

# ENDUMENI MUNICIPALITY

MINUTES of an **ORDINARY MONTHLY MEETING** of the **ENDUMENI TOWN COUNCIL** held in the **COUNCIL CHAMBER, CIVIC CENTRE, 64 VICTORIA STREET, DUNDEE** on **MONDAY, 5 SEPTEMBER 2011** at **18h00**  
**PRESENT:**

**Councillors:**

Cllr S B Mdluli	(Speaker - Chairman)
Cllr T M Mahaye	Mayor
Cllr E M Adam	
Cllr S W Dhlamini	
Cllr Ms T I Makaba	
Cllr Ms W N Mbatha	
Cllr J A Mfeka	
Cllr T B Mkhize	
Cllr H S B Ngobese	
Cllr N S Ntuli	
Cllr A M Raubenheimer	
Cllr M H Zwane	

**In Attendance:**

Mr P G Mabilisa	Acting Municipal Manager
Mr S Perumall	Executive Manager Corporate Services
Mr J B Maltman	Executive Manager Technical Services
Mr I Grisdale	Chief Financial Officer
Mr A J van Wyk	Senior Manager: Corporate Services
Mr C J Retief	Senior Manager: Legal & Estates



C 01/08/2011

**Opening**

As Cllr Ms T I Makaba opened the Ordinary Exco Meeting with prayer prior to this meeting, the meeting was declared open.



C 02/08/2011

**Applications for Leave of Absence**

Nil



C 03/08/2011

**Official Announcements by Speaker/Chairperson /Municipal Manager**

The Speaker reminded Councillors to invite representatives of uThukela Water to their Ward Committee meeting as previously discussed with it.

He has been reminded by uThukela Water that their officials are available to clarify certain issues at the Ward Committee meetings.



C 04/08/2011

**Confirmation of Minutes**

**RESOLVED**

**THAT** the minutes of the following meetings of Council be approved:

Ordinary Meeting	25 July 2011
Special Meeting	15 August 2011



C 05/08/2011

**Questions Of Which Notice Has Been Given**

Nil



C 06/08/2011

**Reports Of The Executive Committee To The Council**

**RESOLVED**

**THAT** the following reports of the Executive Committee to the Council be noted:

Ordinary Meeting                      5 September 2011



C 07/08/2011

**Petitions**

Nil



C 08/08/2011

**Motions**

See Item D 01/05/09/11-1 – D 01/05/09/11-5



C 09/08/2011

**Presentation**

Nil



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# Part A

## MATTERS FOR INFORMATION ONLY

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A 02/15/08/11-1 COUNCILLORS ATTENDANCE OF COUNCIL, EXCO  
AND PORTFOLIO COMMITTEE MEETINGS (C7/1)



A 02/15/08/11 Monthly Reports

A 02/15/08/11-2 MONTHLY REPORT: TRAFFIC (T4/6)



A 02/15/08/11-3 MONTHLY REPORT: TESTING STATION (T4/1)



A 02/15/08/11-4 MONTHLY REPORT: RURAL METRO (F2/6)



A 02/15/08/11-5 MONTHLY REPORT: TALANA MUSEUM (M4/4)



A 02/15/08/11-6 MONTHLY REPORT: DUNDEE PUBLIC LIBRARY  
(L4/2/1)



A 02/15/08/11-7 MONTHLY REPORT: SIBONGILE LIBRARY (L4/4)



A 02/15/08/11-8 MONTHLY REPORT: GLENCOE PUBLIC LIBRARY  
(17/4/6)



A 02/15/08/11-9 MONTHLY REPORT: WASBANK PUBLIC LIBRARY  
(L4/3/1)



A 04/15/08/11-1 MONTHLY REPORT: MANAGER TECHNICAL SERVICES (R3/8)



A 05/05/09/11 WARD 6 WARD COMMITTEE MEETING (B2/3)



A 06/05/09/11 LETTER OF APPRECIATION: DEPARTMENT OF HEALTH (M1/1)



A 07/05/09/11 STAFF OVERTIME (4/5/2/4)



A 07/05/09/11 SUPPORT TO MUNICIPALITIES ON THE IMPLEMENTATION OF INSTITUTIONAL AND ADMINISTRATIVE SYSTEMS (4/4/2)



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**Part B**  
**MATTERS RESOLVED**  
**BY COMMITTEE UNDER**  
**DELEGATED POWERS**

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B 02/15/08/11-1 APPLICATION FOR SUBDIVISION: PROPOSED PORTION 1 AND REMAINDER OF ERF 4319, GLENCOE {T3/6/5(4319 NGL)}



B 02/15/08/11-2 YEARLY PLAN: OFFICE OF SOCIAL DEVELOPMENT (S6/1)



