

UGU DISTRICT MUNICIPALITY

MINUTES OF THE 32ND MEETING OF THE UGU DISTRICT MUNICIPAL COUNCIL HELD IN THE UMZINTO TOWN HALL, UMDONI, ON THURSDAY, 26 SEPTEMBER 2024, AT 11H33

Cllr SR Ngcobo - Speaker

IS Mqadi (Mayor), D Nciki (Exco Member), SN Caluza (Exco Member), JS Ngwane (Exco Member), NA Njenga (Exco Members), MP Shoji, P Breedt, SV Duma, SP Fica, TT Hlophe, SE Khawula, MA Manyoni, SD Mdluli, SEH Mngoma, TH Msabala, NY Mweshe, PZ Mzindle, N Ndovela, N Ndadane, NO Mazubane, SA Ngcece, LMR Ngcobo, FM Ngwane, B Nyuswa, J Schmidt, PC Shange, BN Shoji, MP Tenza, LS Zungu and MV Vezi.

IN ATTENDANCE:

Mr VO Mazibuko	-	Acting Municipal Manager
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
Dr T Mwelase	-	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
Ms N Gumbi	-	Manager: Human Resources
Ms T Kikine	-	Committee Co-ordinator: Secretariat Unit
Ms B Malishe	-	Committee Co-ordinator: Secretariat Unit
Ms S Gumbi	-	Committee Clerk

• OPENING

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

C 346/09/24

NOTICE OF MEETING

The notice of the meeting was taken as read subject to the change of time from 11h00 to 11h33.

C 347/09/24

APPLICATIONS FOR LEAVE OF ABSENCE

It was noted that Cllr SP Mthethwa (*council business*), Cllr GD Henderson (*family commitment*) and Cllr X Nkasa (*sick leave*) had requested leave of absence from the meeting.

It was further noted that Cllr NY Mweshe had requested to leave the meeting at 13h00.

In addition, it was noted that Cllrs MP Shoji, PZ Mzindle, MJ Cele-Lithuli and SP Fica had requested to join the meeting via the Hybrid Platform.

Following which,

It was unanimously

RESOLVED:

- (a) That Cllr SP Mthethwa (*council business*), Cllr GD Henderson (*family commitment*) and Cllr X Nkasa (*sick leave*) be and are hereby **GRANTED** leave of absence from the meeting.
- (b) That the request from Cllr NY Mweshe to leave the meeting at 13h00 be and is hereby **GRANTED**.
- (c) That, it be noted that Cllrs MP Shoji, PZ Mzindle, and SP Fica had joined the meeting via the Hybrid Platform except for MJ Cele-Lithuli.

C 348/09/24 DECLARATION OF INTEREST

It was noted that there were none.

SWEARING IN OF COUNCILLOR

C 349/09/24 Replacement of Cllr MZ Luthuli with Cllr S Mc Donald Mkhize in the Ugu District Municipal Council

It was noted that the Item was withdrawn from the agenda.

C 350/09/24 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.

The Speaker requested for the withdrawal of Item 4.1 Replacement of Cllr MZ Luthuli with Cllr S Mc Donald Mkhize in the Ugu District Municipal Council. He explained to members that the matter relating to the said item was not ready and that it was submitted to the Office of the Speaker by mistake.

At that stage of the proceedings, the Speaker requested that the meeting should be adjourned for thirty (30) minutes to convene a caucus with the Chief-Whips of all the political parties.

The meeting then reconvened at 12h31, and Cllr Khawula moved for the acceptance of the Agenda and was seconded Cllr FM Ngwane.

Following which,

It was

RESOLVED:

That the agenda convening the meeting of the Ugu District Municipal Council be and is hereby **CONFIRMED**; subject to the following namely;

- **WITHDRAWAL** of Item 4.1 Replacement of Cllr MZ Luthuli with Cllr S Mc Donald Mkhize in the Ugu District Municipal Council; and
- **INCLUSION** of Item 15.5 Report on the Alleged Sexual Harassment and Intimidation Case from Ms N Batshe by the Deputy Mayor, Cllr VM Chiya under In-Committee Matters.

CONFIRMATION OF MINUTES

C 351/09/24

Minutes of the 31st Meeting of the Ugu District Municipal Council held on 29 August 2024

The Speaker took members through the confirmation of the minutes for the 31st meeting of the Ugu District Municipal Council held on 29 August 2024.

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

Following which,

It was

RESOLVED:

That the minutes of the 31st Meeting of the Ugu District Municipal Council held on 29 August 2024 be and are hereby **CONFIRMED**.

C 352/09/24

Minutes of the Special Meeting of the Ugu District Municipal Council held on 13 September 2024

The Speaker took members through the confirmation of the minutes for the Special meeting of the Ugu District Municipal Council held on 13 September 2024.

