

**UGU DISTRICT MUNICIPALITY**  
**MINUTES OF THE SPECIAL MEETING OF THE UGU DISTRICT MUNICIPAL COUNCIL HELD AT THE UGU SPORTS AND LEISURE CENTRE, ON THURSDAY, 30 NOVEMBER 2023, AT 10H15.**

Cllr SR Ngcobo - Speaker

IS Mqadi (Mayor), VM Chiya (Deputy Mayor), D Nciki (Exco Member), SN Caluza (Exco Member), GD Henderson (Exco Member), NA Njenga (Exco Member), MP Shoji, P Breedts, SP Fica, TT Hlophe, SE Khawula, MZ Luthuli, BE Machi, MA Manyoni, SD Mdluli, TH Msabala, N Mweshe, PZ Mzindle, N Ndadane, LMR Ngcobo, FM Ngwane, JS Ngwane, X Nkasa, B Nyuswa, J Schmidt, PC Shange, BN Shoji and LS Zungu

**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                             |
| Ms Z Mpurwana   | - | Acting Senior Manager: Mayoralty and Communications                     |
| Ms N Mbambo     | - | Manager: Legal Services                                                 |
| Mr S Kati       | - | Acting Chief Auditor Executive                                          |
| Ms NP Gumbi     | - | Manager: Human Resources                                                |
| Mr A Mbhele     | - | Manager: Administration & Auxiliary Services                            |
| Mr T Putini     | - | Manager: Community Services                                             |
| Ms N Surajbally | - | Administrative Officer: Secretariat Unit                                |
| Mr S Madonsela  | - | Committee Clerk                                                         |
| Ms A Mnisi      | - | Committee Clerk                                                         |

• **OPENING**

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

In addition, he explained to the members present that given that this was a special meeting; the said meeting was then held via a Hybrid Platform meaning that the Councillors that were not present had joined the meeting via MS Teams Video Conferencing.

It be further noted that the Speaker had confirmed the Councillors present via the MS Teams Video Conferencing.

**NOTICE OF MEETING**

The notice of the meeting was taken as read.

C 443/11/23      **APPLICATIONS FOR LEAVE OF ABSENCE**

It was noted that there were none.

C 444/11/23      **DECLARATION OF INTEREST**

It was noted that there were none.

C 445/11/23      **CONFIRMATION OF AGENDA**

The Speaker took members through the confirmation of the agenda.

Thereafter, Cllr Luthuli moved for the adoption of the Agenda and was seconded by Cllr Nyuswa.

Following which,

It was

**RESOLVED:**

That the agenda convening the special meeting of the Ugu District Municipal Council be and is hereby **CONFIRMED**.

**MATTERS FOR DISCUSSION**

C 446/11/23      **Request for a relaxation of the Standing Rules and Order of Council and its Committees**

The Speaker took members through the item.

He pointed out that the said report was self-explanatory.

He informed members that there was a delay in the confirmation of the logistics given that the month of December was a very busy period.

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

Following which,

It was unanimously

**RESOLVED:**

- (a) That the report regarding the Request for a Relaxation of the Standing Rules and Order of Council and its Committees be and is hereby **CONSIDERED** and **NOTED**.
- (b) That the Request for a Relaxation of the Standing Rules and Order of Council and its Committees be and is hereby **GRANTED**.

C 447/11/23

**Request for Council to Delegate the Accounting Officer to sign the Final Water User Agreement and the Final Framework Agreement for Phase 1 of the Umkhomazi Water Project – Raw Water Component (“uMWP-1”) the “Project”)**

The Speaker took members through the item.

It was noted that the objective of the report was to inform Council on the finalisation of the Water User Agreement and Framework Agreement for the Umkhomazi Water Project, Raw Water Component as spearheaded by Umgeni on behalf of the Department of Water and Sanitation and to request Council to delegate the Accounting Officer to sign the final agreements.

Thereafter, Cllr Nciki and Cllr moved for the acceptance of the recommendations.

Following which,

It was

**RESOLVED:**

- (a) That the report regarding the Request for Council to Delegate the Accounting Officer to sign the Final Water User Agreement and the Final Framework Agreement for Phase 1 of the Umkhomazi Water Project – Raw Water Component (“uMWP-1”) the “Project”) be and is hereby **CONSIDERED** and **NOTED**.
- (b) That the Acting Municipal Manager be and is hereby **DELEGATED** to sign the Final Water User Agreement for the project uMPW-1.
- (c) That the Acting Municipal Manager be and is hereby **DELEGATED** to sign the Final Framework Agreement for the project uMPW-1.

C 448/11/23

**Application to Purchase Portion 7 of ERF 5100 ET being at the Corner of P200 and D202, Port Shepstone**

The Speaker took members through the item.

It was noted that the rationale of the report was to inform Council of the application to purchase Portion 7 of ERF 5100 which was an Ugu Council owned property by the Department of Correctional Services for the purposes of establishing a 1 000-inmate correctional services facility.

Commenting, Cllr Nyuswa referred members to the Recommendations that were reflected on page 90 of the Agenda and pointed out that Recommendation 7.1 was noted, Recommendation 7.2 was not supported given that same should be discussed at the level of the Local Municipalities and that Recommendation 7.3 was supported and was seconded by Cllr Machi.

Following which,

It was

**RESOLVED:**

- (a) That the report regarding the Application to Purchase Portion 7 of ERF 5100 which is an Ugu Council owned property by the Department of Correctional Services for the purposes of establishing a 1000 inmate correctional services facility be and is hereby **CONSIDERED** and **NOTED**.
- (b) That the proposed alternative sites and / or any others identified within the District which are owned by the Municipality where a correctional service facility would be appropriately located for the proposed establishment be and is hereby **NOT SUPPORTED**; instead, same be discussed at the level of the Local Municipalities.
- (c) That the request not to offer to sell / donate the property in question be and is hereby **APPROVED**.

*[Cllr FM Ngwane moved for the proceedings to move in-committee and was seconded by Cllr BN Shoji.*

*It must be noted that Management except the Manager: Human Resources, the Acting Senior Manager: Mayoralty and Communications and the Manager: Legal Services had left the meeting.]*

**IN-COMMITTEE MATTERS**

**Appointment of the Acting Municipal Manager**

His Worship, the Mayor took members through the item.

Following which,

It was

**RESOLVED:**

- (a) That the report regarding the Appointment of the Acting Municipal Manager be and is hereby **NOTED**.
- (b) That the request that His Worship, the Mayor made to the COGTA MEC in writing to second the suitable person to be appointed as the Acting Municipal Manager for Ugu District Municipality with effect from the 01<sup>st</sup> of December 2023 be and is hereby **RATIFIED**.
- (c) That the person presented by the COGTA MEC for secondment to the position of the Acting Municipal Manager, Mr VO Mazibuko for a period of three (03) months commencing from the 01<sup>st</sup> of December 2023 to the 28<sup>th</sup> of February 2024; and that same be on a month-to-month basis, or until the

position of the Municipal Manager is filled; whichever comes first be and is hereby **APPROVED**.

*[Cllr BN Shoji moved for the proceedings to move out of committee and was seconded by Cllr Mzindle.]*

C 450/11/23

## **CLOSURE**

The Speaker thanked all members for their participation and contribution in the meeting.

There being no further items for discussion, the Speaker declared the meeting closed at **11h00**.

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