

MAKHADO LOCAL MUNICIPALITY
OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE ONE HUNDRED AND EIGHTY FIFTH (185th) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD AT THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, MAKHADO ON MONDAY, 23 DECEMBER 2024 AT 12:00.

PRESENT

Councillors

BALOYI, R	MASUKA, S
BALOYI, R S	MATHALISE, L M
BALOYI, S E	MATIDZA, T R
DAVHANA, N D	MBOYI, M D
DZHIVHUWO, A S	MPASHE, M J
ESTERHUIZEN, W L	MUDUNUNGU, N A
FURUMELE, M G	MUDZWIRI, T L
GABARA, M J	MUKHELI, K
HLANGWANI, B	MUKHUBA, R
HLONGWANE, B F	MUKHUDWANA, R
JONES, N B	MUKOSI, M
KUTAMA, N	MUKOSI, M R
KUTAMA, T	MUKWEVHO-MITILENI, G T
MABASA, W	MULEFU, M E
MABUDU, H G	MUNYAI, N
MABUNDA, M	MUSHANDANA, T T
MAGADA, M R	NDOU, M D
MAHOSI, N S	NEMUDZIVHADI, N S
MAINGO, R T	PHANGAMI, M L
MAKAMU, T T	PHULUWA, M I
MAKHUBELE, F P	RALIPHADA, R
MALANGE, M C	RAMALATA T T
MALANGE T M	RAMALWA, M W
MALIVHA, N V	RAVELE, T R
MAMAFHA, T C	SEBOLA, D J
MANGANYE, K N	SIMANGWE, N J
MAPHAKELA, K P	SINGO, M D
MARAGA, M	SITHI, E T
MASHAMBA, L	SMALLE, P A
MASHAU, P	SWALIVHA, M
MASHAU, T C	TSHIDAVHU, I A
MASIPA, P N	TSHILAMBYANA, M S

Officials

K M NEMANAME	(MUNICIPAL MANAGER)
H J LUKHELI	(DIRECTOR: COMMUNITY SERVICES)
S G MAGUGA	(DIRECTOR: CORPORATE SERVICES)
A MABUNDA	(DIRECTOR DEVELOPMENT PLANNING)
L A THULARE	(ACTING DIRECTOR: TECHNICAL SERVICES)
M G RATHANDO	(MANAGER COUNCIL AFFAIRS)
M MANYUMA	(ASSISTANT ADMIN)

Traditional Leaders

None

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1. OPENING

The Speaker, Cllr G T Mukwevho-Mtileni, ruled that a moment of silence be observed for meditation and prayer, whereafter she declared the meeting officially opened.

2. NOTICE OF THE MEETING

The Speaker, Cllr G T Mukwevho-Mtileni expressed that everyone 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 Councillors had received notice of the meeting by sms, e-mail and hard copy.

3. OFFICIAL ANNOUNCEMENTS

None

4. APPLICATION FOR LEAVE OF ABSENCE

RESOLVED –

THAT leave of absence be granted in terms of the provisions of Rule 21 of the Council's Rules of Order, 2016 published under Provincial Gazette Notice no. 2736 dated 29 July 2016 in respect of the Special Council meeting held on 23 December 2024 to Cllrs N J Matumba, K Maphubu, M E Mulaudzi, H G Maluleke, T J Mamafha, F N Madzhiga and M Makwala.

REMARK:

1. The following councillors were absent from the Special Council meeting held on 23 December 2024: Cllrs N S Munyai and A Madavha.
2. That it be noted that there is a vacant seat due to the resignation of Cllr N F Chililo on 25 October 2024.