Thereafter, Cllr SE Khawula moved for the acceptance of the minutes and was seconded by Cllr LMR Ngcobo

Following which,

It was

RESOLVED:

That the minutes of the Special Meeting of the Ugu District Municipal Council held on 13 September 2024 be and are hereby **CONFIRMED**.

RESOLUTIONS REGISTER

C 353/09/24

Resolutions Register for the 31st Meeting of the Ugu District Municipal Council held on 29 August 2024

The Speaker took members through the Resolutions Register for the 31st meeting of the Ugu District Municipal Council held on 29 August 2024.

Following which,

It was unanimously

RESOLVED:

That the Resolutions Register for the 31st Meeting of the Ugu District Municipal Council held on 29 August 2024 be and is hereby **CONSIDERED** and **NOTED**.

C 354/09/24

Resolutions Register for the Special Meeting of the Ugu District Municipal Council held on 13 September 2024

The Speaker took members through the Resolutions Register for the Special meeting of the Ugu District Municipal Council held on 13 September 2024.

Following which,

It was unanimously

RESOLVED:

That the Resolutions Register for the Special Meeting of the Ugu District Municipal Council held on 13 September 2024 be and is hereby **CONSIDERED** and **NOTED**.

C 355/09/24

OUTSTANDING MATTERS

It was noted that there were none.

STANDING ITEMS

C 356/09/24

Monthly Birthday Greetings: Councillors, Amakhosi and Senior Managers

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

- | | | |
|-------------------|---|--------------|
| • Inkosi EZ Jali | - | 17 September |
| • Cllr J Schmidt | - | 25 September |
| • Cllr X Nkasa | - | 05 September |
| • Cllr TH Msabala | - | 15 September |

- Cllr FM Ngwane - 28 September; and
- Dr T Mwelase - 27 September

Following which,

It was unanimously

RESOLVED:

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

C 357/09/24 Water Supply Status Quo Report

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

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

She then referred members from pages 07 to 32 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 Mdluli reported that the Amandawe area and the Amahlongwa area were experiencing water challenges for over a week. He expressed concerns that there was no formal communication received from Ugu that advised the community the cause of the disruption. He appealed for the Municipality to communicate any water interruptions with the relevant Ward Councillors and the communities.

He reminded members that in the previous meeting, Mr S Malinga had previously reported on the implementation plan that was put in place relating to the Amandawe area and the Amahlongwa area, whereby the water shedding would be implemented in the said areas. He then requested that he should be provided with the water shedding schedule dates for both the Amandawe area and the Amahlongwa area. He further requested that same should also be communicated to the respective Ward Councillors.

Cllr Breedt sought clarity if the disconnection of the electricity to the Umtamvuna Plant was due to the non-payment from the Municipality and if so, he enquired why the Municipality did not negotiate with Eskom prior to the disconnection.

Cllr Duma reported that the following areas under Ward 1 and Ward 2 did not have water, namely:

- Mkhunya area;
- Kwajoni area;
- Mandlalathi area;
- Two-Stick area;
- Ubuhlebogu area; and
- Qiko Tribal area

He also highlighted the following areas under Ward 1 that did not have water. He pointed out with concern that the said areas received water once a month via the water tankers namely:

- Mkhunya area; and
- KwaLembe area;

Cllr Tenza reminded members that in one of the meetings, he had previously highlighted the following areas under Vulamehlo and the Umdoni had never received the water infrastructure. He then highlighted the areas, namely:

- Kwavulindlela area under Ward 18;
- Makholweni area under Ward 5;
- Mandiyenikazulu under Ward 4 and Ward 5;
- Ebhulula area under Ward 5; and
- Hayworth area under Ward 11.

He mentioned that he also had previously reported that the community in the Mandleni area under Ward 4 had last received water from the water pipes in the year 2014. He pointed out that he was hopeful that the responses to the said concerns would be provided to the next meeting.

Cllr BN Shoji reported that the water scheme in the Malangeni area last had water the year 2016. She also raised a concern that the water tankers supply water only once a month and that the said water tankers arrived at night.

She expressed a concern that the school children in the Kwamagwaza area and the Lindela area in Malangeni fetch dirty water from the rivers to prepare for school and that the community use the same water to also wash their clothes. She further reported that there was no water supplied in Phase One and Phase Two.

In terms of the Umgeni Water Scheme, she reminded members that she had previously requested for the installation of standpipes. She also pointed out that there was a request for the borehole in Deke area to be fixed. She further raised a concern that the matter relating to the said borehole was never resolved.

