

UGU DISTRICT MUNICIPALITY

**MINUTES OF THE 3RD MEETING OF THE UGU DISTRICT MUNICIPAL COUNCIL
HELD IN THE COUNCIL CHAMBERS, RAY NKONYENI MUNICIPALITY,
10 CONNOR STREET, PORT SHEPSTONE, ON THURSDAY,
24 FEBRUARY 2022, AT 11H10.**

PRESENT:

Cllr SR Ngcobo - Speaker

PH Mthiyane (Mayor), VM Chiya (Deputy Mayor), D Nciki (Exco Member), SN Caluza (Exco Member), SP Mthethwa (Exco Member), GD Henderson (Exco Member), NA Njenga (Exco Member) FM Ngwane, MP Shoji, MA Manyoni, P Breedt, LMR Ngcobo, X Nkasa, BE Machi, MP Mteshane, TH Msabala, MP Tenza, EV Baptie, ST Khathi, SHE Mngoma, BN Shoji, B Nyuswa, N Mweshe, MZ Luthuli, PC Shange, SA Ngcece, SP Ntuli, TT Hlophe, SE Khawula, JS Ngwane, J Schmidt, and N Ndovela.

BY INVITATION:

Inkosi MBW Xolo

Inkosi EZ Jali

Ms B Jojo	-	Chairperson: Audit Committee
Mr M Langa	-	Dash Solutions
Mr K Madlala	-	Auditor-General
Ms A Howard	-	Auditor-General
Mr SM Dondo	-	CoGTA

IN ATTENDANCE:

Dr EMS Ntombela	-	Acting Municipal Manager
Mr VO Mazibuko	-	General Manager: Corporate Services
Mr S Mbewu	-	General Manager: Water Services
Ms D Rankin	-	General Manager: Economic Development and Environmental Services (EDES)
Mr M Sakha	-	Acting General Manager: Budget and Treasury Office
Mr M Ncane	-	Acting Senior Manager: Mayoralty and Communications
Mr S Kati	-	Manager: Risk and Internal Audit
Ms N Mbambo	-	Manager: Legal Services
Mr A Mbhele	-	Manager: Administration and Auxiliary Services
Mr N Hlophe	-	Communications Support Co-ordinator
Ms Z Mgwili	-	Communications Co-ordinator: Internal and External Communications
Ms N Surajbally	-	Administrative Officer: Secretariat Unit
Ms B Malishe	-	Committee Co-ordinator: Secretariat Unit
Ms T Kikine	-	Acting Committee Co-ordinator: Secretariat

- **OPENING**

The Speaker extended a warm welcome to all the Councillors, Amakhosi, the Auditor-General and Officials. Thereafter, he requested Cllr Mteshane to open the meeting in prayer.

[At that stage of the proceedings, the Speaker requested members to dress up formally or traditionally to all Council meetings. He added that this was the last meeting whereby members were allowed to attend the meeting wearing T-shirts. He urged all members to respect the decorum of Council at all times.]

He further mentioned that as members had received the agenda on time, members should not take long when discussing matters and should adhere to the Standing Rules and Order of Council. He added that preference to elaborate on the matters that were on the table would be given to Amakhosi, should they need further clarity.)

C 95/02/22 NOTICE OF MEETING

The notice of the meeting was taken as read.

C 96/02/22 APPLICATIONS FOR LEAVE OF ABSENCE

It was noted that Cllrs LS Zungu (*council business*), and MP Tenza (*council business*) had requested leave of absence from the meeting.

It was also noted that Inkosi RS Shinga (*council business*) had requested leave of absence from the meeting.

It was noted that Mr S Dlomo from the Ugu South Coast Development Agency (*council business*) had requested leave of absence from the meeting.

It was further noted that Cllr MP Shoji (*family bereavement*) had requested to leave during the duration of the meeting.

The Speaker stated that he had not received an apology from Cllr BE Majola and that was it was the second meeting that he did not attend the meetings without any reason for his absentia. He then requested that the Application for Leave of Absence should be directed to the Office of the Speaker on time. He further requested that the issue of the meetings that were clashing should be dealt with.

