

# ENDUMENI MUNICIPALITY

MINUTES of an ORDINARY MEETING of the ENDUMENI TOWN COUNCIL held in the COUNCIL CHAMBER, CIVIC CENTRE, 64 VICTORIA STREET, DUNDEE on THURSDAY, 26 JANUARY 2012 at 18h38

## PRESENT:

### Councillors:

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

### 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
Miss ZSZ Mkhize	Committee Clerk
Miss G Sikhakhane	Committee Clerk





**C 07/01/2012**

**Petitions**

Nil



**C 08/01/2012**

**Motions**

Nil



**C 09/01/2012**

**Presentation**

Nil



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# Part A

## MATTERS FOR INFORMATION ONLY

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A 01/17/01/12-1 WARD 1WARD COMMITTEE MEETING (3/4/6)



A 02/17/01/12-1 COUNCILLORS ATTENDANCE OF COUNCIL, EXCO  
AND PORTFOLIO COMMITTEE MEETINGS (3/4/2)



A 02/17/01/12 Monthly Reports

A 02/17/01/12-2 MONTHLY REPORT: TRAFFIC (17/2/4)



A 02/17/01/12-3 MONTHLY REPORT: TESTING STATION (17/2/4)



A 02/17/01/12-4 MONTHLY REPORT: RURAL METRO (16/7/2)



A 02/17/01/12-5 MONTHLY REPORT: TALANA MUSEUM (7/4/3)



A 02/17/01/12-6 MONTHLY REPORT: DUNDEE PUBLIC LIBRARY  
(17/4/1)



A 02/17/01/12-7 MONTHLY REPORT: SIBONGILE LIBRARY (17/4/2)



A 02/17/01/12-8 MONTHLY REPORT: GLENCOE PUBLIC LIBRARY  
(17/4/3)



A 02/17/01/12-9 MONTHLY REPORT: WASBANK PUBLIC LIBRARY  
(17/4/4)



A 03/17/01/12-1 QUARTELY REPORT ON SCM IMPLEMENTATION  
(1/4/1/30)

A 03/17/01/12-2 STAFF OVERTIME (4/5/2/4)



A 04/17/01/12-1 MONTHLY REPORT: MANAGER TECHNICAL SERVICES  
(16/3/4/3)





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**Part C**  
**MATTERS REFERRED**  
**TO COUNCIL**  
**FOR CONSIDERATION**

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**C 01/17/01/12-1** **IMPLEMENTATION PROTOCOL BETWEEN THE MINISTER OF THE NATIONAL DEPARTMENT OF PUBLIC WORKS AND MAYOR OF ENDUMENI MUNICIPALITY ON THE EXPANDED PUBLIC WORKS PROGRAMME (2009-2014)** (1/5/2/1)

**RESOLVED**

**THAT** the action of the mayor by signing the document pertaining Phase 2 of the expanded public works programme (2009-2014) be condoned.



**C 01/17/01/12-2** **STIPENDS OF WARD COMMITTEES** (4/2/B)

**RESOLVED**

**THAT**

1. Ward Committees be paid a stipend in lieu of a travelling allowance.
2. Travelling allowance be scrapped.
3. With effect from 1<sup>st</sup> of February 2012 the Ward Committees be paid a stipend of R350.00 per month and on the new budget be paid R500.00 per month with effect from 1<sup>st</sup> of July 2012.
4. The Finance Department draws up a proper schedule for payment of the stipends to the Ward Committees in terms of Financial Regulations.









4. It be noted that finances for the development of these portions of land so identified for a crèche and community hall purposes will have to be sourced;
5. The portions of land so identified, being Erven 5291 and 5292, Dundee, be provisionally allocated for the establishment of a crèche and community, provided that an alternate venue for the location of a soccer field can be found, and the necessary finances for the development of the erven for the purposes so identified can be sourced.



**C 02/17/01/12-3    DONATION OF A VACANT PROPERTY: PORTION 202 OF THE FARM COALFIELDS NO. 2273 CHURCH OF THE PROVINCE OF SOUTH AFRICA.**  
(7/3/2/4/1)

**RESOLVED**

**THAT**

1. The letter received from the Diocese of Natal, Church of the Province of South Africa, dated 23 November 2011, regarding the donation of Portion 202 of the Farm Coalfields No. 2273, to the Endumeni Municipality, be noted;
2. Considering the fact that the Council could utilise the said portion of land to assist small scale and emerging farmers with land for grazing purposes, as the land so offered as donation is surrounded by Council owned property, the donation of the said land by the Diocese of Natal, Church of the Province of South Africa, be accepted, and the Council accepts liability for the transfer fees due, which is estimated to be in the region of R5200.00.



