

UGU DISTRICT MUNICIPALITY

MINUTES OF THE 8th MEETING OF THE UGU DISTRICT MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, RAY NKONYENI MUNICIPALITY, 10 CONNOR STREET, PORT SHEPSTONE, ON THURSDAY, 28 JULY 2022, AT 11H00.

PRESENT:

Cllr SR Ngcobo - Speaker

PH Mthiyane (Mayor), VM Chiya (Deputy Mayor), D Nciki (Exco Member), SN Caluza (Exco Member), GD Henderson (Exco Member), MZ Luthuli, SP Mthethwa (Exco Member), X Nkasa, BE Machi, MA Manyoni, SHE Mngoma, NY Mweshe, SP Ntuli, TT Hlophe, SE Khawula, JS Ngwane, N Ndadane, SA Ngcece, LMR Ngcobo, P Breedt, MP Shoji, BN Shoji, GS Shange, J Schmidt, V Vezi, and LS Zungu.

BY INVITATION:

Inkosi ZE Jali

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 K Audan	-	General Manager: Budget and Treasury Office
Mr F Zama	-	Senior Manager: Mayoralty and Communications
Ms F Mbili	-	Senior Manager: Corporate Strategy and Shared Services
Mr A Mbhele	-	Manager: Administration and Auxiliary Services
Mr S Kati	-	Manager: Risk and Internal Audit
Ms N Surajbally	-	Administrative Officer: Secretariat Unit
Ms B Malishe	-	Committee Co-ordinator: Secretariat Unit
Ms T Kikine	-	Acting Committee Co-ordinator: Secretariat Unit
Ms A Mnisi	-	Acting Committee Clerk: Secretariat Unit

• OPENING

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

C 401/07/22 NOTICE OF MEETING

The notice of the meeting was taken as read.

C 402/07/22 APPLICATIONS FOR LEAVE OF ABSENCE

It was noted that Inkosi MBW Xolo (*council business*), Cllrs MP Mteshane (*sick*), EV Baptie (*council business*), ST Khathi (*council business*), and B Nyuswa (*council business*) had requested leave of absence from the meeting.

It was further noted that Cllrs GS SS Shange and FM Ngwane would join the meeting late.

Following which,

It was unanimously

RESOLVED:

(a) That Inkosi MBW Xolo (*council business*), Cllrs MP Mteshane (*sick*), EV Baptie (*council business*), ST Khathi (*council business*), and B Nyuswa (*council business*) be and are hereby granted leave of absence from the meeting.

(b) That, it be noted that Cllrs Shange and FM Ngwane would join the meeting late.

C 403/07/22 DECLARATION OF INTEREST

It was noted that there were none.

C 404/07/22 CONFIRMATION OF AGENDA

The Speaker took members through the confirmation of the agenda.

Thereafter, Cllr J Schmidt moved for the acceptance of the agenda and was seconded by Cllr Henderson.

Following which,

It was

RESOLVED:

That the agenda convening the Ugu District Municipal Council meeting be and is hereby **CONFIRMED** subject to the inclusion of the following item under Urgent Matters:

- Item 14.1: Notification for the Participation of Inkosi MP Ngcobo in the Ugu District Municipal Council

CONFIRMATION OF MINUTES

C 405/07/22 Minutes of the 7th Meeting of the Ugu District Municipal Council held on 23 June 2022

The Speaker took members through the confirmation of the minutes for the 7th meeting of the Ugu District Municipal Council held on 23 June 2022.

Thereafter, Cllr Ngcobo moved for the acceptance of the minutes and was seconded by Cllr Machi.

Following which,

It was

RESOLVED:

That the minutes of the 7th Meeting of the Ugu District Municipal Council held on 23 June 2022, be and are hereby **CONFIRMED**.

RATIFICATION OF MINUTES

C 406/07/22

Minutes of the Meeting of the Recess Committee held on 30 June 2022

The Speaker took members through the minutes of the meeting of the Recess Committee held on 30 June 2022.

Following which,

It was unanimously

RESOLVED:

That the minutes of the Meeting of the Recess Committee held on 30 June 2022, be and are hereby **RATIFIED**.

RESOLUTION REGISTER

C 407/07/22

Resolutions Register for the 7th Meeting of the Ugu District Municipal Council held on 23 June 2022

The Speaker took members through the Resolution Register for the 7th Meeting of the Ugu District Municipal Council held on 23 June 2022.

Thereafter, Cllr Machi moved for the acceptance of the Resolution Register and was seconded by Cllr M Shoji.