Following which,

It was unanimously

RESOLVED:

(a) That Cllrs LS Zungu (*council business*), and MP Tenza (*council business*) be and are hereby granted leave of absence from the meeting.

- (b) That Inkosi RS Shinga (*council business*) be and is hereby granted leave of absence from the meeting.
- (c) That Mr S Dlomo from the Ugu South Coast Development Agency (*council business*) be and is hereby granted leave of absence from the meeting.
- (d) That Cllr MP Shoji (family bereavement) be and is hereby **GRANTED** permission to be excused from the meeting.

C 97/02/22 DECLARATION OF INTEREST

It was noted that there were none.

C 98/02/22 CONFIRMATION OF AGENDA

The Speaker took members through the confirmation of the agenda.

He then requested that Item 10.6 should be withdrawn from the agenda for further discussion with the Management.

Following which,

It was unanimously

RESOLVED:

That the agenda convening the Ugu District Municipal Council meeting be and is hereby **CONFIRMED**, subject to the withdrawal of Item 10.6 for further discussion with the Management.

CONFIRMATION OF MINUTES

C 99/02/22 Minutes of the 2nd Meeting of the Ugu District Municipal Council held on 27 January 2022

The Speaker took members through the confirmation of the minutes for the 2nd meeting of the Ugu District Municipal Council held on 27 January 2022.

Following which,

It was unanimously

RESOLVED:

That the minutes of the 2nd Meeting of the Ugu District Municipal Council held on 27 January 2022, be and are hereby **NOTED**.

RESOLUTION REGISTER

C 100/02/22 Resolution Register for the 2nd Meeting of the Ugu District Municipal Council held on 27 January 2022

The Speaker took members through the Resolution Register for the 2nd Meeting of the Ugu District Municipal Council held on 27 January 2022.

Following which,

It was unanimously

RESOLVED:

That the Resolution Register for the 2nd Meeting of the Ugu District Municipal Council held on 27 January 2022, be and is hereby **NOTED**.

C 101/02/22 OUTSTANDING MATTERS

It was noted that there were none.

STANDING ITEMS

C 102/02/22 SALGA Monthly Report

The Acting Municipal Manager took members through a verbal report.

He informed members that correspondence was received from SALGA informing the Municipality of the National Conference that was postponed and would now take place from 02 to 03 March 2022 to be held in Cape Town. He added that each Municipality was allowed to send the voting delegate and that other Councilors would have to attend virtually including the Accounting Officer.

Cllr Mthethwa raised a concern that the SALGA Report was a Standing Item and there was no correspondence that was attached on the agenda for members to deliberate on the matter and sought clarity if that was a change of doing things.

Responding, the Speaker reminded members that the matter was discussed in the SALGA Conference and the Acting Municipal Manager was merely updating members on the change of date. He pointed out that the Mayor was delegated to represent the Municipality. He then advised members that due to other council businesses, the Mayor would not attend the said Conference; hence, members had to discuss the issue of changing the delegate to the Deputy Mayor.

Thereafter, Cllr Khathi proposed that the Deputy Mayor should be confirmed as the voting delegate for the Municipality and was seconded by Cllr FM Ngwane.

Following which,

It was

RESOLVED:

- (a) That the verbal report regarding the election of representatives to the SALGA Provincial and the National Conference be and is hereby **NOTED**.
- (b) That, it be noted that the following Councillors were nominated to attend the SALGA Provincial and the National Conference, namely:
 - Cllr PH Mthiyane (Mayor);
 - Cllr V Chiya (Deputy Mayor);
 - Cllr SR Ngcobo (Speaker); and
 - Cllr SN Caluza (Alternative).
- (c) That the Deputy Mayor, Cllr V Chiya be and is hereby **DECLARED** the voting delegate.
- (d) That, it be noted that the Municipal Manager would be serving on both the SALGA Provincial and the National Conference.

C 103/02/22 Monthly Birthday Greetings: Councillors, Amakhosi and Senior Managers

The Speaker conveyed birthday wishes on behalf of Council to the Councillors and Amakhosi who celebrated their birthdays during the month of February, namely:

- Cllr SN Caluza - 06 February;
- Cllr PC Shange - 22 February; and
- Cllr LS Zungu - 02 February.

