

## MAKHADO LOCAL MUNICIPALITY

### OFFICE OF THE DIRECTOR CORPORATE SUPPORT AND SHARED SERVICES

MINUTES OF THE SEVENTY THIRD (73<sup>RD</sup>) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 1 DECEMBER 2011 IN THE COUNCIL CHAMBER, CIVIC CENTRE, KROGH STREET, LOUIS TRICHARDT AT 14:00.

#### PRESENT

##### Councillors

BALIBALI, N P  
BALOYI, S R  
CHILILO, N F  
DAVHANA, N D  
DU PLOOY, A  
GABARA, M J  
HLABIOA, M M  
JOOMA, Z  
KUTAMA, N  
LERULE, M M  
LUDERE, E H  
LUDERE, R  
LUDUVHUNGU, V S  
MACHETHE, M S  
MADAVHU, F F  
MAGADA, M R  
MAHANI, M G  
MAHLADISA, S V  
MAKHUBELE, R T  
MALANGE, T M  
MALANGE, R  
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

MATHALISE, L M  
MATODZI, A M  
MATUMBA, M T  
MATUMBA, N J  
MBOYI, M D  
MMBADI, T A  
MOGALE, L B  
MTHOMBENI, S Z  
MUKHARI, M F  
MUNYAI, N S  
MUTAVHATSINDI, F D  
MUTELE, T M  
NDWAMBI, M T  
NDZOVELA, N G  
NELUVHOLA, A T  
NETSHIVHULANA, T P  
NKANYANE, R G  
RAMUDZULI, S D  
RASIMPHI, M P  
RATSHIKUNI, D T  
RATSHIVHOMBELA, M  
REKHOTSO, S M  
RIKHOTSO, F J  
SAKHWARI, I  
SHANDUKANI, M J  
SINYOSI, S M  
THANDAVHATHU, R  
TSHAVHUYO, T G  
TSHILAMBYANA, M S  
UNDERWOOD, J P

##### Traditional Leaders

KHOSI T R V MASHAU  
KHOSI T P NESENGANI

##### Officials

A S TSHIKALANGE  
T S NDOU  
R H MALULEKE  
E L MUGARI  
M D SINTHUMULE  
T E RALULIMI  
M D MUNYAI

(MUNICIPAL MANAGER)  
(DIRECTOR CORPORATE SUPPORT & SHARED SERVICES)  
(CHIEF FINANCIAL OFFICER)  
(DIRECTOR COMMUNITY SERVICES)  
(DIRECTOR DEVELOPMENT & PLANNING)  
(DIRECTOR TECHNICAL SERVICES)  
(ADMINISTRATIVE OFFICER: COMMITTEES)

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**1. OPENING**

The Speaker, Cllr F D Mutavhatsindi ruled that a moment of silence be observed for meditation and prayer, whereafter he declared the meeting officially opened.

**2. APPLICATION FOR LEAVE OF ABSENCE**

RESOLVED –

THAT leave of absence be granted in terms of the provisions of Rule 5 of the Council's Rules and Orders published under Provincial Gazette Notice no. 1391 dated 31 August 2007 in respect of the Special Council meeting held on 1 December 2011 to Cllrs B F Hlongwane, K A Hlungwani, F N Madzhiga, V S Makhuvha, H F Mathavha, M P Mathoma, M P Mazibuko, A J Mukhaha, M D Mulovhedzi and N E Ngobeni.

**REMARK:**

1. The following Councillors and Traditional Leaders were not present at the meeting: M O Ahmed, A Kennealy, M R Madzhivhandila, M G Nemafohoni as well as Hosi M S Bungeni, Khosi S A Mulima, Khosi Mashamba N T L, Khosi M C Masakona, Hosi J M Majosi, Khosi M W Netsianda, Hosi S T Mukhari, Hosi J Baloyi and Khosi V C Ramabulana.
2. That it be noted that one vacancy of Councillor existed which was created when Cllr A S Gundula passed away on 8 November 2011.

**3. OFFICIAL ANNOUNCEMENTS**

The Speaker, Cllr F D Mutavhatsindi announced that a former Councillor of Makhado Municipality, Mr A A Chaya was officially designated as Ambassador of Goodwill and Peace of Makhado Municipality.

