

**UGU DISTRICT MUNICIPALITY**

**MINUTES OF THE 35<sup>TH</sup> MEETING OF THE UGU DISTRICT MUNICIPAL COUNCIL  
HELD AT THE COUNCIL CHAMBERS, UMUZIWABANTU MUNICIPALITY,  
ON THURSDAY, 23 JANUARY 2025, AT 12H05**

Cllr SR Ngcobo - Speaker

IS Mqadi (Mayor), SN Caluza (Exco Member), D Nciki (Exco Member), GD Henderson (Exco Member), JS Ngwane (Exco Member), NA Njenga (Exco Member), MP Shoji, P Breedt, SV Duma, SP Fica, TT Hlophe, SE Khawula, MA Manyoni, SD Mdluli, SEH Mngoma, SP Mthethwa, NY Mweshe, PZ Mzindle, N Ndadane, NO Mazubane, SA Ngcece, X Nkasa, B Nyuswa, PC Shange, BN Shoji, MP Tenza, MV Vezi, LS Zungu and MPL Zungu

**BY INVITATION:**

Inkosi EZ Jali	
Mr RG Randall	- Auditor-General SA-Manager
Mr K Madlala	- Auditor-General SA (Hybrid)
Ms D Ludick	- South Coast Tourism & Investment Enterprise (SCTIE)
Mr S Dlomo	- South Coast Tourism & Investment Enterprise (SCTIE)
Mr AD Gonzalves	- Chairperson: Audit Committee

**IN ATTENDANCE:**

Mr VO Mazibuko	- Acting Municipal Manager
Mr K Audan	- General Manager: Budget and Treasury Office (BTO)
Dr T Mwelase	- Acting General Manager: Water Services
Ms MP Gobhozi	- Acting General Manager: Corporate Services
Ms T Jwacu	- Acting General Manager: Economic Development and Environmental Services (EDES)
Mr F Zama	- Senior Manager: Mayoralty and Communications
Ms F Mbili	- Senior Manager: Corporate Strategy and Shared Services
Mr S Kati	- Chief Audit Executive (CAE)
Ms Z Mpurwana	- Manager: Communications and Customer Relations Management
Ms NP Gumbi	- Manager: Human Resources
Mr A Mbhele	- Manager: Administration & Auxiliary Services
Ms F Goberdan	- Legal Services Co-ordinator
Ms B Malishe	- Committee Co-ordinator: Secretariat Unit
Ms B Danisa	- Committee Clerk: Secretariat Unit
Ms N Surajbally	- Administrative Officer: Secretariat Unit

- **OPENING**

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

C 01/01/25      **NOTICE OF MEETING**

The notice of the meeting was taken as read.

C 02/01/25      **APPLICATIONS FOR LEAVE OF ABSENCE**

It was noted that Cllr FM Ngwane (*family commitment*), Cllr MJ Cele-Luthuli (*council business*), Cllr LMR Ngcobo (*family commitment*) and Cllr J Schmidt (*leave*) had requested for leave of absence from the meeting.

At that stage of the proceedings, the Speaker mentioned that Council was supposed to do a site visit to the Harding Dam but due to the weather warning that was received, the said visit was then cancelled. He pointed out that going forward some of the Council meetings would be held at the Local Municipalities so that Council could do oversight on projects within the Local Municipalities.

Following which,

It was unanimously

**RESOLVED:**

That Cllr FM Ngwane (*family commitment*), Cllr MJ Cele-Luthuli (*council business*), Cllr LMR Ngcobo (*family commitment*) and Cllr J Schmidt (*leave*) be and are hereby **GRANTED** leave of absence from the meeting.

C 03/01/25      **DECLARATION OF INTEREST**

It was noted that there were none.

C 04/01/25      **CONFIRMATION OF AGENDA**

The Speaker took members through the confirmation of the agenda.

Thereafter, Cllr Mngoma moved for the acceptance of the Agenda and was seconded by Cllr Mthethwa.