Following which,

It was unanimously

RESOLVED:

That the Monthly Birthday Greetings for Councillors, Inkosi and Senior Managers be and is hereby **NOTED**.

C 104/02/22 Water Supply Challenges

The General Manager: Water Services took members through the item.

He apprised members on the status quo with regards to the water issues within the Ugu District for noting purposes. He informed members on the unplanned shutdown at the Bhobhoyi Wastewater Treatment Plant that affected the water supply in the Southern areas up to Hibberdene. He added that the Northern area had a number of breaks which resulted in the collapsing of the system. He further mentioned that another unplanned shutdown had affected the Ethekewini side to the Umgeni Water Supply System.

He pointed out that in addressing the water challenges, the water tankering was provided due to the aging infrastructure. He indicated that the delay in terms of the turnaround time mainly was due to the limitation of the Yellow Plants.

The Speaker suggested that a Strategic Planning Workshop should be held in order to thoroughly deal with the issues of water.

Cllr Henderson raised a concern that the turnaround time was too slow and as a result, the communities were without water for days. He further raised a concern that the issue of having one (1) TLB was affecting the speed of attending to the breaks. He then requested the General Manager: Water Services to update the report as the one that was presented was old.

Cllr Breedt raised a concern on the issue of communication amongst the Councilors that was not good. He then sought clarity from the Mayor and the Leadership if same were planning to have the roadshows and address the communities as the Ward Councilors had no answers anymore.

Responding, the Mayor reminded members that all the Local Municipalities had been visited as per the explanation by the Deputy Mayor in the previous meeting in terms of keeping the communities informed. She added that members would be informed quarterly on such visits. She further mentioned that as much as the visit was not conducted per Ward but the Ward Councilors were allowed to contact the Leadership to seek clarity on any issues relating to water challenges. She added that it was the Councilor's duty to inform their communities on the challenges and the remedies that were reported in a meeting.

The Speaker pointed out that the issue of the lack of collection of revenue made it difficult to deal with the issues that were raised. With regards to the issue of the 121 employees that were dismissed, he stated that it was not easy for Council to employ other employees as the Municipality was waiting for the outcome of the Labour Court.

Cllr Nciki advised members that the issue of monitoring the existing staff was required in order for the resources that were available to be utilized accordingly.

Cllr Mthethwa sought clarity regarding the timeframe on when the payment of the insurance was anticipated in order to buy the TLBs that were required.

Responding, the Acting Municipal Manager stated that the Municipality was in a process of buying more TLBs as some were torched during the July 2021 unrest and were waiting for the insurance to pay.

Thereafter, it was noted that the Management was tasked to submit a report to the Executive Committee on the issue of insurance.

Following which,

It was unanimously

RESOLVED:

- a) That the report on the Water Supply Challenges be and is hereby **NOTED**.

- b) That the Management be and is hereby tasked to submit a report on the issue of insurance to the Executive Committee.
- c) That a Strategic Planning Workshop be held to deliberate on the issues of the water supply challenges.

C 104/02/22 Status COVID-19

The Speaker informed members that there was no report on the Status of the COVID-19 but had requested that the regulations that guided everyone on the issues of the Covid-19 should be adhered to and that same were expected to wear masks and sanitize.

He added that a report on the Covid-19 should be submitted to the next meeting and include the statistics in the Ugu District.

(At that stage of the proceedings, (11h55) Cllr JS Ngwane joined the meeting.)

Following which,

It was unanimously

RESOLVED:

That the report on the Status of the COVID-19 within the Municipality including the Ugu District statistics be **SUBMITTED** to the next meeting.

SECTION 79 REPORTS

C 105/02/22 It was noted that there were none.

MATTERS FOR DISCUSSION

C 106/02/22 Ugu District Municipality – Audit Report 2020 / 2021

The Acting Municipal Manager introduced the Auditor-General (AG) and requested same to present the Audit Report for the 2020 / 2021 financial year.

Taking over, the Auditor-General took members through the presentation of the Audit Report for the 2020 / 2021 financial year. He informed members that the Ugu District Municipality received a Qualified Audit Outcome with findings as there was one (1) matter that could not be confirmed that was related to the irregular expenditure. He then highlighted the following aspects, namely:

- Introduction;
- Areas of Annual Audit;
- Types of Audit Opinions;
- Overall Audit Outcome;
- Risk Areas;

- Key Controls;
- Root Causes to be Addressed;
- Audit Outcomes 2020 / 2021; and
- Other Matters of Interest.

