MINUTES OF THE ORDINARY OPEN MEETING OF THE MUNICIPAL COUNCIL OF DIHLABENG LOCAL MUNICIPALITY HELD IN THE MARTIE LOTZ HALL, CLARENS ON THURSDAY, 08 SEPTEMBER 2011 AT 13:00

PRESENT:

Councillors (Ms) M A Noosi Speaker -**Executive Mayor** T M H Mofokeng -Council Whip M M Radebe L J Lemako (Mrs) L U Makhalema (Mrs) D M Mofokeng T J Seekane (Mrs) T J Tshabalala J F Bonthuys P A Maasdorp T A Masoeu (Mrs) N E Mabizela (Mrs) M K Mofokeng M St. V Mofokeng **R P Mofokeng** T V Mofokeng T M Mofokeng (Mrs) H E Mokoena (Mrs) M A Mokoena M J Mokoena (Mrs) 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 T P Ramaele G J Roetz (Ms) M E Sempe M D Shabalala D Stevens T J Tseki M J Tshabalala **B D L Venter**

IN ATTENDANCE:

Messr	sT E Tsoaeli	-	Municipal Manager
	M E S Mthwalo	-	Director: Corporate Services
	R Provis	-	Chief Financial Officer
	A B Masuku	-	Director: Public Works
Mrs	M A B Mosima	-	Acting Director: Community Services/

Mr	P V Tlhabanelo	-	Manager: Solid Waste Manager: Supply Chain
Mmes	T Maake J Etzebeth	-	PA of the Municipal Manager Acting Manager: Secretariat

ALSO PRESENT:

Magistrate H J M Bothma

(Commissioner of Oaths)

SECRETARIAT:

Mr	T E Maitse
Ms	B G Tshabalala

RECORDING OFFICER:

Ms	ΒG	Tshabalala
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MINUTES

ITEM 57/2011

(DEPARTMENT: MUNICIPAL MANAGER)

REPORT ON THE STRATEGIC SESSION: 21 - 25 JUNE 2011 (MM2/4)

DISCUSSION:

Clr J F Bonthuys requested that it be noted that the strategic session was an excellent experience and that he was not against the expenditure, but Council should in future use its own facilities for this purpose to avoid expensive accommodation fees.

RESOLVED:

that Dihlabeng Local Municipality's Impossible Future Strategy based on the five core local government strategies be endorsed as the basis for goal setting, planning, decision making and action taking for the next 3 – 5 years, which will be the means of moving Dihlabeng Local Municipality to the desired destination of "Everyone, Every Household, Every Entity – A Testimonial of our Excellent Service".

ITEM 58/2011

(DEPARTMENT: FINANCE)

NEW ELECTRICITY TARIFFS APPROVED BY NERSA (F12/2/2/4)

RESOLVED:

that the appropriate adjustments in the electricity tariffs as outlined by NERSA, be approved.

ITEM 59/2011

(DEPARTMENT: FINANCE)

PROGRESS REPORT ON THE STATE OF THE MUNICIPAL BUDGET FOR THE 2010/11 FINANCIAL YEAR (F5/1/1)

RESOVED:

that Council takes note of the report on the state of the municipal budget for the 2010/11 financial year and that the variances be approved.

ITEM 60/2011

(DEPARTMENT: FINANCE)

ASSET MANAGEMENT COMMITTEE AND PROCEDURES FOR REDUNDANT ASSETS (F6/1/3)

- 1. that Council takes note of and approve the procedure and controls to dispense redundant assets as set out below:
 - 1.1 a report on every redundant asset with reasons to write off must be compiled by the department responsible for the asset and sent through to the Asset Management Section.
 - 1.2 a return to stores document has to be filled in by the department responsible for redundant assets.
 - 1.3 the return to stores document must include the barcode number, asset number, asset description (full detail), asset value and the asset location.
 - 1.4 an employee of the Asset Management Section must be present when assets are moved from its current location to the stores for inspection and auction.

- 1.5 redundant assets must be inspected by the Assets Management Committee before auction to assess whether the asset is redundant or not.
- 1.6 a list of all the redundant assets must be compiled by the Stores Officer after inspection with all details as mentioned above and handed over to the Supply Chain Section and Assets Section and an item submitted to Council. If Council approves the list, an advertisement for an auction may be placed in the printed media.
- 1.7 the list of redundant assets to be auctioned should be signed by every member of the Asset Management Committee present during inspection.
- 2. that it be approved that the Asset Management Committee who will inspect and compile a list of redundant assets for auction, will be constituted as follows:
 - MMC P D Lengoabala
 - Supply Chain Manager
 - Assets Manager
 - Stores Officer
 - Head of the Workshop
 - Manager Water and Sanitation

ITEM 61/2011

(DEPARTMENT: FINANCE: REVENUE SECTION)

WRITING OFF IRRECOVERABLE DEBT POLICY (F5/17/1)

RESOLVED:

that Council approves the compilation of the Writing-off of Irrecoverable Debt Committee as follows:

- Municipal Manager
- Chief Financial Officer
- Member of Mayoral Committee: Finance
- Another member of the Finance Section 80 Committee

ITEM 62/2011

(DEPARTMENT: FINANCE)

BUDGET AND FINANCIAL REPORT (F5/1/1)

RESOLVED:

that Council takes note of the 4th Quarter Report for the period ended 30 June 2011 in accordance with the MFMA, Section 52(d), Section 71 and 72.

ITEM 63/2011

(DEPARTMENT: FINANCE)

PAYMENT RATIO REPORT PER WARD (F5/13/1)

RESOLVED:

- 1. that Council takes note of the payment ratio per ward.
- 2. that print outs of the payment rates per ward, accurately captured in respect of demarcation, be given to all Ward Councillors for the purpose of assisting the process of revenue enhancement.