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 the following reports under Urgent Matters namely:

- Item 14.1 Section 139 (1)(a) Directive to Fill Vacant Senior Manager Posts; and
- Item 14.2 Declaration of Vacancy: Deputy Mayor

### **CONFIRMATION OF MINUTES**

#### **C 05/01/25 Minutes of the 34<sup>th</sup> Meeting of the Ugu District Municipal Council held on 28 November 2024**

The Speaker took members through the confirmation of the minutes for the 34<sup>th</sup> meeting of the Ugu District Municipal Council held on 28 November 2024.

Thereafter, Cllr Mthethwa moved for the acceptance of the minutes and was seconded by Cllr Caluza.

Following which,

It was

#### **RESOLVED:**

That the minutes of the 34<sup>th</sup> Meeting of the Ugu District Municipal Council held on 28 November 2024 be and are hereby **CONFIRMED**; subject to Cllr D Nciki (*council business*) being reflected under Leave of Absence.

#### **C 06/01/25 Minutes of the Special Meeting of the Ugu District Municipal Council held on 24 December 2024**

The Speaker took members through the confirmation of the minutes for the special meeting of the Ugu District Municipal Council held on 24 December 2024.

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

Following which,

It was

#### **RESOLVED:**

That the minutes of the Special Meeting of the Ugu District Municipal Council held on 24 December 2024 be and are hereby **CONFIRMED**.

### **RATIFICATION OF MINUTES**

#### **C 07/01/25 Minutes of the Meeting of the Recess Committee held on 08 January 2025**

The Speaker took members through the ratification of the minutes for the meeting of the Recess Committee held on 08 January 2025.

Thereafter, Cllr Nyuswa moved for the ratification of the minutes and was seconded by Cllr Khawula.

Following which,

It was

**RESOLVED:**

That the minutes of the Meeting of the Recess Committee held on 08 January 2025 be and are hereby **RATIFIED**.

**RESOLUTIONS REGISTER**

**Resolutions Register for the 34<sup>th</sup> Meeting of the Ugu District Municipal Council held on 28 November 2024**

The Speaker took members through the Resolutions Register for the 34<sup>th</sup> meeting of the Ugu District Municipal Council held on 28 November 2024.

Following which,

It was unanimously

**RESOLVED:**

That the Resolution Register for the 34<sup>th</sup> Meeting of the Ugu District Municipal Council held on 28 November 2024 be and is hereby **CONSIDERED** and **NOTED**.

**Resolutions Register for the Special Meeting of the Ugu District Municipal Council held on 24 December 2024**

The Speaker took members through the Resolutions Register for the special meeting of the Ugu District Municipal Council held on 24 December 2024.

Following which,

It was unanimously

**RESOLVED:**

That the Resolutions Register for the Special Meeting of the Ugu District Municipal Council held on 24 December 2024 be and is hereby **CONSIDERED** and **NOTED**.

**Resolution Register for the Meeting of the Recess Committee held on 08 January 2025**

The Speaker took members through the Resolutions Register for the meeting of the Recess Committee held on 08 January 2024.

Following which,

It was unanimously

**RESOLVED:**

That the Resolutions Register for the Meeting of the Recess Committee held on 08 January 2024 be and is hereby **CONSIDERED** and **NOTED**.

C 11/01/25

## **OUTSTANDING MATTERS**

It was noted that there were none.

## **STANDING ITEMS**

C 12/01/25

### **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 November, namely:

- Cllr MPL Zungu - 05 January; and
- Cllr SA Ngcece - 16 January;

Following which,

It was unanimously

### **RESOLVED:**

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

C 13/01/25

### **Water Supply Status Quo Report**

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

She highlighted pages 2, 4, 5, 7, 13, 23, 24, 28, and 29 of the report, focusing on the following area systems, namely:

- Area South Central;
- Area South;
- Area North;
- Area South West; and
- Sanitation infrastructure.

In addition, the Acting Municipal Manager praised the Water Services Department for their progress in maintaining the water supply even during the Peak Season. However, he stressed the need to address the outdated infrastructure when it came to issues of sanitation. He reported that however, the E-coli levels were managed in Uvongo and the other areas.

Furthermore, he stated that, in future, all efforts would be made to prioritise the rural areas in water provision. He appreciated the temporal measure by Eskom for the Umtamvuna project that was set to be concluded before April 2025. He indicated that there would be a Strategic Planning Session whereby plans to address the issues of water provision as well as sanitation would be shared with Council in February 2025.