B 02/15/08/11-3 APPLICATION FOR SUBDIVISION: PROPOSED PORTION 1 AND REMAINDER OF ERF 1091, GLENCOE {T3/6/5(1091 NGL)}



B 04/15/08/11-1 REMOVAL OF HEADSTONE ON FAMILY GRAVES AT TALANA CEMETERY TO TALANA MUSEUM (C1/1; 16/6/1)



B 04/15/08/11-2 GREENEST MUNICIPALITY COMPETITION FOR 2011/2012 (16/5/2)



B 04/15/08/11-3 PROVISION OF WATER: UTHUKELA WATER (PTY) LTD (W1/4)



B 05/05/09/11 ACCOUNTS PAID (5/4/1/3)



B 06/05/09/11 NON COMPLIANCE WITH MFMA REPORTING REQUIREMENTS (L3/3/22)



B 07/05/09/11 REQUEST FOR PERMISSION TO UTILIZE SITHEMBILE COMMUNITY HALL: UMZINYATHI DANCE SPORTS (7/1/5/6)



B 08/05/09/11 NATIONAL TRAFFIC ACT 29/1989 EXAMINER OF DRIVING LICENCES, GRADE B, TRAINING OF MISS N C NHLAPO, AS PRESCRIBED IN ROAD TRAFFIC ACT 29/89. THIS TRAINING IS NECESSARY TO UPLIFT THE MENTIONED EXAMINER FROM A GRADE D TO A GRADE B EXAMINER OF DRIVING LICENCES. THIS WILL EXPAND THE RANGE OF DRIVING LICENCES THAT SHE MAY EXAMINE FROM LIGHT MOTOR VEHICLES ONLY TO LIGHT MOTOR VEHICLES, HEAVY MOTOR VEHICLES AND EXTRA HEAVY MOTOR VEHICLES. DURATION OF COURSE WILL BE FROM 28 NOVEMBER 2011 TO 2 DECEMBER 2011 AT TRAFFIC TRAINING COLLEGE PIETERMARTZBURG (4/4/2)



B 09/05/09/11 HERITAGE CULTURAL FESTIVAL – 2011 (11/2/3)



B 10/05/09/11 KWANALOGA/SALGA GAMES – 2011 (12/2/1/10)



B 11/05/09/11 SALGA NATIONAL CONFERENCE: 29 AUGUST – 1 SEPTEMBER 2011: ICC, DURBAN (12/2/1/27)



B 12/05/09/11 REQUEST TO UTILIZE OVAL SPORTS FIELD (S6/1)



B 13/05/09/11 DEPARTMENT OF ARTS AND CULTURE: RECORDS MANAGEMENT COURSE (3/6/1/6)



B 14/05/09/11 AUDIT READINESS SPOT CHECK PROGRAMME (5/1/1)



B 15/05/09/11 REQUEST FOR ASSISTANCE FOR PRAYER DAY: WARD 3 (7/3/2/4/1)





2. It be noted that this portion of land will, in the opinion of Council, not be attractive to any other member of the public due to its location, the uneconomical size thereof, and the fact that it is not a registered subdivision, and that the portion of land is not needed to provide the minimum level of basic municipal services;
3. The application be approved in principle in view of the fact that it will be extremely cost effective and beneficial to Council, as it would generate rental and rates revenue;
4. Such in principle approval be subject thereto that Mr S Madonsela provide Council with a written undertaking accepting liability for all costs incidental to the valuation and advertisement of the proposed lease of this portion of land on Portion 266 of the Farm Coalfields No 2273;
5. Council's Valuers being Messrs HSK Simpson and Partners of Dundee, be requested to provide Council with an estimated fair market related monthly rental amount for the said proposed portion of land;
6. The Council's intent to lease such portion of land to the applicants be advertised for public comments and/ or objections, and should no objections be received, the lease be concluded at the estimated fair monthly market related rental to be determined by the Council's valuers, on an initial three (3) year term, renewable thereafter for further terms of three years at a time should the applicant abide by the terms and conditions of the lease.
7. The proposed lease agreement, as attached to the agenda of the meeting, be approved for the purposes of this lease;
8. The use of the land be monitored from an environmental view point.



