



## **COUNCIL DECISION CIRCULAR : MEETING HELD 2024-02-14**

TO ALL DEPUTY CITY MANAGERS AND HEADS:

Attached please find decisions adopted by the Council at its meeting held on 2024-02-14

Deputy City Managers and Heads are kindly requested to facilitate implementation of the decisions impacting their Clusters and Units within the applicable timeframes.

Kindly note that the word "**ADOPTED**" marked in bold at the end of the recommendation confirms that the item has been approved by Council and is ready for implementation. Other relevant status will be reflected at the end of the recommendation to indicate the position taken by Council on a particular item.

Should further information be required on any item on the Council agenda, kindly contact:

**Theresa Ndlovu**

**[theresa.ndlovu@durban.gov.za](mailto:theresa.ndlovu@durban.gov.za)**

**031 311 2101**

**083 652 3882**

1. **FIRST REPORT OF THE EXECUTIVE COMMITTEE: MEETING HELD ON TUESDAY, 2024-01-23.**

1. **AUDIT COMMITTEE REPORT FOR THE FIRST QUARTER ENDED 30 SEPTEMBER 2023 (11/1/3)**

(Page 1)

The Chairperson of the Audit Committee presented the audit outcome for the period ended 30 September 2023. In his opening remarks, he congratulated the Municipality for obtaining an unqualified audit report, with its entities obtaining clean audit, and pointing out that this was as a result of collective efforts by both the political and the administrative leadership of the Municipality. The Chairperson then presented the findings as recorded from page 3 of the Audit Committee Report circulated separately. Recorded below is just a synopsis of the findings:

- (i) Inadequate internal controls and Standard Operating Procedure to guide the operations in a structured manner under Information and Communication Technology
- (ii) Inability of the management to meet set deadline for the Oracle CX, Customer Relations Management project
- (iii) The Municipality still not compliant with the Protection of Personal Information (POPI) Act
- (iv) Ineffective management of employment contracts resulting in certain employees working and remunerated while their contracts have already expired. Others being engaged without signing a formal contract
- (v) Lack of coordination in relation to the supply chain management contracts awards and thus imposing financial risk as some of the projects are funded through loan and grant funding.
- (vi) No dedicated Department to focus on implementing the Non-Revenue Water Plan
- (vii) No Strategic Business Plan in place to guide operations of the Engineering Unit, and with the Unit recording high vacancy rate of 59% for Architecture; Electrical; Asset & Facilities Management Department
- (viii) No Strategic Business Plan in place in Water & Sanitation Unit, with the Unit also recording high vacancy rate of 52%. Shortage of tools of trade such as vehicles also hindering the performance of the Unit
- (ix) No Strategic Business Plan in place in the Cleansing and Solid Waste Unit and the human resources capacity of the division lacking by 29% of the current approved structure

The Committee welcomed a comprehensive report by the Chairperson, and also received Management responses on plans implemented or to be implemented to clear the findings identified.

During discussions, the Committee raised views as per the points recorded below:

- i) Management was commended for improvement effected to achieve unqualified audit. Furthermore, both entities were commended for achieving clean audit during this quarter.

- ii) Whilst acknowledging the slight improvement in Non-Revenue Water, However, attention was drawn to the significance of addressing water leaks throughout the Municipality.
- iii) Reservations were raised on the poor attendance of Senior Officials at the DCM level at the Audit Committee. That for the Committee to achieve accountability and proper responses for informed decision, it was crucial for Senior Management to attend the meetings.
- iv) Furthermore, the Committee expressed dissatisfaction with the slow progress for the Municipality to be POPIA compliant. That further delays could subject the Municipality to fines.
- v) Reservations were further extended on the existing challenges of the Supply Chain Management (SCM) processes which constantly hinders service delivery. That solutions should be explored further to find a lasting solution.
- vi) Management was encouraged to work on these findings to find lasting solutions and that political interventions will be given where required.
- vii) The Committee reiterated the importance of rezoning the Inkosi Albert Luthuli International Convention Centre (ICC) precinct to best complement its operations and to maintain its international standard. That support should also be given to the Durban Marine Theme Park to ensure that it thrive in its operations for both entities to continue achieving clean audit.

The issue of Management representation in the Audit Committee was discussed, and the City Manager confirmed standing arrangement for the Executive Manager in his office to serve as a permanent representative in the Audit Committee while he pursues other overwhelming responsibilities. The Office of the City Manager to also ensure representation of Deputy City Managers in the Audit Committee.

