

UGU DISTRICT MUNICIPALITY

MINUTES OF THE 35TH MEETING OF THE UGU DISTRICT MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, RAY NKONYENI MUNICIPALITY, 10 CONNOR STREET, PORT SHEPSTONE, ON THURSDAY, 24 OCTOBER 2019, AT 11H05.

PRESENT:

Cllr NH Gumede - Speaker

SR Ngcobo (Executive Committee), PH Mthiyane (Executive Committee), NT Dlamini (Executive Member), L Mzimela (Executive Member), LMR Ngcobo (Executive Member), SN Caluza, TB Cele, S Chetty, K Dladla, TW Dube, JJ East, M Gcwabe, GD Henderson, DMM Hlengwa, BE Machi, MA Manyoni, NY Mweshe, Y Nair, PT Naude, D Nciki, and MPL Zungu.

BY INVITATION:

Inkosi EZ Mkhize
Inkosi BS Nzimakwe
Inkosi ZGB Msomi
Inkosi ZR Qwabe
Inkosi EZ Jali

IN ATTENDANCE:

Mr DD Naidoo	-	Municipal Manager
Mr VO Mazibuko	-	General Manager: Corporate Services
Mr S Mbewu	-	General Manager: Water Services
Ms N Walingo	-	General Manager: Economic Development and Environmental Services (EDES)
Mr SJ van Rooyen	-	Acting General Manager: Budget and Treasury Office
Ms F Mbili	-	Senior Manager: Corporate Strategy and Shared Services
Mr F Zama	-	Senior Manager: Mayoralty and Communications
Mr K Oduro	-	Acting Manager: Risk and Internal Audit
Ms N Surajbally	-	Administrative Officer: Secretariat Unit
Ms T Kikine	-	Committee Clerk: Secretariat Unit

OPENING

The Speaker welcomed all to the meeting. She then requested Cllr Nair to lead the meeting in prayer.

She advised members that Cllrs PT Naude and LMR Ngcobo were a leading example in terms of the dress code. She then emphasized on the issue of the dress code for Council meetings, that same was strictly formal. She advised that the said dress code applied to all the Councillors, the Traditional Leaders and the officials.

She then welcomed the new Mayor, Cllr SR Ngcobo.

[At that stage of the proceedings (11h15), Cllr Dladla and the General Manager: Economic Development and Environmental Services (EDES) joined the meeting].

C 253/10/19 NOTICE OF MEETING

The notice of the meeting was taken as read.

C 254/10/19 APPLICATIONS FOR LEAVE OF ABSENCE

It was noted that Cllrs SP Mthethwa (*sick leave*), MPL Zungu (*council business*), AD Ngubo (*family commitment*), NCP Mqwebu (*council business*), ZZ Msani (*family commitment*), GS Mngomezulu (*study leave*) and LB Ntusi (*party commitment*) had requested leave of absence from the meeting.

Following which,

It was unanimously

RESOLVED:

That Cllrs SP Mthethwa (*sick leave*), MPL Zungu (*council business*), AD Ngubo (*family commitment*), NCP Mqwebu (*council business*), ZZ Msani (*family commitment*), GS Mngomezulu (*study leave*) and LB Ntusi (*party commitment*) be and are hereby granted leave of absence from the meeting.

C 256/10/19 DECLARATION OF INTEREST

It was noted that there were none.

C 257/10/19 CONFIRMATION OF AGENDA

The Speaker took members through the confirmation of the agenda.

The Municipal Manager informed Council that Item 8.3 Water Supply Challenges was on the agenda and that same was distributed to all members. He pointed out that Item 13.1 50/50 Representation at Senior Management and Item 14.3 Extension of the Term for the Audit Committee Member were also dispatched to all the members.

At that stage of the proceedings, Cllr Rajaram thanked the officials for sending the agenda electronically as well.

Following which,

It was unanimously

RESOLVED:

That the agenda convening the Ugu District Municipal Council meeting be and is hereby **CONFIRMED**, subject to the following:

- Inclusion of Item 8.3 Water Supply Challenges under Standing Items;
- Inclusion of Item 13.1 50/50 Representation at Senior Management under Urgent Matters; and
- Inclusion of Item 14.3 Extension of the Term for the Audit Committee Member under the In-Committee Matters.

CONFIRMATION OF MINUTES

C 258/10/19

Minutes of the 34th Meeting of the Ugu District Municipal Council held on 26 September 2019

The Speaker took members through the confirmation of the minutes for the meeting held on 26 September 2019.

Cllr Manyoni moved for the acceptance of the minutes and was seconded by Cllr Chetty.