**C 02/15/08/11-3**     **APPLICATION FOR USE OF PORTION 119 OF THE FARM CRAIGSIDE No 2272 FOR VEGETABLE GARDEN PURPOSES: SGANANDA TRADING CO-OPERATIVE**     (7/3/2/1/2/1)

**RESOLVED**

**THAT**

**CEO**

1. The application from the Sgananda Trading Co-operative for the use of Portion 119 of the Farm Craigside No 2272 as commercial vegetable gardens, be noted;

2. It being noted that Portion 119 of the Farm Craigside No 2272 is the location of the Dundee Sewer Treatment Works, and is registered in ownership of the Endumeni Municipality;
3. Due to the inherent dangers and risks involved in the contamination of any vegetation and or fresh produce with bacteria and other heavy metals emanating from the sewer treatment works, and the public liability any such contamination would expose the Council to, the application from the Sgananda Trading Co-operative for the use of the land for commercial vegetable gardens not be approved;
4. Sgananda Trading Co-Operatives be assisted to find another property to cultivate vegetables.



**C 02/15/08/11-4**     **ACQUISITION OF STATE OWNED VACANT  
IMMOVABLE PROPERTIES: HOUSING  
DEVELOPMENT AGENCY**     **(7/3/2/4/1)**

**RESOLVED**

**THAT**

**CEO**

1. It be noted that the National Housing Agency has offered its services in assisting the Municipality to acquire vacant state owned immovable properties located within the boundaries of the Endumeni Municipality, that can be utilised by the Municipality for housing development purposes;
2. It being noted that the development costs associated with the development of vacant municipal land is a capital intensive venture which requires great financial input and that the availability of funds for these purposes is limited;
3. It be noted that a total of 47 vacant state owned properties, as depicted on the schedule as attached to the agenda, have been identified which the Endumeni Municipality could utilise for the purposes of development of housing for especially middle income residents as this is where the greatest need for private housing and properties currently exists;
4. The Housing Development Agency formally be requested to assist the Endumeni Municipality in acquiring the vacant state owned land as depicted on the schedule attached to the agenda.



C 02/15/08/11-5 APPLICATION FOR A SITE TO ESTABLISH  
POULTRY FARMS: S T MBATHA AND SFF CLOSE CO:  
SIBONGILE AREA (7/3/2/1)

**RESOLVED**

**THAT**

**CEO**

1. The application from two separate residents of Sibongile, whereby they have requested that vacant land be provided for the purposes of establishing and operating poultry farms, be noted;
2. It be noted that Council has always endeavoured to assist the community as much as possible in order to promote local economic development, thus the applicants be offered a portion of land, being a portion on the Remainder of Erf 10 000, Sibongile as depicted on the sketch plan as attached to the agenda, for these purposes;
3. The applicants be offered the said property in the form of a lease at a nominal rental of R10,00 per month, it being recorded that the Council is of the opinion that, in the interest of promoting local economic development, a market related rental will not be supportive of the initiative of assisting young unemployed persons trying to enter into the informal economy;
4. Once agreement on the land and the extent thereof is reached, a formal lease agreement, which should include health and other requirements, be prepared and submitted to Council for approval.



C 02/15/08/11-6 APPLICATION TO ERECT A BUILDING FOR  
WORSHIP PURPOSES IN SIBONGILE – NAZARETH  
BAPTIST CHURCH (7/3/2/4/28)

**RESOLVED**

**THAT**

**CEO**

1. The application as received from the Nazareth Baptist Church for permission to erect a building for worship purposes upon the Remainder of Erf 10 000, Sibongile be noted;
2. It be noted that the shortage of suitably zoned and registered sites for worship purposes is currently being attended to in an attempt to address the demand for such properties;



**RESOLVED**

**THAT**

**CEO**

1. It be noted that Cllr Ms W N Mbatha tendered her apology;
2. The following recommendations as contained in the minutes of the Council Workshop held on 3 August 2011, be adopted as resolutions of the Council:

C 02/15/08/11-8.1 APPLICATION FOR SUBDIVISION: PROPOSED PORTION 1 AND REMAINDER OF ERF 65, GLENCOE  
{T3/6/5(65 NGL)}

**RESOLVED**

**THAT** it be noted that this item has already been dealt with at the Executive Committee meeting dated 25 July 2011.



C 02/15/08/11-8.2 APPLICATION FOR THE UTILISATION OF ERF 3063, SIBONGILE AS A CAR WASH AND SHISANYAMA – ADVOCATE T P QWABE  
(7/3/2/4/29)

**RESOLVED**

**THAT**

1. The written application from Advocate Qwabe for the utilisation of Erf 3063, Sibongile, whereupon he intends to establish a carwash and Shisanyama, be noted;
2. All the submissions as cited by Advocate Qwabe in his application, be noted;

3. Advocate Qwabe's application for the award to him of Erf 3063, Sibongile be declined due to the fact that it is contrary to the provisions of Section 14 of the Municipal Finance Management Act No 56 of 2003, and Council's Supply Chain Management Policy;
4. Erf 3063, Sibongile be offered for rental in accordance with a public bid procedure in terms of the Council's Supply Chain Management Policy, and Council's Valuers being, Messrs HSK Simpson & Partners of Dundee, be mandated to provide Council with a fair market related monthly rental value which is to be utilised as an upset price for such rental of Erf 3063, Sibongile.