The Mayor, Cllr M M Lerule and the Speaker, Cllr F D Mutavhatsindi officially handed over a Certificate of Appreciation of the designated Ambassador of Goodwill and Peace of Makhado Municipality to Mr A A Chaya who was present at the meeting for this purpose.

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

- 4.1 The Speaker, Cllr F D Mutavhatsindi proposed condolences to the bereaved family of the deceased Cllr A S Gundula, a member of Council who died on 8 November 2011 and who was buried on Saturday, 18 November 2011 at Ha-Mantsha (Gogobole) Village.
- 4.2 The Speaker, Cllr F D Mutavhatsindi proposed condolences to the bereaved family of Cllr M P Mazibuko whose mother had passed away on Sunday, 27 November 2011. The funeral would be on Saturday, 3 December 2011 at Olifantshoek.

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

- 5.1 Cllr M E Malima proposed condolences to the bereaved family of the deceased Ronald Kutama who worked at SACM, who died as a result of short illness.
- 5.2 Cllr T G Tshavhuyo proposed congratulations to South Africa for successfully hosting the Cop 17 Conference and further congratulated Minister of International Relations, Manto Mankwana Mashabane for being elected President of Cop 17.

- 5.3 Cllr R Thandavhathu proposed condolences to the bereaved family of Cllr F Chililo who lost her daughter.
- 5.4 The Mayor, Cllr M M Lerule announced that on Thursday, 8 December 2011 the Makhado Municipality in partnership with Tshilwavhusiku SAPS would host 16 Days of Activism on No Violence Against Women and Children at Ha-Ravele Community Hall. All Councillors were invited to attend the event.
- 5.5 The Mayor, Cllr M M Lerule announced that on Tuesday, 6 December 2011 the Makhado Municipality would host the Public Participation Programme, Mbizo at Vhulaudzi Secondary School, Sports Ground Tshitavha Village in Ward 31 in Dzanani Region. All ward and proportional councillors were invited to attend the event.
- 5.6 The Mayor, Cllr M M Lerule announced that on Tuesday, 6 December 2011 the Makhado Municipality would host the HIV/Aids Summit and door to door campaign targeting young people led by Makhado Youth Council. The event would be held at Ha-Mashamba Village Presidential School at 09:00. All councillors were invited to attend the event.
- 5.7 The Mayor, Cllr M M Lerule announced that on Thursday, 8 December 2011 the Makhado Municipality would host the Mayoral Christmas Party with all orphans and vulnerable children at the Una Rine Day Care at Tsianda Village. All councillors were invited to attend the event.

## 6. CONFIRMATION OF MINUTES

Upon proposal by Cllr R Ludere, duly seconded by Cllr D T Ratshikuni, it was -

RESOLVED -

THAT the minutes of the 61<sup>st</sup> meeting of the Council held on 27 October 2011, 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 HAS BEEN GIVEN

### 7.1 QUESTION RECEIVED FROM CLLR M E MALIMA ON 13 OCTOBER 2011

The following questions were received under the provisions of clause 35 of the Council's Rules and Orders published in Provincial Gazette No. 1391 dated 31 August 2007.

#### *“Written Questions for Written Reply to the Council*

- *When was the ward committees' establishment nomination process opened and closed as per 4.1 of the Council adopted policy?*
- *How many nomination forms were received before the actual date of ward committees' election?*
- *How many written objections were received and how they were dealt with?*

Signed: *Cllr Malima Muladelo Edward*”

#### **REMARK:**

In terms of the provisions of the Rules and Orders dated 31 August 2007 the questions were answered by the Mayor, Cllr M M Lerule, as follows:

*“Nominations were opened as from the date of publication (19 August 2011) of Ward Committee Elections, whilst the actual nominations were received on the date of elections.*

*None, however, on the date of respective elections of ward committees, we have received 324 nomination forms.*

*See item A.108.02.12.11 in the 288<sup>th</sup> Executive Committee Agenda of 23 November 2011.”*

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

None

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

**9.1 Resolutions of the Council in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): 73<sup>rd</sup> Special Council Meeting: 1 December 2011**

**ITEM A.107.01.12.11**

**LEGISLATION: ENVIRONMENT (OPEN SPACE): DRAFT CARAVAN PARK BY-LAWS (1/3/1)**

RESOLVED A.107.01.12.11 -

1. THAT the Executive Committee submits this report as its proposal to introduce a draft by-law on the Environment (Open Space): Caravan Park to Council in terms of Rule 3 of the Council’s Rules and Orders. (DCSS)
2. THAT Council provisionally adopts the draft Environment (Open Space): Caravan Park By-law and it be advertised for at least 30 calendar days for public comments. (DCSS)
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.

