

**MINUTES OF THE ORDINARY OPEN MEETING OF THE MUNICIPAL COUNCIL OF DIHLABENG LOCAL MUNICIPALITY HELD IN THE TOWN HALL, FOURIESBURG ON MONDAY, 31 OCTOBER 2011 AT 12:00**

**PRESENT:**

=====  
Councillors (Ms) M A Noosi - Speaker  
T M H Mofokeng - Executive Mayor  
M M Radebe Council Whip  
C C Harrington  
P D Lengoabala  
L J Lemako  
(Mrs) L U Makhalema  
T J Seekane  
(Mrs) T J Tshabalala  
J F Bonthuys  
(Mrs) S M Jacobs  
P A Maasdorp  
T A Masoeu  
(Mrs) N E Mabizela  
(Ms) M K Mofokeng  
M St. V Mofokeng  
R P Mofokeng  
T M Mofokeng  
T V Mofokeng  
(Mrs) H E Mokoena  
(Mrs) M A Mokoena  
M J Mokoena  
(Ms) M R Mokoena  
P P Mokoena  
S Msimanga  
N N Nzimande  
P H J Olivier  
(Mrs) M Prior  
J M Radebe  
(Mrs) A L Rakhothule-Mkhwanazi  
(Ms) M E Sempe  
M D Shabalala  
D Stevens  
T J Tseki  
M J Tshabalala  
B D L Venter

**IN ATTENDANCE:**

Messrs T E Tsoaeli - Municipal Manager  
M E S Mthwalo - Director: Corporate Services  
R Provis - Chief Financial Officer  
A B Masuku - Director: Public Works  
Mrs T G Hadebe - Director Local Economic Development  
Ms M A B Mosima - Acting Director: Community Services/  
Manager: Solid Waste  
Messrs T S Morare - Manager: Internal Audit

L I Tshabalala		Strategic Manager Office of the Executive Mayor
Mmes J Etzebeth		Acting Manager Secretariat
T Maake		PA of the Municipal Manager
S Bronkhorst	-	Manager: Marketing and Communication

**ALSO PRESENT:**

Two members of the public.

**SECRETARIAT:**

Mr T E Maitse  
Mmes S Rautenbach  
N A Zim

**RECORDING OFFICER:**

Mrs S Rautenbach

**MINUTES**

**ITEM: 88/2011**

**(DEPARTMENT: FINANCE)**

**BUDGET AND FINANCIAL REPORT (F5/1/1)**

**DISCUSSION:**

Clr B D L Venter requested detailed reports on underspending as reflected in paragraph 2.4 as well as the top 100 debtors as reflected in paragraph 2.7 of the supplementary report.

He also requested that the Creditors Analysis Report should include the amount of interest paid by the municipality.

**RESOLVED:**

1. that the report for the period ending 31 August 2011 as well as the report for the period ending 30 September 2011 in accordance with MFMA Section 52(d), 71 and Section 72, be noted.
2. that it be noted that the Section 80 Committee: Finance will embark on an *in loco* inspection of all currently running capital projects and a report will be submitted to the next ensuing meeting of the committee.

**ITEM: 89/2011**

**(DEPARTMENT: PUBLIC WORKS AND RURAL DEVELOPMENT)**

**MONTHLY REPORT – MECHANICAL ENGINEERING (AUGUST 2011) (PW9/2/1/4)**

**RESOLVED:**

that the progress report for the Section: Mechanical Engineering for the month of August 2011 be noted.

**ITEM: 90/2011**

**(DEPARTMENT: PUBLIC WORKS AND RURAL DEVELOPMENT)**

**MONTHLY REPORT – ELECTRICAL ENGINEERING (AUGUST 2011)(PW 9/2/1/4)**

**RESOLVED:**

that the report of the Electricity Section for the month of August 2011 be noted.

**ITEM: 91/2011**

**(DEPARTMENT: PUBLIC WORKS AND RURAL DEVELOPMENT)**

**APPLICATION: REZONING OF PORTION 2 OF ERF 527 FROM “SINGLE RESIDENTIAL” TO “GENERAL BUSINESS” – HATTINGH MARAIS ATTORNEYS FOR RT MARE (PW15/4/1/7)**

**RESOLVED:**

1. that the application for rezoning with the erf details as laid out below be approved subject to the conditions as set out:

<b><u>Property:</u></b>	
Erf/stand number:	Portion 2 of Erf 527
Erf/stand size:	990m <sup>2</sup>
Area:	Bethlehem
Street Address:	47A Oxford Street
Current zoning:	Single Residential
Title Deed number:	T029620/2001
<b><u>Rezoning details:</u></b>	
Current zoning:	Single Residential
Proposed new zoning:	General Business for the purpose of aligning the current use Raymond's Pub on the property to the land use.
<b><u>Services:</u></b>	No additional services required. Existing business.

