

## MOGALAKWENA LOCAL MUNICIPALITY

### COUNCIL

#### **MINUTES OF THE SPECIAL COUNCIL MEETING OF THE MOGALAKWENA MUNICIPALITY HELD IN THE LLEKA LEKALAKALA COUNCIL CHAMBER, CIVIC CENTRE, MOKOPANE ON WEDNESDAY, 19 AUGUST 2009 AT 15:40**

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#### **PRESENT**

AS PER ATTACHED ATTENDANCE REGISTER.

#### **OFFICIALS**

|           |                 |   |   |
|-----------|-----------------|---|---|
| Messrs.   | S W KEKANA      | - | MUNICIPAL MANAGER                             |
|           | G A HUDSON      | - | MANAGER: TRAFFIC & EMERGENCY SERVICES         |
|           | J N FOURIE      | - | MANAGER: ELECTRICAL SERVICES                  |
|           | L J SEBOLA      | - | MANAGER: COMMUNITY SERVICES                   |
|           | T MOGASHOA      | - | MANAGER: TECHNICAL SERVICES                   |
|           | L J PIETERSE    | - | ACTING DEPUTY MANAGER: TECHNICAL<br>SERVICES  |
|           | M P MASHOTJA    | - | DEPUTY MANAGER: DEVELOPMENTAL<br>SERVICES     |
|           | S HLUNGWANI     | - | DIVISIONAL HEAD: TOWN PLANNING                |
| Mesdames. | D E MAILULA     | - | MANAGER: DEVELOPMENTAL SERVICES               |
|           | I A DE VILLIERS | - | ACTING MANAGER: CORPORATE SUPPORT<br>SERVICES |

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#### **1. OPENING**

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The speaker welcomed all present, especially the newly appointed municipal manager.

#### **2. APPLICATION OF MEMBERS FOR LEAVE OF ABSENCE**

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Applications for leave of absence were received from councillors M N Somo, A Cachalia, M Selomo, M E Manganye, M N Sethoga and G E Morkel-Brink.

#### **RESOLVED:**

THAT leave of absence from the special council meeting held on 19 August 2009 be granted to councillors M N Somo, A Cachalia, M Selomo, M E Manganye, M N Sethoga and G E Morkel-Brink.

**3. TOWN PLANNING: OBJECTION – PROPOSED AMENDMENT SCHEME 274**

**(17/2/6/6/274)SH**

**(Developmental services)**

**RESOLVED:**

THAT the application for the rezoning of erf 557 Piet Potgietersrust be approved as indicated hereunder subject thereto that the owner or prospective owner signs the deed of indemnity as approved by the executive committee:

THAT

- a) in terms of section 56 (9) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) the application for the rezoning of erf 557 Piet Potgietersrust from “Residential 1” to “Special ” for a guest house be approved subject to the following conditions:
- i) that a written submission regarding the handling of storm water from and/or onto adjacent erven be submitted;
  - ii) that the necessary documentation, map 3's and clauses be submitted within 30 days of the approval;
  - iii) that one parking space per bedroom suite plus 6 per 100sqm public room area be provided;
  - iv) that the maximum coverage must remain 50% unless relaxed;
  - v) that access should be paved up to street level;
  - vi) that no parking or access to parking shall be allowed in the streets or on the sidewalks;
  - vii) that loading and off-loading facilities should be accommodated on the erf;
  - viii) that site development plans (SDP) with special reference to access, and parking, to the satisfaction of Mogalakwena Municipality, be submitted for consideration;
  - ix) that the amenity of the area in the opinion of Mogalakwena Municipality, not be prejudiced;
  - x) that no title conditions be transgressed;
  - xi) that fire safety plans be submitted to Mogalakwena Municipality;
  - xii) that the primary use of erf 557 remains residential;
  - xiii) that a logo, notice or sign indicating the name of facility may be displayed on the said erf: Provided that such logo, notice or sign does not exceed 600mm by 450mm in size;

- xiv) that the said dwelling house or dwelling unit shall be inhabited by the owner/manager on a permanent basis and the essential nature and function of the said dwelling house or dwelling unit shall be preserved at all times.
  - xv) that asbuilt plans be submitted to the building section within 30 days for the buildings constructed without approved building plans and necessary inspections on erf 557;
  - xvi) that technical and electrical services to identify suitable qualified engineers who must be appointed by the owner of erf 557 to issue compliance certificates in respect of sewerage, water, storm water, electricity and total structural integrity of buildings that have been constructed without building plans and the necessary inspections;
  - xvii) that no occupation of these “unauthorized” structures be allowed until all compliance certificates to the satisfaction of the municipality have been submitted;
  - xviii) that no erection of further buildings of any nature be allowed on erf 557 without approval by the municipality;
  - xix) that the structures on erf 557 only be utilised as a bed and breakfast facility and no conferences, restaurant or serving of liquor on the premises be allowed;
  - xx) that no permanent lodgers be allowed on the premises;
  - xxi) that limited staff quarters be allowed on the premises;
  - xxii) that proper management of the facilities be ensured in order to control noise and disturbance of the residential nature of the area be ensured;
  - xxiii) that the bond holders approval/consent of the rezoning is submitted; and
  - xxiv) that a conveyancer’s certificate be obtained regarding restrictions
- b) the owner or prospective owner of erf 557 Piet Potgietersrust, be responsible for the payment of any municipal services required with regard to development on the erf.
  - c) in terms of section 63 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) the owner of the property referred to in a) *supra* be requested within 30 days from the commencement of the amendment scheme by means of a registered letter to pay the contribution in respect of engineering services, open spaces and parks as approved by council.

**The meeting terminated at 17: 32**

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**SPEAKER**

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**DATE**