ITEM 64/2011

(DEPARTMENT: FINANCE)

IMPLEMENTATION OF "OPERATION PATALA" (F5/13/1)

RESOLVED:

- 1. that led by the MMC for Finance, the Finance Section 80 Committee embarks on a road show to the different wards to encourage residents to pay for services.
- 2. that Ward Councillors form an integrated part of "Operation Patala".
- 3. that the Section 80 Finance Committee engages different sector stakeholders e.g. SADTU, NEHAWU, Ministers Fraternal, and other government departments to assist in the process.
- 4. that maximum discipline be applied with regard to expenditure by reducing unnecessary trips, catering and festivals and functions that do not generate income.
- 5. that where possible projects should be done using labour intensive methods to secure revenue within the Dihlabeng Area.

ITEM 65/2011

(DEPARTMENT: CORPORATE SERVICES)

SUBJECT: WHOLESALE AND RETAIL SECTOR EDUCATION AND TRAINING AUTHORITY'S (W&RSETA) SPECIAL VOUCHER PROJECT (CS4/4/4)

RESOLVED:

that the report on W&RSETA's Special Voucher Project be noted and that local SMME's be informed about the project.

ITEM 66/2011

(DEPARTMENT: CORPORATE SERVICES)

COLLECTIVE AGREEMENT ON CONDITIONS OF SERVICE FOR THE FREE STATE DIVISION OF THE SALGBC (CS12/2/1/19)

RESOLVED:

- 1. that notice be taken of the Collective Agreement on Conditions of Service for the Free State Division of the SALGBC and it be implemented as from 01 July 2010.
- 2. that provision be made on the Revised Budget for the items as stipulated under the new Collective Agreement not budgeted for a total estimated cost of R700 000.00.
- 3. that Council's Policy dated 1999 which regulated the payment of standby allowance be rescinded with retrospective effect from 1 July 2010.
- 4. that all employees of Dihlabeng Local Municipality be workshopped on the new Collective Agreement on Conditions of Service.

ITEM 67/2011

(DEPARTMENT: CORPORATE SERVICES)

GRADUATE DEVELOPMENT PROGRAMME (CS4/4/4)

- 1. that the contents of the report on the 2010/2011 Graduate Development Programme, be noted.
- 2. that the expenditure of R488 400.00 for the 2010/2011 Graduate Development Programme, be finalized ex Vote 1005151093605.
- 3. that it be noted that 109 graduates applied and 37 have been shortlisted for selection and consideration.
- 4. that the matter be finalized as a matter of urgency and in consultation with the MMC responsible for Corporate Services.
- 5. that measures be put in place to evaluate and monitor progress and that quarterly reports be submitted.

ITEM 68/2011

(DEPARTMENT: PUBLIC WORKS)

PUBLIC WORKS: MONTHLY REPORT - ELECTRICITY (JULY 2011)(PW9/2/1/4)

RESOLVED:

- 1. that Council takes note of the progress made with regard to the implementation of the Service Delivery and Budget Implementation Plan.
- 2. that Council takes note of the report and the attachments of the Department of Energy application forms for funds for bulk infrastructure.
- 3. that Council takes note that the Panorama Node is inhibiting development of the town in terms of the availability of electricity capacity.

ITEM 69/2011

(DEPARTMENT: PUBLIC WORKS)

APPLICATION: CONSOLIDATION OF ERF 3548 WITH ERF 3549 ATBARA ROAD, MôRELIG – BETHLEHEM – L P H MOHLAKOANA AND B H MOHLAKOANA (PW15/4/1/2)

RESOLVED:

1. that the application for consolidation of Erf 3548 with Erf 3549 situated in Atbara Road, Morelig, Bethlehem be approved by Council subject to the conditions as set out:

Property 1 :	
Erf / stand number :	Erf 3548
Erf / stand size :	596m ²
Area :	Morelig
Street Address:	22 Atbara Road
Current zoning :	Single Residential
Title Deed number :	T021768/2003
Property 2 :	
Erf / stand number :	Erf 3549
Erf / stand size :	597m ²
Area :	Morelig
Street Address:	24 Atbara Road
Current zoning :	Single Residential
Title Deed number :	T021769/2003
Consolidation details:	
Sizes consolidated portions	1193m ²

<u>Services :</u>	Water Yes ∎√	No	
	Sewerage Yes ∎√	No	
	Electricity Yes ∎√	No	
	will be for the act responsibility of t	count of the the owner / e installatio	allation of services e developer. It is the developer to obtain ns of these services nts