With the Committee having noted the Audit and Risk Committee findings; as well as commitments made by the Management to continue attending to these issues,

#### COMMITTEE RECOMMENDS:

That the Audit Committee Report for the first quarter of the 2023/2024 from 01 July to 30 September 2023, submitted in terms of Section 166 (1) of the Local Government: Municipal Finance Management Act No. 56 of 2003 and Section 14(2)(a) of the Local Government Municipal Planning & Performance Management Regulations, to advise Council of the activities of the Audit Committee and the results of its quarterly reviews of the systems of internal financial control; internal audit; risk management processes; financial reporting; performance management; governance; compliance with laws and regulations; and any other issues referred by the Municipality or its Entities; be noted, as well as the Management responses related thereto.

**NOTED.**

2. APPROVAL OF RISK APPETITE AND TOLERANCE POLICY (2/10/1/1/8)

(Page 32)

In line with Section 62(1)(c) (i) and Section 95 (c) (i) of the Local Government: Municipal Finance Management Act No 56 of 2003, the eThekweni Municipality has developed the Risk Appetite and Tolerance Policy to ensure that the Municipality and its entities establish effective and efficient risk management processes. The purpose of the policy is to indicate how much risk the Municipality can take or reject for each category of risk.

The benefits of developing the Risk Appetite and Tolerance Levels are highlighted as follows:

- The Risk Appetite and Tolerance levels establishes acceptable parameters to drive risk taking throughout the Municipality;
- It provides a structure for monitoring the level of risks to be taken or accepted at strategic or operational levels in order to achieve desired objectives;
- Knowing the defined risk appetite and tolerance helps Management and the Oversight Structures to make informed decisions;
- It assists the Municipality to make decision based on what has been determined to be acceptable risk levels; and
- It improves focus on monitoring risks that require attention as they may be outside of determined acceptable levels, therefore detrimental to achievement of objectives.

With the Committee being in support,

COMMITTEE RECOMMENDS:

That Council approves the Risk Appetite and Tolerance Policy established in line with Section 62(1)(c) (i) and Section 95 (c) (i) of the Local Government: Municipal Finance Management Act No. 56 of 2003 to ensure effective and efficient risk management process.

**ADOPTED, by a majority vote.**

3. REQUEST TO APPROVE UNBUNDLING OF THE COMMUNITY INFRASTRUCTURE PROGRAM IN THE 2023/2024 FINANCIAL YEAR. (7/1/2/2)

(Page 46)

It will be recalled that on 31 May 2023, the Municipal Council approved the 2023/2024 Medium Term Revenue Expenditure Framework (MTREF) in accordance with Section 24(1) of the Local Government: Municipal Finance Management Act No. 56 of 2003. At that stage, the Community Infrastructure Project (CIP) allocation was approved as a consolidated capital project pending receipt of projects listing through Councillor submission, and which were not yet finalized at the time of budget approval.

Councillors have since submitted relevant projects listing hence the submission for authority to unbundle the CIP allocation. A total amount of R333 000 000.00 (Three Hundred and Thirty-Three Million Rand) will be shared amongst the one hundred and eleven (111) Wards under the CIP budget.

With all Members being in support,

**COMMITTEE RECOMMENDS:**

That authority be granted to unbundle blocksum in the amount of R333 000 000.00 (Three Hundred and Thirty-Three Million Rand) for allocations to individual Wards in accordance with submissions from the Ward Councillors to pursue Community Infrastructure Program (CIP) within the 2023/2024 Medium Term Revenue Expenditure Framework (MTREF).

**Financial Implications**

ESTIMATES FOR 23/24 Financial Year	
ODCM: HSET P&Gs	59 940 000.00
ETHEKWINI TRANSPORT AUTHORITY	17 986 000.00
ETHEKWINI WATER AND SANITATION	51 885 300.00
HUMAN SETTLEMENTS	48 685 700.00
PARKS, RECREATION AND CULTURE	78 174 000.00
ROADS PROVISION	76 329 000.00
<b>CIP BUDGET FOR 23/24 FINANCIAL YEAR</b>	<b>333 000 000.00</b>

CIP CLUSTERS	BUDGET PER CLUSTER
ODCM: HSET P&GS + PSPs	59 940 000.00
HSET CLUSTER	143 000 700.00
TRADING SERVICES CLUSTER	51 885 300.00
COMMUNITY EMERGENCY CLUSTER	78 174 000.00
<b>TOTAL</b>	<b>333 000 000.00</b>

**ADOPTED.**

4. **UPDATE REPORT ON INTERVENTIONS TAKEN TO RESPOND TO DAMAGES CAUSED BY DISRUPTIVE HEAVY RAINFALL OF JANUARY 2024 (29/2/2)**

(L110)

During discussions, the Committee raised views as per the points recorded below:

- The Committee welcomed comprehensive report and appreciated efforts made by the Municipal departments to provide immediate responses during the recent heavy rains.
- Condolences were extended to families who lost their loved ones during this period.
- With harsh weather conditions becoming common in eThekweni, members emphasized the need to build better to ensure infrastructure is able to withstand heavy rains.