2. There are no restrictive title conditions pertaining to Title Deed T029620/2001.
3. No additional services required. This is an existing business with the necessary municipal services.



1.2 Water and Sewerage:

- (a) All costs for the installation for services will be for the account of the developer. It is the responsibility of the owner/developer to obtain quotations for the installations and reservation for these services from the relevant Departments.
- (b) The owner/developer of the relevant proposed portion shall be responsible for the provision and/or replacement and/or alteration and/or removal of the internal services (water and sewerage) on the erf/erven up to where it is connected to the Municipal Network at his own cost to the satisfaction of the Dihlabeng Local Municipality. Where necessary such services shall be protected by appropriate servitudes to the satisfaction of Dihlabeng Local Municipality.
2. Electricity on the property is provided by Eskom.
3. No construction of permanent building may be erected over existing municipal services such as pipelines and manholes.
4. The applicable rates and taxes will be levied against the property as soon as the rezoning of portion 2 of Erf 383 has been approved.
5. The development should adhere to the guidelines set out in the Bethlehem Town Planning Scheme pertaining to building lines, height restrictions, coverage etc.

**ITEM 93/2011**

**(DEPARTMENT: PUBLIC WORKS AND RURAL DEVELOPMENT)**

**APPLICATION: REZONING OF ERF 2435, 1 LUDWIG DIENER STREET, BETHLEHEM, FROM "SINGLE RESIDENTIAL" TO "MEDIUM RESIDENTIAL" – LMV TOWN AND REGIONAL PLANNERS FOR R. J. THOMAS (PW 15/4/1/7)**

**RESOLVED:**

1. that the application for rezoning with the erf details as laid out below be approved subject to the conditions as set out:

<b><u>Property:</u></b>	
Erf/stand number:	Erf 2435
Erf/stand size:	1700m <sup>2</sup>
Area:	Bethlehem
Street Address:	1 Ludwig Diener Street
Current zoning:	Single Residential
Title Deed number:	T21994/1994
<b><u>Rezoning details:</u></b>	
Current zoning:	Single Residential
Proposed new zoning:	Medium Residential for the purpose of erecting 4 townhouses on the property. The minimum required size for rezoning to medium density is 1850m <sup>2</sup> . According to the scheme a 10%

	<p>deviation may be permitted by Council. The current size of Erf 2435 is 1700m<sup>2</sup>. The deviation required will then be 150m<sup>2</sup> or 8.81%. This is permitted and supported.</p>
<p>Services:</p>	<p><b><u>Water</u></b>  Yes <input checked="" type="checkbox"/> √ No <input type="checkbox"/></p> <p><b><u>Sewerage</u></b>  Yes <input checked="" type="checkbox"/> √ No <input type="checkbox"/></p> <p><b><u>Electricity</u></b>  Yes <input checked="" type="checkbox"/> √ No <input type="checkbox"/></p> <p><b><u>Note:</u></b> All costs for the installation of services will be for the account of the developer. It is the responsibility of the owner/developer to obtain quotations for the installations of these services from the relevant Departments.</p>

- 1.1 There are no restrictive title conditions pertaining to Title Deed T21994/1994.
- 1.2 Water and Sewerage:
- (a) All costs for the installation of services will be for the account of the developer. It is the responsibility of the owner/developer to obtain quotations for the installations and reservation of these services from the relevant Departments.
- (b) The owner/developer of the relevant proposed portion shall be responsible for the provision and/or replacement and/or alteration and/or removal of the internal services (water and sewerage) on the erf/erven up to where it is connected to the Municipal Network at his own cost to the satisfaction of the Dihlabeng Local Municipality. Where necessary such services shall be protected by appropriate servitudes to the satisfaction of Dihlabeng Local Municipality.
- 1.3 Electricity:
- (a) It has been confirmed by the Electricity Department that there is sufficient electricity for the owner to rezone.
- (b) It is the responsibility of the owner/developer to reserve this capacity and to obtain a quotation from the Electricity Department for the installation for these services.
- (c) The installation of all electrical services must be compliant to SANS 1042.
- 1.4 No construction or permanent building may be erected over existing municipal services such as pipelines and manholes.