**C 02/17/01/12-4    SALE OF VACANT LAND FOR DEVELOPMENT PURPOSES: ERF 1381, GLENCOE**  
(7/3/2/4/31;1381 NGL)

**RESOLVED**

**THAT**

1. The Council's valuers, being Messrs HSK Simpson and Partners of Dundee, be requested to provide an estimated fair market related sales value of the property known as Erf 1381, Glencoe;

2. Upon receipt of the report from the valuers, the matter again be submitted to the Council for further consideration on the sale thereof for development purposes.



**C 02/17/01/12-5     DONATION OF PORTION OF A VACANT LAND TO  
ENDUMENI MUNICIPALITY: REMAINDER OF ERF  
1418, GLENCOE: Mr NJ HARTUNG  
(7/3/2/4/31;1418/R NGL)**

**RESOLVED**

**THAT**

1. It being noted that Erf 1418, Glencoe had been subdivided into Portions 1, 2 and the Remainder thereof in 1976, and that clause 10 of the Conditions of Establishment issued under PTB 14859 had required that a road servitude in favour of the erstwhile Glencoe Municipality be registered over the Remainder thereof;
2. It further be noted that the original owner of Erf 1418, Glencoe, being a Mr N J Hartung, has in the early 1980's disposed of all the properties, except for the Remainder thereof, and that the required road servitude had never been registered in compliance with the Conditions of Establishment;
3. It be noted that the registered owner of the Remainder of Erf 1418, Glencoe, Mr N J Hartung, has, in a letter dated 7 December 2011, offered to donate the property to the Endumeni Municipality, on condition that the Municipality accepts liability for the transfer costs, which should be in the region of R5200.00;
4. It being noted that the acceptance of the donation can be viewed as a rectification of a matter that should have been attended to by the erstwhile Glencoe Municipality and transferring attorneys during the early 1980's, and may also be seen as an appropriate method of obtaining land that may be used to promote road safety in the interest of the community and visitors to the area, as the said property, being 8m<sup>2</sup> in extent, is supposed to be utilised as a splayed corner at the intersections of Biggar Street North and Seder Avenue, Glencoe, being an intersection at a main arterial route through the town;
5. In view of the above, the donation of the said Remainder of Erf 1418, Glencoe, in extent 8m<sup>2</sup>, with a municipal value of R1000.00, by the current registered owner thereof Mr N J Hartung as per Title Deed No T 11947/1974, be accepted, and that the Council accepts liability for the costs involved in obtaining ownership of the property;

6. The Acting Municipal Manager be authorised to sign any documents incidental to effecting the donation, and transfer of ownership of the property into the name of the Endumeni Municipality.



**C 02/17/01/12-6** **ESTABLISHMENT AND OPERATION OF A POUND IN TERMS OF THE KWAZULU-NATAL POUND ACT NO. NATAL POUND ACT NO. OF 2006** (L3/3/36)

**RESOLVED**

**THAT**

1. It be noted that the Kwazulu-Natal Pounds Act No 3 of 2006 requires that municipalities must establish and operate a pound for its area of jurisdiction;
2. It be noted that the Department Co-operative Governance and Traditional Affairs has made available a grant of R1 million to the Municipality for the establishment of a pound in the Endumeni municipal area;
3. It be noted that, in pursuance of an earlier resolution of the Council in terms of Section 78 of the Municipal Systems Act No 32 of 2000, a public consultation process was undertaken by means of notices in the local newspaper calling upon the general public to comment on the Council's intention to explore the possibility of providing such service through an external mechanism, and that at the closing date of 15 December 2011, only one comment thereon was received, to wit from the Dundee Farmers' Association who had supported the Council hereon;
4. In view of the fact that all initial indications are that the Municipality does not have the capacity, skills, resources; finances and knowledge to provide the service of a pound through its internal structures, it formally resolves and determines that such service be provided by means of an external service provider upon vacant Council land known as a portion of the Remainder of Erf 384, Dundee;
5. The necessary public notices be placed in local and provincial newspapers calling upon experienced and knowledgeable service providers to submit their bids for the operation of the pound in terms of the requirements of the Kwazulu-Natal Pounds Act No 3 of 2006;
6. The necessary public notices be placed in local and provincial newspapers calling upon experienced and knowledgeable service providers to submit their

bids for the construction of the required infrastructure to establish a pound;

7. It be made a requirement of the agreement to be entered into between the Municipality and the service provider:
  - that only local labour shall be employed to assist with the daily operation of the pound;
  - that the service provider shall operate the pound at its own cost, expense and for their own account;
  - the Endumeni Municipality shall only provide the infrastructure for the rendering of such service;
  - the service provider shall be responsible for any required maintenance to the infrastructure to be provided following normal wear and tear thereto;
  - the Endumeni Municipality shall not contribute any further finances towards the daily operation costs or other expenditure associated with the operation of the pound;
  
8. A proposed service level agreement, to be entered into between the Endumeni Municipality and the successful service provider, be prepared and submitted to the Council for approval.