- Attention was drawn to the need to implement the City's Climate Change Strategy to enable effective mitigating measures from the Municipal departments during disasters.
- A need to install trash traps on stormwater drains was emphasized to prevent waste from infiltrating the drainage systems to protect rivers and streams.
- Attention was further drawn to the need to accord Municipal employees with similar benefits as those provided to regular citizens during disaster crisis. That some employees are unable to afford insurance for their properties.
- With regards to recent water outages in the City, concerns were expressed regarding poor coordination of water tankers. Mention being made that people were left without any solution due to non-availability of water tankers.
- Other Government Spheres through District Development Model (DDM) were called to play their key role in providing relevant resources for effective response during disasters rather than the Municipality being required to reprioritize its budget.
- With water tankers being considered critical during emergencies and eThekweni Municipality having insufficient capacity, the City Manager and the Chief Financial Officer (CFO) were encouraged to source funding to finances procurement of additional water tankers during this financial year.
- Furthermore, the City Manager and the CFO were encouraged to establish a turnaround strategy to address existing bottlenecks within the Supply Chain Management (SCM) processes resulting to delays to conclude projects at given timelines.
- For effective interventions during disaster crisis, the Municipality was encouraged to develop a mechanism at the Ward level to identify people willing to assist their respective communities when faced with disasters to achieve immediate responses.
- Attention was drawn to the need for relevant structures to review some of the curriculum, particularly in the Engineering Sector for designs to be responsive to current climatic conditions.
- That the Executive Committee will convene a 2-day workshop for all Municipal departments to present realistic approach and implementation of the Municipal Climate Change Action Plan.

That uMngeni-uThukela Water will be invited to provide Councillors with necessary information to understand their challenges as their operations affect the communities of eThekweni Municipality which affects the image of the City.

Thereafter, Management noted comments made by the Committee, particularly on building better, taking into consideration current climatic conditions being experienced. That in view of water tankers status, One Hundred and Fifty-Seven (157) Municipal-owned and One Hundred and Five (105) hired active water tankers the Municipality should ensure effective deployment of water tankers.

Accordingly,

**COMMITTEE RECOMMENDS:**

- 4.1 That Council notes comprehensive update report representing various eThekweni Municipal Units and their flood disaster recovery cost incurred after disruptive rainfall which occurred in the eThekweni area on 13 and 16 January 2024.
- 4.2 That Council notes that following preliminary assessments on the overall damages, a total of R1 408 451 583.00 (One Billion Four Hundred and Eight Million Four Hundred and Fifty-One Thousand Five Hundred and Eighty-Three Rand), excluding VAT, is required to implement necessary recovery plans.
- 4.3 That Council notes that requests for assistance with burials have been received by the Office of the Mayor to assist floods victims.
- 4.4 That Council supports the application by the eThekweni Human Settlements Unit to the National Department of Human Settlements to fund damages listed in the table below at an amount of R282 360 000.00 (Two Hundred and Eighty-Two Million Three Hundred and Sixty Thousand Rand) of the preliminary costs submitted:

No	Items	Number of Units affected	Cost per Unit	Total Cost estimates
1	BNG	200	R 180 000	R36 000 000.00
2	Informal Settlements Shack	3600	R 12 000	R43 200 000.00
3	Hostels	178	R 220 000	R39 160 000.00
4	R293	655	R 190 000	R124 450 000.00
5	Council flats (retaining blocks)	48	R 350 000	R16 800 000.00
6	Retaining Walls	350	R 65 000	R22 750 000.00
TOTAL				R282 360 000.00

- 4.5 That Council support the request for budget reprioritization to fund the emergency repairs being undertaken by various departments to respond to the flood damages.
- 4.6 That Council supports Disaster Management for the submission of the preliminary report to the Provincial Disaster Management Centre for inclusion to the Provincial report being submitted to National Disaster Management Center for approval of a disaster declaration following the announcement of a classification in line with the Disaster Management Act 57 of 2002.
- 4.7 That Council notes that a detailed report will be submitted and comprising updated cost implications, relief provision, burial assistance provided, and emergency repairs undertaken.