1.5 Parking:

(a) Each new parking space must comply with the requirements of 2,5m X 5m (12,5m<sup>2</sup>).

(b) 1 parking space for each unit.

## 1.6 Additional Provisions:

<b>Description</b>	<b>Details</b>
<b>Coverage</b>	<u>Minimum area of erf</u> 1850m <sup>2</sup>  <u>Maximum coverage (excluding outbuildings)</u> 35%
<b>Height Control</b>	2 storeys
<b>Building Lines</b>	<u>Street boundaries</u> 5m for major street boundaries 3m for other streets  <u>Rear boundaries</u> 4,5m or the half of the building, whichever is the greater.  <u>Lateral boundaries</u> 4,5m or the half of the building, whichever is the greater.

1.7 The applicable rates and taxes will be levied against the property as soon as the rezoning of Erf 2435 has been approved.

1.8 The development should adhere to the guidelines set out in the Bethlehem Town Planning Scheme pertaining to building lines, height restrictions, coverage etc.

**ITEM 94/2011**

**(DEPARTMENT: PUBLIC WORKS AND RURAL DEVELOPMENT)**

**APPLICATION: REZONING OF ERF 429, 37A MALAN STREET BETHLEHEM, FROM “NOT YET DETERMINED” TO “GENERAL RESIDENTIAL” – KORSMAN AND VAN WYK TOWNPLANNERS FOR DM DEVELOPMENT (PW15/4/1/7)**

**RESOLVED:**

1. that the application for rezoning with the erf details as laid out below be approved subject to the conditions as set out:

<b><u>Property:</u></b>	
Erf/stand number:	Erf 429
Erf/stand size:	2231m <sup>2</sup>
Area:	Bethlehem

Street Address:	37A Malan Street
Current zoning:	Single Residential
Title Deed number:	T024286/2006
<b><u>Rezoning details:</u></b>	
Current zoning:	Not Yet Determined
Proposed new zoning:	General Residential for the purpose of developing a block of flats on the property. 7 Units on the ground floor and 7 units on the first floor .
Services:	<p><b><u>Water</u></b>  Yes <input checked="" type="checkbox"/> ✓ No <input type="checkbox"/></p> <p><b><u>Sewerage</u></b>  Yes <input checked="" type="checkbox"/> ✓ No <input type="checkbox"/></p> <p><b><u>Electricity</u></b>  Yes <input checked="" type="checkbox"/> ✓ No <input type="checkbox"/></p> <p><b><u>Note:</u></b> All costs for the installation of services will be for the account of the developer. It is the responsibility of the owner/developer to obtain quotations for the installations of these services from the relevant Departments.</p>

- 1.1 There are no restrictive title conditions pertaining to Title Deed T024286/2006.
- 1.2 Water and Sewerage:
- (a) All costs for the installation of services will be for the account of the developer. It is the responsibility of the owner/developer to obtain quotations for the installations and reservation of these services from the relevant Departments.
- (b) The owner/developer of the relevant proposed portion shall be responsible for the provision and/or replacement and/or alteration and/or removal of the internal services (water and sewerage) on the erf/erven up to where it is connected to the Municipal Network at his own cost to the satisfaction of the Dihlabeng Local Municipality. Where necessary such services shall be protected by appropriate servitudes to the satisfaction of Dihlabeng Local Municipality.
- 1.3 Electricity:
- (a) It has been confirmed by the Electricity Department that there is an amount of 210 kVa available for the proposed development.
- (b) It is the responsibility of the owner/developer to reserve this capacity and to obtain a quotation from the Electricity Department for the installation of these services.
- (c) The installation of all electrical services must e compliant to SANS 1042.



- 1.4 No construction or permanent building may be erected over existing municipal services such as pipelines and manholes
- 1.5 Parking:
- (a) Each new parking space must comply with the requirements of 2,5m X 5m (12,5m<sup>2</sup>).
- (b) 1 parking space of each unit.
- 1.6 The applicable rates and taxes will be levied against the property as soon as the rezoning of Erf 429 has been approved.
- 1.7 The development should adhere to the guidelines set out in the Bethlehem Town Planning Scheme pertaining to building lines, height restrictions, coverage etc.