**C 02/15/08/11-8.3 SALE PROPOSAL: PORTION 202 OF THE FARM COALFIELDS No 2273: DIOCESE OF NATAL**  
(7/3/2/4/1)

**RESOLVED**

**THAT**

1. The letter from the Diocese of Natal, dated 16 June 2011, wherein they enquire whether the Council will be interested in acquiring their property known as Portion 202 of the Farm Coalfields No 2273, in extent 4047m<sup>2</sup>, be noted;
2. It be noted that:
  - 2.1 this property historically used to accommodate a church and graveyard, but that the use thereof for these purposes has ceased long ago, and the gravestones thereon had been moved to the premises of the Talana Museum for heritage purposes;

2.2 that the property is surrounded by land registered in ownership of the Endumeni Municipality, known as Portion 266 of the Farm Coalfields No 2273, in extent 376,936 hectares;

3. The Diocese be advised that the Council will only accept transfer of ownership of their property, if it is offered to the Endumeni Municipality as a donation.



C 02/15/08/11-8.4 RENEWAL OF LEASE AGREEMENT: DUNDEE ANGLING CLUB (A PORTION OF REMAINDER OF ERF 1586, DUNDEE) (L1/6)

**RESOLVED**

**THAT**

1. The lease of municipal owned land known as a Portion of the Remainder of Erf 1586, Dundee, by the Dundee Angling Club, be noted;
2. The expiration of the abovementioned lease agreement between the Endumeni Municipality and the Dundee Angling Club at the end of May 2011, be noted;
3. The Angling Club's willingness to renew the said lease agreement with the Endumeni Municipality, be noted;
4. The lease be renewed upon the same terms and conditions of the previous lease agreement, except for the increase in annual rental from R120,00 per annum to R240.00 per annum.



C 02/15/08/11-8.5 APPLICATION TO LEASE A  
PORTION OF THE REMAINDER  
OF ERF 642, DUNDEE: GUY  
SLATER COAL TRADING CC  
(L1/7; 643S)

**RESOLVED**

**THAT**

1. The application as received from Messrs Guy Slater Coal Trading CC for the lease of a portion of land of approximately 1200m<sup>2</sup> adjacent to their current place of business at 17 Van Eck Street, Dundee, be noted;
2. It be noted that this portion of land will, in the opinion of Council, not be attractive to any other member of the public due to its location, the uneconomical size thereof, and the fact that it is not a registered subdivision, and that the portion of land is not needed to provide the minimum level of basic municipal services;
3. The application be approved in principle in view of the fact that it will be extremely cost effective and beneficial to Council, as it would generate rental and rates revenue;
4. Such in principle approval be subject thereto that Messrs Guy Slater Coal Trading CC provide Council with a written undertaking accepting liability for all costs incidental to the valuation and advertisement of the proposed lease of this portion of the Remainder of Erf 642, Dundee;
5. Council's Valuers being Messrs HSK Simpson and Partners of Dundee, be requested to provide Council with an estimated fair market related monthly rental amount for the said proposed portion of the Remainder of Erf 642, Dundee;

6. The Council's intent to lease such portion of land to the applicants be advertised for public comments and/or objections, and should no objections be received, the lease be concluded at the estimated fair monthly market related rental to be determined by the Council's valuers, on an initial three (3) year term, renewable thereafter for further terms of three years at a time should the applicant abide by the terms and conditions of the lease;
7. The proposed lease agreement, as attached to the agenda of the meeting, be approved for the purposes of this lease.



**C 02/15/08/11-8.6 APPLICATION TO LEASE A PORTION OF LAND AT THE MUNICIPAL AIRFIELD: MR VGA LAMBERTELLI (L1/6; A3/1)**

**RESOLVED**

**THAT**

1. The application from Triple Option Trading, represented by Mr VGA Lambertelli, for the lease of a proposed portion of approximately 121 square meters at the municipal airfield in Dundee, be noted;
2. In view thereof that:
  - (a) Council will incur no cost whatsoever with regard to the lease of this portion of land to Mr Lambertelli,
  - (b) the generation of monthly rental and property rates from the said portion of land to be leased, which is currently stagnant, will be in the Council's interests as it will generate revenue,

Mr Lambertelli's application be approved in principle, subject to him submitting plans of construction work on his property in Craigeiburn:

3. Mr Lambertelli be requested to provide a written undertaking accepting liability for all costs incidental to the lease of the proposed portion of the airfield so applied for;
4. Council's valuers, being Messrs HSK Simpson and Partners of Dundee, be requested to provide an estimated fair market related monthly rental value for the proposed portion of the municipal airfield which is adjacent to the current hangars at the airfield and is approximately 121 square meters in extent;
5. In order to comply with the requirements of transparency and openness, this proposed lease be advertised for public comments and objections prior to the conclusion of any agreement hereon.