5. MATTERS CONSIDERED

5.1 Report of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): December 2024

610th Executive Committee meeting held on 17 December 2024

611th Executive Committee meeting held on 23 December 2024 (only approval of previous minutes)

5.2 Recommendations 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): December 2024

73rd Section 79 Oversight Committee: Development Planning meeting held on 17 December 2024

118th Section 79 Oversight Committee: Corporate Services meeting held on 18 December 2024

85th Section 79 Oversight Committee: Finance meeting held on 18 December 2024

ITEM A.98.23.12.24 (originally A.98.20.12.24)**FINANCES: DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF DIFFERENT MEMBERS OF MUNICIPAL COUNCILS: 2024/25 FINANCIAL YEAR****(5/5/2/1)****REMARK:**

When this matter was considered, Cllr T T Makamu proposed, duly seconded by Cllr K Mukheli that the Chief Whip be provided with an official car and a driver. However, the Speaker Cllr G T Mitileni stated that the proper consultation with Coghsta regarding the provision of official car of the Chief Whip and a driver will be done and the report will be tabled in the next Council meeting. The proposal was accepted and it was recorded as Council's Resolution herein below.

RESOLVED A.98.23.12.24 (COUNCIL)

1. THAT Council take note of the provisions of Government Notice (Department Co-operative Governance and Traditional Affairs) No 5446, Determination of Upper Limits of Salaries, Allowances and Benefits of Different Members of Municipal Councils, in Government Gazette No 51419 dated 21 October 2024. (DCS)
2. THAT it be noted that the annual total remuneration of upper limits for cellphone allowance for Councilors, provided for in items 5 and 8 of Government Gazette No 51419 dated 21 October 2024 respectively, be paid R 3600 and R 317 per month for cell phone allowance and allowance on the use data bundles respectively, in accordance with the gazette no. 51419. (DCS)
3. THAT it be noted that the effective date of the Determination of Upper Limits of Salaries, Allowances and Benefits of Different Members of Municipal Council is from 1 July 2024 until to date. (DCS)
4. THAT the overall percentage increase is 2,5 of the annual total package of Salaries, Allowances and Benefits of Different Members of Municipal Council. (DCS/CFO)
5. THAT Council further note that the implementation of upper limits is subject to concurrence by the MEC for Coghsta, Limpopo. (DCS)
6. THAT the proper consultation with Coghsta regarding the provision of official car of the Chief Whip and a driver will be done and the report will be tabled in the next Council meeting. (DCS)
7. THAT the Municipal Manager must check the availability of offices for the part-time Exco members and those who lead portfolios. (MM)

LatestUpperLimits2024_itm

ITEM A.99.23.12.24 (originally A.99.20.12.24)**PERSONNEL: REPORT OF THE SELECTION PANEL ON THE RECRUITMENT PROCESS FOR POSITION OF THE DIRECTOR TECHNICAL SERVICES (5/3/4/5/23; 5/6/4)****REMARK:**

When this matter was considered Cllr N D Davhana proposed, duly seconded by Cllr R Raliphada that the Municipal Manager must submit a report regarding the re-advertisement of Director Technical Positions to the next Council meeting of January 2025. The proposal was accepted and it was recorded as Council's Resolution herein below.

RESOLVED A.99.23.12.24 (COUNCIL)

1. THAT Council take note that the Selection Panel sat 30 days after closing of the advertisement, and proceeding with the selection process would be in violation of the provisions of Section 2 of the Local Government Regulation on appointment and conditions of Senior Managers.
(DCS)
2. THAT Council approves re-advertising the position of the Director Technical Services as fully set out in the minutes of the Selection Panel dated 1 November 2024 which is attached as Annexure D to the report in this regard.
(DCS)
3. THAT the selection panel for the position of Director Technical Services be constituted as follows:
 - The Municipal Manager who will be the chairperson
 - The Portfolio Councilor of Technical Services
 - An external expert or Coghsta representative with experience and expertise in the field.
 (DCS)
4. THAT the position be permanent in line with Amended Local Government: Municipal Systems Act.
(DCS)
5. THAT the appointment of Director Technical Services be in line with Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers. (DCS)
6. THAT the management provide a report detailing why the post of Director Technical Services is going to be advertised for third time.