**ITEM 95/2011**

**(DEPARTMENT: PUBLIC WORKS AND RURAL DEVELOPMENT)**

**APPLICATION: PROPOSED REZONING OF ERF 425 CLARENS FROM “SPECIAL RESIDENTIAL” TO “GENERAL RESIDENTIAL” IN ORDER TO ERECT 6 UNITS, KORSMAND AND VAN WYK (PW 15/4/3/7)**

**RESOLVED:**

1. that the application for rezoning Erf 425, Berg Street, Clarens, be approved subject to the conditions as set out:

<b><u>Property:</u></b>	
Erf/stand number:	Erf 425
Erf/stand size:	2974m <sup>2</sup>
Area:	Clarens
Street Address:	Berg Street
Current zoning:	General Residential
Title Deed number:	T13000/1990
<b><u>Rezoning details:</u></b>	
Current zoning:	Special Residential
Proposed new zoning:	General Residential for the purpose of erecting 6 townhouses on the property additional to the existing house.
Services:	<p><b><u>Water</u></b>  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ✓</p> <p><b><u>Sewerage</u></b>  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ✓</p> <p><b><u>Electricity</u></b>  Electricity in Clarens provided by Eskom</p> <p><b><u>Note:</u></b> All costs for the installation of</p>

	services will be for the account of the developer. It is the responsibility of the owner/developer to obtain quotations for the installations of these services from the relevant Departments.
--	--

1.1 There are no restrictive title conditions pertaining to Title Deed T13000/1990.

1.2 Water and Sewerage:

There is currently no capacity available for the connection of water and sewerage for the newly created erf. The applicant may continue with the application to the relevant institutions on the following conditions:

- (a) **NO** connections for water and sewerage will be permitted until the network have been upgraded and fully capacitated to carry additional loads.
- (b) If the network is upgraded, all costs for the installation of services will be for the account of the developer. It is the responsibility of the owner/developer to obtain quotations for the installations of these services from the relevant Departments.
- (c) The owner/developer of the relevant proposed portion shall be responsible for the provision and/or replacement and/or alteration and/or removal of the internal services (water and sewerage) on the erf/erven up to where it is connected to the Municipal Network at his own cost to the satisfaction of the Dihlabeng Local Municipality. Where necessary such services shall be protected by appropriate servitudes to the satisfaction of Dihlabeng Local Municipality.

1.3 Electricity:

Electricity in Clarens is provided by Eskom.

1.4 No construction or permanent building may be erected over existing municipal services such as pipelines and manholes.

1.5 A minimum of ten (10) on site parking's must be provided. Each new parking space must comply with the requirements of 2,5m X 5m.

1.6 Building plans for the proposed new dwellings must be handed in at the Building Inspectorate for approval after the rezoning has been finalized.

1.7 The applicable rates and taxes will be levied against the property as soon as the rezoning of Erf 425 has been approved.

1.8 The development should adhere to the guidelines set out in the Clarens Town Planning Scheme pertaining to building lines, height restrictions, coverage etc.

**ITEM 96/2011**

**(DEPARTMENT OF COMMUNITY SERVICES)**

**WASTE MANAGEMENT AND ENVIRONMENTAL ACTIVITIES (CS 16/5/3)**

**RESOLVED:**

1. that the report on waste management and environmental activities, be noted.
2. that Councillors support and take ownership of environmental awareness campaigns in their respective wards.

**ITEM 97/2011**

**(DEPARTMENT: HUMAN SETTLEMENTS)**

**DISPOSAL OF ERF 552 ROSENDAL IN TERMS OF SECTION 14 OF THE MUNICIPAL FINANCE MANAGEMENT ACT (56 OF 2003), AS WELL AS TRANSFER REGULATIONS R.878 (LH 7/1/4/2/6)**

**RESOLVED:**

1. that it be noted that Erf 552 in Mautse, Rosendal is no longer needed to provide the minimum level of basic municipal services in terms of Section 14(2)(a) of the MFMA, 56 of 2003.
2. that Erf 552 in Mautse, Rosendal be sold through a competitive bidding process in terms of section 14 of the Municipal Finance Management Act (56 of 2003) for which purpose tenders be called for in the local printed media.
3. that the Free State Department of Human Settlements be advised accordingly in view of the moratorium on the disposal of land in the province.

**ITEM 98/2011**

**(DEPARTMENT: MUNICIPAL MANAGER)**

**SUBMISSION TO IDP/PMS MONITORING COMMITTEE ABOUT THE IDP REVIEW ANALYSIS PHASE ACTION PLAN (MM 2/4/1)**

**RESOLVED:**

1. that the IDP Review Analysis Phase Action Plan be noted.
2. that the proposed service delivery ward based questionnaire be approved.
3. that it be noted that the programme will be piloted at Fateng Tse Ntsho ten days before presentation date.