**C 02/15/08/11-8.7 APPLICATION FOR OFFICE ACCOMODATION AT WASBANK OFFICES: DEPARTMENT OF SOCIAL DEVELOPMENT (M3/13)**

**RESOLVED**

**THAT**

1. The application from the Department of Social Development for a further two rooms at the Wasbank Municipal Offices, as well as the application received from the elected councillor for Ward 1, Councillor S W Dlamini, be noted;

2. It be noted that a satellite office for the Department of Social Development at Wasbank would be extremely helpful to the community, as it would assist the local community in receiving social assistance from the government closer to their places of residence instead of having to travel to Glencoe for such assistance, and that an office for the elected councillor for Ward 1 would assist the councillor in performing his official duties, although the incumbent is not a full time councillor;
3. In view of the above, the request from the Department of Social Development for a further two offices at the Wasbank Municipal building, be declined, but that only one (1) further office be made available for their purposes;
4. Such approval be subject to the same terms and conditions as approved by the Council at its meeting held on 23 September 2010, it being made a further condition that the office accommodation shall be leased at a nominal fee of R50.00 per office per annum;
5. The proposed lease agreement, as attached to the agenda, be approved for the lease of the office accommodation by the Department of Social Development;
6. The incumbent councillor for Ward1, being Councillor S W Dlamini, be granted permission to occupy the remaining one (1) office for official purposes but due to no provision being made in the a budget, no upgrading or furnishing of the office be made and that the office be utilized "voetstoots".



C 02/15/08/11-8.8 SALES AND LEASE AGREEMENTS: IMMOVABLE PROPERTIES (L1/7)

**RESOLVED**

**THAT**

1. The proposed sales agreements pertaining to residentially, commercially and industrially zoned vacant immovable properties, as enclosed with the agenda of the meeting, be approved for use thereof with the recently advertised sale of such immovable properties by public bid process in terms of the provisions of Section 14 of the Municipal Finance Management Act No 56 of 2003, read with the contents of the Council's Procurement Policy;
2. The proposed lease agreements, pertaining to the recently advertised leases of Erf 1955, Glencoe and the Old Police Station in Sibongile, as enclosed with the agenda of the meeting, be approved.



C 02/15/08/11-8.9 OLD SITHEMBILE ADMINISTRATION BUILDING (L1/7; 618S)

**RESOLVED**

**THAT** the possibility of utilizing Erf 618, Sithembile for community purposes be submitted to a next Ward Committee meeting for proposals to be considered by the Council.



**C 02/15/08/11-8.10 APPLICATION TO LEASE OLD  
CARAVAN PARK AND  
SWIMMING POOL COMPLEX:  
DUNDEE (7/1/4/1)**

**RESOLVED**

**THAT**

1. The application from Dr S G Kunene for the lease of the old caravan park and swimming pool complex on an unregistered part of the Remainder of Erf 1586, Dundee, be noted;
2. It be noted that Dr Kunene has been advised that the subject properties had, in terms of resolutions of the Council taken in 2002 and 2004, been offered to the Dundee Junior School as donations, and as such his application to lease cannot be considered;
3. It be noted that, despite constant correspondence with the KZN Provincial Department Works in Ladysmith to accept responsibility and ownership of the subject properties, no official response thereto has to date been forthcoming from the Department;
4. The Department Works be advised that, should no official response be forthcoming from them regarding their stance on accepting the donation of these subject properties from the Municipality, as well as the Municipality's request for exchange of the properties for Erf 62, Dundee, within thirty (30) days from date of correspondence to them, the Council will have no other alternative but to rescind and withdraw its decision to so donate the subject properties to the Dundee Junior School.

