

UGU DISTRICT MUNICIPALITY

MINUTES OF THE 30TH MEETING OF THE UGU DISTRICT MUNICIPAL COUNCIL HELD IN THE CIVIC CENTRE, 10 CONNOR STREET, PORT SHEPSTONE, ON THURSDAY, 25 JULY 2024, AT 11H08

Cllr SR Ngcobo - Speaker

VM Chiya (Deputy Mayor), D Nciki (Exco Member), SN Caluza (Exco Member), GD Henderson (Exco Member), MP Shoji, P Breedts, SV Duma, SP Fica, TT Hlophe, MJ Cele-Luthuli, SE Khawula, MA Manyoni, SD Mdluli, SEH Mngoma, TH Msabala, SP Mthethwa, NY Mweshe, PZ Mzindle, N Ndovela, N Ndadane, NO Mazubane, SA Ngcece, LMR Ngcobo, FM Ngwane, JS Ngwane, X Nkasa, B Nyuswa, J Schmidt, PC Shange, BN Shoji, MP Tenza, LS Zungu and MV Vezi

BY INVITATION:

Inkosi EZ Jali
Mr A Gonzalves - Chairperson: Audit Committee

IN ATTENDANCE:

Mr K Audan	-	General Manager: Budget and Treasury Office (BTO)
Ms D Rankin	-	General Manager: Economic Development and Environmental Services
Ms MP Gobhozi	-	Acting General Manager: Corporate Services
Mr S Malinga	-	Acting General Manager: Water Services
Ms F Mbili	-	Senior Manager: Corporate Strategy and Shared Services
Ms N Mbambo	-	Manager: Legal Services
Mr S Kati	-	Chief Audit Executive
Mr ME Ngcobo	-	Manager: Public Participation
Ms N Gumbi	-	Manager: Human Resources
Mr A Mbhele	-	Manager: Administration and Auxiliary Services
Ms N Surajbally	-	Administrative Officer: Secretariat Unit
Ms A Mnisi	-	Committee Clerk
Ms B Danisa	-	Acting Committee Clerk

• OPENING

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

C 258/07/24 NOTICE OF MEETING

The notice of the meeting was taken as read.

C 259/07/24 APPLICATIONS FOR LEAVE OF ABSENCE

It was noted that the Mayor (*council business*) and Cllrs NA Njenga (*sick*) as well as LS Zungu (*council business*) had requested leave of absence from the meeting.

It was also noted that Cllr MJ Cele-Luthuli had requested to leave the meeting at 12h30.

In addition, it was noted that Cllr SP Fica (*sick*) had requested to leave the meeting at 11h30.

It was noted that Cllr FM Ngwane (*family commitment*) had requested to leave the meeting early.

In addition, it was noted that Cllr JS Ngwane would join the meeting shortly.

It was further noted that Inkosi MBW Xolo (*council business*) and Inkosi MP Ngcobo (*council business*) had requested leave of absence from the meeting.

Following which,

It was unanimously

RESOLVED:

- (a) That the Mayor (*council business*) and Cllrs NA Njenga (*sick*) as well as LS Zungu (*council business*) be and are hereby **GRANTED** leave of absence from the meeting.
- (b) That the request from Cllr MJ Cele-Luthuli to leave the meeting at 12h30 be and is hereby **GRANTED**.
- (c) That the request from Cllr SP Fica to leave the meeting at 11h30 be and is hereby **GRANTED**.
- (d) That the request for Cllr FM Ngwane to leave the meeting early due to a family commitment be and is hereby **GRANTED**.
- (e) That Inkosi MBW Xolo (*council business*) and Inkosi MP Ngcobo (*council business*) be and are hereby **GRANTED** leave of absence from the meeting.
- (f) That, it be **NOTED** that Cllr JS Ngwane would join the meeting late.

C 260/07/24

DECLARATION OF INTEREST

It was noted that there were none.

C 261/07/24

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 and the In-Committee Agenda.

It was further noted that the Speaker had just received correspondence from Cllr SP Mthethwa Resigning as a Member from the Executive Committee, and it was noted that same would be dealt with under Item 15, Urgent Matters.