He referred members to page 5 of the presentation and highlighted the three (3) areas that were examined by the AG. In terms of the compliance with legislation, he informed members that the Municipality had improved except for the strategic planning and performance, whereby there was a material statement finding.

Furthermore, he referred members to page 12 of the presentation and highlighted the root cause that required to be addressed which was the slow response by the Management to address the external audit findings. He pointed out that one item that led to the qualified opinion was the irregular expenditure and that the Municipality did not include all the irregular expenditure in the notes and separate the financial statements as required by S125(2)(d) of the MFMA.

He highlighted that the policies and procedures were in place; however, same were not fully implemented and monitored by the Management and the Leadership.

He added that the AG had started a process called the Material Irregularities which was separated from the Audit and Instigate Action, and that same had discovered that the invoices were not paid within the 30-days. He reported that the Acting Municipal Manager had responded on the said matter on 14 February 2022 and that the AG was in the process of evaluating the response. He added that once the said process was completed, thereafter the result of the said Material Irregularity would be included in the next year's Audit Report.

In terms of the Ugu South Coast Development Agency and the Ugu South Coast Tourism, both Entities got the Unqualified Audit Outcome which was the similar opinion from the 2019 / 2020 Financial Year. He pointed out that both Entities had findings on compliance.

Thereafter, the Speaker gave the Political Parties an opportunity to comment on the Audit Report that was presented.

Cllr Henderson on behalf of the Democratic Alliance welcomed the presentation. He stressed a serious concern that it was difficult for any organization with no Municipal Manager and the Chief Financial Officer for eighteen (18) months to perform well. He added that the Acting General Manager: Budget and Treasury Office had not been at work for the past six (6) months.

With regards to the issue of the Acting General Manager: Budget and Treasury Office, he requested that a full report regarding her absence from work to be submitted to the next meeting. He applauded the Municipality for employing a Chief Financial Officer who was a Chartered Accountant and was hoping that he would do well. He pointed out that the reasons for not having the Chief Financial Officer had caused the Municipality to have low revenue.

The Economic Freedom Fighter was represented by Cllr Njenga who welcomed the report and stated that as a party, they would have to study the report and contribute later.

Echoing the same sentiments with the Democratic Alliance, Cllr Mthethwa from the Inkatha Freedom Party referred members to slide 20 of the presentation regarding the audit findings in the Supply Chain Management and sought clarity on what steps would be taken against the officials of the said Unit. He further raised a concern about the assets; if the AG did not find anything as same had been the case in the previous audit findings. He then advised that the Acting Municipal Manager should implement consequence management to the employees who were not doing their work. In spite of the concerns that Cllr Mthethwa had raised, he welcomed the Audit Report for the 2020 / 2021 financial year.

Cllr MP Shoji stated that the African National Congress welcomed the outcome of the report. She added that Councilors had understood the report and that going forward, same should be considered and the monitoring of the officials and also to support the officials.

The Chairperson: Audit Committee informed members that the report had been presented to the Audit Committee. She added that there was a Corrective Action Plan in place.

The Mayor also welcomed the report as painful as it was. She thanked the Councillors for working as a team in ensuring that the good AG report was achieved. She added that the appointment of the Municipal Manager would be fast-tracked.

Responding, on the issue of assets, the AG informed members that there were findings on same and were able to resolve except for one. He then stated that the Auditor-General was available for support.

The Speaker appreciated the inputs of the Councillors and the presentation of the Audit Report for the 2020 / 2021 financial year.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Ugu District Municipality – Audit Report for the 2020 / 2021 Financial Year be and is hereby **NOTED**.
- (b) That, it be noted that Ugu District Municipality received a qualified audit outcome for the 2020 / 2021 Financial Year.
- (c) That, it be noted that the Ugu South Coast Development Agency received an unqualified audit outcome for the 2020 / 2021 Financial Year.

- (d) That, it be noted that the Ugu South Coast Tourism Entity received an unqualified audit outcome for the 2020 / 2021 Financial Year.