Following which,

It was

RESOLVED:

That the Minutes of the 34th Meeting of the Ugu District Municipal Council held on 26 September 2019, be and are hereby **CONFIRMED**.

C 259/10/19

Minutes of the Special Meeting of the Ugu District Municipal Council held on 08 October 2019

The Speaker took members through the confirmation of the minutes for the meeting held on 08 October 2019.

Cllr LMR Ngcobo moved for the acceptance of the minutes and was seconded by Cllr SN Caluza.

Following which,

It was

RESOLVED:

That the Minutes of the Special Meeting of the Ugu District Municipal Council held on 08 October 2019, be and are hereby **CONFIRMED**.

RESOLUTION REGISTER

C260/10/19

Resolution Register for the 34th Meeting of the Ugu District Municipal Council held on 26 September 2019

The Speaker took members through the Resolution Register for the 34th Meeting of the Ugu District Municipal Council held on 26 September 2019.

Following which,

It was unanimously

RESOLVED:

That the Resolution Register for the 34th Meeting of the Ugu District Municipal Council held on 26 September 2019, be and is hereby **NOTED**.

C 261/10/19 Resolution Register for the Special Meeting of the Ugu District Municipal Council held on 08 October 2019

The Speaker took members through the Resolution Register for the Special Meeting of the Ugu District Municipal Council held on 08 October 2019.

Cllr Rajaram referred members to Resolution No. C246/10/19, resolution (c) and enquired whether it was the Council or the IEC that would replace a Councilor.

Responding, the Municipal Manager confirmed that it was the IEC.

Following which,

It was unanimously

RESOLVED:

That the Resolution Register for the Special Meeting of the Ugu District Municipal Council held on 08 October 2019, be and is hereby **NOTED**.

C 262/10/19 OUTSTANDING MATTERS

It was noted that there were none.

STANDING ITEMS

C 263/10/19 SALGA Monthly Report

It was noted that there were none.

C 264/10/19 Monthly Birthday Greetings: Councillors, Amakhosi and Senior Managers

The Speaker conveyed birthday wishes on behalf of Council to Cllr M Gcwabe and Cllr NH Gumede, who celebrated their birthdays during the month of October 2019.

Following which,

It was unanimously

RESOLVED:

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

C 265/10/19 Water Supply Challenges

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

He mentioned that the rationale of the report was to apprise Council on the current water supply challenges experienced in the areas within the Ugu District Municipality's operational areas and the water supply to all the affected communities as well as the long-term project plans to eradicate water supply shortage to all the supply areas i.e. urban and rural areas.

He reported that Ugu District Municipality had experienced serious water supply interruption challenges within the operational area over the past three months due to the infrastructure breakdown and water supply interruption due to major equipment breakdowns and pipeline bursts; and water scarcity in the inland areas supplied by the Umtamvuna Water Supply System and the Harding System had been experienced for more than three years due to the inadequate bulk supply capacity and drought.

He said that the Umtamvuna System had a major supply interruption and that water supply system restoration delays were being experienced as a result of major mechanical failures of the second raw water abstraction pump station which had reduced the average daily inflow capacity by 50% from 20 ml/day to 10 ml/day. He reported that due to the said failure, water supply rationing / shedding had been implemented to supply available bulk water to the coastal strip and inland by Water Tanker Relief in areas whereby restoration could not be realised according to the schedule due to capacity constraints. He mentioned that the plant operation was in August 2019 and that the Municipality had ordered a standby pump from the Original Manufacturer in Ireland Factory; and in the interim, spares for the existing pump had been ordered with delivery expected by the end of October 2019.

He pointed out that the Bhobhoyi system water supply interruptions were experienced due to breakdowns at the Fairview Pumpstation which supplied the greater Umzumbe and Fairview; Nsimbini Pumpstation which supplied Nyandezulu, Bomela and part of Msikaba and Mgubo Pumpstation which supplied KwaHlongwa. He informed Council that the Raw Water Supply to the Bhobhoyi Plant had also been affected by planned and unplanned power supply outages which resulted in the major system to collapse i.e. Gamalakhe, Ramsgate, Northern System (Umtentweni and Albersville). He reported that the salt water ingresses during the October new moon and spring tides impacted on the supply and Bhobhoyi production; the off-channel storage dam which had been used during power outages and raw pump station shut down had depleted the reserves.

He mentioned that the Umzumbe rural areas being supplied by both the Bhobhoyi and the Umgeni Water Bulk Scheme were experiencing erratic water supply due to water demand exceeding the available supply; areas on the eastern part i.e. Magog, KwaQwabe and western part of Mehlomanyama and Dweshula were on the water ration in order to balance the bulk system to prevent the bulk system to totally collapse.