**Financial Implications**

- 1. Human Settlements

No	Items	Number of Units affected	Cost per Unit	Total Cost estimates
1	BNG	200	R 180 000	R36 000 000.00
2	Informal Settlements Shack	3600	R 12 000	R43 200 000.00

3	Hostels	178	R 220 000	R39 160 000.00
4	R293	655	R 190 000	R124 450 000.00
5	Council flats (retaining blocks)	48	R 350 000	R16 800 000.00
6	Retaining Walls	350	R 65 000	R22 750 000.00
TOTAL				R282 360 000.00

2. Engineering

Item No.	Department	Cost Estimate
1	Coastal Stormwater and Catchment Management (Drainage Systems)	R660 062 000
2	Roads Provision (Bridges & Roads)	R129 330 000
3	Roads & Stormwater Maintenance (RSWM0 gravel roads and roads network damages)	R209 760 583
Total		R999 152 583

3. Water and Sanitation Department

Item No	Description	Cost Estimate
1	Water operations: Damage to Water Works and Main Trunk lines	R11 800 000
2	Sanitation: Damage to wastewater treatment works	R107 000 000
Total		R118 800 000

4. Parks, Recreation and Culture

Item No	Description	Cost Estimate
1	Damage to public facilities, workshops and equipment	R7 139 000
Total		R7 139 000

5. Health Unit

Item No	Description	Cost Estimate
1	Primary Health Clinic damages to buildings	R1 000 000
Total		R1 000 000

**Integrated Cost Implications**

Department	Estimate Costs
Engineering	R 999 152 583.00
Human Settlements	R 282 360 000.00
Health	R 1 000 000.00
Parks Recreation & Culture	R 7 139 000.00
EWS- Water and Sanitation	R 118 800 000.00
Total	

**Recommendations 4.1, 4.2, 4.3, 4.4 and 4.7 NOTED and recommendations 4.5 and 4.6 ADOPTED.**

5. RATIFICATION OF APPROVAL MADE IN TERMS OF RULE 28 (1) (b) OF THE RULES OF ORDER BYLAW 2014, AS AMENDED, WITH RESPECT TO HOSTING THE NATIONS CONNECT ONE FOOTBALL TOURNAMENT (33/2)

(L111)

The KwaZulu-Natal Provincial Government requested the eThekweni Municipality to support and host the National Connect One Football Tournament involving Orlando Pirates; Kaizer Chiefs; and two Teams from India, Mohammedan Sporting Club in Kolkata and Sreenidhi Deccan FC of Hyderabad. The tournament was perceived



to be a powerful catalyst for economic growth; social cohesion and promotion of tourism in the KZN Province. The event was considered to create a lasting positive impact on the Province’s economic; cultural and sporting landscape. The event was scheduled for 27 January 2024 in Moses Mabhida Stadium, but has since been postponed to June 2024.

With the Committee noting the postponement of the tournament from January to June 2024, some Members queried the possibility to withdraw the item to allow Management to prepare a comprehensive report for approval by Council. However, in view that the agreement has already been signed, a plea was made to continue with the processes that have already commenced to prepare for the tournament.

Accordingly,

**COMMITTEE RECOMMENDS:**

5.1 That the action of the City Manager, in consultation with His Worship the Mayor, Councillor TM Kaunda, in his capacity as the Mayor and Chairperson of the Executive Committee, in approving as a matter of urgency in terms of Rule 28(1)(b) of the Rules of Order By-law 2014, as amended, an allocation of an amount of R3 330 000.00 (Three Million Three Hundred and Thirty Thousand Rand), to support and host the Nations Connect One Football Tournament involving Orlando Pirates, Kaizer Chiefs and two Indian Super League Teams, namely, the Mohammedan Sporting Club in Kolkata and Sreenidhi Deccan FC of Hyderabad, scheduled to take place in Moses Mabhida Stadium on 27 January 2024 be ratified, it being recorded that the date has since been changed to June 2024.