Cllr Mdluli stressed concerns that the residents in Wards 11, 12, and 13 in Umzinto were frustrated by the water interruptions occurring at peak times. He emphasised the importance of communicating water interruption warnings to help the said communities better prepare. Additionally, he highlighted issues in Amandawe Wards 16 and 17 as well as the Umdoni areas, whereby some areas had received water whilst others did not as a result of the illegal water connections. He urged the Water Services Department to investigate and find a solution to same.

Cllr Breedt sought clarity on whether there had been any hospital admissions related to waterborne diseases and if so, how many were there.

Cllr Mthethwa applauded the Water Services Department and highlighted the improvement in water supply in the Nkampini, Bonginduna and Nomakhanzana areas. He pointed out that he had hoped that the Water Services Department continued to work with Umzumbe Local Municipality regarding the programme of visiting Wards given that same had resulted in the progress of the water supply.

He also mentioned the challenges at the Thuthwini CHC whereby same had installed a borehole and had also received water from the Municipality. He then suggested that a meeting with Thuthwini CHC needed to be convened to resolve whether the water could be provided to areas in need as same had received two supplies of water i.e. from the boreholes as well as the Ugu District Municipality. Additionally, he highlighted complaints from residents in Ward 2 at St Faiths about having no water and requested for an intervention. He pointed out the Ndelu System challenge, noting that Eskom had not addressed the issues and needed confirmation whether the community was receiving water, as well as stressed the need to revisit the billing system due to irregularities.

Cllr Duma pointed out that Ward 4 in Umdoni at the Badani area had last received water in 2015. However, he praised the Water Services team for ensuring that there was water supply to the area during the festive season.

Cllr Tenza requested for a progress update on the matter of the non-functioning boreholes and the infrastructure issues in the Umdoni area. He then enquired on when the said matter would be addressed; if same was not addressed as yet.

Cllr Vezi praised the Water Services Department for ensuring the installation of a borehole in Ward 4 in the Mdulashe area. She raised concerns about the high-lying areas that was affected by the Vula Vala system which resulted in no water supply for over a year. She then requested for an intervention to address same.

Cllr Njenga praised the Water Services Department on the progress made during the Festive Season. He then emphasized that he was pleased that the focus on improving water services would be in the rural areas.

In response, the Acting General Manager: Water Services acknowledged the challenges in water interruptions at the Umzinto System. She noted that the illegal connections were a serious problem and mentioned that a program had been implemented to address same, in collaboration with the Security Services Section and the Department of Budget and Treasury Office. She highlighted that although it would take some time for an impact to be seen, inspections had already begun at the sites with higher water consumption.

She pointed out that she was not aware of any hospital admissions related to waterborne diseases. She then mentioned that she would investigate the borehole issue at Ethekwini, and she highlighted that same had a borehole but used the Ugu Water for drinking due to a water quality issue. However, she mentioned that she would engage with same moving forward. Additionally, she highlighted that there was an undertaking to address the issues at Ward 2 which was part of the Mhlabatshane System in Umzumbe.

She mentioned that the Ndelu System was in the process of recovering, but it would take some time for the reservoirs to fully replenish. She noted that there might be some breaks when the water returns and acknowledged the comment on the Ka Badani area. She also mentioned that the Vulamehlo Plant had an intervention underway, with an upgrade expected to be completed by September 2025, despite having capacity issues. She assured members that she would engage with Cllr Tenza on the said matter. Regarding the Vula Vala system, she stated that she would take details on the areas affected and look into same.

Additionally, she mentioned that discussions had taken place, and that she had visited the four operational areas and engaged with the Water Services team. She emphasized that the year 2025 would be dedicated to rural areas, with planned interventions and engagements to address their needs.

The Acting Municipal Manager emphasized that disease monitoring was conducted and assured Cllr Breedt that no diseases had been caused by the Ugu District Water.

His Worship, the Mayor, commended and thanked the Councillors and the Water Services team, led by the Acting Municipal Manager, for ensuring water supply despite the strikes and electricity tampering that had occurred.

Following which,

It was

**RESOLVED:**

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

**C 14/01/25 SALGA Monthly Report**

It was noted that there was no report.