Following which,

It was

RESOLVED:

That the Resolutions Register for the 7th Meeting of the Ugu District Municipal Council held on 23 June 2022, be and is hereby **NOTED**.

C 408/07/22

Resolutions Register for the Meeting of the Recess Committee held on 30 June 2022

The Speaker took members through the Resolutions Register for the meeting of the Recess Committee held on 30 June 2022.

Following which,

It was unanimously,

RESOLVED:

That the Resolutions Register for the Meeting of the Recess Committee held on 30 June 2022, be and are hereby **NOTED**.

C 409/07/22 OUTSTANDING MATTERS

It was noted that there were none.

STANDING ITEMS

C 410/07/22 Status on Covid-19 Cases

It was noted that there was no report.

C 411/07/22 Monthly Birthday Greetings: Councillors, Amakhosi and Senior Managers

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

- Cllr P Breedt - 27 July
- Cllr LMR Ngcobo - 17 July

Following which,

It was unanimously

RESOLVED:

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

C 412/07/22 Water Supply Status

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

Cllr Ngcobo referred members to page 66 of the agenda and sought clarity on the status at of the Umzinto Water Treatment Works, since the Ghandinagar Area and other parts of the Hazelwood Area were expected to receive water.

He also mentioned that the following areas needed special attention since the communities were not receiving water, namely:

- Ezingolweni;
- Emathulini;
- Kwaqoloqolo; and
- Mphungashe Area Ward 4.

Cllr Ntuli appreciated the work done by the SAPS for arresting the two (2) people who vandalized the infrastructure of the Municipality.

Cllr MP Shoji proposed that the Communications Unit and the Councillors should communicate the above information to the communities.

In response to the status of the Ghandinagar Area and the Hazelwood Area, the General Manager: Water Services mentioned that the Municipality was still on the opening and closing of the water as per the schedule and that the said areas had water. He stated that work was in progress at Ezingolweni. He also highlighted that the mentioned areas that had no water would be considered.

Cllr SJ Ngwane mentioned that the Ray Nkonyeni Municipality had requested to revive the meetings that same had with the Ugu District Municipality.

The General Manager: Corporate Services indicated that all the Mayors of the Local Municipalities were invited to the Ugu Water Services War Room; whereby the said War Room shared information on both the challenges, the Quick Wins, and the interventions.

Following which,

It was

RESOLVED:

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

C 413/07/22 SALGA Monthly Report

It was noted that there were none.

C 414/07/22 SECTION 79 REPORTS

It was noted that there were none.

MATTERS FOR DISCUSSION

C 415/07/22 Replacement of Cllr BE Majola (Umuziwabantu Municipality), a Councilor of the Ugu District Municipal Council with Cllr N Ndadane

The Acting Municipal Manager took members through the item.

He informed Council on the Replacement of Cllr BE Majola, a Councillor of the Ugu District Municipal Council with Cllr N Ndadane.

Thereafter, Cllr N Ndadane was sworn in as a Councillor representing the Umuziwabantu Municipality in the Ugu District Municipal Council.

Following which,

It was

RESOLVED:

- a) That the report on the Replacement of Cllr BE Majola (Umuziwabantu Municipality), a Councillor of the Ugu District Municipal Council with Cllr N Ndadane be and is hereby **NOTED**.
- b) That, it be noted that Cllr N Ndadane was sworn in as a Councillor representing the Umuziwabantu Municipality in the Ugu District Municipal Council.

C 416/07/22 Umtamvuna Electrical Power Upgrade Progress Report

The Mayor took members through the item.

She informed the Committee of the progress on the Umtamvuna Electrical Power Upgrade.

Regarding the involvement of the stakeholders from the Eastern Cape, Cllr Ngcobo sought clarity if the stakeholders would not draw water from Umtamvuna; which same would affect the Ugu District.

The Speaker clarified that the Ugu District only wanted the power from Eskom in the Eastern Cape.

Following which,

It was

RESOLVED:

That the report on the Umtamvuna Electrical Power Upgrade Progress Report be and is hereby **NOTED**.

C 417/07/22 Report on Interventions on the Water and Sanitation Infrastructure

The Mayor took members through the item.

She informed the Committee on the status of the interventions in the various water and wastewater systems of the Municipality.

Following which,

It was

RESOLVED:

That the report on the Interventions on the Water and Sanitation Infrastructure be and is hereby **NOTED**.

C 418/07/22 Tabling of Skills Audit Report for Councillors and Employees by CoGTA

The Mayor took members through the item.