BylawCaravanPark\_itm

(MM/DCSS)

**ITEM A.108.01.12.11**

**COUNCIL COMMITTEES: ESTABLISHMENT OF WARD COMMITTEES (4/1/B)**

RESOLVED A.108.01.12.11 –

1. THAT Council takes note and approves of the undisputed elected Ward Committees as per Annexure A and B attached to the report in this regard. (DCOMS)
2. THAT the term of office for Ward Committee members be for a period equal to the term of office of the Council elected on 18 May 2011. (DCOMS)
3. THAT the Speaker be vested with the delegated power to resolve all outstanding obstacles in various wards and/or where necessary by-elections have to be conducted.

WardComPublicParticipation\_itm

(DCOMS)

**ITEM A.109.01.12.11****COUNCIL COMMITTEES: MUNICIPAL PUBLIC ACCOUNTS COMMITTEE  
(4/1/B)****REMARK:**

This item was referred as item B.49.23.11.11.

**ITEM A.110.01.12.11****COUNCIL COMMITTEES: RETURN OF ATTENDANCE OF MEETINGS OF COUNCIL  
AND ITS COMMITTEES – MAY 2011 TO SEPTEMBER 2011  
(4/1/B)****REMARK:**

Cllr R Ludere proposed, duly seconded by Cllr D T Ratshikuni that the item be referred back to be considered at the next Council meeting together with a report.

RESOLVED A.110.01.12.11 –

THAT the matter be referred back for consideration at the first following Council meeting and that at that occasion the full report of the matter be again made available to councillors.

Return of Attendance of meetings

(DCSS)

**ITEM A.111.01.12.11****ORGANIZATION: STRATEGIC PLANNING: 2 TO 4 AUGUST 2011 – OUTCOMES  
(2/5)**

RESOLVED A.111.01.12.11 –

1. THAT Council takes note of the Draft Report on Strategic Planning held from 2 to 4 August 2011 and received on 5 October 2011, attached as Annexure A to the report in this regard.  
(DCSS)
2. THAT Council takes note of and approves of the plans of the five respective Commissions and attached to the report in this regard as follows
  - 2.1 Institutional Development and Transformation - Annexure B
  - 2.2 Local Economic Development - Annexure C
  - 2.3 Basic Service Delivery - Annexure D
  - 2.4 Financial Viability and Financial Management - Annexure E
  - 2.5 Good Governance and Public Consultation - Annexure F. (ALL DIRECTORS)
3. THAT Council takes note of the Declaration that is agreed to by virtue of adopting Annexure G attached to the report in this regard. (ALL DIRECTORS)

**ITEM A.112.01.12.11****PERSONNEL: CLOSING OF MUNICIPAL OFFICES DURING FESTIVE SEASON 2011/2012 (5/6/5 & 5/6/B)**

RESOLVED A.112.01.12.11 -

THAT Council approves the closure of the municipal offices for the whole of Friday, 23 December 2011 and Friday, 30 December 2011, subject to the following conditions:

1. The Director Finance must make arrangements that the water and lights counter is opened on Friday, 23 and Saturday, 24 December 2011 from 08h00 – 13h00 and on Friday, 30 and Saturday, 31 December 2011 from 08h00 – 13h00 for the purpose of selling electricity to clients.  
(CFO)
2. The Director Technical Services must also ensure that during the period mentioned in paragraph 1 above, electricity and water connections for new consumers be made temporarily and the necessary records be opened on the first working day thereafter. (DTS)
3. The Director Community Services must devise a management plan on disaster, emergency and traffic services during the festive season and the Call Centre must be fully functional.  
(DCOMS)
4. The Public Library will also be closed for members of public on Saturday, 24 and Saturday, 31 December 2011 which would otherwise be normal working days for those officials.  
(DCOMS)
5. 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. (DCSS)
6. All emergency and stand-by municipal services will continue uninterrupted as is the case in regard to all public holidays and during week-ends. (DCOMS/DTS)

Closing Offices 2011(2)