5. The matter again be submitted to the Council with a progress report hereon in September 2011.



C 04/15/08/11-1 **GLENCOE SITHEMBILE HOUSING PROJECT PHASE 2**  
(H1/1)

**RESOLVED**

**EMTS** **THAT** the Endumeni Municipality note a report prepared by SBP Project Management in respect of Glencoe Sithembile Housing Project- Phase 2. A project implemented by the department of Human Settlements and it be further noted that the Endumeni Municipality is not a signatory to the development agreement



C 04/15/08/11-2 **REQUEST FOR A TRAFFIC SAFETY PLAN TO BE IMPLEMENTED BY KZN PROVINCIAL AUTHORITIES ON A ROAD DECLARED IN TERMS OF THE PROVINCIAL ROADS ACT (KWAZULU-NATAL) 4 OF 2001 AS P 356/2 AND INCLUDES THE DESIGN CONSTRUCTION OF PAVEMENTS, SIGNAGE AND SPEED BUMPS TO MITIGATE THE RISKS OF FURTHER FATALITIES AT SITHEMBILE/GLENCOE ENTRANCE INTERSECTION**  
(T4/1)

**RESOLVED**

**THAT**

- EMTS**
1. The Endumeni Municipality support the initiative of the Honourable Mayor Cllr T M Mahaye in requesting the Minister of Transport of the Province of KwaZulu-Natal as attached to the Agenda as per annexure "A";
  2. The Province of KwaZulu-Natal implement a road traffic safety plan that includes design construction of pavements, signage and speed bumps in order to mitigate the risks of further fatalities to school children on road P 365/2 A provincial road that traverses the Sithembile/Glencoe entrances.



**RESOLVED**

**THAT**

**EMTS**

1. The application from the owner of Erf 1092, 883 Madondo Street, Mr T R Madida, for a change of land use on the property from “Residential” to “Commercial” be supported in principle;
2. Final approval shall only be considered once the applicant has adhered to the following in terms of clause 10, 11 and 12 of the Land Use conditions promulgated in terms of section 66(1) of the Black Communities Development Act No. 4 of 1984;
  - 2.1 The owner of the property, T R Madida, submits to the Council a letter that he is in support of the application for change of land use.
  - 2.2 A notice stating that such an application for the change of land use from “Residential” to “Commercial” has been submitted to the Endumeni Municipality, be affixed, displayed and maintained on the premises to which it applies for a period of fourteen days;
  - 2.3 A copy of such notice be given to all owners of properties within 100m radius from Erf 1092, stating that should they have any objection to the application they may lodge such objection in writing to the Endumeni Municipality and the applicant within fourteen days after the date of the last day of display of the notice;
  - 2.4 proof of display of the notice and a list of the owners to whom such notice was served shall be submitted to the municipality.
3. The onus shall be upon the applicant to bear all cost involved in the above.



C 04/15/08/11-4 **INTEGRATED DEVELOPMENT PLAN** (P3/17)

**RESOLVED**

**EMTS** **THAT** the Endumeni Municipality note the acknowledgment of receipt by the KwaZulu-Natal Provincial Treasury on 3 June 2011 of Endumeni IDP 2011/2012 as attached to the minutes as per Annexure “A”.

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C 04/15/08/11-5 **ASSESSMENT OF INTEGRATED DEVELOPMENT PLANS: PROCESS PLAN APPROVAL IDP 2012/2013** (P3/17)

**RESOLVED**

**THAT**

- EMTS**
1. The Endumeni Municipality approve the Process Plan for implementation of Review, Endumeni IDP 2012/2013 for implementation in fiscal year 2011/2012 as appended to the Minutes as per Annexure “A”.
  2. The IDP 2012/2013 will be submitted to the Minister and should there be any further amendments, this will be added accordingly.

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C 04/15/08/11-6 **PROJECT K0509002 SIBONGILE BUFFER STRIP HOUSING PROJECT: APPOINTMENT OF A STEERING COMMITTEE** (P3/17 /8)

**RESOLVED**

**THAT**

- EMTS**
1. The Endumeni Municipality note the appointment of KV3 as per Annexure “A”;
  2. The report received from KV3 dated 24 June 2011 and 28 February 2011 regarding Project K0509002 be noted as per Annexure “B”;
  3. The Endumeni Municipality note Annexure “C” detailing requests made to Director Project Manager Northern Region for financial information in order to package project;
  4. The Endumeni Municipality note reconciliation statement of Sibongile Buffer Strip K0509002 as per Annexure “D”;

5. The Endumeni Municipality note income and expenditure reconciliation statement as prepared by Endumeni Finance Department for Sibongile Buffer Strip K0508002 as per Annexure 'E';
6. The Acting Municipal Manager be authorised to convene a meeting with the Department of Human Settlements and Kwezi V3 to resolve the way forward to complete the revised funding application as detailed per Kwezi V3 report of 28 February 2011.
7. A new Chief Quantity Surveyor, Miss N Chiluvane has been appointed by the Department of Human Settlements and a meeting between herself and Mr J B Maltman has been scheduled for the 19 August 2011 to discuss and finalise the certificates for incomplete roads and unblocking of abovementioned project.