- 5.1.1 The removal of the following restrictions pertaining to the Title Deed T021768/2003 one page 3 and 4 of the Title Deed:
- a. Die eienaar van die erf is verplig om sonder vergoeding die bou en instandhouding van enige water- en elektrisiteitshoofleidings en die dreinering en riolering van enige ander erf oor die erf toe te laat langs enige erfgrense, behalwe die straatgrens.
- b. Die eienaar van die erf is verplig om sonder vergoeding sodanige aanbring van material of uitgrawings op die erf toe te laat wat met die bou van strate deur die Raad nodig geag word weens ongelykheid van die oppervakte tussen die erf en die straat, ten einde 'n veilige en doeltreffende skuinste te verskaf vir 'n wal wat op die grens van die erf moet begin tensy hy verkies om op sy eie koste 'n stutmuur te bou tot bevrediging van die Raad en binne 'n tydperk deur die Raad bepaal.
- c. Binne 12 maande na die datum waarop die Koopkontrak van die erf gesluit is, of sodanige langer tydperk as wat die Munisipale Raad bepaal, moet 'n voltooide woonhuis met 'n minimumwaarde soos deur die Munisipale Raad bepaal op die erf opgerig word. By berekening van die waarde word die koste van die buitegeboue, riolerings en elektrisiteitsinstallasies ingesluit, maar die koste van omheining, hekke en ander toebehore uitgesluit. Behalwe met die skriftelike toestemming van die Munisipale Raad mag die erf nie oorgedra word nie tensy 'n woonhuis met 'n bedoelde waarde op die erf opgerig is.
- d. Indien daar na verloop van twee jaar nog nie 'n woonhuis met bedoelde waarde op die erf opgerig is nie, kan die Munisipale Raad van die eienaar eis en hom verplig om die erf aan die Munisipale Raad oor te dra, sonder vergoeding vir verbeterings, maar teen betaling van die oorspronklike koopprys.
- e. Die Munisipale Raad is verder geregtig in sy diskresie om die oordrag van die erf aan 'n derde party te magtig indien spesiale omstandighede die eienaar verhoed om gevolg aan bogenoemde vereistes te gee, met dien verstande dat die Munisipale Raad die bogenoemde tydperk na sy goeddunke kan verleng.

The removal of restriction a,b,c,d and e pertaining to the Title Deed T021768/2003.

- 5.1.2 The removal of the following restrictions pertaining to the Title Deed T021769/2003 one page 3 and 4 of the Title Deed:
 - a. Die eienaar van die erf is verplig om sonder vergoeding die bou en instandhouding van enige water- en elektrisiteitshoofleidings en die dreinering en riolering van enige ander erf oor die erf toe te laat langs enige erfgrense, behalwe die straatgrens.
 - b. Die eienaar van die erf is verplig om sonder vergoeding sodanige aanbring van material of uitgrawings op die erf toe te laat wat met die bou van strate deur die Raad nodig geag word weens ongelykheid van die oppervakte tussen die erf en die straat, ten einde 'n veilige en doeltreffende skuinste te verskaf vir 'n wal wat op die grens van die erf moet begin tensy hy verkies om op sy eie koste 'n stutmuur te bou tot bevrediging van die Raad en binne 'n tydperk deur die Raad bepaal.
 - c. Binne 12 maande na die datum waarop die Koopkontrak van die erf gesluit is, of sodanige langer tydperk as wat die Munisipale Raad bepaal, moet 'n voltooide woonhuis met 'n minimumwaarde soos deur die Munisipale Raad bepaal op die erf opgerig word. By berekening van die waarde word die koste van die buitegeboue, riolerings en elektrisiteitsinstallasies ingesluit, maar die koste van omheining, hekke en ander toebehore uitgesluit. Behalwe met die skriftelike toestemming van die Munisipale Raad mag die erf nie oorgedra word nie tensy 'n woonhuis met 'n bedoelde waarde op die erf opgerig is.
 - d. Indien daar na verloop van twee jaar nog nie 'n woonhuis met bedoelde waarde op die erf opgerig is nie, kan die Munisipale Raad van die eienaar eis en hom verplig om die erf aan die Munisipale Raad oor te dra, sonder vergoeding vir verbeterings, maar teen betaling van die oorspronklike koopprys.
 - e. Die Munisipale Raad is verder geregtig in sy diskresie om die oordrag van die erf aan 'n derde party te magtig indien spesiale omstandighede die eienaar verhoed om gevolg aan bogenoemde vereistes te gee, met dien verstande dat die Munisipale Raad die bogenoemde tydperk na sy goeddunke kan verleng.

The removal of restriction a,b,c,d and e pertaining to the Title Deed T021769/2003.

- 5.1.3 <u>Water and Sewerage :</u>
 - (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.

5.1.4 <u>Electricity :</u>

- (a) It has been confirmed by the Electricity Department that there is sufficient electricity for the proposed consolidation.
- (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 be compliant with SANS 1042.
- 5.1.5 No construction or permanent building may be erected over existing municipal services such as pipelines and manholes.
- 5.1.6 Any servitudes as described in the Title Deed must be adhered to.
- 5.1.7 A copy of the consolidation diagram with the new erf number must be provided to Dihlabeng Local Municipality after final approval.

ITEM: 70/2011

(DEPARTMENT: PUBLIC WORKS)

<u>APPLICATION: PROPOSED SUBSIDY OF ERF 37, COLLETT STREET CLARENS TWO (2)</u> <u>PORTIONS – A GRABE (PW15/4/3/2)</u>

RESOLVED:

1. that the subdivision of Erf 37, Collett Street, Clarens, as laid out below be approved by Council subject to the conditions as set out:

Property details :	
Erf / stand number :	37
Erf / stand size :	2810m ²
Area :	Clarens
Street Address:	Collett Street
Current zoning :	Single residential

Subdivision details:	
In how many portions will the	2 portions

site / erf be subdivided ?	
Proposed new sizes in extent :	1.1405m ²
	2.1405m ²
Title Deed number :	T15770/2010
<u>Services :</u>	Water
	Yes □ No ■√
	Sewerage
	Yes □ No ∎√
	Electricity
	Electricity in Clarens provided by Eskom
	<u>Note :</u> 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

5.1.1 There are no restrictive title conditions against Title Deed T15770/2010.

5.1.2 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 t application to the relevant institutions on the following conditions :

- (a) **NO** connections for water and sewerage will be permitted until the network has 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 Dihlabeng Local Municipality.
- (d) The newly created erf must have its own sewerage connection. Sewerage must be in compliance with the National Building Regulations SABS 0400 of 1990. Where applicable sewerage must be re aligned to accommodate the newly created erf

5.1.3 Electricity:

Electricity in Clarens provided by Eskom.