**C 15/01/25 Human Rights Commission Inquiry**

The Speaker took members through the item.

He mentioned that the purpose of the report was to inform Council on the progress of the plan to address the recommendations that were made by the Human Rights Commission during the inquiry into the access to water in the Province of Kwa-Zulu Natal.

Following which,

It was

**RESOLVED:**

That the report on the Human Rights Commission Inquiry be and is hereby **CONSIDERED** and **NOTED**.

C 16/01/25

## **SECTION 79 REPORTS**

It was noted that there were none.

### **MATTERS FOR DISCUSSION**

C 17/01/25

#### **Presentation by the Auditor-General**

Mr Randall took members through the item.

He presented the Audit Report for the 2023 /2024 Financial Year.

It must be noted that there was a remarkable improvement with regard to the Audit Opinion for the financial year 2023/2024 whereby both the Municipality as well as the South Coast Tourism and Investment Enterprise (SCTIE) had received an Unqualified Audit Opinion.

Mr Randall then highlighted the following aspects namely:

- Vision and Mission of the Auditor-General;
- All have a Role to Play in Accountability Ecosystem;
- Where we let off in 2022/2023: Status of Implementation of Recommendations;
- Drivers of the Audit Outcomes;
- Overall Audit Outcomes;
- Quality of Financial Reporting;
- Quality of Performance Reports;
- Achieving Key Performance Targets – Summarised Information from Key Programmes;
- Non-Compliance with Key Legislation;
- Procurement and Payment System;
- Irregular Expenditure;
- Fruitless and Wasteful Expenditure;
- Unauthorised Expenditure;
- Consequence Management – Dealing with UIFW Expenditure;
- Financial Health;
- Key Findings in Information Technology Environment;
- Service Delivery – Water and Sanitation;
- Material Irregularities: Why were the Powers Extended and What Does it Mean;
- Material Irregularities - Next Steps and Responsibilities; and
- Detailed Material Irregularities Status

He also took members through the South Coast Tourism and Investment Enterprise (SCTIE) Audit Outcome and highlighted the following aspects namely:

- Overall Audit Outcomes

In addition, he presented the following:

- Call to Action and Overall Message to Council;
- Responsibilities of Council and Oversight; and
- Responsibilities of Key Role Players in the AES



He then reported that there was harm to the public whereby sicknesses were reported which was related to waterborne diseases.

Commenting, the Chairperson of the Audit Committee explained to Council that the Disciplinary Board was well established and were even part of the Roster of Meetings for the Calendar Years; however, the Disciplinary Board did not sit given that there were no matters referred to the Disciplinary Board.

Also, regarding the Material Irregularities, he emphasised that one must bear in mind the financial situation of the Municipality.

Mr Madlala also reported on the material irregularity whereby there was harm to the community and sicknesses were reported and that the Municipality was not monitoring same.

In addition, he reported that there was still vandalism at the Plants and also, there was not enough security and that the access to the pumpstations needed to be upgraded.

The Speaker sought clarity if a report was submitted to Council regarding the harm to the public whereby sicknesses were reported related to waterborne diseases.

The Acting General Manager: Water Services assured Council that there were no such cases in the Ugu District.

The Acting Municipal Manager pointed out with serious concern that both Management and Council was not aware of such an incident. He requested the Office of the AG to provide proof of same.

In response, Mr Randall informed Council that there were newspaper articles regarding same.

The Acting Municipal Manager requested copies of the said articles given that whilst he was in the employ of the Municipality, there were no such cases.

Also commenting, Cllr Manyoni welcomed the report from the AG. He reminded Council that not so long ago, the South African Human Rights Commission (SAHRC) held a meeting with the Ugu District Municipal Council whereby the said Commission had expressed their happiness with the approach that the Ugu District Municipality was dealing with water and sanitation issues in the Ugu District. He emphasised that the said Commission had never mentioned the issue of harm to the public whereby sicknesses were reported related to waterborne diseases whereby community members had passed on.

In addition, he indicated that the Municipality could get clarity from the Department of Health on this serious finding.

He assured Council that the Management Corrective Action Plan would be monitored very closely by the Municipal Public Accounts Committee (MPAC).