**Financial Implications:**

<b>Item</b>	<b>Description</b>	<b>Amount</b>
Moses Mabhida Stadium	Match Venue	R750 000.00
Match Related Costs	Security; Cleaning; Medical Services; Venue Set Up	R200 000.00
Mayoral Reception	Hosting Officials, excluding Players	R200 000.00
Outdoor Profiling	City Address; Posters; Street Pole Banners	R180 000.00
Activations	Social Media Activations and Airport Activation	R200 000.00
<b>Total</b>		<b>R3 330 000.00</b>

**Recommendation 5.1 RATIFIED, subject to including additional recommendation as follows:**

***“That the eThekweni Municipality engages the KwaZulu-Natal Provincial government to determine its financial contribution in support of the Nations Connect One Football Tournament taking place in June 2024.”***

With the amendment, the recommendation ratified by the Council in this regard then read as follows:

“5.1 That Council ratifies approval given in terms of Rule of Order 28, relating to the approval to allocate an amount of R3 330 000.00 (Three Million Three Hundred and Thirty Thousand Rand), to support and host the Nations Connect One Football Tournament in June 2024 (specific dates to be confirmed), involving Orlando Pirates, Kaizer Chiefs and two Indian Super League Teams, namely, the Mohammedan Sporting Club in Kolkata and Sreenidhi Deccan FC of Hyderabad, scheduled to take place in Moses Mabhida Stadium, with funding allocation to be broken down as per the categorization in the table below:

Item	Description	Amount
Moses Mabhida Stadium	Match Venue	R 750 000.00
Match Related Costs	Security; Cleaning; Medical Services; Venue Set Up	R2 000 000.00
Mayoral Reception	Hosting Officials, excluding Players	R 200 000.00
Outdoor Profiling	City Address; Posters; Street Pole Banners	R 180 000.00
Activations	Social Media Activations and Airport Activation	R 200 000.00
<b>Total</b>		<b>R3 330 000.00</b>

5.2 That the eThekweni Municipality engages the KwaZulu-Natal Provincial government to determine its financial contribution in support of the Nations Connect One Football Tournament taking place in June 2024.”

**NOTED AND ADOPTED**

2. **SECOND REPORT OF THE EXECUTIVE COMMITTEE: MEETING HELD ON MONDAY, 2024-01-29.**

1. **REQUEST FOR APPROVAL TO EXTEND TERM OF OFFICE OF THE AUDIT & RISK COMMITTEE MEMBERS AND APPROVAL OF UPDATED REMUNERATION FRAMEWORK FOR OVERSIGHT COMMITTEES (4/3/2 & 4/5/1/1)**

(Page 1)

The eThekweni Municipality has established Audit and Risk Committee (ARC) in line with the requirements of Section 166 of the Local Government: Municipal Finance Management Act No. 56 of 2003 (MFMA). The Audit Committee serves as an independent advisory body to the Council, Political Office bearers, Accounting Officer, Management, Municipal Entities and staff on issues relating to the internal control environment.

In terms of the Audit Charter, Members should be selected from different areas of expertise to respond to varied needs of the Municipality, and they are to serve for a 3-year period, which is renewable for another 3 years if the Municipality wishes to extend the term of office, but the duration could not proceed beyond a six-year period.

Currently, the six (06) serving Members have completed their first 3-year period, and authority is sought to extend their term of office for another 3-years thereby achieving business continuity. The Members referred to are listed in the table below, including their qualifications and areas of expertise.

No.	Members	Qualifications	Area of Expertise	Appointed	End of Term
1	Mr. Siboniso Shabalala	Bachelor of Commerce: Accounting Post Graduate Diploma in Accounting	Financial Management	01/07/2021	30/06/2024
2	Ms. Precious Sibiya	Chartered Accountants (SA) Bachelor of Accountancy  Postgraduate Diploma in Accounting	Financial reporting, Financial management, Risk management, Auditing (Internal and External), Compliance management, Supply chain management	01/07/2021	30/06/2024
3	Ms. Adila Chowan	Chartered Accountant Advocate Certified Director LLB Degree) B.ACC, Honours in Accounting Leadership Course	Legal	01/07/2021	30/06/2024
4	Mr. Ashley Latchu	MSc (Masters in Computing) Honors Degree (Computing) BSc Degree (IT Management) Bachelor of Accounting Sciences (Internal Auditing) Diploma in Networking & Engineering	Information Technology Auditing	01/07/2021	30/06/2024
5	Mr. Ayanda Wakaba	Master of Business Management and Administration (MBA) Honours Bachelor of Accounting Sciences Bachelor of Commerce Advanced Diploma in Accounting	Financial Management Auditing	01/07/2021	30/06/2024
6	Mr. Imtiaz Valley	Chartered Accountant (SA). Chartered Management Accountant. Chartered Global Management Accountant Highest degree: Master of Accountancy	Audit and risk management Accounting and finance Strategic leadership Corporate governance	01/07/2021	30/06/2024
7	Dr. Jonty Tshipa	Ph.D. Financial Management Science Master of Finance and Investment (CumLaude). Master of Business Administration Project Management Electrical Engineering	Financial management, Business Management, Risk Management and Engineering, ICT and Compliance Management	01/03/2022	28/02/2025

Based on the requirements of the Charter as quoted above, it is recommended to extend the term of office of the existing six (06) Audit Committee Members, which approach makes business sense in terms of achieving business continuity and saving time and resources to start a new process while the Council is satisfied with the level of service rendered by the current Members. It should be noted that the term of office of the 7<sup>th</sup> member is still active till 2025 and therefore not included in the renewal process.