- 5.1.4 No construction or permanent building may be erected over existing municipal services such as pipelines and manholes.
- 5.1.5 Building plans for the proposed new dwellings must be handed in at the Building Inspectorate for approval after the subdivision has been finalized.

ITEM 71/2011

(DEPARTMENT: PUBLIC WORKS)

APPLICATION: PROPOSED CONSOLIDATION OF THE REMAINDER OF ERF 312 AND PORTION 1 OF ERF 304, UNION STREET, BETHLEHEM AND THE REZONING TO LOCAL BUSINESS IN ORDER TO DEVELOP A BLOCK OF FLATS ON THE FIRST FLOOR OF THE PROPERTY, KORSMAN AND VAN WYK (PW15/4/1/7)

RESOLVED:

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

Property 1 :	
Erf / stand number :	Remainder of Erf 312
Erf / stand size :	948m ²
Area :	Bethlehem
Street Address:	27 Union Street
Current zoning :	Single residential
Title Deed number :	T1139/2010
Property 2 :	
Erf / stand number :	Portion 1 of Erf 304
Erf / stand size :	948m ²
Area :	Bethlehem
Street Address:	154 Cambridge Street
Current zoning :	Single residential
Title Deed number :	T181/2009
Rezoning details:	
Current zoning :	Single Residential
Proposed new	Local Business
zoning:	
Consolidation	
details:	
Reason for	Consolidated the two portions will be 1896m ² . The owner
consolidation	wishes to rezone to Medium Residential in order to
	develop 6 x 1 bedroom flats and 5 x 2 bedroom flats on
	the first floor. The ground floor will make provision for the

	existing offices and	parking	
<u>Services :</u>	Water Yes ∎√	No	
	Sewerage Yes ∎√	No	
	Electricity Yes ∎√	No	
	the account of the c owner / developer to	Note : 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 nstallations of these services from the relevant Departments	

5.1.1 <u>Remainder of Erf 312</u>

There are no Restrictive Title Conditions pertaining to Title Deed T1139/2010.

5.1.2 Portion 1 of Erf 304

There are no Restrictive Title Conditions pertaining to Title Deed T181/2009.

- 5.1.3 <u>Water and Sewerage :</u>
 - (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.

5.1.4 <u>Electricity:</u>

- (a) It has been confirmed by the Electricity Department that there is sufficient electricity for the owner to build the units.
- (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 be compliant to SANS 1042.

- 5.1.5 No construction or permanent building may be erected over existing municipal services such as pipelines and manholes.
- 5.1.6 Parking:
 - (a) Each new parking space must comply with the requirements of 2,5m X 5m.
 - (b) 1 parking space for each unit. A minimum of 10 parking spaces must be provided.

ITEM 72/2011

(DEPARTMENT: PUBLIC WORKS)

APPLICATION: PROPOSED REZONING TO GENERAL BUSINESS FOR THE PURPOSE OF HAVING A RESTAURANT ON THE GROUND FLOOR AND A RESIDENTIAL FLAT ON THE FIRST FLOOR ON ERF 369, CLARENS-KORSMAN AND VAN WYK (PW15/4/3/7)

RESOLVED:

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

Property :			
Erf / stand number :	Erf 369		
Erf / stand size :	798m ²		
Area :	Clarens		
Street Address:	Main Street		
Current zoning :	Single residential		
Title Deed number :	T17151/94		
Rezoning details:			
Current zoning :	Single Residential		
Proposed new zoning:	General Business		
<u>Services :</u>	Water		
	Yes □ No ∎√		
	Sewerage		
	Yes □ No ∎√		
	Electricity		
	Electricity in Clarens provided by Eskom		
	Note : 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		

There are no restrictive Title Conditions registered against Title Deed T17151/94.

5.1.2 <u>Water and Sewerage:</u>

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

- (a) NO connections for water and sewerage will be permitted until network have been upgraded and fully capacitated to carry additional loads.
- (b) If the network is upgraded, all costs for the installation of will be for the account of the developer. It is the responsibility the owner / developer to obtain quotations for the installations 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 Dihlabeng Local Municipality.
- (d) The newly created eff must have its own sewerage connection. Sewerage must be in compliance with the National Building Regulations SABS 0400 of 1990. Where applicable sewerage I must be re aligned to accommodate the newly created eff.
- 5.1.3 Electricity:

Electricity in Clarens provided by Eskom.

- 5.1.4 No construction or permanent building may be erected over existing municipal services such as pipelines and manholes.
- 5.1.5 A minimum of ten (10) on site parkings must be provided. Each new parking space must comply with the requirements of 2,5m X 5m.
- 5.1.6 Building plans for the proposed new dwellings must be handed in at the Building Inspectorate for approval after the rezoning has been finalized.
- 5.1.7 The property will be levied business tax as soon as the rezoning has been approved.

(DEPARTMENT: PUBLIC WORKS)

APPLICATION: PROPOSED CONSOLIDATION OF ERF 2107 AND 2108, HIGH STREET, BETHLEHEM AND THE REZONING TO MEDIUM DENSITY RESIDENTIAL IN ORDER TO ERECT 10 UNITS, KORSMAN AND VAN WYK (PW15/4/1/7)

RESOLVED:

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

Property 1 :	
Erf / stand number :	Erf 2107
Erf / stand size :	1774m ²
Area :	Bethlehem
Street Address:	High Street
Current zoning :	Single residential
Title Deed number :	T3802/1972
Property 2 :	
Erf / stand number :	Erf 2108
Erf / stand size :	1634m ²
Area :	Bethlehem
Street Address:	High street
Current zoning :	Single residential
Title Deed number :	T7407/1972
Rezoning details:	
Current zoning :	Single residential
Proposed new zoning:	Medium density residential
Consolidation details:	
Reason for	Consolidated the two portions will be 3408m ² . The
consolidation	owner wishes to rezone to Medium Residential in
	order to erect 10 residential units.
<u>Services :</u>	Water
	Yes ∎√ No □
	Sewerage
	Yes ∎√ No □
	—
	Electricity
	Yes ∎√ No □
	Note . All costs for the installation of comissions will be
	Note: 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