**ITEM A.113.01.12.11****PERSONNEL: ADDITIONAL MEMBERS TO SERVE ON THE LOCAL BOARD OF TRUSTEES: DISBURSEMENT OF INSURANCE FUNDS: EMPLOYEES AND COUNCILLORS (2/1/3/2/25/9/4/3; 6/9/1; 6/12/2/1; 12/B)**

RESOLVED A.113.01.12.11 –

1. THAT the Portfolio Councillor: Corporate Support and Shared Services and Manager: Human Resource and Labour Relations be included as members of the Board of Trustees for the Disbursement of Insurance Funds. (DCSS)
2. THAT Council takes note of the terms of references as considered in the second meeting of Board of Trustees. (DCSS)

SubmissionBoardMembers\_itm

**ITEM A.114.01.12.11****PUBLICITY: DRAFT ANNUAL REPORT 2010/11: APPROVAL AND SUBMISSION: DEPARTMENT NATIONAL TREASURY AND DEPARTMENT PROVINCIAL AND LOCAL GOVERNMENT****(10/B; 10/1/4/1; 10/1/4/2; 10/1/4/3; 10/1/4/4; 10/1/4/5; 10/1/4/6; 10/1/4/7; 10/1/4/8; 10/1/4/9)****REMARK**

Cllr T G Tshavhuyo proposed, duly seconded by Cllr S V Mathladise that the Speaker be vested with the power to appoint five (5) councillors and five (5) community representatives that will serve in the Oversight Committee 2010/2011. The proposal was accepted in general and recorded as a Resolution of Council in paragraph 7 herein below.

RESOLVED A.114.01.12.11 –

1. THAT the Draft Annual Report 2010/2011 be approved by Council, and that it be advertised for public comments. (DCSS)
2. THAT subject to paragraph 5 below, an Oversight Committee comprising of five (5) councillors and five (5) community representatives be established to have an Overview on the Report as more fully set out in National Treasury *Circular No 32 of 15 March 2006*, and that the Speaker be vested with the power to appoint five (5) councillors and five (5) community representatives that will serve in the *Oversight Committee, 2010/2011*, which *Committee* must conclude their task within the given timelines as dictated by legislation, for final submission of the final report to Council by no later than 31 March 2012. (DCSS)
3. THAT members of the Audit Committee be invited to serve as technical assistance to the Oversight Committee, 2010/2011 referred to in paragraph 2 above. (DCSS)
4. THAT it be noted that Council's final resolve on the 2010/11 Annual Report must be passed by no later than 31 March 2012 whereupon it must be submitted to National Treasury and the Provincial Department of Local Government and Housing for submission to the Minister of Cooperative Governance and Traditional Affairs, and the Auditor General as Makhado Local Municipality's demonstration of municipal performance to its community. (DCSS)
5. THAT further to paragraph 2 above, it be noted that the Oversight Committee comprises of five (5) councillors of which one must be from the opposition party in Council. (DCSS)
6. THAT if members of the Portfolio Committee: Planning, Economic Development and Tourism wished to submit any comments on the draft Annual Report 2010/2011, it be handed to the Chairperson of that Committee. (DCSS)
7. THAT the Speaker of Council be vested with the delegated power to appoint by names five (5) councillors and five (5) community representatives that will serve as members of the Oversight Committee 2010/2011. (DCSS)

**ITEM A.115.01.12.11****COUNCIL'S LAND: MAKHADO AERODROME: LEASE AND CONSTRUCTION OF HANGAR: MR P A PRETORIUS, RESIDENT OF MAKHADO (7/3/2/3/2)**

RESOLVED A.115.01.12.11 -

THAT a site at the Makhado Aerodrome, Makhado, approximately 165 m<sup>2</sup> in extent, be leased to Mr P A Pretorius of no 47 Mopanie Street, Makhado extension 2 township in terms of the provisions of section 79(18) of the Local Government Ordinance, No 17 of 1939 in order to erect an airplane hangar for the purpose of housing an aircraft and further subject to the following conditions:

1. Mr Pretorius shall be allowed to erect a hangar not exceeding the size of land leased to him
2. the rental shall be calculated by Chief Financial Officer based on market related rental per m<sup>2</sup> and it be subject to annual escalation on 1 July of each year at a rate of 10%
3. Council's standard agreement for lease of sites at Makhado Aerodrome shall be entered into with Mr P A Pretorius. (DDP)

Lease Aerodrome P A Pretorius

**ITEM A.116.01.12.11****COUNCIL LAND: PROPOSED SALE OF ERF 1917, WATERVAL TOWNSHIP (7/4/1/3 & 7/3/2/1)****REMARK:**

This item was referred as item B.50.23.11.11.