On the other hand, authority is sought to approve updated Oversight Remuneration Framework as the existing one is due to expire in June 2024. The Framework has since been reviewed to align with the proposed new term of office of the members. The costs implications in this regard is categorised as follows:

Estimated Costs: 2024-25	Estimated Costs: 2025-26	Estimated Costs: 2026-27
R2 207 250.00	R2 486 610.00	R2 660 670.00

The breakdown of costs is contained in the comprehensive framework attached herein.

With the Executive Committee being satisfied with the level of service rendered by the current Audit Committee members, the extension of term of office was unanimously supported, as well as the proposed revised remuneration framework.

Accordingly,

**COMMITTEE RECOMMENDS:**

- 1.1 That Council notes the term of office of six (06) Members of the Audit and Risk Committee is coming to an end in June 2024.
- 1.2 That subject to .1 above, and in a bid to achieve business continuity, Council approves the extension of the term of office of the following six (06) Audit and Risk Committee Members whose term of office expires in June 2024, and the extension to commence another three-year term of office commencing 01 July 2024 and expiring 30 June 2027, it being recorded that the Members in question are still in possession of the required qualifications and competencies to serve on this Committee:
  - (i) Mr S Shabalala;
  - (ii) Ms P Sibiyia;
  - (iii) Ms A Chowan;
  - (iv) Mr A Latchu;
  - (v) Mr A Wakaba and
  - (vi) Mr I Valley
- 1.3 That Council approves the revised Oversight Remuneration Framework attached herein, and which aligns with the new term of office, to be implemented with effect from 01 July 2024, and which reflects the costs estimates as reflected in the table below:

Description	Estimated Costs (R) 2024/25	Estimated Costs (R) 2025/26	Estimated Costs (R) 2026/27
Total Costs*	2 207 250.00	2 486 610.00	2 660 670.00

*\* Note funding is still requested from the Chief Financial Officer.*

**Recommendation 1.1 NOTED and recommendation 1.2 and 1.3 ADOPTED.**

2. DRAFT 2024 CALENDAR OF COUNCIL AND COMMITTEE MEETINGS (3/4/1)

(Page 26)

It was recalled that the Municipal Council at its 11 December 2023 meeting resolved to defer consideration and approval of the draft Calendar of Council and Committee meetings pending the pronouncement of the date of the South Africa's 2024 National and Provincial Elections. This approach being taken in order to effect the necessary amendments to accommodate pre-election activities of the Political Parties that might interfere with other Committee meetings.

In view of the election date not yet communicated whilst the Calendar is also required to direct the activities of the Municipal Council, it was agreed to approve the Calendar in principle subject to the proviso that any latest developments with regard to the election date will be considered at the time of receipt of communication and subsequently the submission of amendments where required.

Approval of the Calendar is of essence to enable Officials to meet reporting timelines and allow scheduling of Support Committee meetings in a manner that enables their reports to serve before the Executive Committee prior to the final decision-making at the Council level.

Therefore, the Calendar of Meetings serves as the Council and Committees' Annual Programme. In drafting the Calendar, analysis of Committee membership has been undertaken to avoid clashes. However, in certain instances clashes are unavoidable but this would be managed accordingly amongst the Chairpersons of Committees.

The Calendar of Meetings also take into account the flow of items from the Committee structures till reaching the final decision-making at the Municipal Council level. Incorporated in the Calendar are also proposed dates of the Wards and the Community meetings, but it should be noted these are just tentative dates to indicate the requirement to convene the meetings on a monthly and quarterly basis. The Ward Councillors would then take responsibility to confirm specific dates with the respective Ward Committees and Community members.

It is understood that from time-to-time certain circumstances will warrant postponement and/or cancellation of meetings. This would be attended to by the respective Chairpersons and decision taken based on justifiable reasons. Timeous submission of Committee Reports is also encouraged to avoid postponing and/or cancelling meetings due to receipt of insufficient reports from line departments.

Attached herein is the Calendar of Meetings for ease of reference. In support of the in-principle approval,

**COMMITTEE RECOMMENDS:**

- 2.1 That Council approves, in principle the 2024 eThekweni Municipal Calendar of Meetings, to aid forward planning for the Council and its Committees; thereby achieving a smooth flow of the Council's decision-making process, it being recorded that the Calendar will be resubmitted upon the pronouncement of the date of the 2024 General Elections to confirm if there are changes to be effected to some of the dates of Council Committee meetings.