It was also noted that Item 16.4 was withdrawn from the Agenda.

Thereafter, Cllr MP Shoji moved for the acceptance of the Agenda and was seconded Cllr FM Ngwane.

Following which,

It was unanimously

RESOLVED:

That the agenda convening the meeting of the Ugu District Municipal Council be and is hereby **CONFIRMED**; subject to the inclusion of Item 15.1 Resignation of Cllr Mthethwa as a Member of the Executive Committee; and Item 16.4 Update on the Implementation Plan – Absorption of Cleaning Services Beneficiaries as Permanent Staff being **WITHDRAWN** from the Agenda.

SWEARING IN OF COUNCILLOR

Replacement of Cllr BE Machi (IFP PR Councillor) with Cllr SV Duma

C 262/07/24

The Speaker took members through the item.

It was noted that the rationale of the report was to inform Council of the replacement of Cllr BE Machi, a PR Councillor serving on the Ugu District Municipal Council with Cllr SV Duma.

At that stage of the proceedings, Cllr SV Duma was sworn in as a PR Councillor in the Ugu District Municipal Council.

Following which,

It was unanimously

RESOLVED:

- (a) That the report regarding the Replacement of Cllr BE Machi (IFP PR Councillor) with Cllr SV Duma be and is hereby **CONSIDERED** and **NOTED**.
- (b) That, it be and is hereby **NOTED** that Cllr SV Duma was sworn in as a PR Councillor in the Ugu District Municipal Council.

CONFIRMATION OF MINUTES

Minutes of the 29th Meeting of the Ugu District Municipal Council held on 27 June 2024

C 263/07/24

The Speaker took members through the confirmation of the minutes for the 29th meeting of the Ugu District Municipal Council held on 27 June 2024.

Thereafter, Cllr FM Ngwane moved for the acceptance of the minutes and was seconded by Cllr Fica.

Following which,

It was

RESOLVED:

That the minutes of the 29th Meeting of the Ugu District Municipal Council held on 27 June 2024 be and are hereby **CONFIRMED**.

RATIFICATION OF MINUTES

C 264/07/24

Minutes of the Meeting of the Recess Committee held on 04 July 2024

The Speaker took members through the ratification of the minutes for the meeting of the Recess Committee held on 04 July 2024.

Thereafter, Cllr Manyoni moved for the acceptance of the minutes and was seconded by Cllr Nciki.

Following which,

It was

RESOLVED:

That the minutes of the Recess Committee held on 04 July 2024 be and are hereby **RATIFIED**.

RESOLUTIONS REGISTER

C 265/07/24

Resolutions Register of the 29th Meeting of the Ugu District Municipal Council held on 27 June 2024

The Speaker took members through the Resolutions Register for the 29th meeting of the Ugu District Municipal Council held on 27 June 2024.

Following which,

It was unanimously

RESOLVED:

That the Resolutions Register for the 29th Meeting of the Ugu District Municipal Council held on 27 June 2024 be and is hereby **CONSIDERED** and **NOTED**.

C 266/07/24

Resolutions Register of the Meeting of the Recess Committee held on 04 July 2024

The Speaker took members through the Resolutions Register for the meeting of the Recess Committee held on 04 July 2024.

Following which,

It was unanimously

RESOLVED:

That the Resolutions Register for the Meeting of the Recess Committee held on 04 July 2024 be and is hereby **CONSIDERED** and **NOTED**.

C 267/07/24 **OUTSTANDING MATTERS**

It was noted that there were none.

STANDING ITEMS

C 268/07/24 **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 July, namely:

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

Following which,

It was unanimously

RESOLVED:

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

C 269/07/24 **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 referred members from pages 48 to 95 of the agenda and highlighted the following aspects; namely:

- Water Services Operations;
- Area South Central;
- Area South;
- Area North; and
- Area South-West

Commenting, Cllr Breedt sought clarity on the progress of the Umtamvuna system.

Cllr Schmidt requested more details on the repair strategies for the Margate 3A Pump Station.

