

UGU DISTRICT MUNICIPALITY

MINUTES OF THE 51ST MEETING OF THE UGU DISTRICT MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, HIBISCUS COAST MUNICIPALITY, 10 CONNOR STREET, PORT SHEPSTONE, ON THURSDAY, 26 NOVEMBER 2015, AT 11H00.

PRESENT:

Cllr SB Cele - Speaker

Cllrs NH Gumede (Exco Member), IM Mavundla (Exco Member), Dr SG Nyawuza (Exco Member), E Moosa Bux, TM Cele, YL Duma, JM Ndlela, TN Dzingwa, MB Gavu, ST Gumede, GD Henderson, BE Machi, MA Manyoni, ZA Mhlongo, MJ Mkhize, LN Myende, MP Mtheshane, NY Mweshe, Y Nair, DH Njoko, VL Ntanza, D Snashall, MG Sonwabo, J van Vuuren, SM Zuma and MPL Zungu.

IN ATTENDANCE:

Mr DD Naidoo	-	Municipal Manager
Ms L Cele	-	General Manager: Water Services
Ms S Mbili	-	General Manager: Treasury
Ms Z Mbonane	-	General Manager: Infrastructure and Economic Development
Ms VP Tsako	-	General Manager: Corporate Services
Mr F Zama	-	Senior Manager: Mayoralty and Communications
Ms M Makiwane	-	Acting Manager: Internal Audit
Ms N Surajbally	-	Administrative Officer

• **OPENING**

The Speaker requested Cllr Snashall to open the meeting in prayer. Thereafter, he welcomed all to the meeting.

C 284/11/15 NOTICE OF MEETING

The notice of meeting was taken as read.

C 285/11/15 APPLICATIONS FOR LEAVE OF ABSENCE

It was noted that Cllrs MA Chiliza (*council business*), NF Shusha (*indisposed*), JM Ndlela (*political commitment*) and NA Madlala (*indisposed*) had requested leave of absence from the meeting.

Following which,

It was unanimously

RESOLVED:

That Cllrs MA Chiliza (*council business*), NF Shusha (*indisposed*), JM Ndlela (*political commitment*) and NA Madlala (*indisposed*) be and are hereby granted leave of absence from the meeting.

C 286/11/15 DECLARATION OF INTEREST

It was noted that there were none.

C 287/11/15 CONFIRMATION OF AGENDA

The Speaker took members through the confirmation of the agenda.

The Municipal Manager advised Council that there was a First and Second Addendum.

Following which,

It was unanimously

RESOLVED:

That the agenda convening the Ugu District Municipal Council meeting be and is hereby **CONFIRMED**; subject to the inclusion of the items as listed on the First and Second Addendum.

[At that stage of the proceedings, Cllr Zuma joined the meeting.]

**C 288/11/15 CONFIRMATION OF MINUTES
Minutes of the 50th Meeting of the Ugu District Municipal Council held on
29 October 2015**

The Speaker took members through the confirmation of the minutes.

Thereafter, Cllr E Moosa Bux moved for the acceptance of the minutes and was seconded by Cllr Henderson.

Following which,

It was

RESOLVED:

That the Minutes of the 50th Meeting of the Ugu District Municipal Council held on 29 October 2015 be and are hereby **CONFIRMED** subject to the following amendments:

- Page 11, deletion of the words "It was unanimously Resolved"
- Page 15, inclusion of resolution (c) That an annual cost of living increase of 5% for Section 56/57 Managers for 2015/2016 be and is hereby **APPROVED**.

**C 289/11/15 MATTERS ARISING
SALGA Monthly Report: Councillors Pension Fund**

The Municipal Manager informed Council that members of the Pension Fund were not available for this meeting.

Following which,

It was

RESOLVED:

That, it be noted that members of the Pension Fund were not available for this meeting.

C 290/11/15 OUTSTANDING MATTERS

It was noted that there were none.

**C 291/11/15 STANDING ITEMS
SALGA Monthly Report**

The Speaker took members through the SALGA Monthly Report.

Following which,

It was unanimously

RESOLVED:

That the SALGA Monthly Report be and is hereby **NOTED**.

**C 292/11/15 MATTERS FOR DISCUSSION
Olwandle High School**

The Speaker enlightened Council that about four months ago, the Office of the Speaker was approached by Olwandle High School for assistance.

He pointed out that the Office of the Speaker then approached the Office of the Mayor

He indicated that the Municipality assisted the school with transport whenever the school played a soccer match, as part of the schools soccer tournament.

He emphasised that the Olwandle High School was a no fees school.

He pointed out that Olwandle High School had won the school soccer tournament and were subsequently crowned as Provincial Champions of the tournament.

He stressed that they were not only awarded a trophy but also an amount of R20, 000.00 was awarded to the school.