ReAdvertPostDTS_itm(Nov)

ITEM A.100.23.12.24 (originally A.100.20.12.24)**PERSONNEL: EXTENSION OF ACTING PERIOD: DIRECTOR TECHNICAL SERVICES
(5/3/4/5/23; 5/6/4)**

RESOLVED A.100.23.12.24 (COUNCIL)

THAT Mrs Thulare LA who is Manager: Project Management Unit, and most qualified of them all and also a women, be appointed to act for a further period of three months as Director Technical Services in order to have at least one woman in top management, with effect from 1st December 2024 to the 28th February 2025.

(DCS)

ActingDTS_itmDecember2024

ITEM A.101.23.12.24 (originally A.101.20.12.24)**COUNCIL LAND: DONATION OF 28 HECTARES AT ELTIVILLAS EXTENSION 2
TOWNSHIP FOR THE PURPOSE OF ESTABLISHING A SATELLITE CAMPUS: UNISA
(4/3/1)****REMARK:**

The Speaker, Cllr G T Mukwevho-Mitileni moved that Unisa must provide a report within six (6) months regarding their development of land. It was just stated without any secondment by other Councillors.

RESOLVED A.101.23.12.24 (COUNCIL)

THAT the request by Unisa to acquire extent 28 hectares on the proposed Eltivillas Extension 2 Township through donation for the purpose of establishing a satellite campus, be approved, subject to the following conditions:

1. After Township establishment approval for Eltivillas Extension 2, the intention to donate 28 hectares at Eltivillas Extension 2 Township be in terms of the provisions of section 79(18) of the Local Government Ordinance 1939, (Ordinance 17 of 1939) as amended be advertised in local newspapers for comments, if any.
2. The proposed township should be given priority for service installation such as sewer, water and electricity.
3. Vhembe district Municipality must be consulted for sewer and water infrastructure.
4. After the installation of services, the development must start within three years.
5. In the event that the University failed to start with the development as required under paragraph 5 above, the property revert back to Council.
6. The standard conditions for the donation of Municipal land will further apply.
7. A memorandum of agreement be made and entered into by and between Makhado Local Municipality and the Unisa.
8. That Council note the value of the land to be donated will be done after subdivision of the 28

hectares and the transfer of the property will be free to Unisa.

9. That the university of South Africa (Unisa) be responsible for the transfer of the donated property after approval of Eltivilas Ext 2 Township. (DDP)

DonationLandUnisa_itm(2)

ITEM A.102.23.12.24 (originally A.102.20.12.24)

**COUNCIL LAND: CALL FOR PROPOSALS TO DEVELOP AND LEASE A PORTION ON THE REMAINDER OF PORTION 7 OF FARM BERGVLIET 288-LS FOR THE PURPOSE OF PUBLIC OPEN SPACE (THEME PARK)
(8/3/2/18/30)**

RESOLVED A.102.23.12.24 (COUNCIL)

THAT the proposal to call for suitable developer to develop a portion on the remainder of portion 7 of the farm Bergvliet 288-LS situated along the National Road, between Songozwi and Stubbs Streets and operate through long term lease agreement be approved subject to the following conditions:

1. The earmarked portion must be subdivided from the remainder of portion 7 of farm Bergvliet 288-LS taking into consideration Municipality buildings, Electrical infrastructure including servitude if any and other amenities which may not form part of the development and lease agreement.
2. THAT the process of community participation in terms of the provision of section 21 of the Local Government Municipal Systems Act, 2000 (Act No 32 of 2000) must be followed and complied with.
3. A heritage study must be conducted to determine the exact location of the possible graves which must also be excluded from the suitable portion.
4. The subdivisional diagrams must be submitted to the office of the Surveyor General for approval.
5. The Municipal valuer must determine the market value including the monthly rental, and escalations using the approved diagram by the Surveyor General.
6. After the determination of market value and possible monthly rental a notice to call suitable developers to submit proposals for the design and construction of water Park on a subdivided portion from the remainder of portion 7 of farm Bergvliet 288-LS must be published in line with section 22 of the SCM Policy (Invitation for competitive bidding)
7. The successful developer shall be responsible for all the related studies which may be required during the development.
8. After noting of the successful developer by the Council, the property must be developed within the period of three years subject to an extension by twelve months upon receipt of request from the developer.

