

UGU DISTRICT MUNICIPALITY

MINUTES OF THE 27TH MEETING OF THE UGU DISTRICT MUNICIPAL COUNCIL HELD AT THE COUNCIL CHAMBERS, RAY NKONYENI MUNICIPALITY, 10 CONNOR STREET, PORT SHEPSTONE, ON THURSDAY, 25 APRIL 2024, AT 11H00

Cllr SR Ngcobo - Speaker

IS Mqadi (Mayor), VM Chiya (Deputy Mayor), SN Caluza (Exco Member), GD Henderson (Exco Member) MP Shoji, P Breedts, SP Fica, TT Hlophe, SE Khawula, MA Manyoni, NO Mazubane, SD Mdluli, SEH Mngoma, N Mweshe, PZ Mzindle, SA Ngcece, LMR Ngcobo, JS Ngwane, B Nyuswa, J Schmidt and PC Shange

IN ATTENDANCE:

Mr VO Mazibuko	-	Acting Municipal Manager
Ms D Rankin	-	General Manager: Economic Development and Environmental Services (EDES)
Mr K Audan	-	General Manager: Budget and Treasury Office
Mr S Malinga	-	Acting General Manager: Water Services
Ms F Mbili	-	Senior Manager: Corporate Strategy and Shared Services
Mr F Zama	-	Senior Manager: Mayoralty and Communications
Ms N Mbambo	-	Manager: Legal Services
Mr S Kati	-	Chief Audit Executive
Ms NP Gumbi	-	Manager: Human Resources
Ms Z Mpurwana	-	Manager: Communications and Customer Relations
Mr A Mbhele	-	Manager: Administration & Auxiliary Services
Mr S Madiba	-	Fire Chief Officer
Ms N Surajbally	-	Administrative Officer: Secretariat Unit
Ms A Mnisi	-	Committee Clerk

• OPENING

The Speaker requested Cllr Fica to open the meeting in prayer. He then extended a warm welcome to all present.

C 130/04/24 NOTICE OF MEETING

The notice of the meeting was taken as read.

C 131/04/24 APPLICATIONS FOR LEAVE OF ABSENCE

It was noted that Cllrs S Tenza (*party commitment*), MV Vezi (*sick*), TH Msabala (*party commitment*), D Nciki (*family commitment*), FM Ngwane (*sick*), MJ Cele-Luthuli (*council business*), N Ndovela (*party commitment*) and X Nkasa (*party commitment*) had requested leave of absence from the meeting.

It was also noted that Inkosi EZ Jali (*council business*) and Inkosi MBW Xolo (*council business*) had requested leave of absence from the meeting.

Following which,

It was unanimously

RESOLVED:

(a) That Cllrs S Tenza (*party commitment*), MV Vezi (*sick*), TH Msabala (*party commitment*), D Nciki (*family commitment*), FM Ngwane (*sick*), MJ Cele-Luthuli (*council business*), N Ndovela (*party commitment*) and X Nkasa (*party commitment*) be and are hereby **GRANTED** leave of absence from the meeting.

(b) That Inkosi EZ Jali (*council business*) and Inkosi MBW Xolo (*council business*) be and are hereby **GRANTED** leave of absence from the meeting.

C 132/04/24

DECLARATION OF INTEREST

It was noted that there were none.

C 133/04/24

CONFIRMATION OF AGENDA

The Speaker took members through the confirmation of the agenda.

It was noted that the Agenda Pack consisted of the Main Agenda together with the attachments for Items 8.2, 8.4, 10.2, 10.3 and 10.5 as well as the In-Committee Agenda, and that all the Councillors had received the Agenda Pack timeously.

Thereafter, Cllr LMR Ngcobo moved for the adoption of the Agenda and was seconded by Cllr Henderson.

Following which,

It was

RESOLVED:

That the agenda convening the meeting of the Ugu District Municipal Council be and is hereby **CONFIRMED**; subject to Item 10.1 being **DEFERRED** to the next meeting.