**ITEM A.117.01.12.11****COUNCIL LAND: PROPOSED SALE FOR RESIDENTIAL USE OF ERVEN 3182 AND 3183 (PARK), LOUIS TRICHARDT EXTENSION 9 TOWNSHIP (E3182 & E3183)****REMARK:**

This item was referred as item B.51.23.11.11.

**ITEM A.118.01.12.11****COUNCIL LAND: PROPOSED EXCHANGE OF LAND: ERF 1856 DZANANI TOWNSHIP FOR ERF 1836 (PARK), MAKHADO A TOWNSHIP – POSSIBLE ALTERNATIVE SITE (PORTION ON REMAINDER OF THE FARM MAKHADO 380 MT) (E1856 & 7/4/1/4)**

RESOLVED A.118.01.12.11 –

THAT a possible alternative site with the size equivalent to 805m<sup>2</sup> be made available on the Remainder of the farm Makhado 380 MT, subject to the following conditions:



1. The intention to perform a land exchange transaction must be advertised in terms of the provisions of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) in order to call for objections, if any.
2. A market related valuation of the subdivided Portion in extent 805m<sup>2</sup> on the Remainder of the farm Makhado 380 must be acquired which will serve as the purchase price to be accounted for in the land exchange transaction, keeping in mind that Municipality already received R160-00 (say, One Hundred and Sixty Rand) as purchase price for erf 1856, Makhado A Township – an offset will be implemented against this money already received; any shortfall will have to be paid in cash and any excess will have to be paid back to the purchaser upon signing of the land exchange agreement.
3. The property be developed within three (3) years from the date of signing the Exchange Agreement, provided that Council may allow an extension of further two (2) years
4. In the event that the developer failed to complete the development as required under paragraph 2 above, the property revert back to Council without compensation by the Municipality to the developer for any improvements on the property.
5. A professional land surveyor must be appointed by the council to subdivide a portion in extent 805m<sup>2</sup> for the purpose of residential and related activities.
6. A professional town-planner must be appointed to rezone the subdivided portion for the purpose of place of residential and related activities. This will be the client's responsibility and for his account.
7. A land exchange agreement must be formally concluded between municipality and Mr T. O. Mbambala and Municipality will not be liable for any possible damages suffered in this regard. The property herein exchanged is Voetstoets.
8. No guarantees can be given on bulk services availability since municipality is not the bulk service provider of water, sewer and electricity – municipal services to the site, including tarmac roads will be subject to the services installation program of the Department Technical Services / Department Development Planning; Council will not be liable for any claims of damage or loss suffered as a result of delays or slow progress with commissioning of municipal services according to the program. (DDP)

**ITEM A.119.01.12.11**

1. **TOWN PLANNING AND CONTROL: REZONING VARIOUS ERVEN  
ERF 1 ELIM-MPHENI CBD FROM “BUSINESS 1” TO “BUSINESS 2”  
ERF 2 ELIM-MPHENI CBD FROM “BUSINESS 1” TO “BUSINESS 2”  
ERF 3 ELIM-MPHENI CBD FROM “BUSINESS 2” TO “SPECIAL FOR A FILLING  
STATION AND FAST FOOD OUTLET  
ERF 8 ELIM-MPHENI CBD FROM “MUNICIPAL” TO “BUSINESS 2”  
ERF 9 ELIM-MPHENI CBD FROM PUBLIC GARAGE TO “BUSINESS 2”  
ERF 12 ELIM-MPHENI CBD FROM “SPECIAL” FOR A PRIVATE ROAD TO  
“BUSINESS 2”  
PART OF MAFUYATHA AND A.E TLAKULA STREETS FROM PUBLIC STREET TO  
“BUSINESS 2” IN TERMS OF SECTION 15(1)(B)(I) OF THE TOWN PLANNING AND  
TOWNSHIPS ORDINANCE, ORDINANCE 15 OF 1986**
2. **CONSOLIDATION OF ERVEN 1, ERVEN 2, ERVEN 4, ERVEN 8, ERVEN 9 AND  
ERVEN 12 IN TERMS OF SECTION 92(1)(B) OF THE TOWN PLANNING AND  
TOWNSHIPS ORDINANCE, ORDINANCE 15 OF 1986**
3. **SUBDIVISION OF PORTION 3 (A PORTION OF PORTION 2) OF THE FARM  
WATERVAL 45-LT IN TERMS OF DIVISION OF LAND ORDINANCE, ORDINANCE  
20 OF 1986 INTO TO PORTIONS  
(AMENDMENT SCHEME 16)**