9. That the appointed developer must pay 15% from all revenue collected from operating activities to the Municipality on a monthly basis.
10. If the developer fails to develop the property within the stipulated period, the Municipal Manager must cancel the lease agreement and publish a notice to call for the submission of proposal from other suitable developers.
11. Development period of 75 years lease must be included on the agreement.
12. All the designs and studies must be submitted to the Municipality for consideration and approval before construction.
13. The developer must not operate before successful completion of the development as approved by the Municipality.
14. The first monthly rental must be paid upon receipt of required completion certificate from the municipality. (DDP)

InformationCentreProposal_itm

ITEM A.103.23.12.24 (originally A.103.20.12.24)

COUNCIL LAND: PROPOSED ALIENATION OF RESIDENTIAL ERVEN SITUATED IN LOUIS TRICHARDT EXTENSION 9 TOWNSHIP (7/3/2/1)

REMARK: When this matter was tabled the Speaker, Cllr G T Mukwevho-Mitileni proposed that Council should not proceed with the sale of land, which was opposed by Cllr S Masuka, duly supported by both Cllr N D Davhana and Cllr L Phangami that Council proceeds with the sale of land in extension 9. The proposal was accepted and it was recorded as Council's Resolution herein below.

RESOLVED A.103.23.12.24 (COUNCIL)

THAT the alienation of (178) one hundred and seventy-eight residential erven situated Louis Trichardt Extension 9 Township be approved subject to the following term(s) and condition(s): -

1. Council approve that the Municipal Manager utilize the use of auctioneers to implement the alienation of (178) one hundred and seventy-eight residential erven situated Louis Trichardt Extension 9 Township
2. In terms of the provisions of section 79(18) of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) as amended the approved alienation of (178) one hundred and seventy-eight residential erven situated Louis Trichardt Extension 9 Township be advertised in one (1) of the local newspapers, for any objections.
3. The (178) one hundred and seventy-eight residential erven situated Louis Trichardt Extension 9 Township be disposed through open public auction method expedited by the Supply Chain Management Division.
4. The purchaser shall not attempt to sell the properties before the purchase price is paid to the seller.

5. In the event that the seller found sufficient evidence that the purchaser is selling the properties before payment is made to the seller, the agreement will be cancelled and the properties shall revert back to the seller.
6. The signing of Deed of Sale Agreement as well as the payment must be done and concluded within six months from the date of Council resolution provided that there is no objection received during advertisement period.
7. In the event that there is an objection, the Deed of Sale and payment must be concluded within three months from the date the objection was concluded provided that the objection was not concluded within six months from the date of Council resolution as mentioned on paragraph 5 above,
8. In the event that the applicant fails to sign the Deed of Sale agreement and make payment as mentioned above, the opportunity given must be cancelled without further notice.
9. The property must be developed within three years (3) years from the date of signing the Deed of Sale, provided that Council may allow an extension of a further two (2) years.
10. In the event that the developer/buyer failed to complete the development as required under paragraph 8 above, the property must revert back to Council without compensation by the Municipality to the developer for any improvements on the property.
11. The standard conditions for the sale of Municipal Land will further apply.
12. As on every other auction all the formal registration and transfer transactions of (178) one hundred and seventy-eight residential erven situated Louis Trichardt Extension 9 Township be passed by the Auctioneers to Attorneys and Conveyancers.
13. Council takes note that 90% of streets are already opened and iron pegs identified. The municipality will not accept liability for any loss and/or damage that may be caused as a result and/or consequences of the proposed transaction.
14. The sites be alienated 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.
15. The Accounting Officer must record all properties sold and classify them in terms of GRAP standards and requirements in order to avoid findings during audit periods.
16. Funds generated be ring-fenced and be used for the provision of engineering services projects in residential erven situated Louis Trichardt Extension 9 Township street.
17. Funds generated be ring-fenced and be used for the provision of services which are currently not available.
18. No stands will be sold below the value as determined by our professional valuer.