She stated that the rationale of the report was to convey to members the Circular received from the Department of Cooperative Governance and Traditional Affairs (CoGTA) on the Tabling of Skills Audit Reports for Councillors and Employees as conducted by CoGTA.

Following which,

It was

RESOLVED:

That the report on the Tabling of Skills Audit Report for Councillors and Employees by CoGTA be and is hereby **NOTED**.

C 419/07/22 Close-Out Report on Masinenge Fire Incident

The Mayor took members through the item.

She provided the Committee with Close-Out report on the Masinenge Structural Fire Incident.

Following which,

It was

RESOLVED:

That the Close-Out Report on the Masinenge Fire Incident be and is hereby **NOTED**.

MATTERS FOR CONSIDERATION FROM COMMITTEES

Extracts from the Minutes of the Meeting of the Executive Committee held on 20 July 2022

C 420/07/22 Monthly Budget Statements: May 2022

Her Worship, the Mayor took members through the item.

She informed members that the said report was submitted to the Portfolio Committee on Finance on 29 June 2022 and that same was forwarded to the Executive Committee on 20 July 2022.

Thereafter, Cllr M Shози moved for the acceptance of the report and was seconded by Cllr Caluza.

Following which,

It was

RESOLVED:

- (a) That the report on the Monthly Budget Statements – May 2022 be and is hereby **NOTED**.
- (b) That the Monthly Budget Statements – May 2022 and the supporting documents be submitted to both the Provincial and National Treasury in both electronic and hard copies.

C 421/07/22 SCM Monthly Performance Report: June 2022

Her Worship, the Mayor took members through the item.

She stated that the rationale of the report was to enlighten members on the SCM Monthly Performance for the month of June 2022. She mentioned that the report was also submitted to Council for members to monitor and review the spending patterns within the Municipality and for Councillors to play their oversight role.

Following which,

It was unanimously

RESOLVED:

That the SCM Monthly Performance Report: June 2022 be and is hereby **NOTED**.

C 422/07/22 KZN April Floods Humanitarian Relief and Stabilisation Support Grant Funding Approval from Development Bank of Southern Africa (DBSA)

Her Worship, the Mayor took members through the item.

She informed members that the purpose of the report was to advise Council on the KZN April Floods Humanitarian Relief and Stabilisation Support grant funding received from the Development Bank of Southern Africa (DBSA).

Cllr Ngcobo enquired if it was possible for the municipality to use the said funding to purchase two (02) Honeysuckers, instead of the water tankers.

The Speaker pointed out that Management should confirm if the said request was possible.

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

Following which,

It was

RESOLVED:

- (a) That the report on the KZN April 2022 Floods Humanitarian Relief and Stabilisation Support Grant Funding Approval from the Development Bank of Southern Africa (DBSA) be and is hereby **NOTED**.
- (b) That the DBSA Humanitarian Relief and Stabilisation Support Grant Funding be and is hereby **ACCEPTED** and **APPROVED**, and that the Municipality enter into a Grant Agreement with DBSA.
- (c) That the Acting Municipal Manager in his capacity as the Accounting Officer be and is hereby **AUTHORISED** to conclude the acceptance and enter into a Grant Agreement with DBSA for the Humanitarian Relief and Stabilisation Support Grant Funding.
- (d) That the Council resolution be provided for the information required by DBSA as outlined in Annexure 1 of the DBSA letter dated 07 July 2022 within 20 working days which lapsed on 05 August 2022.

C 423/07/22 Close-Out Report: Merger of Two Entities 01 July 2022, and Request Council Noting, Consideration and Approval on Certain Matters

Her Worship, the Mayor took members through the item.

She advised members that the report was submitted to provide progress regarding the merger of the two (02) Entities, namely the Ugu South Coast Tourism and the Ugu South Coast Development Agency.

She reported that as at 01 July 2022, both the said Entities were merged, and that the Memorandum of Incorporation was amended, and that the name of the new entity was registered accordingly.

She mentioned that the Board had approved the logo and that at their first sitting had resolved to write-off as irrecoverable the outstanding balance of over R25,109,715.60 million that was owed by the Ugu District Municipality. She pointed out that the said resolution was an annexure to the report.

She advised members that the objective of the said item was to request Council to consider the final draft Memorandum of Understanding for approval and that the Municipal Manager should be authorised to sign same on behalf of Council.

Following which,

It was

RESOLVED:

(a) That the Close-Out Report: Merger of Two Entities 1 July 2022, and Request Council Noting, Consideration and Approval on Certain Matters be and is hereby **NOTED**.

