



## ENDUMENI MUNICIPALITY

### MUNICIPAL COUNCIL RESOLUTION REGISTER

MEETING DATE: 30 JUNE 2015

COUNCIL RESOLUTION NUMBER	DESCRIPTION OF ITEM	RESOLUTION – Resolved That:		RESPONSIBLE DEPARTMENT
B 01/30/06/15	LABOUR FORUM COMMITTEE MEETING	1.	The Minutes of the Local Labour Forum Committee meeting held on 3 February 2015 be noted.	MHR
B 02/30/06/15	PROPOSED SUBMISSION OF AN APPLICATION IN TERMS OF THE KZN PLANNING & DEVELOPMENT ACT No. 6 OF 2008 (PDA): DELETION OF RESTRICTIVE CONDITIONS RELATING TO THE PROPOSED CRAIGSIDE EXTENSION DEVELOPMENT ON REMAINDER OF ERF 3352 DUNDEE	1.	It being noted that the Endumeni Municipality has entered into a Land Availability Agreement with the Kwazulu-Natal Provincial Department Human Settlements with regard to the development of the Remainder of 3352 Dundee for low cost housing purposes, and is, by virtue of the agreement considered to be the owners of the property;	SML&E
		2.	It further being noted that the Municipality has appointed Messrs Anderson Vogt and Partners of Dundee as implementing agents for the development of the low cost housing project, who in turn has appointed Messrs HSK Simpson and Partners of Dundee to seek the necessary approvals for development of a township extension to the present Craigsides Township on the Remainder of Erf 3352 Dundee;	
		3.	The Council thus, in accordance with the provisions of section 61 of the Kwazulu-Natal Planning and Development Act 2008 (PDA), give its consent to Mr. K.T. Hellberg of HSK Simpson and Partners of Dundee to lodge applications for the deletion of restrictive land development conditions, Restrictive conditions of title and land development (subdivision) on the Remainder of Erf 3352 Dundee and Erf 5093 Dundee or any erven thereon, in terms of the KZN Planning and Development Act No. 6 of 2008 and/or the Spatial Planning and Land Use Management Act No. 16 of 2013.	
B 03/30/06/15	REQUEST FOR PRESENTATION TO COUNCIL	1.	Council identify the list of projects that are on the business plan that will be presented to Council on the day of the meeting. The list of projects will be implemented in the	AMM

			2015/16 financial year.	
C 01/30/06/15	SPATIAL PLANNING AND LAND USE MANAGEMENT ACT - "SPLUMA" (ACT NO. 16 OF 2013): ADOPTION OF SPATIAL PLANNING AND LAND USE BY-LAW	1. 2. 3.	<p>The Endumeni Local Municipal Council hereby adopts the draft Spatial Planning and Land Use By-Law, as provided by the Department of Rural Development and Land Reform, for implementation at local level in anticipation of the implementation of the Spatial Planning and Land Use Management Act, 2013 with effect from 1 July 2015;</p> <p>The draft Spatial Planning and Land Use By-Law be submitted for translation into both the Zulu and Afrikaans languages prior to the publication thereof for public comments and submissions as required in accordance with section 12 of the Municipal Systems Act No 32 of 2000;</p> <p>Upon conclusion of the public participation process, the draft by-law again be submitted to the Council for final consideration</p>	SML&E
C 02/30/06/15	APPLICATION FOR CONSENT FOR THE ESTABLISHMENT OF A GRADE - A PRIVATE MOTOR VEHICLE TESTING STATION	1. 2. 3. 4.	<p>The application from Mr. S L Chunder for the Council's consent for the establishment of a private Grade A Motor Vehicle Testing Station at 24 Avon Road, Dundee, be noted;</p> <p>It be noted that there is already two testing stations in the Endumeni municipal area, being the Endumeni testing station operated by the Endumeni Municipality in accordance with an agreement between the municipality and the Department of Transport, which agreement was recently renewed for a further three years, as well as the Hi-Tech testing station which is privately owned and located in the Avon industrial area;</p> <p>The report from the Manager Safety and Security and head of the testing station, Mr. W Du Plessis, on the impact of an additional testing station, be noted;</p> <p>In view of the above, the application for the Council's consent for the establishment of a third motor vehicle testing station in the Endumeni municipal area be declined due to the impact it will have on the municipal testing station at which the Council has made a substantial financial investment.</p>	SML&E
C 03/30/06/15	COMPILATION OF CONSOLIDATED BY-LAWS	1.	It be noted that the following draft by-laws, as attached to the agenda of the Corporate Services Portfolio Committee, has been published for public participation in order to solicit comments and inputs thereto:	SML&E