He then took Council through the Water Supply Challenges Remedial Action Plan, which indicated the following systems were adversely affected by water supply challenges and remedial action plans undertaken to date for the following:

- **Area South: Ray Nkonyeni and Umzumbe Local Municipality**

- Umtamvuna System
- Bhobhoyi / KwaHlongwa System

He also took members through the Implementation Plan; the Timeframes and the Estimated Budget: Upgrade and Refurbishment of the Bulk Infrastructure for the Umtamvuna Water System.

He highlighted the Water Supply Schedule for Izingolweni/KwaXolo.

He then took members through the Area South West Water Challenges.

In addition, he took members through the Area North Water Challenges, which entailed the following:

- **Vulamehlo Scheme:**

- **Ward 6, 7,12**

Gidela, Soviyo, Mabhelani, KwaTate, Otting Mission, Nkatha, Number 7, Hlokozi, Nkalokazi, Joyisi, Ngwenda

Sangqu, Nyavini, Mahlaya, Gobume, Nhlasane, Nongwinya, Zisukumele, Mngomeni, Maqhikizana, Mgezankamba

Mfimfitha, Nkungwini, Thofethi, Foksen, Nqolobane Bombo, Mlamula

- **Wards 4, 5 & 6**

Nqanula, Mqangqala, Kenterton, Qwembe, KwaNyuswa, Two-Stick Vukefile, Bhadane, Dayeni,

Mbulula and Mayfield

Ifafa, Mahlathini, Mvrokwe, Mbungulu, Mistake farm, Measland and Braemar

- **Umzinto Scheme Overview**

- **Ward 7,8, 9 &11**

Ifafa, Khuphuka, Malangeni, Coveway, Sezela

Malangeni, Sihle, Bongumbhele, Nkombo, Vusisizwe, Zwelisha

Malangeni, Mdasha, Ifafa Glebhe, Mafithini

Plangweni, Alexander, Mbetheni, Esperanza,

- **Umtwalume Scheme Overview**

- **Ward 8, 9 and 15**

Sheep Walk, Nobuzwe, Mgayi, Amen Creche, Nogoduka, Wohlo, Mbiyane

Msikazi, Wilderville, Qoloqolo, Fundeduze.

Mgayi, Mathafeni, Bhatata Nomakhanzana, Khanya Othandweni, Qoloqolo, Genyaneni, Hlosi, Sgodiphola, Gumbini, Magwaza, Mantiyaneni, Dingimbiza Kangala, Bhobhweni

- **KwaLembe scheme Overview**

- **Ward 1 & 2**

Mkhunya, Sivelile, Nkanini, Mandlakapheli, Mncindo, Mphambanyoni, Dumayo, KwaLembe, Mzimlilo, Bhudubhudu

KwaQiko

Mandlalathi

BhewulaKwaJoni

- **Ward 10, 11, 17, 18, 19 & 20**

- **Ward 12, 13, 14 & 16**

Commenting, the Deputy Mayor pointed out that the issue of mother nature was a worrying one. She stressed that the levels of the Harding and the Umtamvuna Dams were going down due to the drought. She further stressed that there was not enough rain, which posed a huge problem.

She said that the rural areas were serviced using the Water Tankers; but now the Municipality was even struggling with the Water Tankers given that there was a mandate from the Office of the Premier and the collective leadership of Legislature for Municipalities to do away with the use of Water Tankers. She pointed out that same was having an adverse effect on the community.

Cllr Chetty pointed out with concern that some communities did not have water for 30 days. He emphasised that there needed to be a better way to communicate with the Councillors.

He said that the Municipality needed to invest in the high lift points. He further advised that the berm should be preventing the salt water. He said that one needed to look at creative solutions.

Moreover, he pointed out that pipes were breaking and that same was reported after a long time.

He urged Management to close the valves when there was a pipe break; instead of leaving the pipe unattended while waiting for material which resulted in water loss.

Cllr Rajaram raised the issue of the Call Centre; either one had to wait very long for the call to be attended to or the call was just cut off.

He also referred to the issue of communication and mentioned that sometimes when communication was sent out; no proper information was received.

Cllr Naude referred to the Water Tankers and pointed out that there were nine; he sought clarity on how many water tankers were funded.

He then referred members to page 5 and sought clarity as to how far the repairs were and when would the pump be fully functional.