On the issue of the Umgeni Water under the Umuziwabantu area, Cllr Nciki appreciated the efforts made by the officials on the issue of the water levels to the Harding Dam. She also appreciated the Municipality for installing boreholes with the

little resources that were available. She further advised that the officials should also monitor and ensure that the said boreholes had water.

Responding, the Acting General Manager: Water Services explained to members that there was a 'WhatsApp Group' that was created, whereby the Municipality communicated the water interruptions through the Communications Unit.

In terms of the electricity relating to the Umtamvuna Plant, she informed members that the problem was due to an electric fault and that same was not a disconnection by Eskom. She confirmed that the Municipality had an existing arrangement with Eskom, and that same was work in progress.

Regarding the Vulamehlo area whereby there was no water infrastructure, she reported that the Municipality had prioritized a project that was referred to as the Vulamehlo Regional Scheme, which would have a dam because there was not enough water to supply the entire area in Vulamehlo. She assured members that she would also engage Cllr BN Shoji and Cllr Tenza relating to the areas that were reported to experience challenges under the Umdoni area and the Vulamehlo area.

With regards to the Malangeni area, she confirmed that the water system had boreholes. She mentioned that the Municipality currently had a programme in place for fixing the boreholes. She further emphasized that the Councillors should report any problems that were being experienced with the boreholes.

In terms of the Umtamvuna Electrical Power Upgrade, the Mayor reported the sudden death of Inkosi Umdikwa who was one of the instrumental key player to the said project.

The Speaker emphasized that the Councillors serving as members in the Ugu District Council should ensure that the information relating to the water supply across the Ugu District was also escalated to the Ward Councillors at the local level.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Water Supply Systems Status be and is hereby **CONSIDERED** and **NOTED**.
- (b) That, it be noted that the Acting General Manager: Water Services would engage Cllr BN Shoji and Cllr Tenza outside the meeting relating to the areas that were reported to experience challenges under the Umdoni area and the Vulamehlo area including the issue relating to the community in the Mandleni area under Ward 4 that had last received water from the water pipes in the year 2014.

- (c) That the Councillors serving as members in the Ugu District Municipal Council be and are hereby tasked to ensure that the information relating to the water supply across the Ugu District was escalated to the Ward Councillors at the local level.

C 358/09/24 SALGA Monthly Report

It was noted that there was no report.

C 359/09/24 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 the Human Rights Commission would meet with the Ugu District Municipal Council on Monday, 14 October 2024.

C 360/09/24 SECTION 79 REPORTS

It was noted that there were none.

MATTERS FOR DISCUSSION

C 361/09/24 Progress Report on the Implementation of the Emergency Boreholes Programme

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

Cllr JS Ngwane reminded members that he had previously raised the said concern relating to the service provider of the boreholes. He then requested that the Acting Municipal Manager should be tasked to investigate the said matter given that the Municipality could not afford to have new boreholes that were non-functional.

The Speaker advised that the Municipality should also look into the issue of the specification of the boreholes.

Following which,

It was unanimously

RESOLVED:

- (a) That the progress report on the Implementation of the Emergency Boreholes Programme be and is hereby **CONSIDERED** and **NOTED**.
- (b) That the Acting Municipal Manager be and is hereby tasked to investigate the matter relating to the service provider of the boreholes including looking into the issue of the specification of the boreholes.

MATTERS FOR CONSIDERATION FROM COMMITTEES

Extracts from the Draft Minutes of the Executive Committee held on 18 September 2024

C 362/09/24 Ugu District Municipality – August Monthly Budget Statements

The Speaker took members through the item.

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

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

Following which,

It was unanimously

RESOLVED:

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

C 363/09/24 SCM Monthly Performance Report: August 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 August 2024 and for Council to play an oversight role in terms of monitoring and reviewing the spending patterns within the Municipality.

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

Following which,

It was

RESOLVED:

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

C 364/09/24 Labour Relations and Disciplinary Matters

The Speaker took members through the item.

Following which,

It was

RESOLVED:

That the report on the Labour Relations and Disciplinary Matters be and is hereby **CONSIDERED and NOTED**.

C 365/09/24 2024 / 2025 S57 Performance Contracts

The Speaker took members through the item.

Following which,

It was

RESOLVED:

That the report on the 2024 / 2025 S57 Performance Contracts be **CONSIDERED and NOTED**.

MINUTES FROM COMMITTEES

C 366/09/24 Minutes of the 38th Meeting of the Executive Committee held on 21 August 2024

The Speaker took members through the noting of the minutes of the 38th Meeting of the Executive Committee held on 21 August 2024.

Following which,

It was

RESOLVED:

That the Minutes of the 38th Meeting of the Executive Committee held on 21 August 2024 be and is hereby **CONSIDERED** and **NOTED**.