CONFIRMATION OF MINUTES

C 134/04/24

Minutes of the 26th Meeting of the Ugu District Municipal Council held on 28 March 2024

The Speaker took members through the confirmation of the minutes for the 26th meeting of the Ugu District Municipal Council held on 28 March 2024.

Thereafter, Cllr Mngoma moved for the acceptance of the minutes and was seconded by Cllr Mazubane.

Following which,

It was

RESOLVED:

That the minutes of the 26th Meeting of the Ugu District Municipal Council held on 28 March 2024 be and are hereby **CONFIRMED**.

RESOLUTIONS REGISTER

C 135/04/24

Resolutions Register for the 26th Meeting of the Ugu District Municipal Council held on 28 March 2024

The Speaker took members through the Resolutions Register for the 26th Meeting of the Ugu District Municipal Council held on 28 March 2024.

Following which,

It was unanimously

RESOLVED:

That the Resolutions Register for the 26th Meeting of the Ugu District Municipal Council held on 28 March 2024 be and is hereby **NOTED**.

C 136/04/24

OUTSTANDING MATTERS

It was noted that there were none.

STANDING ITEMS

C 137/04/24

Monthly Birthday Greetings: Councillors, Amakhosi and Senior Managers

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

- Cllr SD Mdluli - 05 April; and
- Cllr TT Hlophe - 28 April

Following which,

It was unanimously

RESOLVED:

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

C 138/04/24

Water Supply Status Quo Report

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

He apprised the Committee on the current water supply status in the different systems.

He then highlighted the following aspects, namely:

- Water Services Operations;
- Water Tanker Status; and
- Programmes.

Commenting, Cllr Schmidt expressed his concern that a section of the area in the Margate Extension 2 and 3, the water had been irregular since September 2023. He sought clarity on the actual challenge.

Cllr Mdluli stated that some members of Umdoni, Ward 17 had connected water illegally from the borehole. He then requested that the Department of Water Services should attend to the said matter.

Cllr Henderson requested an update on the Umtamvuna Power Upgrade.

In response, the Acting General Manager: Water Services mentioned that the issue in the Margate Extension 3 was resolved, and that the Northern side issue was being attended to. He stated that the matter in the Umdoni, Ward 17 would be attended to.

Regarding the Umtamvuna Power Upgrade, he reported that the contractors were stopped to continue with their work. He pointed out that he had engaged with one of the stakeholders on the said issue. He mentioned that the outcome was that the Alfred Nzo District Municipality had not attended the board meeting to report the progress on their water supply issues. He indicated that the critical issue was the damaged road to the Clinic that was inaccessible. He then pointed out that the Ugu District Municipality would engage with the Winnie Madikizela-Mandela Local Municipality with regards to the maintenance of the said road.

Following which,

It was unanimously

RESOLVED:

That the report on the Water Supply Status Quo be and is hereby **CONSIDERED** and **NOTED**.

C 139/04/24 SALGA Monthly Report

It was noted that there was no report.

C 140/04/24 Human Rights Commission Inquiry

The Manager: Legal Services took members through the report.

She mentioned that the objective of the report was to apprise Council on the progress of the plan to address the recommendations that were made by the Human Rights Commission during the inquiry into the access to water in the Province of Kwa Zulu Natal.

She reported that a physical verification would take place; however, Management was awaiting the formal communication regarding the date and details of the physical verification.

Following which,

It was unanimously

RESOLVED:

That the report on the progress to address the recommendations that were made by the Human Rights Commission during the Inquiry into the access to water in the Province of Kwa Zulu Natal be and is hereby **CONSIDERED** and **NOTED**.

C 141/04/24 SECTION 79 REPORTS

It was noted that there were none.

MATTERS FOR DISCUSSION
Ncwabeni Dam

C 142/04/24

It was noted that the item was **DEFERRED** to the next meeting.