RESOLVED A.119.01.12.11–

THAT Council in terms of section 56 of the Town-planning and Townships Ordinance (Ordinance 15 of 1986) approves the application received from Developlan on behalf of their clients Abner Etienne Tlakula and Ribola Development Co (Pty) Ltd to rezone in Elim-Mpheni CBD Erf 1 from “Business 1” to “Business 2”, Erf 2 from “Business 1” to “Business 2”, Erf 3 from “Business 2” to “Special”, Erf 8 from “Municipal” to “Business 2”, Erf 9 from “Public Garage” to “Business 2” and Erf 12 from “Special” to “Business 2” simultaneously with the closure and rezoning of part of Mafuyatha and Tlakula streets to “Business 2”, and consolidation thereof in terms of section 92 of the Town-planning and Townships Ordinance (Ordinance 15 of 1986), as well as the subdivision of Portion 3 (a portion of Portion 2) of the farm Waterval 45-LT into two portions in terms of the Division of Land Ordinance (Ordinance 20 of 1986), Elim township subject to the following conditions:

1. Site development plan must be submitted to the Municipality for consideration.
2. A service level agreement must be concluded with the municipality.
3. The development must comply with the Makhado Land Use Scheme, 2009.
4. The property would remain private development and Municipality will not be obliged to take over any infrastructure or its maintenance function or its repair function and any service which Municipality would have to render, i.e. refuse removal must be clearly outlined in service agreement.
5. Comments from Roads Agency Limpopo must be adhered to.
6. The proposed consolidation must be registered in the Deeds Office within two years from date of approval of the application
7. Application for streets closure must be made in terms of section 67 or section 68 of the Local Government Ordinance, (Ordinance 17 of 1939) and submitted to the Department of Local Government and Housing for consideration, and the Office of the Surveyor General before the

registration of the consolidation and rezoning thereof.

8. The local public transport industry together with the Local Municipality must be consulted to incorporate the proposed development into the local public transport system as indicated and a site earmarked for such development must be provided.
9. All recommendations as stated in the reports that accompanied the application must be complied with.

ElimDevelopment\_itm

(DDP)

#### **ITEM A.120.01.12.11**

#### **FINANCES: COMMENTS REQUIRED ON THE DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF COUNCILLORS: SALGA CIRCULAR 45 OF 2011**

**(5/5/2/1; 6/1/1(11/12); 12/2/1/54)**

RESOLVED A.120.01.12.11 -

1. THAT note be taken of Salga's Circular 45 of 2011 dated 21 November 2011 about the Determination of Upper Limits of Salaries, Allowances and Benefits of Councillors which calls for Municipalities' comments on the draft Notice intended for promulgation. (DCSS/CFO)
2. THAT Council considered the contents of Annexure A, B and C attached to the report in this regard related to
  - 2.1. the intended amendments in the Policy Framework for the Designation of Full-time Councilors,
  - 2.2 the proposed across the board percentile increase in salaries, allowances and benefits of 5% per annum
  - 2.3 the specific concerns raised under items 1 to 5 of Annexure A
 and that comments, if any, be submitted to SALGA (National Office) as the Makhado Municipality's official comments on the draft Notice for the Determination of Upper Limits of Salaries, Allowances and Benefits of Councillors. (DCSS)
3. THAT the expenditure for the proposed increase in the salaries, allowances and benefits of members of municipal councils for the 2011/12 financial year be financed from funds available under Council's General Expenditure vote of the 2011/12 Estimates. (CFO)

4. THAT the Municipal Manager be vested with the power to implement the contents of the expected Notice in terms of the Remuneration of Public Office Bearers Act, 1998 for the Determination of Upper Limits of Salaries, Allowances and Benefits of Councillors as soon as it is promulgated by the Minister of Cooperative Governance and Traditional Affairs in the Government Gazette, without having to submit a further report to the Executive Committee of Council. (MM/CFO)