C 367/09/24 URGENT MATTERS

It was noted that there were none.

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

IN-COMMITTEE MATTERS

C 368/09/24 In-Committee Minutes of the 31st Meeting of the Ugu District Municipal Council held on 29 August 2024

The Speaker took members through the confirmation of the In-Committee Minutes for the 31st meeting of the Ugu District Municipal Council held on 29 August 2024.

Thereafter, Cllr Schmidt moved for the acceptance of the minutes and was seconded by Cllr Nywuswa.

Following which,

It was

RESOLVED:

That the In-Committee minutes of the 31st Meeting of the Ugu District Municipal Council held on 29 August 2024 be and are hereby **CONFIRMED**.

C 369/09/24 In-Committee Minutes of the Special Meeting of the Ugu District Municipal Council held on 13 September 2024

The Speaker took members through the confirmation of the In-Committee Minutes for the Special Meeting of the Ugu District Municipal Council held on 13 September 2024.

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

Following which,

It was

RESOLVED:

That the In-Committee minutes of the Special Meeting of the Ugu District Municipal Council held on 13 September 2024 be and are hereby **CONFIRMED**.

C 370/09/24 **In-Committee Minutes of the 38th Meeting of the Executive Committee held on 21 August 2024**

The Speaker took members through the noting of the In-Committee Minutes of the 38th Meeting of the Executive Committee held on 21 August 2024.

Following which,

It was

RESOLVED:

That the In-Committee Minutes of the 38th Meeting of the Executive Committee held on 21 August 2024 be and is hereby **CONSIDERED** and **NOTED**.

C 371/09/2424 **Report on the Implementation Plan – Absorption of Cleaning Services Beneficiaries as Permanent Staff (General Workers-Water Services Department) – 2024/2025 Financial Year**

The Acting Municipal Manager took members through the item.

Following discussion, Cllr Njenga moved for the acceptance of the recommendations and was seconded by Cllr Khawula.

Following which,

It was

RESOLVED:

- (a) That the report on the Implementation Plan – Absorption of Cleaning Services Beneficiaries as Permanent Staff (General Workers – Water Services Department) 2024/25 Financial Year and is hereby **CONSIDERED**.
- (b) That the Implementation Plan – Absorption of Cleaning Services Beneficiaries as Permanent Staff (General Workers – Water Services Department) 2024/25 Financial Year be and is hereby **APPROVED**.
- (c) That a total of 33 out of 54 EPWP Cleaning Services beneficiaries based on long services be and is hereby **ABSORBED** to be Post Level 18 General Workers under the Water Services Department.
- (d) That pursuant to (c) above, the focus be on the beneficiaries that started their services when cleaning services was still outsourced through the service providers mentioned in the report.

(e) That the absorption be and is hereby **IMPLEMENTED** in stages, as part of the financial management processes whereas the stages proposed be as follows:

- Phase 1, December 2024, the first 11 beneficiaries be **ABSORBED**;
- Phase 2, March 2025, the second 11 beneficiaries be **ABSORBED**;
- Phase 3, July 2025, the third 11 beneficiaries be **ABSORBED**; and
- The remaining 21 beneficiaries be added to the EPWP.

C 372/09/24

Report on the Alleged Sexual Harassment and Intimidation Case from Ms N Batshe by the Deputy Mayor, Cllr VM Chiya

The Speaker took members through the item.

Following which,

It was

RESOLVED:

- (a) That the verbal report on the Alleged Sexual Harassment and Intimidation Case of Ms N Batshe by the Deputy Mayor, Cllr VM Chiya be and is hereby **CONSIDERED** and **NOTED**.
- (b) That the matter relating to the Alleged Sexual Harassment and Intimidation Case of Ms N Batshe by the Deputy Mayor, Cllr VM Chiya be and is hereby **REFERRED** to the Rules and Ethics Committee for further investigation.
- (c) That the Rules and Ethics Committee be and is hereby tasked to investigate the matter relating to the Alleged Sexual Harassment and Intimidation Case of Ms N Batshe by the Deputy Mayor, Cllr VM Chiya and conclude on same within a period of seven (07) working days.
- (d) That pursuant to resolution (c) above, a Special Meeting of the Ugu District Municipal Council be scheduled to present the recommendations and findings of the investigation conducted by the Rules and Ethics Committee.
- (e) That a decision to appoint an attorney to represent the Speaker and the Ugu District Municipality be and is hereby **RATIFIED**.

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

C 373/09/24

DATE OF NEXT MEETING

It was noted that the date of the next meeting was scheduled for 24 October 2024.

C 374/09/24

CLOSURE

There being no further items for discussion, the Speaker declared the meeting closed at 14h04.

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