He reminded Council that six years ago the said school had approached Ugu District Municipality informing the Municipality that the school was finding it extremely difficult to achieve their objective in terms of the matric results.

He reported that now there had been a huge improvement given that the school achieved a 90% pass rate in their matric exams. He thanked Council for all their assistance towards the said School.

He pointed out that Ugu District Municipality was indeed very proud of Olwandle High School and all their achievements. He advised the School to continue excelling.

Following which,

It was unanimously

RESOLVED:

That the Presentation of Olwandle High School be and is hereby **NOTED**.

C 293/11/15 Monthly Budget Statements: September 2015

The General Manager: Treasury then took members through the Monthly Budget Statements for September 2015.

She highlighted the following aspects:

- Executive Summary;
- Statement of Financial Performance (SFP);
- Capital Expenditure;
- Cash Flow Statement;
- Outstanding Debtors;
- Debtors by Consumer Group;
- Debtors Aging by Top Ten Organs of State;
- Outstanding Creditors;
- Investment Portfolio;
- Ugu Fresh Produce Market; and
- Ugu Sports and Leisure Centre

Concerns were raised with regard to the Impairment of Assets.

In addition, concerns were raised as to whether the Municipality was still a going concern.

In response, the Municipal Manager indicated that the CoGTA Unit did a feasibility study on the going concern of the Municipality and that the result thereof was that the Municipality was financially viable.

Concerns were also raised with regard to the solvency ratio.

In response, the General Manager: Treasury explained to Council that in the first quarter of the financial year, the Municipality received their biggest tranche of the equitable share. She indicated that by the end of the financial year, the Municipality would be within the norm.

She further explained to Council that the ratio would drop as and when the Municipality spent the equitable share.

Following discussion and after questions of clarity had been answered,

It was unanimously

RESOLVED:

- (a) That the Monthly Budget Statement for the month of September 2015 and the supporting documents as presented be and is hereby **NOTED**.
- (b) That the Monthly Budget Statement for the month of September 2015 and the supporting documents be submitted to both Provincial and National Treasury in both electronic and hard copies.

C 294/11/15 ITEMS FROM AMAKHOSI

It was noted that there were none.

EXTRACTS FROM THE EXECUTIVE COMMITTEE

Extracts from the Minutes of the Meeting of the Executive Committee held on 11 November 2015

C 295/11/15 Ugu District Municipality Incident Management Protocols and Procedures

The Speaker mentioned that in terms of the Incident Management Protocols and Procedure, at the incident occurring level, there should be an Operational Task Team in order to look into the incident.

He further mentioned that the Manager concerned must be directly involved in understanding what the incident was about. He indicated there should be a Joint Operations Committee at a Departmental level, and that there would then be an Organisational Rapid Response Committee where all the Departments and all the critical Sections should be represented.

He pointed out that the Organisational Protocols outlined the step by step approach to an incident, including the timeframes in which the communication should flow.

Following which,

It was

RESOLVED:

- (a) That the report on the Ugu District Municipality Incident Management Protocols and Procedures be and is hereby **NOTED**.
- (b) That the Ugu District Municipality Incident Management Protocols and Procedures be and is hereby **APPROVED**.

C 296/11/15 Unforeseen and Unavoidable Expenditure

The Speaker advised members that the rationale of the report was to update Council on the unforeseen and unavoidable expenditure due to the drought challenge.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Unforeseen and Unavoidable Expenditure be and is hereby **NOTED**.
- (b) That the estimated R6, 000, 000.00 funding requirements be and is hereby **APPROVED**.
- (c) That the action of utilizing internal funds and recovering same from the Drought Relief Fund once approved by the Department of Water and Sanitation be and is hereby **APPROVED**.
- (d) That Section 36 appointments by the Municipal Manager be and is hereby **NOTED** and be and is hereby **CONDONED**.

C 297/11/15 Waiver of Deposit and Connection Fees on Masinenge and Merlewood Housing Projects

The Speaker succinctly informed members that the objective of the report was to seek approval of Council on the waiver of connection fees for the Masinenge and Merlewood housing projects.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Waiver of Deposit and Connection Fees on Masinenge and Merlewood Housing Projects be and is hereby **NOTED**.
- (b) That the Connection and Deposit Fees on the Masinenge and Merlewood Housing Units amounting to R6, 541, 423.56 and R1, 690, 980.24 be and is hereby **WAIVED**.

Extracts from the Minutes of the Meeting of the Executive Committee held on 25 November 2015

C 298/11/15 Fleet Management Policy Review

The Speaker took members through the item.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Fleet Management Policy Review be and is hereby **NOTED**.
- (b) That the Fleet Management Policy be and is hereby **ADOPTED**.