**C 04/15/08/11-7** **ENDUMENI MUNICIPALITY: UPGRADING OF PROVINCIAL ROADS P6/5, P34/1, P34/2 AND P272 WITHIN ENDUMENI MUNICIPAL BOUNDARIES: APPLICATION TO ENTER INTO AN AGREEMENT WITH A MUNICIPALITY TO PROVIDE FOR A DOT CONTRIBUTION TO SECURE RECONSTRUCTION, IMPROVEMENT AND REPAIR OF PROVINCIAL ROADS IN TERMS THE PROVINCIAL ROADS ACT (KWAZULU-NATAL) 4 OF 2001** (T4/1)

**RESOLVED**

**THAT**

**EMTS**

1. The Endumeni Municipality support the initiative of the Honourable Speaker Cllr S B Mdluli in requesting the Minister of Transport of the Province of KwaZulu-Natal for additional funding for provincial roads projects as attached to the minutes as per annexure "A";
2. The Endumeni Municipality has already committed themselves to the upgrading of Provincial Roads within Dundee and subscribe fully with approval granted by DOT Engineering Services Department. However funds available will not be sufficient to address all rehabilitation and traffic management measures required and formal application be made to KZN DOT to explore the possibility of obtaining funding from the KZN DOT towards the rehabilitation and future maintenance costs. The municipality records is precluded from rehabilitating provincial assets as it would amount to performing a function that the Province of KwaZulu-Natal on a preliminary view it is required to exercise as defined in the of Provincial Roads Act No. 4 of 2001. If it did so, it would be acting beyond its powers, and would not be acting lawfully. That Council resolution C 09/05/05/10 be reaffirmed.



C 04/15/08/11-8 **SERVICE DELIVERY BUDGET IMPLEMENTATION PLAN: 3<sup>rd</sup> & 4<sup>th</sup> QUARTER REPORTS: SECTION 57 MANAGERS PERFORMANCE REPORTS 3<sup>rd</sup> & 4<sup>th</sup> QUARTER** [P3/17(a)]

**RESOLVED**

**EMTS** **THAT** the Endumeni Municipality adopts the 3rd & 4th Quarter SDBIP Reports and 3rd & 4th Quarter Section 57 Performance reports for Chief Financial Officer, Executive Manager Corporate Services and Executive Manager Technical Services in respect of fiscal year 2010/2011.



C 04/15/08/11-9 **ORGANIZATIONAL PERFORMANCE MANAGEMENT SYSTEM** [P3/17(a)]

**RESOLVED**

**THAT**

- EMTS**
1. The departmental scorecards of the Manager Corporate Services, Chief Financial Officer and Manager Technical Services, as attached to the Minutes, be adopted in terms of the Endumeni Organizational framework for the period 01 July 2010 to 30 June 2011 as per Section 72 of the MFMA;
  2. The Endumeni Organizational scorecard be adopted in terms of the Endumeni Organizational framework for the period 01 July 2010 to 30 June 2011 as per Section 72 of the MFMA;
  3. The Reports of Gobodo (Pty) Limited External Auditor to Endumeni Municipality, pertaining 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> Quarter performance Audit and Minutes of the Endumeni Audit Committee in respect of Endumeni Organizational Performance Review for the period 01 July 2010 to 30 June 2011 be noted.



C 04/15/08/11-10 APPLICATION FOR DBSA LOAN TO FUND PURCHASE OF TWO 63KW FOUR WHEEL DRIVE SIDE SHIFT BACKHOE LOADERS POWERED BY NATURALLY ASPIRATED DIESEL ENGINES  
ENDUMENI MUNICIPALITY (5/8/2/1)

**RESOLVED**

**EMTS** THAT the Endumeni Municipality note the application for a loan to fund the purchase of two 63kw four wheel drive side shift backhoe loaders powered by naturally aspirated diesel engines submitted by the Municipal Manager to the DBSA.



C 04/15/08/11-11 CONSTRUCTION OF PEDESTRIAN BRIDGE AND WALKWAYS TOWARDS AVOCA COMMUNITY (R3/4)

**RESOLVED**

**EMTS** THAT the Endumeni Municipality consent to the submission of a business plan from Ilifa Africa Engineers.



C 05/05/09/11 APPLICATION FOR ANNUAL ALLOCATION – ENDUMENI TOURISM (P5/5)

**RESOLVED**

**THAT**

- CFO**
1. Council approves an amount of R164 417.04 (0.1% of the Operating Expenditure Budget) be granted to Endumeni Tourism for the 2011/2012 financial year;
  2. The amount be funded ex vote 111 260 215.



C 06/05/09/11 REVISION OF SUPPLY CHAIN MANAGEMENT POLICY (L3/3/22)

**RESOLVED**

**CFO** THAT the revised Supply Chain Management Policy, be workshopped by the Council.







3. The Endumeni Municipality formally accept liability for the Community Hall to be constructed on the Farm Stratford No 2367 Dundee GT and undertake to maintain the asset after transfer.