C 143/04/24 2024 Draft Spatial Development Framework

The Acting Municipal Manager took members through the item.

It was noted that the purpose of report was to seek approval on the Final 2024 Draft Spatial Development Framework as well as the Final Ugu Spatial Development Plan.

Thereafter, Cllr Mngoma moved for the acceptance of the recommendations and was seconded by Cllr Henderson.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Final Ugu Spatial Development Framework be and is hereby **CONSIDERED** and **NOTED**.
- (b) That the Final Ugu Spatial Development Framework be and is hereby **ADOPTED**.
- (c) That Final Ugu Spatial Development Plan be and is hereby **ADOPTED**.

C 144/04/24 Final Draft IDP 2024/2025 Review

The Speaker took members through the item.

It was noted that the purpose of report was to seek approval on the Final Draft IDP 2024/2025 Review.

Thereafter, Cllr Caluza moved for the acceptance of the recommendations and was seconded by Cllr Manyoni.

Following which,

It was unanimously

RESOLVED:

(a) That the report on the Final Draft IDP 2024 / 2025 Review be and is hereby **CONSIDERED** and **NOTED**.

(b) That the Final Draft IDP 2024 / 2025 Review be and is hereby **ADOPTED**.

(c) That the necessary processes be followed to implement the IDP Process Plan.

C 145/04/24 Assessment of the 2023/24 Adjustments Budget Approved in terms of Section 28 of the Municipal Finance Management Act, Act No. 56 of 2003

The Speaker took members through the item.

It was noted that the rationale of the report was to table the Letter from Provincial Treasury on the Assessment of the 2023/2024 Adjustments Budget tabled in terms of Section 28 of the Municipal Finance Management Act, Act No. 56 of 2003.

Following which,

It was

RESOLVED:

That the Assessment of the 2023/24 Adjustments Budget Approved in terms of Section 28 of the Municipal Finance Management Act, Act No. 56 of 2003 be and is hereby **CONSIDERED** and **NOTED**.

C 146/04/24 Ugu District Municipality – March Monthly Budget Statement

The Speaker took members through the item.

It was noted that the purpose of the report was to inform members of the Monthly Budget Statement for the month of March 2024, which was in compliance with Section 71 of the Municipal Finance Management Act (MFMA).

Thereafter, Cllr Fica moved for the acceptance of the recommendations and was seconded by Cllr Nyuswa.

Following which,

It was

RESOLVED:

- (a) That the report on the Monthly Budget Statements for the month of March 2024 be and is hereby **CONSIDERED**.
- (b) That the Monthly Budget Statements for the month of March 2024 be and is hereby **APPROVED**.
- (c) That the Monthly Budget Statements for the month of March 2024 and the supporting documents be submitted to both the Provincial and National Treasury in both electronic and hard copies.

C 147/04/24

SCM Monthly Performance Report: March 2024

The Speaker took members through the item.

It was noted that the rationale of the report was to apprise members of the SCM Monthly Performance Report for the month of March 2024 and for Council to play an oversight role in terms of monitoring and reviewing the spending patterns within the Municipality.

Following which,

It was

RESOLVED:

That the SCM Monthly Performance Report for March 2024 be and is hereby **CONSIDERED**.

MATTERS FOR CONSIDERATION FROM COMMITTEES

Extract from the Draft Minutes of the Executive Committee held on 17 April 2024

C 148/04/24

Adverse Weather Conditions: 14 April 2024

The Acting Municipal Manager took members through the item.

It was noted that the objective of the report was to inform Council on the adverse weather conditions that occurred within the Ugu District on the evening of Sunday, 14 April 2024.