**ITEM A.121.01.12.11**

**COUNCIL COMMITTEES: MUNICIPAL PUBLIC ACCOUNTS COMMITTEE  
(4/1/B)**

**REMARK:**

Cllr D T Ratshikuni proposed, duly seconded by Cllr F R Chililo that the following councillors be designated as members of the Municipal Public Accounts Committee:

Cllr L B Magale, Cllr T Malange, Cllr J Shandukani, Cllr B F Hlongwani, Cllr M R Madzivhandila, Cllr T P Mamorobela, Cllr M Mutele, Cllr Q Ratshivhombela, Cllr R S Baloyi, Cllr H G Mahani and Cllr H Mathavha.

The proposal was accepted in general and accordingly recorded as Council's Resolution herein below in paragraph 4.

**RESOLVED A.121.01.12.11 –**

1. THAT note be taken of the Final Guidelines for the Establishment of Municipal Public Accounts Committees (MPACs) which was received under cover of a letter dated 17 August 2011 from the Deputy Director General: Governance and Intergovernmental Relations, Department Cooperative Governance and attached as Annexure A to the report in this regard. (DCSS)
2. THAT the Municipal Public Accounts Committee constituted under Council Resolution A.52.01.08.11 be revoked and that a Municipal Public Accounts Committee be re-constituted anew consisting of ten (10) to thirteen (13) Councillors who will serve as members of the Committee. (DCSS)
3. THAT the Chairperson of the Municipal Public Accounts Committee be appointed in full-time capacity, and that the Office of the Speaker be vested with the delegated power to finalize the names of the members of the Committee and the designation of the full-time Chairperson. (DCSS)
4. THAT the following councillors be designated as members of the Municipal Public Accounts Committee:  
Cllr L B Magale, Cllr T Malange, Cllr J Shandukani, Cllr B F Hlongwani, Cllr M R Madzivhandila, Cllr T P Mamorobela, Cllr M Mutele, Cllr Q Ratshivhombela, Cllr R S Baloyi, Cllr H G Mahani and Cllr H Mathavha. (DCSS)

**ITEM A.122.01.12.11****AUDIT COMMITTEE: CONSOLIDATED REPORT TO COUNCIL: 2010/2011 FINANCIAL YEAR  
(4/26/11)**

RESOLVED A.122.01.12.11 –

1. THAT the Consolidated Audit Committee Assessments for the period 2010/2011 be adopted by Council. (MM)
2. THAT the report from the Audit Committee for the period up to 30 June 2011 and consolidated Internal Audit Assessment be noted. (MM)

ReportAuditCommittee\_itm

9.2 **Resolutions of the Council in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): 73<sup>rd</sup> Special Council Meeting: 1 December 2011**

**ITEM B.42.23.11.11**

**REPORTS AND SURVEYS: PERFORMANCE ASSESSMENT: QUARTER 1 PROGRESS REPORTS OF 2011/2012 SDBIP: OFFICE OF THE MUNICIPAL MANAGER (6/1/1(11/12); 10/1/4/2)**

RESOLVED B.42.23.11.11 -

THAT note be taken of Quarter 1 Progress report of the Office of the Municipal Manager in respect of the SDBIP for the 2011/2012 financial year, attached to the report in this regard as Annexure A.

SDBIPQ1-mm\_itm

(MM)

**ITEM B.43.23.11.11**

**REPORTS AND SURVEYS: PERFORMANCE ASSESSMENT: QUARTER 1 PROGRESS REPORTS OF 2011/2012 SDBIP: DEPARTMENT CORPORATE SUPPORT AND SHARED SERVICES (10/1/4/1; 10/1/2)**

RESOLVED B.32.23.11.11 –

THAT note be taken of Quarter 1 Progress report of the Department Corporate Support and Shared Services in respect of the SDBIP for the 2011/2012 financial year, attached to the report in this regard as Annexure A.

SDBIPQ1-dcss\_itm

(DCSS)

**ITEM B.44.23.11.11**

**REPORTS AND SURVEYS: PERFORMANCE ASSESSMENT: QUARTER 1 PROGRESS REPORTS OF 2011/2012 SDBIP: DEPARTMENT TECHNICAL SERVICES (6/1/1(11/12); 10/1/4/2)**

RESOLVED B.44.23.11.11 -

THAT note be taken of Quarter 1 Progress report of the Department Technical Services in respect of the SDBIP for the 2011/2012 financial year, attached to the report in this regard as Annexure A.

