of the provisions of item 10(4) read with item 18(4) of the Makhado Local Municipality Land Sale and Lease Policy Council Resolution A.148.30.10.18 (Originally A.148.25.10.18) that a request in the above regard cannot be processed unless first confirmed in writing that they will bear all costs relative to the advertisements and valuation.
7. The approval is further subject to the following conditions:
 - 7.1 **Electricity:** Cnr N1 and Rissik Street do not have an electricity supply. We can make available a 16kVA connection. Actual cost to be paid by the developer.

(DDP)

FordSignage_itm(3)

ITEM A.91.12.08.20 (originally A.91.30.07.20)

**FINANCE: IN YEAR MONITORING AND REPORTING: 4TH QUARTER: 2019/2020
FINANCIAL YEAR (MONTH ENDING 30 JUNE 2020)
(6/1/1(2019/20))**

RESOLVED A.91.12.08.20 (COUNCIL)

THAT the in-year monitoring financial report for the fourth quarter ending 30 June 2020 of the 2019/2020 financial year be noted by Council.

(CFO)

MonitoringQ4 2019-2020_itm

ITEM A.93.12.08.20

**ELECTIONS: DELIMITATION OF WARDS, 2020
(15/1)**

REMARK:

This matter was not submitted to the Section 79 Portfolio Committee Corporate Services due to a time constraint.

RESOLVED A.93.12.08.20 (COUNCIL)

THAT Council take note of the submission that was done by the Municipality on 30 July 2020 as fully set out in Annexure A attached to the report in this regard, with the following corrections:

1. The submission made on 14 July 2020 in respect of Ward 31 was not recorded fully and must be submitted to the Municipal Demarcation Board. (DCS)
2. The submission about ward 36 was erroneously omitted and must be submitted to the Municipal Demarcation Board (DCS)

DemarcationMunicipalsWard 2020_itm

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9.3 Resolutions of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): July 2020 & August 2020

516th Executive Committee Meeting: 24 July 2020

517th Executive Committee Meeting: 12 August 2020

(REMARK: Item B.3.20.02.20 was considered at the 149th Special Council meeting held on 26 February 2020)

(REMARK: Items B.4.02.06.30 to B.6.02.06.20 were considered at the 152nd Special Council meeting held on 8 June 2020)

(REMARK: Items B.7.22.06.20 and B.8.22.06.20 were considered at the 153rd Special Council meeting held on 26 June 2020)

ITEM B.9.23.07.20

PERFORMANCE MANAGEMENT: SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP): 2020/21 FINANCIAL YEAR (10/1/4/1 – 10/1/4/8)

RESOLVED B.9.23.07.20 (EXECUTIVE COMMITTEE)

THAT Council takes note of the Service Delivery and Budget Implementation Plan for the 2020/21 financial year, attached as Annexure A to the report in this regard. (ALL DIRS)

SDBIP2020-2021_itm

ITEM B.10.23.07.20

DOMESTIC SERVICES: COMPUTER SERVICES: 5 YEAR ICT STRATEGIC PLAN – PROGRESS REPORTING, YEAR 1 & YEAR 2 IMPLEMENTATION DASHBOARD (8/2/3)

RESOLVED B.10.23.07.20 (EXECUTIVE COMMITTEE)

THAT note be taken of the joint report of progress with Year 1 and Year 2 ICT projects as recorded in the 5 Year ICT Strategic Plan, 2018-2023 as more fully set out in the report.

IctStratPlanYear1Dashboard

(DCS)

ITEM B.11.23.07.20**DOMESTIC SERVICES: COMPUTER SERVICES: 5 YEAR ICT STRATEGIC PLAN –
PROGRESS REPORTING, Q4 2019/20 FINANCIAL YEAR
(8/2/3)****RESOLVED B.11.23.07.20 (EXECUTIVE COMMITTEE)**

THAT note be taken of the **progress** with Year 2 projects for **Q4 of the 2019/20** financial year of the 5 Year ICT Strategic Plan, 2018-2023 as more fully set out in Table 1 in the report.

ICTstrategicPlanQuarter4 2019-20_itm

(DCS)

ITEM B.12.23.07.20**REPORTS AND SURVEYS: OUTSTANDING MATTERS: COUNCIL RESOLUTIONS –
QUARTER 4: 2019/20 FINANCIAL YEAR
(10/1/6/1)****RESOLVED B.12.23.07.20 (EXECUTIVE COMMITTEE)**

THAT note be taken of the progress with implementing Council Resolutions in respect of meetings held during Quarter 4 of the 2019/2020 financial year, as well as the summary of previous terms' Resolutions not yet implemented, as more fully set out in Annexure A attached to the report in this regard.

CouncilResolutionImplementationQ4-2019-2020_itm

(ALL DIRS)

ITEM B.13.23.07.20**FINANCES: ASSESSMENT OF PERFORMANCE OF CONTRACTED SERVICE
PROVIDERS: QUARTER 4: 2019/20 FINANCIAL YEAR
(10/1/5/2)****RESOLVED B.13.23.07.20 (EXECUTIVE COMMITTEE)**

THAT Council takes note of the fourth quarter Assessment of Performance of the contracted Service Providers report for 2019/2020 financial year attached as Annexure A to the report in this regard.

AssessmentQ4ServiceProviders_itm

(CFO)

ITEM B.14.12.08.20**PERFORMANCE MANAGEMENT: FOURTH QUARTER SERVICE DELIVERY AND
BUDGET IMPLEMENTATION PLAN PROGRESS REPORT: 2019/20 FINANCIAL YEAR
(10/1/4/1 – 10/1/4/8)****RESOLVED B.14.12.08.20 (EXECUTIVE COMMITTEE)**

THAT Council takes note of the Fourth Quarter Service Delivery and Budget Implementation Plan Progress Report for the 2019/20 financial year.

SDBIPQuarter4_itm

(MM/ALL DIRS)

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9.4 Report of Section 79 Oversight Committee: Disaster, Moral Regeneration, Sport, Arts and Culture in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): August 2020

ITEM A.92.12.08.20 (originally A.92.30.07.20)

**COUNCIL LAND: LEGAL OPINION ON 99 YEAR LEASE CONTRACTS
(7/3/2/3/34; 13/1/1 & 13/4)**

REMARK:

1. This matter was submitted by the Section 79 Oversight Committee directly to Council.
2. When this matter was considered Cllr A Matumba remarked that the recommendation of the Section 79 Portfolio Committee for Sport did not address the matter at hand as per Council Resolution A25.28.03.19, paragraph 2. Brief discussions followed whereupon Cllr S Masuka proposed, duly seconded by Cllr N F Chililo, that the matter be referred back for investigation by the Section 79 Portfolio Committees of Finance, Corporate Services, and Disaster, Moral Regeneration, Sport, Arts and Culture to give effect to Council Resolution A.25.28.03.19. The proposal was accepted in general and recorded as Council's Resolution herein below.

RESOLVED A.92.12.08.20 (COUNCIL)

THAT the matter be referred back for investigation, jointly by Section 79 Portfolio Committees Finance, Corporate Service and Disaster, Moral Regeneration, Sports, Arts and Culture to give effect to paragraph 2 of Council Resolution A25.28.03.19. (DCS)

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The meeting was closed and adjourned at 15:55.

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 following Council meeting of 29 October 2020.

CHAIRPERSON

MDM/lh/CouncilMinutes_94