Cllr Tenza sought clarity on the reasons for the delay in water supply at the Bongucele and Bonginduna regions.

Cllr Vezi sought clarity on the two (2) non-operational boreholes in Ward 2 at Umzumbe as well as the issue of the broken standpipes in the Ndlovuzulu area.

She also pointed out with concern that the water tankers were failing to deliver water promptly to the residents.

Commenting, Cllr Msabala shared the same sentiments as Cllr Vezi and sought clarity on the boreholes that were not working in Wards 13, 18 and 9 in Umzumbe.

Cllr LMR Ngcobo sought clarity on the resolution of the water purification issues in the Mazubane area to facilitate water delivery to the KwaMadlala area. He then referred members to page 53 of the Agenda and pointed out with serious concern that the Umtamvuna Bulk Water and Reticulation System was still affected by the Eskom outages which was incorrect information, and that same misled the Council. He then requested that the report submitted to Council should be updated and that same should contain credible and reliable information. He highlighted the need for a way forward on the low-level Water Treatment Works at the Mhlabatshane Water System.

Commenting, Cllr Khawula stated that the Area Southwest encountered delays in the Water Tankers delivering water and stressed that there were malfunctioning boreholes and standpipes in the Cwabeneni area. He recommended that the Area Managers should communicate more effectively with the Plumbers to ensure improvements.

Cllr Mazubane sought clarity regarding the lack of water supply in Ward 18 at Umzumbe.

Cllr BN Shoji sought clarity regarding the delay of the Water Tankers delivering water to the residents as well as the non-functioning boreholes at the Ndelu Water Scheme.

Commenting, Cllr Hlophe indicated that the water challenges in Wards 4, 14 and 15 at the Mhlabatshane Water System were acknowledged. He stated that the challenges with the water supply in Ward 1 needed to be addressed. He also recommended that there should be closer supervision of the Water Tankers due to the recent hijacking incidents.

Commenting, the Deputy Mayor mentioned that a team was addressing the water supply issues, and that the District Mayor was informed about the Umtamvuna System. He then confirmed that the process of providing water from Area North to the Enkampini area in Ward 19 was ongoing.

Additionally, he noted that the borehole repairs were planned and that a program to visit all the Wards together with the Ward Councillors would commence on 01 August 2024, to address the water issues, although some regions were still facing load reduction on electricity. He suggested that evidence should be provided on the issue of the Water Tanker hijacking so that same could be dealt with accordingly.

Responding, the Acting General Manager: Water Services stated that by mid-August the Margate 3A Pump Station would be complete. He then noted the issue of Ward 19 and highlighted that a Refurbishment Team was on standby for providing maintenance.

He stated that the Water Tanker schedule was delayed due to the water demand being more than the water supply and that communication was sent out to the Ward Councillors. He highlighted that there was an eight (8) month implementation plan for the Mhlabatshane Water System.

Commenting, the Speaker reminded Council that there was an approved Budget as well as a SDBIP in place.

Furthermore, it was agreed that both a list of the boreholes in need of maintenance and the boreholes that were not functioning should be submitted to the Office of the Speaker for onward submission to the responsible officials.

Commenting, Cllr Mthethwa suggested that the Public Participation Unit should be part of the said Ward visits and highlighted that the Vula Vala System was an issue that needed to be addressed given that the Plumbers forget to open the valves that were closed.

Following which,

It was

RESOLVED:

- (a) That the report on the Water Supply Systems Status be and is hereby **CONSIDERED** and **NOTED**.
- (b) That the General Manager: Water Services be and is hereby tasked to ensure that an updated report with credible information is submitted to Council.
- (c) That Councillors submit a list of the non-functioning boreholes as well as the boreholes that needed maintenance to the Office of the Speaker.
- (d) That the Public Participation Unit be part of the Ward Committee visits.
- (e) That, it be **NOTED** that the Vula Vala System was an issue that needed to be addressed given that the Plumbers forget to open the Valves that were closed.
- (f) That a report on all the boreholes be submitted to the next meeting.

C 270/07/24

SALGA Monthly Report

The Speaker took members through the report.