<u>Erf 2107</u>

The following Restrictive Conditions pertaining to the application in Title Deed T3802/1972:

- (a) Hierdie erf word gebruik vir die oprigting en bewoning van 'n woonhuis wat ontwerp is vir gebruik deur een gesin, tesame met die nodige buitegeboue.
- (b) Geen buitegeboue op die erf word vir woondoeleindes gebruik nie, behalwe deur nie-blanke huisbediendes wat op die erf in diens is.

The conditions (a) and (b) as stated above be should be removed

1.1.2 <u>Erf 2108</u>

The following Restrictive Conditions pertaining to our application in Title Deed T7407/1972:

- (a) Hierdie erf word gebruik vir die oprigting en bewoning van 'n woonhuis wat ontwerp is vir gebruik deur een gesin, tesame met die nodige buitegeboue.
- (b) Geen buitegeboue op die erf word vir woondoeleindes gebruik nie, behalwe deur nie-blanke huisbediendes wat op die erf in diens is.

The conditions (a) and (b) as stated above be should be removed

- 5.1.3 <u>Water and Sewerage:</u>
 - (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.
- 5.1.4 <u>Electricity:</u>
 - (a) It has been confirmed by the Electricity Department that there is sufficient electricity for the owner to build the units.
 - (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 be compliant to SANS 1042.
- 5.1.5 No construction or permanent building may be erected over existing municipal services such as pipelines and manholes.
- 5.1.6 Parking:
 - (a) Each new parking space must comply with the requirements of 2,5m X 5m.
 - (b) 1 parking space for each unit.
- 5.1.7 Additional Provisions:

Description	Details
Coverage	Minimum area of erf
	1850 m2
	Maximum coverage (excluding outbuildings)
	35 %
Height Control	2 storeys
Building Lines	Street boundaries
	5m for mayor street boundaries
	3m for other streets
	Rear boundaries
	4,5m or the half of the building, which ever is
	the greater
	Lateral boundaries
	4,5m or the half of the building, whichever is
	the greater

ITEM 74/2011

(DEPARTMENT: PUBLIC WORKS)

APPLICATION: REZONING TO SPECIAL USE, REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, AMENDMENT OF THE BETHLEHEM TOWN PLANNING SCHEME IN ORDER TO INCLUDE LODGE ZONING FOR PLOT 10, KROMKLOOF NORTH, BETHLEHM: MDA TOWN AND REGIONNAL PLANNERS (PW15/4/1/7)

RESOLVED:

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

Property 1 :	
Smallholding Name	Plot nr 10, Klomkloof North Smallholdings
and number :	

1.00hc
4,28ha
Bethlehem
Agricultural (Smallholding)
T10964/2008
Agricultural (Smallholding)
Special use for the purposes of a lodge
Water
Yes ∎√ No □
Sewerage
Yes ∎√ No □
Electricity
Yes ∎√ No □
Note : 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

- 5.1.1 The following Restrictive Conditions pertaining to the application in Title Deed T10964/2008:
- 2. This plot shall not be subdivided without the consent of the Government.
- 3. That no subdivision of the above plot shall be allowed without the consent of the Government of the Union of South-Africa.
- 4. That this plot shall be used for Agricultural and residential purposes only and that no trade or business, commercial or otherwise, shall be carried on thereon, without the consent of the Government.

The conditions 2,3, and 4 as stated above be should be removed

- 5.1.2 That the definition for a "Lodge" be included in the current Bethlehem Town Planning Scheme – Scheme no 1 of 1986 and that the definition should read as follows:
 - Lodge : means land that contains game (wild animals, birds, or fish) that contain cottages or chalets used for accommodating guests or tourists for short periods and may include conference facilities, dining room, chapel, staff quarters, reception area and bar accessible to the outside public, restaurant, wedding village, but excludes a hotel and resort. Where such a property is located on agricultural land / smallholding such an owner must rezone to Special Use.

- 5.1.3 The following requirements must be adhered for a "Lodge" and should be included in the amendment of the Bethlehem Town Planning Scheme:
 - a. The same architectural style and building materials must be maintained for all buildings.
 - b. Non- residential facilities must be complementary and seco lodge and be restricted to the users of the lodge, e.g. conference facilities, dining room, chapel, staff quarters, reception area, bar, and a restaurant accessible to the outside public.
 - c. Parking:
 - i. 1 (one) parking space per room. The layout of the parkings should be indicated on the site development plan.
 - ii. Entry and Exit from the property must be indicated on the site plan where the minimum width of such a road shall be 4 meters.
 - iii. Provision should be made for loading and off loading for at least 2 vehicles at the proper location.
 - d. The scale of the development should adhere to the character of the area.
 - e. The height permitted will be two (2) storey's.
 - f. The lodge may only be licensed for on-site consumption in terms of the Liquor Act (Act 27 of 1989) for residents only with the exception of a possible restaurant accessible to the outside public.
 - g. The overnight units can be detached or form part of the building as a whole. In the event were the units are detached each separate overnight unit may not exceed 60m². These units must have the same architectural style and can make provision for self catering purposes.
 - h. In the event where such a lodge is in the vicinity of a river or dam the Site plan should indicate the 1:50 and 1:100 year flood line.
 - i. If the lodge will house game, the lodge should adhere to the applicable fencing, stocking of game, farm management practices as set out by the applicable Conservation Authority and/or Department of Local Economic Development Environment and Tourism. (LEDET)
 - 5.1.4 The maximum amount of rooms permitted shall not exceed 30 (thirty) rooms.
 - 5.1.5 A proper site development plan shall be submitted for consideration.
 - 5.1.6 <u>Sewerage :</u>
 - (a) There is no existing Municipal Sewer system on the smallholding. The sewerage capacity as calculated by SC Consulting Engineers for the

development of the lodge is calculated at an average daily peak flow of 0,208 l/sec.