C 107/02/22

Update regarding the Management Corrective Action Plan to Address Findings Raised in the Audit Report 2020 / 2021

The Acting Municipal Manager took members through the item.

Following the tabled Audit Report for the 2020 / 2021 financial year, he informed members about the processes to unfold with respect to the corrective measures to be undertaken by the Management to address the said findings. He added that the progress of the Management Corrective Action Plan would be submitted to Council for approval.

He further mentioned that the Audit Committee would meet regularly. Regarding the issue of the irregular expenditure, he then requested that Council should delegate the Municipal Public Accounts Committee to investigate such, and that the recommendations should be submitted to Council for approval.

The Speaker thanked the Entities for continuously receiving a good audit outcome.

Cllr Mthethwa suggested that the resolution 7.5 should be added under the recommendations that the consequence management should be undertaken for all the officials that would be found guilty of misconduct.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Update regarding the Management Corrective Action Plan to Address Findings Raised in the Audit Report for the 2020 / 2021 Financial Year be and is hereby **NOTED**.
- (b) That, it be noted that the comprehensive Corrective Action Plan was being developed and that same would undergo extensive consultative processes with all the relevant stakeholders prior to the approval by Council.
- (c) That, it be noted that the Audit Steering Committee which was chaired by the Municipal Manager oversee the development and the implementation of the Management Corrective Action Plan.
- (d) That the Municipal Public Accounts Committee be and is hereby delegated to investigate all the Unauthorised, Irregular, and Fruitless and Wasteful expenditure reported in the 2020 / 2021 Annual Financial Statements and provide the recommendations to Council.

- (e) That consequence management be implemented to all the officials that were found guilty of misconduct in terms of the AG Report.

C 108/02/22 Adjustment Budget 2021 / 2022- Ugu District Municipality

The Speaker took members through the item.

The Mayor highlighted the issue of the Oslo Beach Offices that same should continue given that there would be consequences if the funds were not utilized. She added that only an amount of R9 million was left to finish up the building in this financial year and that Councillors would monitor the progress on a month-to-month basis.

(At that stage of the proceeding, Cllr MP Shoji (13h16) left the meeting)

Cllr Ngcobo raised a concern that the billing system was the biggest issue and that made the customers to be reluctant to pay. He also raised a serious concern regarding the customer services that was not good as customers were not handled with the respect that they deserved. With regards to the illegal connections, the unauthorized connection and the non-revenue water, he stated that the Municipality was losing a lot of money and should get that in order.

Cllr Henderson pointed out that the Provincial Treasury had instructed the Municipality to stop the internal funded projects with immediate effect, but the Municipality was continuing and sought clarity if same was not going against the said instructions. He then advised members that the Municipality should take the correct decision in order to avoid being held responsible.

The Speaker sought clarity if the said letter was received which was instructing the Municipality not to continue with the internal funding.

Cllr Nciki advised members that the expenses incurred had gone up to R67 million due to stoppage charges. She pointed out with concern that the renting of offices was costing the Municipality R149 million a month and that the same amount would assist in finishing the buildings.

Echoing the same sentiments, the Speaker stated that continuing with the building would save the Municipality money and that the contractor was benefiting by charging for standing time.

(Thereafter, the Democratic Alliance requested two (2) minutes to caucus.)

Cllr Henderson stated that the Democratic Alliance proposed that no money should be used for the building instead the Municipality should be used for the water infrastructure so that the community could have water.

Following which,

It was unanimously

RESOLVED:

- (a) That the report regarding the Adjustment Budget 2021 / 2022 - Ugu District Municipality be and is hereby **NOTED**.
- (b) That the Adjustments Budget for the 2021 / 2022 Financial Year be and is hereby **APPROVED**, as set out in the following schedules:
- Table B1 –Budget Summary;
 - Table B2 –Budget Financial Performance (standard classification);
 - Table B3 –Budget Financial Performance (revenue & expenditure by Municipal vote);
 - Table B4 –Budget Financial Performance (revenue & expenditure);
 - Table B5 –Capital Expenditure Budget by vote and funding;
 - Table B6 –Budget Financial Position;
 - Table B7 –Budget Cash Flow;
 - Table B8 –Cash backed reserves/accumulated surplus reconciliation;
 - Table B9 –Asset Management;
 - Table B10 –Basic Service Delivery measurement; and
 - Other Supporting Tables (Table SB1-SB19).
- (c) That the Budget Funding and Financial Recovery Plan be and is hereby **NOTED**.
- (d) That the Budget Funding and Financial Recovery Plan be and is hereby **APPROVED**.