C 03/17/01/12-1

MUNICIPAL OWNED HOUSING

(18/1/1)

**RESOLVED**

**THAT**

1. The matter be referred to next Council for further analysis
2. Market related rentals be approved with effect from 1<sup>st</sup> July 2012
3. the rent for the following accommodation be adjusted to a nominal rent with effect from 1 July 2012 to contribute to maintenance cost; subject to the proviso that such accommodation is occupied by the caretaker of the relevant venues:

a. 1 Colley Street	R 50,00
b. Moth Hall cottage	R 50.00
c. McKenzie Hall cottage	R 50.00
d. Museum flat	R 50.00



**C 04/17/01/12-1** **SERVICE DELIVERY BUDGET IMPLEMENTATION  
PLAN: 1<sup>st</sup> & 2<sup>nd</sup> QUARTER REPORTS: SECTION 57  
MANAGERS PERFORMANCE REPORTS 1<sup>st</sup> & 2<sup>nd</sup>  
QUARTER**  
(5/1/1 (4/5/9/3))

**RESOLVED**

**THAT**

The Endumeni Municipality adopts the 1<sup>st</sup> & 2<sup>th</sup> Quarter SDBIP Reports and 1<sup>st</sup> & 2<sup>th</sup> Quarter Section 57 Performance reports for Acting Municipal Manager, CFO, Executive Manager Corporate Services and Executive Manager Technical Services in respect of fiscal year 2011/2012.



**C 04/17/01/12-2** **THE MINUTES OF 1<sup>st</sup> IDP REPRESENTATIVE  
FORUM HELD AT THE WAR MEMORIAL HALL,  
KING EDWARD STREET, DUNDEE ON THURSDAY,  
27 OCTOBER 2011 AT 14:00**  
(15/6/2)

**RESOLVED**

**THAT**

Cllr E M Adam recorded that he had applied for leave of absence;

That the Endumeni Municipality note Minutes of the 1<sup>st</sup> IDP Representative Forum held at the War Memorial Hall, King Edward Street, Dundee on Thursday, 27 October at 14:00



**C 04/17/01/12-3** **ORGANIZATIONAL PERFORMANCE MANAGEMENT  
SYSTEM** (4/5/9/3)

**RESOLVED**

**THAT**

1. The departmental scorecards of the Executive Manager Corporate Services, Chief Financial Officer and Executive Manager Technical Services as approved per council resolution C01/13/05/11 be noted in terms of the Endumeni Organizational framework for the period 01 July 2011 to 31 December 2011;
2. The Endumeni Organizational scorecard as approved per council resolution C01/13/05/11 be noted in terms of the Endumeni Organizational framework for the period 01 July 2011 to 31 December 2011;
3. The Minutes of the Endumeni Audit Committee in respect of Endumeni Organizational Performance Review for the period 01 July 2011 to 31 December 2011 be noted.



**C 04/17/01/12-4**     **ANNUAL PERFORMANCE REPORT 2010/2011**  
(4/5/9/3)

**RESOLVED**

**THAT**

1. Council note the Endumeni Annual Report for 2010 /2011;
2. The report be forwarded to and tabled before the Audit Committee and the Oversight Committee and be further advertised for Public Comment.



**C 04/17/01/12-5**     **COMPLETION OF CIVIL WORK - MEDIA CENTRE-  
SITHEMBILE**  
(5/1/1)

**RESOLVED**

**THAT**

1. Approval be granted to complete civil work at the media Centre Sithembile as per project estimate compiled by the Assistant Manager, Technical Services as appended to the minutes as per Annexure 'A'. A virement approval for funding be approved from Ward 3 R400 000.00 ward allocation 2011/2012 in the amount of R41 688.00 and all materials be purchased in terms of Endumeni SCM Policy. The temporary labour to be utilized shall be appointed in terms of the Council Temporary Labour Policy.
2. The Ward 3 Committee by formal resolution approve of the Project proposal prior to the commencement of any work.