The Chairperson of the Audit Committee pointed out that PMS needed to be looked at. He appealed to Management to draw up Interim Financial Statements and to submit same to the Audit Committee for review. He then brought Council's attention to the going concern aspect of the SCTIE.

With regard to the Waste Water Treatment Plants, he advised Management to engage with the Economic Development, Tourism & Environmental Affairs (EDTEA) and that Business Plans should be done for additional funding.

The Acting General Manager: Water Services assured Council that both water and sanitation was taken seriously and that there was a standing item on the Agenda regarding same.

Mr Madlala then withdrew the statement whereby there was harm to the community and sicknesses were reported related to waterborne diseases and that the Municipality was not monitoring same.

Commenting, his Worship, the Mayor indicated that the Municipality recognised and supported the work of Chapter 9 Institutions such as the Auditor-General of South Africa in strengthening the good practices through the execution of the important task of oversight, accountability, and good governance. He said that through institutions like the AGSA, the Municipality could measure and reflect on its efforts of improving the lives of the communities it serves.

It was further noted that in preparation for the clean audit outcome for the next financial year, a consolidated corrective action plan with the time frames had been developed by the Municipality which would seek to address and clear some matters on the Auditor-General's report.

Following which,

It was

**RESOLVED:**

That the Presentation by the Auditor-General be and is hereby **CONSIDERED** and **NOTED**.

C 18/01/25

**Draft AG Management Corrective Action Plans**

The Acting Municipal Manager took members through the item.

Cllr Henderson moved for the acceptance of the recommendations and was seconded by Cllr Ngcece.

Following which,

It was unanimously

**RESOLVED:**

- (a) That the report on the Draft AG Management Corrective Action Plans be and is hereby **CONSIDERED**.
- (b) That the Draft AG Management Corrective Action Plans be and is hereby **ADOPTED**.

*[It must be noted that at this stage of the proceedings, both the AG and the Chairperson of the Audit Committee had left the meeting.]*

**C 19/01/25 Ugu District Municipality-November 2024 Monthly Budget Statement**

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 November 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 Ngcece.

Following which,

It was unanimously

**RESOLVED:**

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

**C 20/01/25 Cost Containment Report**

The Speaker took members through the item.

Following which,

It was unanimously

**RESOLVED:**

That the Cost Containment Report be and is hereby **CONSIDERED** and **NOTED**.

**C 21/01/25 Ugu District Municipality-Mid-Year Budget & Performance Report for the Year 2024/2025 (S52, S71 and S72)**

The Acting Municipal Manager took members through the item.

It was noted that the purpose of the report was to comply with S52, S71 and S72 of the MFMA and the requirements of the Municipal Budgeting and Reporting Regulations.

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

Following which,

It was

**RESOLVED:**

- (a) That the report on the Ugu District Municipality – Mid-Year Budget & Performance Report for the Year 2024/2025 (S52, S71 and S72) be and is hereby **CONSIDERED** and **NOTED**.
- (b) That the Ugu District Municipality – Mid-Year Budget & Performance for the Year 2024/2025 (S52, S71 and S72) be and is hereby **APPROVED**.

C 22/01/25

**Grant Funding for the Green & Smart Municipality Project-Phase 2**

The Acting Municipal Manager took members through the item.

Thereafter, Cllr Mazubane moved for the acceptance of the recommendations and was seconded by Cllr Manyoni.

Following which,

It was

**RESOLVED;**

- (a) That the report on the Grant Funding for Green and Smart Municipality Project – Phase 2 be and is hereby **CONSIDERED**.
- (b) That the Ugu District Municipality **ACCEPTS** the grant funding of One Million (R1, 000, 000.00) and commit to utilise the funds for the Green & Smart Municipality Project: Phase 2.
- (c) That the Acting Municipal Manager be and is hereby **AUTHORISED** to sign the required documents to enable the project to be implemented.

C 23/01/25

**Ugu Sanitation Infrastructure Status, Progress Report and Required Intervention**

The Acting Municipal Manager took members through the item.

Following which,

It was

**RESOLVED:**

- (a) That the report on the Ugu Sanitation Infrastructure Status, Progress Report and the Required Intervention be and is hereby **CONSIDERED**.
- (b) That the incidents occurring which were in breach of applicable legislations and specific to environment: Section 30(1)(a) of NEMA, an “incident” means an

unexpected sudden occurrence which affects the environment be and is hereby **NOTED**.