C 109/02/22 Adjustments Budget: 2021 / 2022: Ugu South Coast Development Agency

The Speaker took members through the item.

Following which,

It was

RESOLVED:

- a) That the report regarding the Adjustment Budget for the 2021 / 2022 Financial Year for the Ugu South Development Agency be and is hereby **NOTED**.
- b) That the report regarding the Adjustment Budget for the 2021 / 2022 Financial Year for the Ugu South Development Agency be and is hereby **APPROVED**.

C 110/02/22 Adjustment Budget 2021 / 2022- Ugu South Coast Tourism Entity

The Speaker took members through the item.

Cllr Manyoni proposed for the acceptance of the recommendations and was seconded by Cllr FM Ngwane.

Following which,

It was

RESOLVED:

- a) That the report regarding the Adjustment Budget for the 2021 / 2022 Financial Year for the Ugu South Coast Tourism Entity be and is hereby **NOTED**.
- b) That the report regarding the Adjustment Budget for the 2021 / 2022 Financial Year for the Ugu South Coast Tourism Entity be and is hereby **APPROVED**.

C 111/02/22 Election of a Part Time Chief Whip

It be noted that the report on the Election of a Part Time Chief Whip was withdrawn from the agenda.

C 112/02/22 Allocation of Speaking Time for Councillors at the Meeting of Council and its Committees

The Speaker took members through the item.

Cllr Ngcece moved for the acceptance of the recommendations and was seconded by Cllr Manyoni.

Following which,

It was

RESOLVED:

- (a) That the report on the Allocation of Speaking Time for Councillors at the Meeting of Council and its Committees be and is hereby **NOTED**.
- (b) That, it be noted that all Councillors adhere to the Allocation of the Speaking Time for Councillors to the Meetings of Council and its Committees.
- (c) That the Standing Rules and Order of the Ugu District Municipality and its Committees be amended accordingly.

C 113/02/22 Natal Joint Municipal Pension Funds

(At that stage of the proceedings, the Speaker informed members that Council had to elect one (1) Councillor who was going to represent Council in the Natal Joint Municipal Councilor Pension Funds (NJMPF)).

Cllr Manyoni proposed that Cllr LMR Ngcobo represent Council in the NJMPF and was seconded by Cllr FM Ngwane.

Following which,

It was

RESOLVED:

*(a) That the verbal report on the Election of a Representative of the Ugu District Municipality to serve on the Natal Joint Municipal Councilors Pension Funds be and is hereby **NOTED**.*

(b) That Cllr LMR Ngcobo be and is hereby elected to serve on the Natal Joint Municipal Councilor Pension Funds.

C 114/02/22 Representation to the Local Labour Forum

The Speaker took members through the item.

Following which,

It was

RESOLVED:

(a) That the report on the representation to the Local Labour Forum be and is hereby **NOTED**.

(b) That the composition of the Labour Forum be 10-a-side in line with the Agreement as follows:

- 4 Councillors;
- 6 Officials; and
- Unions 10 guided by the formula.

(c) That with regard to the Councillor component, the following Councillors would serve on the Local Labour Forum:

- Cllr D Nciki;
- Cllr SA Ngcece;
- Cllr FM Ngwane; and
- Cllr MA Shoji.

C 115/02/22 Municipal Rapid Response: Terms of Reference

The Acting Municipal Manager took members through the item.

Following which,

It was

RESOLVED:

- (a) That the report on the Municipal Rapid Response: Terms of Reference be and is hereby **NOTED**.
- (b) That the Terms of Reference for the Municipal Rapid Response be and is hereby **ADOPTED**.

MATTERS FOR CONSIDERATION FROM COMMITTEES

Extracts from the Minutes of the Special Meeting of the Executive Committee held on 02 February 2022

C 116/02/22 Draft Terms of Reference: Executive Committee

The Acting Municipal Manager took members through the item.