(b) That the following matters be and is hereby **NOTED**:

- South Coast Tourism and Investment Enterprise Memorandum of Incorporation had been duly amended, and name change, and that Members have signed the approved Board Charter (Annexure 2.2);
- Board Approved Logo (Annexure 2.3);
- Board Resolution to write-off, as irrecoverable, the full outstanding balance of R25 109, 715.60 owed by Ugu District Municipality to USCT. (Annexure 2.6); and
- Information Contents - Page of merger related information provided to Registry for ease of accessing information through the centralised Ugu Registry. (Annexure 2.5).

(c) That the Municipal Manager be and is hereby **AUTHORISED** to sign the draft MOU on behalf of Council.

(d) That the Extension of the Marketing, PR and Advertising Contract for a three-month period ie. until the end of September 2022 be and is hereby **APPROVED**, and that it be noted that the said contract was deemed irregular expenditure, and that the said extension was for the second time, the first extension was already reported to Council. (Annexure 2.7).

(e) That, it be noted that the Board Resolution relating to the arrears owed by Ugu was **WRITTEN-OFF**.

MINUTES FROM COMMITTEES

C 424/07/22 **Minutes of the 7th Meeting of the Executive Committee held on 17 June 2022**

The Speaker took members through the item.

Following which,

It was unanimously

RESOLVED:

That the Minutes of the 7th Meeting of the Executive Committee held on 17 June 2022 be and is hereby **NOTED**.

URGENT MATTERS

C 425/07/22

Notification for the Participation of Inkosi MP Ngcobo in the Ugu District Municipal Council

The Speaker took members through the item.

He advised members that the Municipality had received communication from the Department of Co-operative Governance and Traditional Affairs (CoGTA) advising that Inkosi MP Ngcobo was recently appointed as the Chairperson of the Ugu Local House of Traditional Leaders replacing Inkosi RS Shinga.

He pointed out that the said correspondence also indicated that Inkosi MBW Xolo and Inkosi EZ Jali would remain in the proceedings of the Ugu District Municipal Council.

Following which,

It was unanimously

RESOLVED:

- (a) That the Notification for the Participation of Inkosi MP Ngcobo in the Ugu District Municipal Council be and is hereby **NOTED**.
- (b) That, it be noted that Inkosi RS Shinga was replaced with Inkosi MP Ngcobo in the Ugu District Municipal Council.
- (c) That, it be noted that Inkosi MBW Xolo and Inkosi EZ Jali would remain in the proceedings of the Ugu District Municipal Council.

IN-COMMITTEE MATTERS

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

C 426/07/22

In-Committee Minutes of the Meeting of the 7th Ugu District Municipal Council held on 23 June 2022

The Speaker took members through the In-Committee Minutes of the 7th Meeting of the Ugu District Municipal Council held on 23 June 2022.

Following which,

It was

RESOLVED:

That the In-Committee Minutes of the 7th Meeting of Ugu District Municipal Council held on 23 June 2022 be and are hereby **CONFIRMED**.

C 427/07/22 In-Committee Minutes of the Meeting of the Recess Committee held on 30 June 2022

The Speaker took members through the In-Committee Minutes of the Recess Committee held on 30 June 2022.

Following which,

It was

RESOLVED:

That the In-Committee Minutes of the Recess Committee held on 30 June 2022 be and is hereby **RATIFIED**.

C 428/07/22 In-Committee Minutes of the 9th Meeting of the Executive Committee held on 17 June 2022

The Chairperson took members through the minutes of the Executive Committee held on 17 June 2022.

Following which,

It was

RESOLVED:

That the In-Committee Minutes of the 9th Meeting of the Executive Committee held on 17 June 2022 be and is hereby **NOTED**.

C 429/07/22 Determination of Upper Limits of Salaries, Allowances and Benefits of Different Members of Municipal Councils

The Acting Municipal Manager took members through the item.

Following which,

It was unanimously

RESOLVED:

- a) That the report on the Determination of Upper Limits of Salaries, Allowances and Benefits of Different Members of Municipal Councils be and is hereby **NOTED**.
- b) That the Acting Municipal Manager must continue to work on the said matter regarding the Determination of the Upper Limits of Salaries, Allowances and Benefits of Different Members of Municipal Councils.
- c) That the Mayor intervene on the said matter.

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

C 430/07/22 DATE OF NEXT MEETING

It was noted that the date of the next meeting was scheduled for 25 August 2022.

C 431/07/22 CLOSURE

The Speaker requested Cllr Nciki to close the meeting in prayer.

There being no further items for discussion, the Speaker declared the meeting closed at 12h08.

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