Thereafter, Cllr JS Ngwane moved for the acceptance of the recommendations and was seconded by Cllr Breedt.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Adverse Weather Conditions experienced on 14 April 2024 be and is hereby **CONSIDERED**.
- (b) That the Ugu District be and is hereby **CLASSIFIED** and **DECLARED** a Local State of Disaster.
- (c) That, it be and is hereby **NOTED** that the Municipalities and the Sector Departments have conducted damage assessments to determine the magnitude of damages and to ascertain the interventions required.
- (d) That, it be and is hereby **NOTED** that the purpose of the classifications is to harness the additional financial resources by means of reprioritization of budgets and the re-allocation of the available grants within the provincial and municipal organs of state, as well as mobilising the financial resources from the national sphere of government.

MINUTES FROM COMMITTEES

C 149/04/24

Minutes of the 32nd Meeting of the Executive Committee held on 20 March 2024

The Speaker took members through the minutes of the 32nd Meeting of the Executive Committee held on 20 March 2023.

Following which,

It was

RESOLVED:

That the Minutes of the 32nd Meeting of the Executive Committee held on 20 March 2023 be and is hereby **CONSIDERED** and **NOTED**.

C 150/04/24

URGENT MATTERS

It was noted that there were none.

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

IN-COMMITTEE MATTERS

C 151/04/24

In-Committee Minutes of the 32nd Meeting of the Executive Committee held 20 March 2024

The Speaker took members through the In-Committee Minutes of the 32nd Meeting of the Executive Committee held on 20 March 2024.

Following which,

It was unanimously

RESOLVED:

That the In-Committee Minutes of the 32nd Meeting of the Executive Committee held on 20 March 2024 be and are hereby **CONFIRMED**.

C 152/04/24

Request for the Extension of the Secondment of the Acting Municipal Manager

The Speaker took members through the item.

Thereafter, Cllr TT Hlophe moved for the acceptance of the recommendations and was seconded by Cllr Shange.

Following which,

It was

RESOLVED:

- (a) That the report regarding the Extension of the Secondment Appointment of the Municipal Manager, Mr VO Mazibuko be and is hereby **CONSIDERED**.
- (b) That the Mayor be and is hereby tasked to request the Minister of Co-operative Governance and Traditional Affairs (CoGTA) in writing to extend the Secondment Appointment of the Municipal Manager, Mr VO Mazibuko to the position of the Municipal Manager for Ugu District Municipality with effect from 01 May 2024.
- (c) That a special meeting be convened via the virtual platform on 30 April 2024 to deal with the Letter from the MEC for CoGTA.

C 153/04/24

Request for the Extension of Secondment of the General Manager: Corporate Services

The Speaker took members through the item.

Thereafter, Cllr MP Shozi moved for the acceptance of the recommendations and was seconded by Cllr Breedt.

Following which,

It was

RESOLVED:

- (a) That the report on the Request for the Extension of the Secondment of the General Manager: Corporate Services be and is hereby **CONSIDERED**.
- (b) That the Extension for the Secondment of Ms MP Gobhozi as the General Manager: Corporate Services for Ugu District Municipality be and is hereby **APPROVED** for a further period of three (03) months with effect from 01 May 2024 to 31 July 2024, or until the position of the Municipal Manager was filled, whichever comes first.

C 154/04/24 **Request for the Extension of Secondment of the General Manager: Water Services**

The Speaker took members through the item.

Thereafter, Cllr Fica moved for the acceptance of the recommendations and was seconded by Cllr Manyoni.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Request for the Extension of the Secondment of the General Manager: Water Services be and is hereby **CONSIDERED**.
- (b) That the Extension for the Secondment for Mr S Malinga as the General Manager: Water Services for Ugu District Municipality be and is hereby **APPROVED** for a further period of three (03) months with effect from 01 May 2024 to 31 July 2024, or until the position was filled, whichever comes first.

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

C 155/04/24 **DATE OF NEXT MEETING**

It was noted that the date of the next meeting was scheduled for 23 May 2024.

C 156/04/24 **CLOSURE**

There being no further items for discussion, the Speaker declared the meeting closed at 12h16.

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