Following which,

It was unanimously

RESOLVED:

- (a) That the Draft Terms of Reference: Executive Committee be and is hereby **NOTED**.
- (b) That the Draft Terms of Reference: Executive Committee for the term 2021 to 2026 be and are hereby **ADOPTED**.

C 117/02/22 Ugu District Municipality Detailed Plan

The Acting Municipal Manager took members through the item.

He apprised members regarding the Detailed Plan on the three (3) experts that were assigned by CoGTA to assist the Municipality.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Ugu District Municipality Detailed Plan be and is hereby **NOTED**.
- (b) That the Ugu District Municipality Detailed Plan be and is hereby **ADOPTED**.

C 118/02/22 Application for Exemption on the Overtime Threshold for Essential Services Positions

The Acting Municipal Manager took members through the item.

Cllr Manyoni moved for the acceptance of the recommendations and was seconded by Cllr Machi.

Following which,

It was

RESOLVED:

- (a) That the report on the Application for Exemption on the Overtime Threshold for Essential Services Positions be and is hereby **NOTED**.
- (b) That the extension of the Application of the Overtime Exemption to the South African Local Government Bargaining Council (SALGBC) be and is hereby **APPROVED**.

C 119/02/22 MINUTES FROM COMMITTEES

It was noted that there were none.

C 120/02/22 URGENT MATTERS

It was noted that there were none.

C 121/02/22 IN-COMMITTEE MATTERS

[At that stage of the proceedings, Cllr Ngcobo moved for the meeting to move in-committee and was seconded by Cllr Mthethwa.]

C122/02/22 In-Committee Minutes of the 2nd Meeting of the Ugu District Municipal Council held on 27 January 2022

The Speaker took members through the In-Committee Minutes of the 2nd Meeting of the Ugu District Municipal Council held on 27 January 2022.

Following which,

It was

RESOLVED:

That the In-Committee Minutes of the 2nd Meeting of Ugu District Municipal Council held on 27 January 2022 be and are hereby **NOTED**.

C123/02/22 Councillor's Payment

The Acting Municipal Manager pointed out that the report was submitted for information and requested members to contact the General Manager: Corporate Services for further clarity. He added that the information contained on salaries that were paid to the Councillor, payment per meeting attended and the airtime and data for their gadgets.

Adding, the General Manager: Corporate Services highlighted recommendation 7.2 which reads as follows, *"the Municipality should note the communication from CoGTA regarding the directive to the Municipality to continue using the 2017 / 18 financial year packages for payment of the Councillors,"* which was on page 23 of the report.

He informed members that he conducted an exercise to correct the Councillors allowances as per instruction and had engaged CoGTA to get clarity on how the Ray Nkonyeni Municipality Councillors were paid as well as the other Local Municipality. He informed members that he was advised that the Ugu District Municipality was wrong to adopt the 2020 payment package instead of continuing with the 2017 / 18 financial year payment packages. He further mentioned that the Municipality had to recover the money that was already paid to the Councillors.

He then requested the CoGTA official to provide the said information in writing as same could have been communicated to the Councillors by the MEC for CoGTA. He then suggested that the Leadership should engage the MEC for CoGTA on a political platform as the official from CoGTA could not direct what should be done in terms of payment.

He then requested members to contact him for any required information on the salary and allowances.

Thereafter, Council delegated the Mayor and the Acting Municipal Manager to deal with the matter as Councillors had last received the increment four (4) years back and report to the next meeting.

Following which,

It was

RESOLVED:

- (a) That the report on the Councilor's Payment be and are hereby **CONFIRMED**.
- (b) That the Mayor and the Acting Municipal Manager be and are hereby tasked to deal with the Councillor increment and report back to the next meeting.

[At that stage of the proceedings, Cllr Khawula moved for the meeting to move out of committee and was seconded by Cllr Manyoni].

C 123/02/22 DATE OF NEXT MEETING

It was noted that the date of the next meeting was scheduled for 24 March 2022.

C 124/02/22 CLOSURE

There being no further items for discussion, the Speaker declared the meeting closed at 14h24.

CHAIRPERSON: ----- **DATE:** -----