- (b) The engineering report is suggesting a conservancy tank with a storage capacity of 4 days. A conservancy tank is a covered tank with an overflow which is used for the temporary retention of sewerage and it requires emptying at routine intervals.
- (c) We do not support the use of a conservancy tank as the Municipality cannot provide the service to empty the tank every 4 days.
- 5.1.7 <u>Water</u>
 - (a) Water will be supplied from the existing borehole.
 - (b) A storage tank with a capacity of 9 kilo liters per day will be installed. The required capacity for the development is 4,5 kilo liters per day. If a 9 kilo liter storage system is installed this will ensure that storage capacity for 48 hours is available.
- 5.1.8 <u>Electricity:</u>
 - (a) Electricity in the area is provided by Eskom. They have confirmed that they will be able to provide 120kVa for the development.
 - (c) The installation of all electrical services must be compliant to SANS 1042.
- 5.1.9 Parking:
 - (a) Each new parking space must comply with the requirements of 2,5m X 5m.
 - (b) 1 Parking space for each unit must be provided. The entry and exit to the lodge as well as all the parkings should be indicated on a site development plan.

ITEM 75/2011

(DEPARTMENT: PUBLIC WORKS)

PUBLIC WORKS: GREEN AND BLUE DROP RESULTS (PW16/1/1/R)

DISCUSSION:

Clr P H J Olivier requested that his concern about the status of the quality of water, be recorded.

RESOLVED:

that Council takes note of the Green and Blue Drop Assessment Results for the 2010/11 financial year.

ITEM 76/2011

(DEPARTMENT: PUBLIC WORKS)

PUBLIC WORKS: MONTHLY REPORT – PROJECT MANAGEMENT UNIT (JULY 2011)(PW9/2/1/4)

RESOLVED:

that Council takes note of progress made with regard to projects for the month of July 2011.

ITEM 77/2011

(DEPARTMENT: PUBLIC WORKS)

<u>PUBLIC WORKS: MONTHLY REPORT – MECHANICAL ENGINEERING (JULY</u> 2011)(PW9/2/1/4)

RESOLVED:

that Council takes note of the progress report for the Section: Mechanical Engineering for the month of July 2011.

ITEM 78/2011

(DEPARTMENT: HUMAN SETTLEMENTS)

LEASE OF THE OLD MUNICIPAL WAREHOUSE LOCATED ADJACENT TO THE SEWERAGE TREATMENT WORKS, BETHLEHEM (LH7/1/4/1/1)

- 1. that the building known as the Old Municipal Warehouse, of which photos are attached, be leased for a period of three years.
- 2. that with reference to 1 above, tenders be called for in the local newspapers to allow a competitive bidding process.

ITEM 79/2011

(DEPARTMENT: HUMAN SETTLEMENTS)

LAND AND HOUSING: ALLOCATION OF A SITE TO MRS M R MICHAELS FOR HOUSING DEVELOPMENT (LH17/5/R)

RESOLVED:

- 1. that Council takes note of the report on the allocation of a site to build a house for Mrs M R Michaels, land restitution beneficiary.
- 2. that Council approves the allocation of Erf 457 situated in Bakenpark to Mrs M R Michaels.

ITEM 80/2011

(DEPARTMENT: HUMAN SETTLEMENTS)

HANDING OVER AND CANCELLATION OF DEBT ON HOUSES WHICH WERE FINANCED BY THE FREE STATE DEVELOPMENT CORPORATION (FDC)(LH17/1/1)

RESOLVED:

- 1. that Council takes note of the properties that have been transferred to the rightful owners by the Free State Development Corporation, of which a list is attached.
- 2. that Council considers writing off the service accounts of all affected properties to enable the registration of these properties in the Deeds Office.

ITEM 81/2011

(DEPARTMENT: MUNICIPAL MANAGER)

PROCESS PLAN FOR 2011/2012 IDP AND BUDGET (IDP2/4/1)

DEALT WITH DURING A SPECIAL COUNCIL MEETING WHICH WAS HELD ON 26 AUGUST 2011.

ITEM 82/2011

(DEPARTMENT: MUNICIPAL MANAGER)

REPORT ON LEGISLATION GOVERNING PERFORMANCE AGREEMENTS AND EMPLOYMENT CONTRACTS OF MUNICIPAL MANAGERS AND SECTION 57 MANAGERS (IDP2/4/1)(IDP2/4)

RESOLVED:

- 1. that Council takes note of the Local Government: Municipal Systems Amendment Bill, attached as Annexure A.
- 2. that Council takes note of the Local Government: Disciplinary Code and Procedures for Senior Managers, attached as Annexure B.
- 3. that a workshop on Legislation Governing Performance Agreements and Employment Contracts of Senior Managers, be arranged for all Councillors.