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

19.1. **Electricity** : Electricity to be supplied by Makhado Local Municipality

19.2. **Water and Sewer** : The provision of water and sewer is already catered for by Coghsta.

19.3. **Property Rates** : The land owner must start paying for all property rates due to the Municipality at the end of every month in which the property was sold to the purchaser

20. THAT Council proceeds with the sale of land in Extension 9.

Sale178StandsLTText9_itm(2)

(DDP)

ITEM A.104.23.12.24 (originally A.104.20.12.24)

TOWN-PLANNING AND CONTROL: PROGRESS REPORT ON STREET NAMING IN WATERVAL-A, WATERVAL-B, WATERVAL-C, HA-TSHIKOTA, HA-TSHIKOTA EXTENSION 1, TSHIKOTA AND TSHIKOTA EXTENSION 1 TOWNSHIPS (16/5/4 & 7/4/1/4)

RESOLVED A.104.23.12.24 (COUNCIL)

1. THAT the Council take note of the proposed street names in Waterval-A, Waterval-B, Waterval-C, Ha-Tshikota, Ha-Tshikota Extension 1, Tshikota and Tshikota Extension 1 Townships attached on the report. (DDP)
2. THAT the process of community participation in terms of the provision of section 21 of the Local Government Municipal Systems Act, 2000 (Act No 32 of 2000) must be followed and complied with. (DDP)
3. THAT any objection which may arise during the second phase of community participation be attended and resolved. (DDP)
4. THAT after attending to the objections, the names will be submitted to the relevant municipal committees for processing and then be submitted to the next council for approval. (DDP)

StreetNaming_itm(2)

ITEM A.105.23.12.24 (originally A.105.20.12.24)

PERSONNEL: CLOSING OF MUNICIPAL OFFICES DURING FESTIVE SEASON 2024/2025 (5/6/4)

RESOLVED A.105.23.12.24 (COUNCIL)

1. THAT Council approves the closing of Municipal offices at certain periods during the December festive season 2024/2025 as follows:
 Tuesday, 24 December 2024 at 12:00
 Tuesday, 31 December 2024 at 12:00
 Public Library Services will close on Saturday, 21st December 2024 and Saturday, 28th December 2024. (DCS)

2. THAT all essential services must continue as normal and emergency services remain available during these times and the closure of Municipal offices on the above-mentioned periods is subject to the following conditions:
 - (a) The Director Community Services must devise a management plan on disaster, emergency and traffic services during the festive season.
 - (b) Proper notice accordingly must be published in the local media and displayed at strategic points in good time in order to inform members of public of the closure.
 - (c) All emergency and stand-by municipal services will continue uninterrupted as is the case with regards to all public holidays and during weekends. (DCS)
3. THAT the Municipal call centre must be fully functional and have two (2) officers on duty every shift. (DCS)
4. THAT a proposed plan on how to deal with disaster issues during this time must be submitted to the Municipal Manager. (DCS)

ClosingOffices2024_itm

ITEM A.106.23.12.24 (originally A.106.20.12.24)

TOWN-PLANNING AND CONTROL: PROGRESS REPORT ON THE LAND DEVELOPMENT PROPOSALS AND PROJECTS (12/3/2)

RESOLVED A.105.23.12.24 (COUNCIL)

THAT Council be updated on the progress with regard to land development proposals and projects.

DDPPProgressLandDevelopment_itm

(DDP)

The meeting was closed and adjourned at 16:45.

Approved and confirmed in terms of the provisions of Clause 22.1 of the Rules of Orders, 2016 promulgated in Provincial Gazette Notice No. 2736 of 29 July 2016 under Local Authority Notice 125, by a resolution of the Council passed at the meeting held on 30 April 2025.

CHAIRPERSON