C 299/11/15 Ugu Infrastructure Internal Design Office Establishment Plan

The Speaker apprised members of the proposed concept of the establishment of an Internal Infrastructure Design Office within Ugu District Municipality in a form of a pilot project.

Following which,

It was unanimously

RESOLVED:

- (a) That the report regarding the Ugu Infrastructure Internal Design Office Establishment Plan be and is hereby **NOTED**.
- (b) That the Ugu Infrastructure Internal Design Office Establishment Plan be and is hereby **ADOPTED**.

C 300/11/15 Ugu Generic Coastal Management Programme

The Speaker indicated that the purpose of the report was to present the Ugu Generic Coastal Management Plan, as part of the Working for the Coast project funded by the Department of Environment.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Ugu Generic Coastal Management Programme be and is hereby **NOTED**.
- (b) That the Ugu Generic Coastal Management Programme be and is hereby **ADOPTED**.

C 301/11/15 Declaration of Small Boiler as Controlled Emitters According to Section 23 of Air Quality Act

The Speaker advised Council that the objective was to seek the Mayor's declaration of small boilers as controlled emitters according to the National Environmental Management: Air Quality Act 39 of 2004 and the Ugu Air Quality Management By-Laws Section 9(1).

Following which,

It was unanimously

RESOLVED:

- (a) That the Declaration of Small Boiler as Controlled Emitters According to Section 23 of Air Quality Act be and is hereby **NOTED**.

- (b) That the small boilers as controlled emitters be and is hereby **DECLARED**.

C 302/11/15 Umzimkhulu River Mouth Management Plan

The Speaker pointed out that the rationale of the report was to seek approval and adoption of the Umzimkhulu Mouth Management Plan.

Following which,

It was unanimously

RESOLVED:

- (a) That the Umzimkhulu River Mouth Management Plan be and is hereby **NOTED**.
- (b) That the Umzimkhulu River Mouth Management Plan be and is hereby **ADOPTED**.

MINUTES FROM COMMITTEES

Minutes from the Executive Committee

C 303/11/15 Confirmed Minutes of the Meeting of the Executive Committee held on 14 October 2015

The Speaker took members through the noting of the minutes of the Executive Committee held on 14 October 2015.

Following which,

It was unanimously

RESOLVED:

That the Confirmed Minutes of the Meeting of the Executive Committee held on 14 October 2015 be and is hereby **NOTED**.

C 304/11/15 Confirmed Minutes of the Meeting of the Executive Committee held on 28 October 2015

The Speaker took members through the noting of the minutes of the Executive Committee held on 28 October 2015.

After questions of clarity had been answered,

It was unanimously

RESOLVED:

That the Confirmed Minutes of the Meeting of the Executive Committee held on 28 October 2015 be and is hereby **NOTED**.

C 305/11/15 URGENT MATTERS

It was noted that there were none.

IN-COMMITTEE MATTERS

C 306/11/15 In-Committee Minutes of the Meeting of the Executive Committee held on 14 October 2015

[At that stage of the proceedings, Cllr Manyoni proposed that the meeting move in-committee and was seconded by Cllr Machi.]

The Speaker took members through the noting of the in-committee minutes of the meeting of the Executive Committee held on 14 October 2015.

Following which,

It was unanimously

RESOLVED:

That the In-Committee Minutes of the Meeting of the Executive Committee held on 14 October 2015 be and is hereby **NOTED**.

C 307/11/15 Ugu South Coast Development Agency Board Member Appointment

The Speaker took members through the item.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Ugu South Coast Development Agency Board Member Appointment be and is hereby **NOTED**.
- (b) That the proposal of the Selection Committee to appoint Mrs ZP Mthuli be and is hereby **ACCEPTED**.
- (c) That Mrs ZP Mthuli be and is hereby appointed to the Ugu South Coast Development Agency Board.

C 308/11/15 Review of the Organogram for Corporate Services

The Speaker took members through report.

Following which,

It was unanimously

RESOLVED:

- (a) That the report regarding the Review of the Organogram for Corporate Services be and is hereby **NOTED**.

- (b) That the position of Senior Manager: Human Resources be included in the organogram.
- (c) That the necessity of the existence of the position of Manager: Human Resources be and is hereby **CONSIDERED**.
- (d) That, it be noted that the position of Senior Manager: Human Resources was not budgeted for in this financial year, however means would be made for the post to be budgeted for in the next financial year.

[At that stage of the proceedings, Cllr Sonwabo proposed that the meeting move out of committee and was seconded by Cllr Nair.]

C 309/11/15 DATE OF NEXT MEETING

It was noted that the date of the next meeting was scheduled for Thursday, 03 December 2015.

C 310/11/15 CLOSURE

There being no further items for discussion, the Speaker declared the meeting closed at 12h05.

CHAIRPERSON: _____ **DATE :** _____