Cllr East emphasised that the pipe bursts, illegal connections as well as the contractors were the reasons for damaging the pipes. He said that the remedy to overcome the said problems did not talk to the actual problem and that there was a need for someone to approach the actual problem.

He said that in Umdoni Local Municipality, two meter readers went out and looked for illegal connections.

He then referred to the Vulamehlo Scheme; whereby storage tanks were used and sought clarity as to how many water trucks did the Municipality have to service the area per week.

Cllr Disane requested that there should be a plan in place for the water trucks especially in the Harding Rural Areas.

Cllr Henderson referred to the Harding Area; whereby the Municipality had a meeting last year with Umgeni Water and after the said meeting, approval was given to the Municipal Manager to sign the said agreement, but the report reflected that same still had to be finalised and now the drought had worsened.

He said that Council had then given the Municipal Manager authority to negotiate on the bulk water schemes and he requested an update on same.

Commenting, Cllr Mzimela pointed out that the report merely presented a list of the challenges.

He emphasised that the Municipality needed to have a clear plan in place to go to the community and appeal for same to pay their water accounts and that the Amakhosi should also be included.

He further emphasised that the Illegal Connections Policy needed to be fast tracked.

Concurring, the Deputy Mayor pointed out that communication was very important and that the communities must be consulted properly.

She referred to the issue of the pumps and appealed to Management that same should be received in December.

She requested for a Peak Season Plan to be submitted to the respective Committees for onward submission to Council.

Also, she indicated that Councillors needed proper information from the Management Component for same to be communicated to the communities.

She said that the Municipality had a total of 36 Water Tankers; but not all were roadworthy due to the financial challenges of the Municipality.

She agreed that a Plan should be put in place for the Water Tankers as requested by Cllr Disane.

With regard to the issue of Umgeni Water, she reported that the Service Level Agreement was done for Harding only and not for Umgeni Water to take over the Municipality's Bulk Systems. She re-iterated that the agreement that was signed was for Harding only.

The General Manager: Water Services informed Council that the Boreholes were funded by CoGTA.

He mentioned that there were four pumps in St Helens Rock and that one pump was ordered.

Also commenting, the Mayor reminded members that Councillors would lead the organisation and that the Administration would play an advisory role.

He urged both the Councillors and the Officials to pay for the services that were rendered to them.

He then referred to the issue of Government Debt and pointed out that big companies were using water but not paying for same.

He also stressed concerns on the issue of the body corporates. He requested the District to have a list of all the Indigent and that same could be obtained from the Local Municipalities.

He said that there should be door to door visits to check on meters and illegal connections and emphasised that all Councillors should be involved in the said process.

Following discussion,

It was unanimously

RESOLVED:

That the report regarding the Water Services Challenges be and is hereby **NOTED**.

C 266/10/19 IGR: Confirmed Minutes of the IGR Forum held on 28 June 2019

The Speaker took members through the minutes of the meeting of the IGR Forum held on 28 June 2019.

Following which,

It was unanimously

RESOLVED:

That the Confirmed Minutes of the Meeting of the IGR Forum held on 28 June 2019, be and are hereby **NOTED**.

C267/10/19 Speakers' Forum: Confirmed Minutes of the IGR Forum held on 13 February 2019

The Speaker took members through the minutes of the meeting of the Speakers' Forum held on 13 February 2019.

Following which,

It was unanimously

RESOLVED:

That the Confirmed Minutes of the Meeting of the Speakers' Forum held on 13 February 2019, be and are hereby **NOTED**.

SECTION 79 REPORTS

C 268/10/19

Confirmed Minutes of the Special Meeting of the Municipal Public Accounts Committee held on 26 June 2019

The Speaker took members through the minutes of the Special Meeting of the Municipal Public Accounts Committee held on 26 June 2019.

Following which,

It was unanimously

RESOLVED:

That the Confirmed Minutes of the Special Meeting of the Municipal Public Accounts Committee held on 26 June 2019, be and are hereby **NOTED**.

MATTERS FOR DISCUSSION

C 269/10/19

Replacement of Cllr SR Ngcobo in the Municipal Public Accounts Committee (MPAC)

Cllr MA Manyoni requested that the item should be deferred to the next meeting.

Following which,

It was unanimously

RESOLVED:

That the report on the Replacement of Cllr SR Ngcobo in the Municipal Public Accounts Committee (MPAC) be and is hereby **DEFERRED** to the next meeting.

EXTRACTS FROM COMMITTEES

Extracts from the meeting of the Executive Committee held on 16 October 2019

C 270/10/19

Audit Committee Charter, Internal Audit Charter and Internal Audit Methodology

The Municipal Manager took members through the item.