**ITEM 99/2011**

**(DEPARTMENT: MUNICIPAL MANAGER)**

**SUBMISSION TO COUNCIL: REPORT ON PMS IMPLEMENTATION DURING 2010/2011 FINANCIAL YEAR (MM 2/4)**

**RESOLVED:**

1. that the 2010/11 PMS Implementation Report, be noted.

**ITEM 100/2011**

**(DEPARTMENT: MUNICIPAL MANAGER)**

**SUBMISSION TO COUNCIL: 2010 – 2011 DRAFT ANNUAL PERFORMANCE REPORT (MM 2/4)(MM5/1/1)**

**RESOLVED:**

that the 2010/2011 Draft Annual Performance Report as submitted to the Auditor-General, be noted.

**S E C T I O N II**

**ITEM B21/2011**

**(DEPARTMENT: FINANCE)**

**REPORT ON AWARDING OF BIDS (F6/1/4)**

**RESOLVED:**

1. that Council takes note of the report on the awarding of bids covering the period 01 July 2011 to 31 August 2011.
2. that all Councillors be informed before advertisements for the calling of tenders are published.

**ITEM B22/2011**

**(DEPARTMENT: FINANCE)**

**REPORT ON AWARDING OF BIDS (F6/1/4)**

**RESOLVED:**

1. that Council takes note of the report on the awarding of bids covering the period 1 October 2011 to 30 June 2011.
2. that all Councillors be informed before advertisements for the calling of tenders are published.

**ITEM B23/2011**

**(DEPARTMENT: PUBLIC WORKS AND RURAL DEVELOPMENT)**

**MONTHLY REPORT – PROJECT MANAGEMENT UNIT (AUGUST 2011) (PW9/2/1/4)**

**RESOLVED:**

that progress made with regard to projects for the month of August 2011 be noted.

**ITEM B24/2011**

**(DEPARTMENT: COMMUNITY SERVICES)**

**SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) PROGRESS REPORT FOR THE FIRST QUARTER OF THE 2011/2012 FINANCIAL YEAR: DIRECTORATE: COMMUNITY SERVICES (CS 2/11/1)**

**RESOLVED:**

that notice be taken of the Service Delivery and Budget Implementation Plan (SDBIP) Progress Report for the first quarter of the 2011/2012 financial year, as submitted by the Acting Director: Community Services.

**ITEM B25/2011**

**(DEPARTMENT: COMMUNITY SERVICES)**

**WOLHUTERSKOP NATURE RESERVE: GAME COUNT APRIL 2011 (CS 17/6/3/8)**

**RESOLVED:**

1. that notice be taken of the report regarding the game count which took place in Wolhutterskop Nature Reserve during April 2011.
2. that, it be noted that due to the excellent veld condition of Wolhutterskop Nature Reserve, no animals were harvested during the 2011 hunting season.

**ITEM B26/2011**

**(DEPARTMENT: COMMUNITY SERVICES)**

**FIRE AND DISASTER MANAGEMENT: PROGRESS ON SERVICE LEVEL AGREEMENT (CS 17/16/1)(CS 16/7)**

**RESOLVED:**

1. that notice be taken of the meeting which was held on 12 October 2010 between Dihlabeng Local Municipality and Thabo Mofutsanyane District Municipality regarding a possible Service Level Agreement in respect of fire fighting and disaster management services.

2. that notice be taken that the Service Level Agreement in respect of 1 above is in process.

**ITEM B27/2011**

**(DEPARTMENT: COMMUNITY SERVICES)**

**REPORT ON RECYCLING PROJECTS AND RECYCLING INITIATIVES IN DIHLABENG LOCAL MUNICIPALITY (CS 16/5/3)**

**RESOLVED:**

1. that the contents of the report on recycling projects and initiatives in Dihlabeng Local Municipality, be noted.
2. that recycling projects and initiatives in all units be revisited and that the process includes extensive public participation.

**ITEM B28/2011**

**(DEPARTMENT: COMMUNITY SERVICES)**

**IDENTIFICATION OF NEW CEMETERY SITES FOR DIHLABENG (CS 16/6/2/1)**

**RESOLVED:**

1. that notice be taken of the Progress Report and Revised Technical Report with regard to the identification of new cemetery sites for all towns in Dihlabeng, as received from Proper Consulting Civil & Structural Engineers & Project Managers.
2. that the land adjacent to the existing cemeteries in Clarens and Bethlehem (Utopia) be used for the extension of the cemeteries and not the sites as proposed by the consulting engineers.

The meeting terminated at 13:02.

DATE: .....

.....  
SPEAKER