- (c) That the report on the Ugu sanitation infrastructure progress on the system challenges with the outlined status, interventions and remedial action plans be and is hereby **CONSIDERED** and **NOTED**.
- (d) That the three (3) year Budget requirements for the 2024/2025 financial year repairs and maintenance of the water and sanitation infrastructure be and is hereby **CONSIDERED** and **NOTED**.

C 24/01/25

### **Analysis Report in terms of the Sitting of Council and its Committees**

The Speaker took members through the item.

He laid emphasis on the importance of the sitting of meetings as per the approved roster of meetings as well as the Councillor's Attendance to same.

He urged all Councillors to ensure that they attend the meetings of the Committees that they were assigned to.

Commenting, Cllr Manyoni pointed out that the special meetings of MPAC that were held, were not reflected in the report.

Also commenting, Cllr JS Ngwane indicated that sometimes there were clashes in meetings held by the Local Municipalities.

In response, the Speaker reminded Council that when the Roster of Meetings was prepared, same was done together with the Local Municipalities and that when the item was presented to Council for approval, there was communication from the Local Municipalities that was attached to the reports confirming that there was no clash in meetings. He then emphasised that all scheduled meetings should be prioritised.

Following which,

It was unanimously

### **RESOLVED:**

- (a) That the Analysis Report in terms of the Sitting of Council and its Committees be and is hereby **CONSIDERED** and **NOTED**.
- (b) That all Councillors ensure that they attend the meetings of Council and its Committees that they were assigned to.

### **MATTERS FOR CONSIDERATION FROM COMMITTEES**

**Extract from the Draft Minutes of the Meeting of the Municipal Public Accounts Committee (MPAC) held on 16 January 2025**

**2023/2024 Annual Reports for Ugu and the South Coast Tourism & Investment Enterprise (SCTIE)**

C 25/01/25

The Acting Municipal Manager took members through the item.

Cllr Mthethwa moved for the acceptance of the recommendations and was seconded by Cllr Mazubane.

Following which,

It was

**RESOLVED:**

- (a) That the report on the 2023/2024 Annual Report for Ugu and the South Coast Tourism & Investment Enterprise (SCTIE) be and is hereby **CONSIDERED**.
- (b) That the 2023/2024 Annual Report for Ugu and the South Coast Tourism & Investment Enterprise (SCTIE) be and is hereby **APPROVED** for public participation.

C 26/01/25

**MINUTES FROM COMMITTEES**

It was noted that there were none.

**URGENT MATTERS**

C 27/01/25

**Section 139 (1)(a) Directive to Fill Vacant Senior Manager Posts**

The Acting Municipal Manager pointed out that the objective of the report was to present to Council the correspondence that was received from the MEC for Co-operative Governance and Traditional Affairs (COGTA) on the Section 139(1)(a) Directive to fill Vacant Senior Manager Posts.

He indicated that the said Circular which was attached to the report was self-explanatory.

He then referred members to the recommendations, which read as follows:

- (a) The Municipal Council is directed in terms of Section 139(1)(a) of the Constitution to fulfil its executive obligation and fill the vacant positions of the Municipal Manager and the General Manager: Water and Technical Services and the Ugu District Municipal Council is cautioned that failure to comply could result in the escalation to Section 139(1)(a) Constitutional intervention.
- (b) Council is directed to acknowledge receipt of this correspondence and subsequently, submit a detailed remedial action plan, including an accelerated recruitment plan within a period of seven (7) days of receipt of the attached correspondence.

Commenting, Cllr Mthethwa sought clarity regarding the status quo of the General Manager: Water Services position.

In response, the Acting Municipal Manager reported that the first stage of the Selection and Recruitment Plan, which was the Shortlisting Stage was completed.

Members of Council appealed to the Mayor to be very strict with the timeframes for the position of the Municipal Manager.