He informed Council that the report was submitted in order to seek approval of the reviewed Audit Committee Charter, the Internal Audit Charter and the Internal Audit Methodology.

He then referred members to the Audit Committee Charter on Item 5, which related to the Membership of Audit Committee Members and pointed out that the paragraph that was highlighted in bold was an addition.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Audit Committee Charter, Internal Audit Charter and Internal Audit Methodology 2019/2020 be and is hereby **NOTED**.
- (b) That the Audit Committee Charter, Internal Audit Charter and Internal Audit Methodology 2019/2020 be and is hereby **APPROVED**.

C 271/10/19 Annual Performance Report FY 18/19

The Municipal Manager took members through the item.

He apprised members that the said item was presented to the Portfolio Committee on Sound Governance and Human Resources, and that the Executive Committee recommended the said item to Council for adoption.

Following which,

It was unanimously

RESOLVED:

- (a) That the Annual Performance Report FY 18/19 be and is hereby **NOTED**.
- (b) That the Annual Performance Report FY 18/19 be and is hereby **APPROVED**.

C 272/10/19 Guidelines and procedure on Disciplinary Regulations for Senior Managers

The Municipal Manager took members through the item.

He apprised members on Circular No.2 12 of 2019 relating to the Guidelines and Procedure on the application and implementation of the Local Government: Disciplinary Regulations for Senior Managers.

He then referred members to page 215 of the agenda and highlighted the Checklist of documents to be included in the report in respect of the disciplinary action for the Senior Managers.

Following which,

It was unanimously

RESOLVED:

That the report on the Guidelines and Procedure on Disciplinary Regulations for Senior Managers be and is hereby **NOTED**.

MINUTES FROM COMMITTEES

Minutes of the 42nd Meeting of the Executive Committee held on 18 September 2019

C 273/10/19

The Speaker took members through the minutes of the 42nd meeting of the Executive Committee held on 18 September 2019.

Following which,

It was unanimously

RESOLVED:

That the Confirmed Minutes of the 42nd Meeting of the Executive Committee held on 18 September 2019, be and are hereby **NOTED**.

URGENT MATTERS

50/50 Representation at Senior Management

C 274/10/19

The Municipal Manager took members through the item.

He apprised members that the Municipality had received communication from the Minister of Cooperative Governance and Traditional Affairs on the MEC Directive - 50/50 Representation at Senior Management to be adhered to when filling vacant Senior Management positions.

He mentioned that the said directive was aimed at ensuring that all Municipalities had 50/50 representation in Senior Management positions. He advised members that the assessment that was conducted between the period of May to September 2019 confirmed that out of fifty-four (54) Municipalities, only three (3) Municipalities had achieved the 50/50 representation.

He further advised members that all Municipalities were required to ensure that their recruitment and selection processes were aligned to the employment equity targets including preparing credible employment equity plans.

The Mayor appealed to all members that the said directive had to be taken seriously in order to ensure compliance with same.

Following discussion,

It was unanimously

RESOLVED:

That the report on the 50/50 Representation at Senior Management be and is hereby **NOTED**.

IN COMMITTEE MATTERS

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

C 275/10/19

In-Committee Minutes of the meeting of the Ugu District Municipal Council held on 26 September 2019

The Speaker took members through the In-Committee Minutes of the meeting of the Ugu District Municipal Council held on 26 September 2019.

Following which,

It was

RESOLVED:

That the In-Committee Minutes of the meeting of the Ugu District Municipal Council held on 26 September 2019 be and are hereby **CONFIRMED**.

C 276/10/19

In-Committee Minutes of the meeting of the Executive Committee held on 18 September 2019

The Speaker took members through the In-Committee Minutes of the meeting of the Executive Committee held on 18 September 2019.

Following which,

It was

RESOLVED:

That the In-Committee Minutes of the meeting of the Executive Committee held on 18 September 2019 be and are hereby **CONFIRMED**.

C 277/10/19

Extension of the Term for the Audit Committee Member

The Municipal Manager took members through the item.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Extension of the Term for the Audit Committee Member be and is hereby **NOTED**.

- (b) That the Term of Office for the Audit Committee Chairperson, Mr Paul Preston be extended for a period of two (2) months, starting from 01 November 2019 to 31 December 2019.

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

C 278/10/19

DATE OF NEXT MEETING

It was noted that the date of the next meeting was scheduled for 28 November 2019.

C 279/10/19

CLOSURE

There being no further items for discussion, the Speaker declared the meeting closed at 13h09.

CHAIRPERSON: _____

DATE: _____