C 15/05/09/11

**APPLICATION FOR LAND IN ORDER TO ESTABLISH  
COMMUNITY GARDENING PROJECT: COUNCILLOR  
M H ZWANE** (7/3/2/4/1)

**RESOLVED**

**THAT**

**CEO**

1. The application from the Councillor for Ward 3, being Councillor M H Zwane, for vacant municipal land in order to establish a community gardening project thereon, be noted;
2. It be noted that the vacant land as identified by the Councillor, being portions of Portion 2 of Erf 2990, Glencoe, as depicted on the sketch plan as attached to the agenda, is located within a high voltage Eskom servitude area;
3. The application for the use of the said portions of land as a community gardening project be approved in terms of a local economic development initiative, subject to the following conditions:
  - 3.1 that the community who is to utilise the portions of land as a gardening project should elect/ appoint a person or persons as representative/s to act as liaison with the Municipality during the use of the land for this purpose;
  - 3.2 that, once the representatives are appointed, a formal agreement for the use of the land be compiled and tabled for Council's approval;
  - 3.3 that the Endumeni Municipality and Eskom be absolved from any liability in respect of any injuries, death or damages that may result from the use of the said portions of land for these purposes.





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# Part D

# MOTION

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D 01/05/09/11-1 **MOTION I**

(3/4/3)

Cllr M H Zwane requested that a report on the Public Protector's findings be submitted to the Council.

He further requested that the Turn-Around Strategy also be submitted to the Council.

The Acting Municipal Manager advised that the Council is still awaiting the report of the Public Protector and that as soon as same has been received, it will be submitted to the Council. The Turn-Around Strategy was an initiative from Government where all municipalities were audited.

Thereafter municipalities were given guidelines to compile a Turn-Around Strategy.

The Turn-Around Strategy documents were given to each Councillor when they were inaugurated.

Reports are being sent to the Provincial Administration on a quarterly basis.

After further discussion, it was

## RESOLVED

## THAT

**AMM**

1. The Public Protector be requested to expedite the report regarding, *inter alia*, the community protest which it is presently investigating;
2. It be noted that the Turn-Around Strategy was given to each Councillor during their inauguration for scrutiny.



Cllr Ms W N Mbatha questioned whether there was funds budgeted for such an expenditure.

She further questioned whether the present facilities were not sufficient for the Ward Committees.

The Chief Financial Officer advised that no provision had been made on the Council's budget for such an expenditure.

He suggested that a cost analysis be made to determine what the cost would be to establish a help desk for each Ward.

**RESOLVED**

**THAT**

**CFO**

1. The Chief Financial Officer determine the cost to establish a help desk for each Ward in Endumeni;
2. The Chief Financial Officer investigate and advise the Council of alternative options to establish a help desk for each Ward.



The Executive Manager: Technical Services advised that he has discussed this matter with management and with the Department of Human Settlements. Tenders have been called for service providers in conjunction with the Department of Human Settlements.

The tender will be awarded shortly and will deal with item 1 of the Motion.

He further advised that in respect of item 2 of the Motion, the Council was not a signatory to the building of the houses.

The signatories to the project were the Minister and a company called SBP Projects Management.

This project is part of an investigation by the Public Protector and the Province and when the report is available, it will be submitted to the Council.

**RESOLVED**

**EMTS**

**THAT** it be noted that the project concerning the building of houses and a hostel in Sithembile is under investigation by the Public Protector and the Provincial Administration and that the report will be submitted to the Council on receipt thereof and that it further be noted that the Department of Human Settlements has called for tenders for service providers and that same will be awarded in the near future.



**D 01/05/09/11-4** **MOTION IV**

**(3/4/3)**

After discussion, it was

**RESOLVED**

**AMM  
CFO**

**THAT** a sub-committee consisting of the Mayor, Deputy Mayor, the Chief Financial Officer and the Acting Municipal Manager be established to advise the Council on the possibility of providing the Deputy Mayor with a security guard and a driver when required.



**D 01/05/09/11-5** **MOTION V**

**(3/4/3)**

The Committee was of the opinion that the Wasbank Library should be open to the public on a full day basis and that the other libraries be open on a Saturday.

**RESOLVED**

**THAT**

**SMCS**

1. The Wasbank Library be opened to the public on a full day basis;
2. The Sibongile, Glencoe and Dundee Libraries be opened half day on a Saturday.



There being no further matters for consideration, the Chairperson declared the meeting closed at **18h15**

.....  
**CHAIRPERSON**

.....  
**DATE**