Following which,

It was unanimously

**RESOLVED:**

- (a) That the report on the Section 139 (1)(a) Directive to Fill Vacant Senior Manager Posts be and is hereby **CONSIDERED** and **NOTED**.
- (b) That, it be and is hereby **NOTED** that the Municipal Council is directed in terms of Section 139(1)(a) of the Constitution to fulfil its executive obligation and fill the vacant positions of the Municipal Manager and the General Manager: Water and Technical Services and the Ugu District Municipal Council is cautioned that failure to comply could result in the escalation to Section 139(1)(a) Constitutional intervention.
- (c) That, it be and is hereby **NOTED** that Council is directed to acknowledge receipt of this correspondence and subsequently, submit a detailed remedial action plan, including an accelerated recruitment plan within a period of seven (7) days of receipt of the attached correspondence.

C 28/01/25

**Declaration of Vacancy: Deputy Mayor**

The Speaker took members through the item.

It was noted that the purpose of the report was for Council to declare a vacancy for the position of Deputy Mayor.

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

Following which,

It was

**RESOLVED:**

- (a) That the report regarding the Declaration of Vacancy: Deputy Mayor be and is hereby **CONSIDERED** and **NOTED**.
- (b) That a vacancy for the position of Deputy Mayor be and is hereby **DECLARED**.

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

**IN-COMMITTEE MATTERS**

C 29/01/25

**In-Committee Minutes of the 34<sup>th</sup> Meeting of the Ugu District Municipal Council held on 28 November 2024**

The Speaker took members through the confirmation of the In-Committee Minutes of the 34<sup>th</sup> meeting of the Ugu District Municipal Council held on 28 November 2024.

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

Following which,

It was

**RESOLVED:**

That the In-Committee Minutes of the 34<sup>th</sup> Meeting of the Ugu District Municipal Council held on 28 November 2024 be and are hereby **CONFIRMED**.

C 30/01/25

**In-Committee Minutes of the Special Meeting of the Ugu District Municipal Council held on 24 December 2024**

The Speaker took members through the confirmation of the In-Committee Minutes of the special meeting of the Ugu District Municipal Council held on 24 December 2024.

Cllr Manyoni moved for the acceptance of the minutes and was seconded by Cllr Nyuswa.

Following which,

It was

**RESOLVED:**

That the In-Committee Minutes of the Special Meeting of the Ugu District Municipal Council held on 24 December 2024 be and are hereby **CONFIRMED**.

C 31/01/25

**In-Committee Minutes of the Meeting of the Recess Committee held on 08 January 2025**

The Speaker took members through the In-Committee Minutes of the Meeting of the Recess Committee held on 08 January 2025.

Thereafter, Cllr Henderson moved for the acceptance of the recommendations and was seconded by Cllr Njenga.

Following which,

It was

**RESOLVED:**

That the In-Committee Minutes of the Meeting of the Recess Committee held on 08 January 2025 be and are hereby **RATIFIED**.

C 32/01/25

**Transfer of the Support Staff of the Former Deputy Mayor**

The Acting Municipal Manager took members through the item.



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

Following which,

It was

**RESOLVED:**

- (a) That the report regarding the Transfer of the Support Staff of the Former Deputy Mayor be **CONSIDERED** and **NOTED**.
- (b) That the request for the transfer of the Bodyguards and Driver to Mr VM Chiya i.e. Mr KG Shange, Mr NJ Chiya and Mr MH Mnyandu be transferred to the Security Services Section within the Corporate Services Department to provide services to the Water Services Authority Section within the Water Services Department and that the said transfer be linked to the Term of Office of the current Municipal Council which ends in 2026 be and is hereby **APPROVED**.
- (c) That the request to transfer the former PA to Mr VM Chiya, Ms NP Batshe to the Security Services Section within the Corporate Services Department and that the said transfer be linked to the Term of Office of the current Municipal Council which ends in 2026 be and is hereby **APPROVED**.

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

C 33/01/25

**DATE OF NEXT MEETING**

It was noted that the date of the next meeting was scheduled for 27 February 2025.

C 34/01/25

**CLOSURE**

In closing, the Speaker expressed his gratitude to all present for their co-operation and participation in the meeting.

There being no further items for discussion, the Speaker declared the meeting closed at 14h40.

**CHAIRPERSON:** \_\_\_\_\_ **DATE:** \_\_\_\_\_