			<ul style="list-style-type: none"> <li>• The By-Law relating to Parking</li> <li>• The By-Law relating to Cemeteries</li> <li>• The By-Law relating to Fire</li> <li>• The By-Law relating to Refuse Removal and Disposal</li> <li>• The By-Law relating to Stormwater.</li> </ul>	
		2.	It be noted that at the closing date for the submission of comments and submissions thereon of 5 June 2015, no comments or submissions had been received;	
		3.	The Council thus adopts the said by-laws as is, and submit same to the Kwazulu-Natal Provincial Gazette for promulgation, the said by-laws to become effective from the date of publication thereof.	
C 04/30/06/15	FINANCIAL REPORTING FOR THE MONTH ENDING 31 MAY 2015	1.	The budget statement of the Endumeni Municipality for the period ending 31 May 2015 as required in terms of Section 71 be noted.	CFO
		2.	Employee related costs analysis in terms of section 66 of the Municipal Finance Management Act, 2003 (Act No 56 of 2003) be noted.	
		3.	Revenue enhancement strategy and debt relief programme be a standing item in the Ward Councillors public meetings.	
		4.	Council notes that the municipality is in the process of implementing ITC system to enhance revenue.	
C 05/30/06/15	REVENUE ENHANCEMENT STRATEGY FOR 2015-2016 (DEBT RELIEF CONCESSION FOR ENDUMENI CONSUMERS	1.	Council approves to extend the amnesty for the next 6 months on condition that the outstanding amounts are settled and then the interest, penalties and collection charges be written off.	CFO
		2.	Amnesty period be categorized depending on the amount being owed.	
C 06/30/06/15	SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013) (SPLUMA): INTERIM ARRANGEMENTS FOR THE PROCESSING OF LAND DEVELOPMENT APPLICATIONS WITH EFFECT FROM 1 JULY 2015	1.	In accordance with Regulation 14 of the Spatial Planning and Land Use Management Act No 16 of 2013 (SPLUMA) the sections of the Kwazulu-Natal Planning and Development Act No 6 of 2008 (PDA) that are not inconsistent with the SPLUMA be utilized in the interim to process Land Use and Development Applications	SML&E

C 07/30/06/15	DELEGATIONS OF AUTHORITIES REGISTER: ENDUMENI MUNICIPALITY	1.	The Delegations of Authority Register 2015 for the Endumeni Municipality, as attached to the agenda of the meeting, be adopted.	AMM
C 08/30/06/15	REVISED SCORECARD 2014/15	1. 2.	The Council notes the 2014/15 revised Performance Management System Scorecards; The 2014/15 revised Performance Management System Scorecards be submitted to CoGTA.	AMM
C 09/30/06/15	INTEGRATED DEVELOPMENT PLAN FINAL DRAFT REVIEW 2013/14	1.	<p>The Endumeni Municipality note in terms of Section 5 of the Municipal Systems Act 2000 the Draft review of the Endumeni Integrated Development Plan for the fiscal year 2015/16 and following plans that form part of the IDP or alternatively sector Plans</p> <p>A - Executive Summary</p> <p>B - Planning and Development Principles</p> <p>C - Situational Analysis</p> <p>C1 - Demographic Characteristics</p> <p>C 2 - Cross Cutting Issues (including Spatial, Environmental and Disaster Management)</p> <p>C 3 - KPA : Municipal Transformation and Institutional Development</p> <p>C4 - KPA : Basic Service Delivery</p> <p>C5- KPA : Local Economic Development (LED) &amp; Social Development Analysis</p> <p>C6 - KPA : Financial Viability and Management</p> <p>C7 - KPA : Good Governance</p> <p>C 7- Combined SWOT Analysis</p> <p>C9 - Key Challenges</p> <p>D - Municipal Vision, Goals and Objectives</p>	AEMTS