SDBIPQ1-dts\_itm

(DTS)

**ITEM B.45.23.11.11****REPORTS AND SURVEYS: PERFORMANCE ASSESSMENT: QUARTER 1 PROGRESS REPORTS OF 2011/2012 SDBIP: DEPARTMENT COMMUNITY SERVICES (6/1/1(11/12); 10/1/4/2)**

RESOLVED B.45.23.11.11 –

1. THAT note be taken of Quarter 1 Progress report of the Department Community Services in respect of the SDBIP for the 2011/2012 financial year, attached to the report in this regard as Annexure A, subject to the following amendment –

The project listed as “Traditional Affairs” on the 5<sup>th</sup> page of the annexure be relocated to Department Development Planning as it is their portfolio. (DCOMS)

2. THAT all advertisements for posts that are still outstanding be proceeded with as soon as possible. (DCOMS)

SDBIPQ1-dcoms\_itm

**ITEM B.46.23.11.11****REPORTS AND SURVEYS: PERFORMANCE ASSESSMENT: QUARTER 1 PROGRESS REPORTS OF 2011/2012 SDBIP: DEPARTMENT BUDGET AND TREASURY (6/1/1(11/12); 10/1/4/2)**

RESOLVED B.46.23.11.11 -

1. THAT note be taken of Quarter 1 Progress report of the Department Budget and Treasury in respect of the SDBIP for the 2011/2012 financial year, attached to the report in this regard as Annexure A. (CFO)
2. THAT a concern is expressed with reference to the standards maintained by the Supply Chain Management Division as it seems not to be satisfactory. (CFO)

SDBIPQ1-fin\_itm

**ITEM B.47.23.11.11****FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING 30 SEPTEMBER 2011 (1<sup>ST</sup> QUARTER) (6/1/1(2011/2012))**

RESOLVED B.47.23.11.11 -

THAT the in-year monitoring financial report for the month of September 2011(1<sup>st</sup> Quarter) be noted. (CFO)

MonitoringSept2011\_itm

**ITEM B.48.23.11.11****REPORTS AND SURVEYS: PERFORMANCE ASSESSMENT: QUARTER 1 PROGRESS REPORTS OF 2011/2012 SDBIP: DEPARTMENT DEVELOPMENT AND PLANNING (6/1/1(11/12); 10/1/4/2)**

RESOLVED B.48.23.11.11 –

THAT note be taken of Quarter 1 Progress report of the Department Development and Planning in respect of the SDBIP for the 2011/2012 financial year, attached to the report in this regard as Annexure A. (DDP)

SDBIPQ1-ddp\_itm

**ITEM B.49.23.11.11****COUNCIL COMMITTEES: MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (4/1/B)****REMARK:**

This item was referred from item A.109.01.12.11.

RESOLVED B.49.23.11.11 –

THAT the item be referred back for further investigation and submission anew at the next Executive Committee meeting to be held on 1 December 2011. (DCSS)

MPAC Final

**ITEM B.50.23.11.11****COUNCIL LAND: PROPOSED SALE OF ERF 1917, WATERVAL TOWNSHIP (7/4/1/3 & 7/3/2/1)****REMARK:**

1. This item was referred from item A.116.01.12.11.
2. This item was withdrawn from the agenda in view thereof that the Portfolio Committee: Planning, Economic Development, Tourism & Traditional Affairs was still investigating it.

**ITEM B.51.23.11.11****COUNCIL LAND: PROPOSED SALE FOR RESIDENTIAL USE OF ERVEN 3182 AND 3183 (PARK), LOUIS TRICHARDT EXTENSION 9 TOWNSHIP (E3182 & E3183)****REMARK:**

1. This item was referred from item A.117.01.12.11.
2. This item was withdrawn from the agenda in view thereof that the Portfolio Committee: Planning, Economic Development, Tourism & Traditional Affairs was still investigating it.



**10. PETITIONS**

None

**11. NEW MOTIONS**

None

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The meeting was closed and adjourned at 15:20.

Approved and confirmed in terms of the provisions of Rule 7 of the Council Rules and Orders, by a resolution of the Council passed at the meeting held on 26 January 2012.

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**CHAIRPERSON**

MDM/lh/SpecialCouncilMinutes\_73