- 2.2 That, in the meantime, the Chairpersons of Committees adhere to the dates contained in the Calendar of Meetings when convening meetings, it being recorded though that the Chairpersons reserve the right to cancel and/or postpone meetings, based on justifiable reasons.
- 2.3 That the Deputy City Managers and the Unit Heads manage the process of timeous submission of Committee Reports to the Office of the City Manager for final signature, before submission to the Secretariat Department for Agenda purposes, and which process will enable meetings to convene as scheduled.

**ADOPTED.**

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**3. REPORT OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE**

3.1 REPORT OF THE MPAC FOR THE 2023/2024 SECOND QUARTER ENDING DECEMBER 2023

That Council notes the report of the Municipal Public Accounts Committee for quarter 2 of the 2023/2024 financial year, i.e., the period ended 31 December 2023, it being recorded that the activities undertaken during the period under review include:

- (i) Review of the 2021-22 eThekweni Municipality's Annual Report
- (ii) Oversight role of the Municipality's financial management;
- (iii) Monitoring compliance with procurement processes;
- (iv) Monitoring performance of appointed service providers;
- (v) Oversight of Unauthorised; Irregular; Fruitless and Wasteful Expenditure;
- (vi) Tracking implementation of mitigating measures arising from the findings raised by the Auditor-General; and
- (vii) Monitoring of investigations undertaken by the City Integrity and Investigation Unit.

**DEFERRED.**

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**NOTICE OF MOTION  
IN TERMS OF SECTION 18 OF THE RULES OF ORDER  
BY-LAW, 2014, AS AMENDED**

4.1 NOTICE OF MOTION: PROPOSED BY COUNCILLOR J ANNIPEN AND SECONDED BY COUNCILLOR J NAIDOO: MORATORIUM ON WATER DISCONNECTIONS (23/1/11/6/3)

This Council noting that:

Thousand of water meters have gone unread in eThekweni for over 01 (one) year and residents being billed estimated charges for usage. This does not accurately translate

to water usage verses billing and violates the Council's Credit Control and Debt Recovery Policy.

Further noting that:

A number of residents do not have water meters because, it has been stolen, vandalized or never had water meters before.

This Council resolves that:

Executive Committee consider the following recommendations and reports its findings in the next meeting:

1. Implementing an immediate moratorium on disconnection of water supply of all residents in eThekweni until the meter reading department has a standard operating procedure on reading of water meters.
2. Conduct an audit of water meters in stock.
3. Conduct an audit of properties without water meters.
3. Set a timeline to close the gap between point 2 and 3 above.

**CARRIED, by a majority vote.**

4.2

NOTICE OF MOTION: PROPOSED BY COUNCILLOR J NAIDOO AND  
SECONDED BY COUNCILLOR J ANNIPEN: DEBT PAYMENT RELIEF  
PROGRAMME (7/6/3/1)

This Council noting that:

The Council resolution taken on 28 September 2023 WRT Debt Payment Relief Programme is scheduled to end on the 31 December 2023.

Further noting that:

A significant member of ratepayers have already taken advantage of the programme and a large degree of persons who anticipate employment in the new calendar year will also want to commit to settling their dent with the City.

This Council resolves that:

Executive Committee considers the following recommendations and reports its findings at the next Council meeting:

1. Preparing a report on the number of participants since the programme went live.
2. How much of debt has been recovered since the programme went live.
3. Expanding the programme for a further three (03) months from the date of the report being tabled to Council.

**Recommendation 3:**

***“Expanding the programme for a further three (03 months from the date of the report being tabled to Council.”, was AMENDED by deleting “from the date of the report being tabled to Council” and to read as:***

***“Expanding the programme for a further three (03 months.”***

**Thereafter the Notice of Motion as amended was unanimously CARRIED.**

4.3

NOTICE OF MOTION: PROPOSED BY COUNCILLOR SV GOVENDER AND SECONDED BY COUNCILLOR J ANNIPEN: LAND FOR FAITH BASED ORGANISATIONS (21/8/2)

This Council noting that:

In his State of the City Address, His Worship the Mayor Councillor Mxolisi Kaunda promised the Faith Based Community that Religious Organisations will be offered the purchase of land for worship purposed at 10% (ten percent) of its value.

Further noting that:

Correspondence to the Real Estate Department as proven futile, leaving Faith Based Organisation in the dark about the processes to follow in order to access land.