Following which,

It was unanimously

RESOLVED:

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

C 271/07/24

Human Rights Commission Inquiry

The Speaker took members through the item.

It was noted that the Human Rights Commission would meet with the Ugu District Municipal Council for a one-day session which was scheduled for Monday, 14 October 2024.

Following which,

It was

RESOLVED:

- (a) That the report on the Human Rights Commission Inquiry be and is hereby **CONSIDERED** and **NOTED**.
- (b) That, it be **NOTED** that Human Rights Commission would meet with the Ugu District Municipal Council on Monday, 14 October 2024.

SECTION 79 REPORTS

Minutes of the 15th Meeting of the Municipal Public Accounts Committee (MPAC) held on 01 March 2024

The Speaker took members through the minutes for the 15th meeting of the Municipal Public Accounts Committee (MPAC) held on 01 March 2024.

Following which,

It was

RESOLVED:

That the Minutes of the 15th Meeting of the Municipal Public Accounts Committee (MPAC) held on 01 March 2024 be and are hereby **CONFIRMED**.

Report of the Audit Committee to Council

The Chairperson of the Audit Committee presented the Audit report to Council.

He informed Council that the report entailed the work done by the Audit Committee during the fiscal quarters ended 31 March 2024 and 30 June 2024 in carrying out its oversight responsibilities in terms of Section 166 of the Municipal Finance Management Act, 2003 (Act No. 56 of 2003, as amended) (MFMA), read with MFMA Circular 65 published by National Treasury.

He highlighted the following aspects of the report namely:

- Audit Committee Members and Attendance;
- Audit Committee Meetings;
- Audit Committee Responsibility;
- The Effectiveness of Internal Controls;
- Asset Management;
- Inventory Management;
- Performance Management Reporting;
- Supply Chain Management;
- Internal Audit;
- Risk Management;
- Financial Reporting; and
- Long Outstanding Vacancies in Senior Management

Concluding, he thanked Council, the Mayor, the Chairperson of MPAC, the Acting Municipal Manager, the Chief Financial Officer, the Senior Management and the Administrative Staff for their co-operation with the Audit Committee. He pointed out that the Audit Committee relied extensively on the work of the Internal Audit Section. He expressed his gratitude to the Manager: Internal Audit for his continued assistance and co-operation.

Following which,

It was unanimously

RESOLVED:

That the report of the Audit Committee to Council be and is hereby **CONSIDERED** and **NOTED**.

MATTERS FOR DISCUSSION

C 274/07/24 **Ugu Margate Sanitation Infrastructure Status, Progress Report and Required Intervention**

The Speaker took members through the item.

Following which,

It was

RESOLVED:

- (a) That the report on the Ugu Margate Sanitation Infrastructure Status, Progress Report and Required Intervention be and is hereby **CONSIDERED** and **NOTED**.
- (b) That, it be **NOTED** that the incidents occurring which were in breach of the applicable legislation and specific to Environment: Section 30(1)(a) of NEMA, an “incident” means an unexpected sudden occurrence which affects the environment.
- (c) That the impact of the April 2024 floods on the water and sanitation infrastructure as well as the funding requirements be and is hereby **NOTED**.

C 275/07/24 **Ugu District Municipality – June Monthly Budget Statements**

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 June 2024, which was in compliance with Section 71 of the Municipal Finance Management Act (MFMA).

Thereafter, Cllr Khawula moved for the acceptance of the recommendations and was seconded by Cllr Mthethwa.

Following which,

It was unanimously

RESOLVED:

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

C 276/07/24 SCM Monthly Performance Report: June 2024

The Speaker took members through the item.

It was noted that the aim of the report was to apprise members on the SCM Monthly Performance Report for the month of June 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 June 2024 be and is hereby **CONSIDERED and NOTED**.

C 277/07/24 Annual Review of Banking Facilities

The Speaker took members through the item.

It was noted that the purpose of the report was to inform Council on the review of the banking facilities for the financial year of 2024/2025.