ITEM 83/2011

(DEPARTMENT: MUNICIPAL MANAGER)

ESTABLISHMENT OF PERFORMANCE EVALUATION COMMITTEE FOR 11/12 FINANCIAL YEAR (IDP2/4)

- 1. that the process of establishing a Performance Evaluation Committee be adopted and that the committee be constituted as follows:
 - 1.1 Executive Mayor
 - 1.2 Members of the Mayoral Committee
 - 1.3 Chairperson of the Audit Committee
 - 1.4 Mayor and/or Municipal Manager from another municipality; and
 - 1.5 Members of a Ward Committee (on a rotation basis), where applicable
- 2. that subsequent to the establishment of the Performance Evaluation Committee, the performance of the Municipal Manager and that of Managers directly accountable to the Municipal Manager be reviewed as per agreed schedule with the understanding that reviews in the first and third quarter may be verbal if performance is satisfactory.

ITEM 84/2011

(DEPARTMENT: MUNICIPAL MANAGER)

<u>REPORT ON OUTCOME 9: LGTAS MONITORING AND EVALUATION ROADSHOW</u> (IDP2/4/1)

RESOLVED:

- 1. that the Mayoral Committee meets quarterly to consider performance reports before submission to the COGTA.
- 2. that the process for streamlining, standardization and alignment of reporting with Outcome 9: LGTAS so as to improve planning, monitoring and evaluation processes and oversight, be endorsed.
- 3. that notice be taken of the Draft Integrated Reporting Tool for the 2011/2012 financial year attached as Annexure A.

ITEM 85/2011

(DEPARTMENT: LOCAL ECONOMIC DEVELOPMENT)

ILLEGAL FORCEFUL REMOVAL: GROENVOERLANDE NO 1823 (LED13/4/1) (LED2/4/2)

- 1. that Council takes note of the report of the claim lodged by the Titeli family.
- that Council takes note that the farm Groenvoerlande No 1823, Title Deed T29/1986 is currently used for industrial purposes and large companies such as SASKO, Northmec and others are located in the area and different sites were transferred to these companies.
- 3. that Council should consider the type of infrastructure it has on this land and start entering into negotiations with all stakeholders involved and avail alternative land to the claimant which shall be suitable for both residential and agricultural purposes.
- 4. that Council's resolution be submitted to the Commission on Restitution of Land as agreed upon.
- 5. that it be delegated to the Municipal Manager to identify suitable land and engage with the Titel family as well as other stakeholders such as the District Council and the Regional Land Claims Commissioner.

ITEM 86/2011

(DEPARTMENT: LOCAL ECONOMIC DEVELOPMENT)

DRAFT LED STRATEGY (LED2/4/2)

RESOLVED:

that the LED Strategy be adopted.

ITEM 87/2011

(DEPARTMENT: LOCAL ECONOMIC DEVELOPMENT)

THE 2011 ICF CANOE SLALOM WORLD CHAMPIONSHIPS IN SLOVAKIA 2011 (LED17/7/2)

DISCUSSION:

Councillor B D L Venter requested a Council Caucus which was granted. On return of the Caucus, Councillor Venter reported that it has been clarified that the municipality's money was not used for the trip.

RESOLVED:

- 1. that a Council delegation be sent to attend the 2011 ICF Canoe Slalom World Championships on 7 September 2012, in Slovakia.
- 2. that it be delegated to the Municipal Manager to source funds to cover the travelling expenses of the Council delegation.
- 3. that it be delegated to the office of the Executive Mayor in consultation with the Municipal Manager to finalize names of the delegation to Slovakia.

SECTIONI

ITEM B1/2011

(DEPARTMENT: CORPORATE SERVICES)

MONTHLY TRAINING REPORT FOR OCTOBER 2010 (CS4/4/2)

- 1. that the contents of the training report for the month of October 2010, be noted.
- that notice be taken that a three-day workshop on Human Resources Policies was conducted and that two electrical workshop employees were sent for traffic signal design training.

3. that in future the workshop in 2 above be extended to include Councillors as well.

ITEM B2/2011

(DEPARTMENT: CORPORATE SERVICES)

MONTHLY TRAINING REPORT NOVEMBER 2010 (CS4/4/2)

RESOLVED:

that the contents of the training report for the month of November 2010, be noted.

ITEM B3/2011

(DEPARTMENT: CORPORATE SERVICES)

MONTHLY TRAINING REPORT FEBRUARY 2011 (CS4/4/2)

RESOLVED:

that the contents of the training report for the month of February 2011, be noted.

ITEM B4/2011

(DEPARTMENT: CORPORATE SERVICES)

<u>REPORT ON HUMAN RESOURCES DEVELOPMENT WORKING GROUP</u> (CS12/2/9)(CS12/2/1/12)

RESOLVED:

that the report regarding the Human Resources Working Group meeting which was held on 25 February 2011 in Bloemfontein be noted.

ITEM B5/2011

(DEPARTMENT: CORPORATE SERVICES)

<u>REPORT ON SECTOR EDUCATION AND TRAINING AUTHORITY SUMMIT</u> (CS12/2/4)(CS4/4/R)

RESOLVED:

that the contents of the report on the SETA Summit, hosted by the Portfolio Committee on Higher Education and the Premier of the Free State on 14 October 2010, be noted.

ITEM B6/2011

(DEPARTMENT: CORPORATE SERVICES)

MANUFACTURING, ENGINEERING AND RELATED SERVICES SECTOR EDUCATION AND TRAINING AUTHORITY SITE VISIT AND ASSESSMENT (CS4/4/4)

RESOLVED:

that the contents of the report on the MERSETA site visit which took place on Friday, 18 March 2011, be noted.

ITEM B7/2011

(DEPARTMENT: CORPORATE SERVICES)

<u>REPORT ON THE PROVINCIAL HUMAN RESOURCES MANAGEMENT WORKING GROUP</u> (CS9/1/2/7)

RESOLVED:

that the contents of the report on the Provincial Human Resources Management Working Group held on 14 October 2010 at Mangaung Local Municipality, be noted.