This Council resolves that:

Executive Committee urgently considers the following recommendations and report its findings to Council:

1. In consultation with the Real Estate, Spatial Planning and Land Use Management identify land in eThekweni to be used for religious purposes.
2. Through the necessary policy developers, formulate a policy to guide the process of accessing land for Religious Use.
3. Communicate the policy and its requirements to the Faith-Based Community by a way of public hearing, social media etc.

**CARRIED.**

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**URGENT NOTICES OF MOTION  
IN TERMS OF SECTION 22 OF THE RULES OF ORDER  
BY-LAW, 2014, AS AMENDED**

4.4

**URGENT NOTICE OF MOTION: PROPOSED BY COUNCILLOR I SYED AND  
SECONDED BY COUNCILLOR M ISMAIL: RELIEF OF APPROXIMATELY  
49000 HOUSEHOLDS AFFECTED BY BILLING AND ARREARS  
ADJUSTMENTS OF FREE BASIC WATER SINCE 2020 (7/6/1/5).**

Motivation:

1. Some 49000 households have been affected by this Municipality by being billing erroneously in arrear for free basic water that was granted to them historically.
2. The 17<sup>th</sup> edition July 2023/204 of eThekweni Water and Sanitation Service Levels Standards Section 5 under free basic water speaks to how this Municipality should apply itself on the matter of free basic water.
  - a. 6kl of water should be given to households that are valued under R250 000.00
  - b. Households that are valued between R250 000.00 and R650 000.00 could apply for free water.
  - c. All properties under 50sq mtrs in size should qualify for free water.
  - d. Indigent families living in higher value houses may apply to gain access to free water.
  - e. All water meter connected to standpipes via relevant flow meter shall provide free charge.
3. Households that have been historically given free basic water are the subjects of this billing.
4. Covid-19 pandemic compounded with the insurrection and floods has left many households wanting financially and otherwise and its should be the position of this Council to grant relief to those very consumers who continue paying their bills diligently and not prejudice them further.
5. The eThekweni Municipality under the leadership of Mayor Kaunda and the Executive Committee, has lost approximately 60% (sixty percent) in revenue from water purchased from uMngeni Water. This accounts for about R2 Billion (Two Billion Rands) in the current financial year.
6. Some 56% of water is currently lost in this City and some 46% of this is non-revenue water while still being grated its R1,5 Billion Rand grant for flood relief and infrastructure repair which is mainly water, sanitation and roads.

Relief through this Council:

1. All households under R650 000.00 be relieved of the debt completely and be granted at least three (03) months from date of notice to apply for free water as per the Service Level Standards.
2. All households occupied by indigent families be granted relief of debt completely and three (03) months from date of notice to apply for relief moving forward.
3. All households that fall out of the above two (02) categories be billed 50% of the value of service since 2020 payable over a period of thirty-six (36) months without interest.
4. Relief of debt completely for years from 2020 to current wherein their properties fell within the R650 000.00 threshold.

Therefore, this Council resolves that:

Executive Committee considers providing relief to some 49000 households affected by increase water tariffs billed erroneously in December 2023 and reports its findings at the Council meeting.

**Recommendations AMENDED by including additional recommendations as follows:**

***“That the Executive Committee further investigates and scrutinize these households and report back to Council.*”**

Subsequently, the Motion was carried with amendment, as follows:

- “1. The Executive Committee considers providing relief to some 49 000 households affected by increase water tariffs billed erroneously in December 2023 and reports its findings at the Council meeting.**
- 2. That the Executive Committee further investigates and scrutinize these households and report back to Council”**

**CARRIED unanimously.**

4.5

NOTICE OF MOTION: PROPOSED BY COUNCILLOR Z MNCWANGO AND  
SECONDED BY COUNCILLOR AAK PARUK: DEBT RELIEF PROGRAMME  
EXTENSION (7/6/3/1)

Motivation:

Due to high employment rate consumes are unable to pay their utility bills. The debt review programme will bring relief to the households of the unemployed.

This Council noting that:

1. Debt review programme expired on 31 December 2023.
2. Due to economic challenges, some ratepayers cannot afford to pay.
3. The debt review programme that was in place did provide some relief to the community.

Council hereby resolves that the Executive Committee investigates the following and report back to Council:

The extension of the debt review programme for ninety (90) days (three months).

**WITHDRAWN in view of similar matter contained in Page 32 being covered through a Notice of Motion contained on Page 25 (Debt Relief Programme).**



pp  
TB Mbhele  
City Manager  
15 February 2024