			<p>E1 - Strategic Mapping</p> <p>E2 - Implementation Plan</p> <p>F - Financial Plan</p> <p>G - Annual Operational Plan [SDBIP]</p> <p>H - Organisational and Individual Performance Management System (OPMS)</p> <p>I - Annexures</p> <p>1.1 - Municipal Sector plans and policies</p> <p>1.2 - Spatial Development Framework (SDF) (include Land Use Management Guidelines)</p> <p>1.3 - Detailed Disaster Management Plan</p> <p>2. Authority be granted to the Municipal Manager to submit three (3) copies of the Draft IDP Review as detailed in one (1) above to the Directorate of Municipal Planning – IDP Coordination Business Unit, Department of Co-Operative Governance and Traditional Affairs for assessment.</p> <p>3. Authority be granted to the Municipal Manager to submit one (1) copy of the Draft IDP Review as detailed in one (1) above to the General Manager: Municipal Governance and Administration, Department of Co-Operative Governance and Traditional Affairs for assessment.</p>	
C 10/30/06/15	ANNUAL PERFORMANCE REPORT 2013/2014	<p>1.</p> <p>2.</p>	<p>Council Adopts the Endumeni Annual Report for 2013/2014;</p> <p>The report be forwarded to and tabled before the Audit Committee and the Oversight Committee MPAC and be further advertised for Public Comment.</p>	AMM
C 11/30/06/15	INFORMATION TECHNOLOGY POLICIES	<p>1.</p> <p>1)</p> <p>2)</p> <p>3)</p> <p>4)</p> <p>5)</p> <p>6)</p>	<p>The following be approved and adopted by Council.</p> <p>CGITC Policy</p> <p>IT Security Policy</p> <p>End user Security Policy</p> <p>IT Strategy</p> <p>Activity Monitoring Policy</p> <p>Antivirus, Firewall and Patch Management Policy</p>	IM

		7) 8) 9) 10)	IT Asset Disposal Policy and Procedure Backup and Restore Policy Physical and Environmental Security Policy Disaster Recovery Plan	
C 12/30/06/15	FEE STRUCTURE FOR LAND USE AND DEVELOPMENT APPLICATIONS IN TERMS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT NO 16 OF 2013 (SPLUMA)	1.	In accordance with Regulation 14(b) of the Spatial Planning And Land Use Management Act No 16 of 2013: Regulations as published in Government Gazette No 10397 dated 23 March 2015, read with section 75A of the Municipal Systems Act No 32 of 2000, the fee structure for the fees payable for land development and land use applications in terms of the Spatial Planning And Land Use Management Act 2013, as attached to the agenda of the meeting, be adopted and approved.	SML&E
C 13/30/06/15	ENDORSEMENT OF ACTIONS TAKEN BY THE EXECUTIVE MANAGER CORPORATE SERVICES MR M HLENGANI WHILE ACTING AS MUNICIPAL MANAGER: ENDUMENI MUNICIPALITY VS JB MALTMAN	1	The authority of the erstwhile acting Municipal Manager, Mr. M Hlengani, in instructing the Council's attorneys Messrs Acutt and Worthington in a summary judgement against Mr. J B Maltman, whilst acting in accordance with the Council's Delegated Powers as adopted at its meeting held on 7 June 2011, and the subsequent steps taken by the attorneys in this regard, be endorsed;	AMM
C 14/30/06/15	ENDORSEMENT OF ACTIONS TAKEN BY THE ACTING MUNICIPAL MANAGER MR S P ZULU: ENDUMENI MUNICIPALITY VS J B MALTMAN	1.  2.	1. The authority of the erstwhile acting Municipal Manager, Mr. S P Zulu, in instructing the Council's attorneys Messrs Acutt and Worthington during February 2015 to institute legal proceedings against Mr. J B Maltman, whilst acting in accordance with the Council's Delegated Powers as adopted at its meeting held on 7 June 2011, and the subsequent steps taken by the attorneys in this regard, be endorsed;  2. The attorneys Acutt and Worthington of Dundee continue to represent the Endumeni Municipality in this litigation.	AMM