ITEM B8/2011

(DEPARTMENT: MUNICIPAL MANAGER)

<u>UPPER LIMITS OF SALARIES OF MUNICIPAL COUNCILS: FINANCIAL YEAR 01 JULY</u> 2010 TO 30 JUNE 2011 (F5/12/1/3)(F12/2/1/12)

- 1. that the contents of Government Gazette No 33867 dated 10 December 2010, a copy of which is attached as Annexure A, be noted.
- 2. that it be noted that the upper limits of Councillors were implemented with the December 2010 salary run and with retrospective effect from July 2010.
- 3. that it be noted that the shortage of R77 562 was referred to the 2010/11 Adjustments Budget.

ITEM B9/2011

(DEPARTMENT: CORPORATE SERVICES)

EMPLOYMENT EQUITY ROADSHOW (CS1/1/1/19)

RESOLVED:

- 1. that the contents of the report on the Employment Equity Roadshow which was held by the Department of Labour on 21 October 2010, be noted.
- that it be noted that the Department of Labour will be invited to do a presentation on Employment Equity and related matters for employees at management level of Dihlabeng Local Municipality.

ITEM B10/2011

(DEPARTMENT: CORPORATE SERVICES)

REPORT OF THE MEETING: MUNICIPAL EMPLOYEES PENSION FUND (CS4/5/5/1/5)

RESOLVED:

that the report on the Municipal Employees Pension Fund meeting held in Bloemfontein on 26 November 2010, be noted.

ITEM B11/2011

(DEPARTMENT: CORPORATE SERVICES)

SKILLS DEVELOPMENT FACILITATORS' FORUM (CS3/2/3/2/16)

RESOLVED:

that the contents of the report on the Skills Development Facilitators' Forum which took place on Wednesday, 16 February 2011, at Xhariep District Municipality be noted.

ITEM B12/2011

(DEPARTMENT: CORPORATE SERVICES)

<u>COMENCEMENT OF THE NATIONAL RURAL YOUTH SERVICE CORPS (NARYSEC)</u> <u>PROGRAMME IN THE FREE STATE (CS12/2/2)</u>

RESOLVED:

that notice be taken of the letter received from the Department of Public Works and Rural Development, Free State Province regarding the implementation and commencement of the National Rural Youth Services Corps (NARYSEC) training programme in the Free State.

ITEM B13/2011

(DEPARTMENT: CORPORATE SERVICES)

DEVELOPMENT BANK OF SOUTHERN AFRICA (DBSA) AND LOCAL GOVERNMENT SECTOR EDUCATION AND TRAINING AUTHORITY (LGSETA) MEETING (CS5/4/2/2)(CS12/2/2/8)

RESOLVED:

that the contents of the report on the DBSA and LGSETA meeting regarding the Siyenza Manje Programme as well as the CBMT (Competency Based Modular Training) Programme, be noted.

ITEM B14/2011

(DEPARTMENT: HUMAN SETTLEMENTS)

LAND AND HOUSING: ALLOCATION OF 100 HOUSING UNITS FOR EMERGENCY HOUSING ASSISTANCE PROGRAMME IN BOHLOKONG, DIHLABENG LOCAL MUNICIPALITY (LH17/5/R)

RESOLVED:

that Council takes note of the allocation of 100 units for emergency housing assistance within Dihlabeng Local Municipality by the Free State Department of Human Settlements.

ITEM B15/2011

(DEPARTMENT: HUMAN SETTLEMENT)

ROLL OUT OF THE HOUSING SUBSIDY BENEFICIARY REGISTRATION TRAINING, FREE STATE HUMAN SETTLEMENTS DEPARTMENT (LH17/5/1/1)

RESOLVED:

that Council takes note of the report on the roll out of the Housing Subsidy Beneficiary Registration Training by the Free State Department of Human Settlements.

ITEM B16/2011

(WOMEN, CHILDREN, DISABILITY AND VULNERABLE GROUPS)

LAUNCH OF THE PROVINCIAL HEALTH COUNCIL (4/12/R)(17/1/R)

RESOLVED:

that the contents of the report about the launch of the Provincial Health Council which was held on 15 July 2011 in Bloemfontein, be noted.

ITEM B17/2011

(WOMEN, CHILDREN, DISABILITY AND VULNERABLE GROUPS)

REPORT ON PROVINCIAL LAUNCH OF MALE MEDICAL CIRCUMCISION (4/12/R)

RESOLVED:

that the contents of the report about the provincial launch of Male Circumcision held on 14 July 2011 at Zuka Baloi Stadium, Welkom, be noted.

ITEM B18/2011

(WOMEN, CHILDREN, DISABILITY AND VULNERABLE GROUPS)

REPORT ON FIRST NATIONAL WOMEN'S CONFERENCE (12/2/2/9)(12/2/4)

RESOLVED:

that the contents of the report regarding the First National Women's Conference held during 31 July to 03 August 2011 at Birchwood Hotel in Boksburg, be noted.

ITEM B19/2011

(WOMEN, CHILDREN, DISABILITY AND VULNERABLE GROUPS)

GLOBAL STRATEGY FOR INFANT AND YOUNG CHILD FEEDING (4/12/R)(17/1/R)

RESOLVED:

that the contents of the report on the Global Strategy for Infant and Young Child Feeding, be noted.

ITEM B20/2011

(WOMEN, CHILDREN, DISABILITY AND VULNERABLE GROUPS)

REPORT ON WOMEN'S GATHERING (17/17/4)

RESOLVED:

that the contents of the report on the Women's Gathering which was held on 9 August 2011 in Bohlokong, be noted.

The meeting terminated at 13:26.

DATE

SPEAKER