**C 04/17/01/12-6**     **APPLICATION FOR SPECIAL CONSENT TO USE ERF  
833 DUNDEE FOR THE ERECTION OF WORKERS  
QUARTERS**  
(15/4/1/7/19)

**RESOLVED**

**THAT**

1. Special consent application received from H S K Simpson on behalf of D N & P V Dubazana to use Erf 833, Dundee, zoned Commercial for the use of erecting workers quarters be approved. This consent usage is subject to the following conditions:
2. The application is subject to any conditions the Manager Technical Services and Manager Corporate Services may deem necessary in the approval of building plans for the above usage.
3. The application is further subject to the relevant legislation and Dundee Town Planning Scheme in the course of preparation

and no further impact upon amenity of the area will be allowed in this special residential area.

*4. Should it be later established that the above usage has contravened any stipulated conditions of this Special Consent or is found to be detrimental to the amenity of the area the Council retains the right to withdraw its approval of this Special Consent application.*

*5. Should the above lot not be used for the approved usage as granted in this Special Consent application for the period of in excess of eighteen months, the application will be considered null and void.*



**C 04/17/01/12-7** **MINUTES OF HOUSING FORUM MEETING HELD ON 8 SEPTEMBER 2011** (18/1/1)

**RESOLVED**

**THAT**

1. The Council note that the UMzinyathi has resolved to take over the issues of water supply.
2. Mr J.B Maltman to meet next week with and UMzinyathi officials.



**C 04/17/01/12-8** **THE MINUTES OF IDP STEERING COMMITTEE MEETING HELD AT THE COUNCIL CHAMBER , CIVIC CENTRE, 64 VICTORIA STREET, DUNDEE ON THURSDAY, 7 DECEMBER 2011 AT 10:00** (15/6/2)

**RESOLVED**

**THAT**

The Endumeni Municipality note Minutes of the IDP Steering Committee Meeting held at the Council Chambers, 64 Victoria Street, Dundee on Wednesday, 7 December 2011 at 10:00



**C 04/17/01/12-9** **PARKING – DEPARTMENT OF LABOUR** (M3/12)

**RESOLVED**

**THAT**

1. Mr A K Moola to receive a quotation from the Municipality and he will build the parking at his own expense.
2. Mr J.B Maltman to contact Mr AK Moola tomorrow – 27 January 2012





C 06-26/01/12

**MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT** (5/1/1)

**RESOLVED**

**THAT**

- 1. the mid-year budget and performance review be noted;
- 2. it be noted that, in terms of section 72 (3) (a) of the MFMA, an adjustments budget be compiled and be tabled in Council by not later than 28 February 2012.

C 05-26/01/12

**ENDUMENI MUNICIPALITY: BUSARY SCHEME** (5/7/1)

**RESOLVED**

**THAT**

- 1. The proposed bursary policy, proposed application form & proposed agreement be approved
- 2. The same people who compiled the policy do the short listing of candidates and be appointed as members of the Bursary Sub Committee
- 3. The application forms received be processed and electronic payment be made to successful candidates.



C -A 05/26/01/12

**REPORT ON BUDGET IMPLEMENTATION AND FINANCIAL STATUS FOR THE QUARTER ENDED 31 DECEMBER 2011**

(5/1/1)

**RESOLVED**

**THAT** Council note the report on budget implementation and the financial status for the period ended 31 December 2011.



C- A 06-26/01/12

**QUARTERLY REPORT ON WITHDRAWALS IN TERMS OF THE MFMA** (1/4/1/30)

**RESOLVED**

**THAT** Council note the withdrawals for the quarter ended 31 December 2011 in terms of Section 11(4) of the Municipal Finance Management Act.



C 07/26/01/12

**ENDUMENI LOCAL MUNICIPALITY DISASTER  
MANAGEMENT PLAN 2011/2012**  
(16/5/1)

**RESOLVED**

**THAT** Council adopts the Endumeni Disaster Management Plan 2011/2012, which consists of Endumeni Disaster Risk Profile, Operational Plan and Endumeni Policy Framework as required by Disaster Management Act No. 57 of 2002.



**CONFIDENTIAL**

C 08/26/01/12

**APPOINTMENT OF THE MUNICIPAL MANAGER**  
(Confidential)

**RESOLVED**

**THAT** this matter be deferred to the Special Council Meeting.



There being no further matters for consideration, the Chairperson declared the meeting closed at **18h50**

.....  
**CHAIRPERSON**

.....  
**DATE**