Thereafter, Cllr Mthethwa moved for the acceptance of the recommendations and was seconded by Cllr Nciki.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the banking facilities in place with Standard Bank be and is hereby **NOTED and ACCEPTED**, namely:
 - Fleet Card Facility R2 500 000.00, and
 - Short-term debt ACB facility of R15 000 000.00.

(b) That the banking facilities in place with ABSA be and is hereby **NOTED** and **ACCEPTED**, namely:

- Local Guarantee facility R3 052 000.00

(c) That the Municipal Manager be and is hereby **AUTHORISED** to sign the facility letter from Standard Bank on behalf of the Municipality.

C 278/07/24 MATTERS FOR CONSIDERATION FROM COMMITTEES

It was noted that there were none.

MINUTES FROM COMMITTEES

C 279/07/24 Minutes of the 35th Meeting of the Executive Committee held on 05 June 2024

The Speaker took members through the noting of the minutes of the 35th Meeting of the Executive Committee held on 05 June 2024.

Following which,

It was

RESOLVED:

That the Minutes of the 35th Meeting of the Executive Committee held on 05 June 2024 be and is hereby **CONSIDERED** and **NOTED**.

C 280/07/24 Minutes of the 36th Meeting of the Executive Committee held on 24 June 2024

The Speaker took members through the noting of the minutes of the 36th Meeting of the Executive Committee held on 24 June 2024.

Following which,

It was

RESOLVED:

That the Minutes of the 36th Meeting of the Executive Committee held on 24 June 2024 be and is hereby **CONSIDERED** and **NOTED**.

URGENT MATTERS

C 281/07/24 Resignation of Cllr SP Mthethwa from the Executive Committee

The Speaker took members through the item.

It was noted that Cllr Mthethwa was elected as the Speaker of the Umzumbe Municipality, hence his resignation from the Executive Committee. However, it was noted that Cllr Mthethwa would still be a MR Councillor representing Umzumbe Local Municipality on the Ugu District Municipal Council.

On behalf of Council, the Speaker congratulated Cllr SP Mthethwa.

Following which,

It was unanimously

RESOLVED:

- (a) That the Resignation as a Member of the Executive Committee received from Cllr SP Mthethwa be and is hereby **CONSIDERED** and **NOTED**.
- (b) That, it be and is hereby **NOTED** that a vacancy exists for an IFP Councillor in the Executive Committee.

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

IN-COMMITTEE MATTERS

C 282/07/24

In-Committee Minutes of the 29th Meeting of the Ugu District Municipal Council held on 27 June 2024

The Speaker took members through the In-Committee Minutes of the 29th Meeting of the Ugu District Municipal Council held on 27 June 2024.

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

It was unanimously

RESOLVED:

That the In-Committee Minutes of the 29th Meeting of the Ugu District Municipal Council held on 27 June 2024 be and is hereby **CONFIRMED**.

C 283/07/24

In-Committee Minutes of the Recess Committee held on 04 July 2024

The Speaker took members through the In-Committee Minutes of the Recess Committee held on 04 July 2024.

Thereafter, Cllr Manyoni moved for the ratification of the minutes and was seconded by Cllr Henderson.

It was unanimously

RESOLVED:

That the In-Committee Minutes of the Recess Committee held on 04 July 2024 be and is hereby **CONSIDERED** and **NOTED**.

C 284/07/24

In-Committee Minutes of the 36th Meeting of the Executive Committee held on 24 June 2024

The Speaker took members through the In-Committee Minutes of the 36th Meeting of the Executive Committee held on 24 June 2024.

It was unanimously

RESOLVED:

That the In-Committee Minutes of the 36th Meeting of the Executive Committee held on 24 June 2024 be and is hereby **CONSIDERED** and **NOTED**.

C 285/07/24

Update on the Implementation Plan – Absorption of Cleaning Servies Beneficiaries as Permanent Staff (General Workers-Water Services Department)

It was noted that this item was withdrawn from the Agenda.

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

C 286/07/24

DATE OF NEXT MEETING

It was noted that the date of the next meeting was scheduled for 29 August 2024.

C 287/07/24

CLOSURE

There being no further items for discussion, the Speaker declared the meeting closed at 13h03.

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